

□ 1451

AFTER RECESS

The recess having expired, the House was called to order at 2 o'clock and 51 minutes p.m.

(Thereupon, the Members sat for the official photograph of the House of Representatives for the 110th Congress.)

RECESS

The SPEAKER. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair in one or two minutes.

Accordingly (at 2 o'clock and 54 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1455

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SALAZAR) at 2 o'clock and 55 minutes p.m.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2008

The SPEAKER pro tempore. Pursuant to House Resolution 473 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2638.

□ 1459

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2638) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes, with Mr. FRANK of Massachusetts in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from North Carolina (Mr. PRICE) and the gentleman from Kentucky (Mr. ROGERS) each will control 30 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. PRICE of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to start by saying how proud I am of the work of our subcommittee and its fine staff that has been done over the last number of months.

Through the 20 hearings we have held so far this year, featuring testimony from Department officials, watch dog agencies and outside experts, numerous security vulnerabilities and management problems have been identified and solutions offered. I believe that the bill reported by the committee is well

informed by what we learned in these hearings.

I want to express my gratitude to the distinguished gentleman from Kentucky (Mr. ROGERS), both for his leadership as the inaugural chairman of this subcommittee and more recently for his significant contributions as ranking member. Mr. ROGERS established a strong, bipartisan approach to providing vigilant oversight of the Department, and I have endeavored to continue on that path.

I also want to pay tribute to Martin Sabo, the former ranking member of this subcommittee, who is an example to all of us not only for his expertise and leadership on homeland security issues, but also his commitment to public service and to this institution.

And I don't want to go any further without expressing my respect for and gratitude to the professional staff of the subcommittee, both majority and minority. Beverly Pheto has been an exemplary clerk. Her mastery of the issues facing the Department and each of its components has been invaluable. And I cannot underestimate the contributions of Stephanie Gupta, Jeff Ashford, Jim Holm, and Shalanda Young on the majority side; and Tom McLemore, Ben Nicholson, and Christine Kojac on the minority side, as well as Darek Newby of my personal staff. Our subcommittee relies on the professionalism and expertise of these individuals. They are performing an invaluable service to the country.

Mr. Chairman, in total, the bill before us contains \$36.3 billion in discretionary funding, which is \$2.5 billion, or more than 7 percent, above the funding appropriated in 2007, including funding given an emergency designation in the 2007 bill. That so-called "emergency" funding was primarily for border security needs that have necessarily been absorbed into the baseline for fiscal year 2008. The bill contains \$2 billion, or 5 percent, more than the amounts requested by President Bush. I hope my colleagues will agree that the country's outstanding homeland security vulnerabilities, including border security, more than justify this level of funding.

This bill does four important things: First, it provides funding to address our country's most pressing security vulnerabilities with a new emphasis on our ports and on rail and transit systems.

Secondly, the bill provides critically needed funding to our States and communities to confront not only the threat of terrorist activity but also natural disasters and the emergency situations that must be dealt with in our community every day. Homeland security requires a faithful partnership among the Federal Government, States, and local communities. And this bill honors that partnership.

Thirdly, the bill helps to ensure that taxpayer dollars are well spent by requiring specific management reforms related to contracting, procurement,

and competition. It cuts \$1.2 billion below the fiscal 2007 levels and \$244 million below the requested amounts for programs and activities that are not performing well or for which increased or level funding has not been adequately justified; and it withholds a total of \$1.9 billion for various programs until the Department submits detailed expenditure plans.

And, fourth, the bill takes a long-term approach by requiring outside reviews of several major programs and activities to ensure that long-term investments of taxpayer money are made wisely and productively. For example, we are commissioning studies by the National Academies of Science on the current direction of the BioWatch program and on the Department's risk analysis capabilities and the improvements needed to ensure that investments are well targeted.

The funding increases provided in this bill address the security vulnerabilities identified by numerous expert groups, including the 9/11 Commission and the Hart-Rudman Commission. They also fund security actions mandated in the SAFE Ports Act and the Katrina Reform Act.

Aviation explosive detection systems are funded in total at \$849 million, \$324 million more than the regular 2007 bill. Air cargo security is funded at \$73 million, \$18 million more than the 2007 bill. And the bill directs TSA to double the amount of cargo it screens prior to loading onto passenger aircraft.

Transit security grants are funded at \$400 million, \$225 million more than the 2007 bill. Port security grants are funded at \$400 million, \$190 million more than the 2007 bill. An additional \$40 million is provided for the Coast Guard to implement the requirements of the SAFE Ports Act.

Emergency Management Performance Grants are funded at \$300 million, \$100 million more than the 2007 bill. Metropolitan Medical Response System Grants are funded at \$50 million, \$17 million more than 2007. State Homeland Security and Law Enforcement Terrorism Prevention grants are funded at \$950 million; that is \$50 million more than 2007. Urban area security grants are funded at \$800 million, \$30 million more than the 2007 bill. REAL ID and interoperable communication grants are funded in total at \$100 million, in contrast to no funding provided in 2007. Fire grants are funded at \$800 million, \$138 million more than 2007. And FEMA management and administration is funded at \$685 million, \$150 million more than 2007.

Mr. Chairman, I want to highlight a number of other provisions in the bill that are particularly important. We have all heard about contracts and awards from the Department that were not competed. FEMA recently submitted a list of nearly 4,000 contracts that were never competitively bid. This bill mandates that all grant and contract funds be awarded through full and open competitive processes except

when other funding distribution mechanisms are required by statute. This approach creates a level playing field and also ensures that there are no congressional or administration earmarks in this bill.

In addition, the bill addresses a major immigration vulnerability that exists today. It requires that ICE contact correctional facilities throughout the U.S. on a monthly basis to identify incarcerated immigrants who are subject to deportation. Although ICE reports some number of these individuals now, it is not systematically identifying and deporting them. There is simply no excuse for failing to identify every deportable alien and deporting them immediately upon their release from prison.

These are undocumented individuals who have served time in jail for committing crimes, and we are now, unfortunately, releasing them all too often back into the population. So asking prisons for information about these individuals so they can be deported should be among the first priorities in our illegal immigration enforcement strategy. This bill provides the direction and the funding to ICE to make this happen.

The bill funds the Secure Border Initiative at the requested level of \$1 billion, while requiring the Department to clearly justify how it plans to use these funds to achieve operational control of our borders. For each border segment, the Department will have to produce an analysis comparing its selected approach to alternatives based on total cost, on level of control achieved, impact on affected communities, and other factors.

We are also requiring the Department to seek the advice and support of each local community affected by a border infrastructure project. I want to be clear that this does not give border communities a veto on border projects and it will not result in any project delays if the Department efficiently carries out its responsibilities. The provision simply requires the Department to actively and faithfully consult affected communities to ensure that our border security efforts minimize adverse community impacts. That is reasonable to ask of the Department, and the Department agrees that such consultation is appropriate.

We are also directing the Department to increase by over 40 percent the number of Border Patrol agents on the northern border to comply with the levels called for in the Intelligence Reform Act. In addition, the bill addresses a Customs and Border Protection staffing problem that we heard about on a February congressional delegation to the southwest border.

Because CBP officers are not considered law enforcement officers, despite the increasing role of law enforcement in their duties, they don't receive the same benefits as DHS personnel who are considered law enforcement officers. This has made it extremely dif-

ficult to hold on to CBP officers. In a nutshell, the bill would allow eligible CBP officers to transition to law enforcement status beginning in fiscal 2008.

The Transportation Security Administration's loss of the personal data of thousands of its employees is only the most recent example of the privacy problems plaguing the Department. The bill withholds funding for certain DHS programs until the proper privacy protections are in place because security and privacy can and should go hand in hand.

In conclusion, let me mention a few other provisions, Mr. Chairman. First, the bill includes language mandating that stricter State and local chemical security laws and regulations cannot be preempted by the Federal Government. Secondly, the bill mandates that all grant and contract funds comply with Davis-Bacon prevailing wage requirements. Thirdly, the \$101 million in the bill for the new DHS campus facility at St. Elizabeth's will not be available until the Department submits an explosive detection equipment spending plan and promulgates long overdue regulations on U-Visas for victims of domestic violence, rape, and involuntary servitude.

This withholding of funds should not be interpreted as a signal of lukewarm support for the development of the St. Elizabeth's campus. On the contrary, the Department and the country would be better served by colocating most of its headquarters components onto this single campus. This is simply our way of signaling that any further delay on an explosive detection plan or on the overdue U-Visa rule is completely unacceptable.

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

Mr. ROGERS of Kentucky. Mr. Chairman, I yield myself such time as I may consume.

Let me start, Mr. Chairman, by commending the subcommittee chairman on putting together a thoughtful bill, his first as the chairman of this important subcommittee. I must also recognize the chairman's continuation of this subcommittee's bipartisan tradition as well as to state how much I appreciate the chairman's willingness to listen to the concerns on this side of the aisle and accommodate us as much as possible.

I would, however, like to briefly say a few words about some specific items of concern. First, fiscal responsibility.

The 302(b) allocation for the Department of Homeland Security is \$36.25 billion. That is \$2.1 billion above what was requested of us and amounts to a 13.6 percent increase above fiscal 2007. And that doesn't even include the billions in one-time emergency funding that has been added to the DHS budget over the last year, including the \$1.05 billion in unrequested funding just approved in the supplemental last month.

If you include that figure in the increase, it is almost a 17 percent in-

crease over the current year. By comparison, the budget request would give the Department a 7.2 percent increase, and I think that recommendation is more than sufficient, even generous, for the Department.

The public is demanding accountability and fiscal responsibility, and I don't think we can exclude any Federal agency from fiscal discipline, even the Department of Homeland Security. More money and more government do not equal more security.

Therefore, I will offer an amendment later today to limit the budget to a more than generous and responsible 7.2 percent increase over current spending. I am hopeful my colleagues will support that effort.

And when I use the term "responsible," Mr. Chairman, I am also stating that we must ensure DHS has sufficient resources to carry out legislative direction. The bill includes a bold mandate for ICE to contact every correctional facility in the country, over 5,000 of them, at least once a month to identify incarcerated aliens and initiate deportation proceedings against them. That is a laudable goal, and I support the policy and the goal. But, Mr. Chairman, it is going to be very, very difficult to do mechanically and it is unfunded.

□ 1515

We are going to be asking the States and localities to pay, assumedly, for the review of who is in their jails.

Number two, they don't have the authority nor the capability to determine whether or not Joe Blow in cell 18 is an undocumented alien or not. It's not their job, and they don't have the capability to do that. So I don't know what will be the result of this mandate. It is unfunded, and it is going to be very difficult to put in practice. The Department already surveys routinely the most probable jails where the most probable criminal aliens are being held anyway.

Despite the requirement for ICE to report on the resources needed to carry out this unfunded mandate, I am concerned that the bill presupposes ICE can simply transfer or reprioritize monies from other sources within their budget, for example, the fugitive apprehension program. They are out there trying to catch the criminals on the streets that are loose. It seems to me they are a bigger danger than those incarcerated in the jails.

These enforcement activities involve many duties, duties that include tracking down at-large criminals, investigating smuggling networks, preventing child pornography, preventing the exploit of sensitive national security technology, and taking down employers who are exploiting illegal immigrants to the point of abuse.

From which of these critical missions should ICE take monies in order to comb the Nation's jails and correctional facilities, most of which never have any criminal aliens in them anyway? So to suggest that ICE should

refocus its resources almost exclusively on jailed illegal aliens at the expense of trying to catch fugitives on the street who are raping and plundering seems to me as short-sighted as it is potentially very dangerous.

There must be a balance among ICE's many critical missions. And I am concerned this bill falls short in that regard. I am hopeful the Chairman will work with me and others to develop a more realistic implementation of this policy as we move forward.

I have other concerns as well. Any immigration policy starts out with securing the border. If we can't control who crosses our Nation's borders, all other possible immigration initiatives will fail. To address this critical issue, Congress has authorized and appropriated for substantial infrastructure on the southwest border. But the bill contains a number of onerous restrictions on funding for fencing and other tactical infrastructure along our borders until the Department performs certain actions.

At first glance, these individual fencing and tactical infrastructure requirements appear to be based upon sound policy. However, added together, they are a series of obstacles that can potentially impede installation of critical border security systems. I fear that securing the border will be greatly deterred.

While I am pleased with the continuation of robust planning requirements for SBInet, I am absolutely committed to securing our borders as rapidly as possible. We will work with the Chairman to ensure that DHS accomplishes that critical task on time and on budget. There must be a balance between prudent oversight and timely execution of the Department's border security mission.

In addition, Mr. Chairman, the bill removes for the first time the cap on the number of TSA screeners that was put into this bill in 2002, and every year since. That cap was established for very good reasons, reasons that still exist. TSA was created by Congress in 2001. At that time, I chaired the Transportation Appropriations Subcommittee, and we put in this cap because TSA was demonstrating absolutely no discipline in its planning, hiring and use of technology. TSA's mindset was to hire an army of screeners, 70,000 of them, while advancements in research and technology were largely ignored.

By requiring in law that TSA could not exceed 45,000 screeners, TSA was forced to refocus its decision-making. They began to place better, cheaper, and more effective technologies and machines in the airport, x-ray machines and the like, and started to slowly clear out the more expensive, manpower-intensive trace detection machines in the lobbies of airports.

The screener cap, Mr. Chairman, works. Without it, I am fearful that TSA will go back to its old ways of solving screener problems by simply

adding more people, a very short-sighted, costly, and dangerous solution. Given these concerns, I plan to offer an amendment to restore the 45,000 screener cap later today.

Finally, Mr. Chairman, I am concerned about the annual expectations we may be setting for State and local grants. These funds are intended to address counterterrorism needs and disaster preparedness, the Homeland Security portion of local first responders' budgets and duties. These agencies are certainly happy, of course, to get these grant funds, and now even expect it. I am concerned that we are transforming the mission and purpose of these grant programs from risk reduction to that of revenue sharing, something it was never intended to be.

Rather than just adding billions to these grant programs, as this bill does, what we ought to be doing is working with the authorizing committees to change the way these grant programs are authorized and administered, and lay out specifically what the Federal Government expects for the grants that we do make.

Grants to States and local communities are intended to reduce our vulnerabilities and are not immune from fiscal discipline, particularly when you consider that there is nearly \$5 billion in unspent first responder grant dollars simply laying there waiting to be spent. We should be working on seeing that the pipeline is unclogged. Why put billions more dollars in the hopper when it's full already, waiting to be drained out the bottom in a clogged pipeline?

Mr. Chairman, in conclusion, I believe this bill has the potential to do a lot of good. There are many provisions and funding recommendations that I agree with. I applaud Chairman PRICE's efforts to keep the Department on track to produce results, provide strong oversight, and continuing the subcommittee's tradition of strict accountability.

I look forward to working with him and the Members of the House and the Senate as the bill moves forward.

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

Mr. PRICE of North Carolina. Mr. Chairman, I would like to yield 3 minutes to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, I rise to engage in a colloquy with the chairman of the subcommittee to inquire about the language in the report accompanying this bill relating to funding for the capability replacement laboratory that is being built as part of the Pacific Northwest Laboratory complex in the 300 Area at Hanford. This lab is being constructed in order to replace facilities that are being demolished as a result of the environmental cleanup program managed by the Department of Energy. The existing lab provides critical science and technology capabilities to the Department of Homeland Security, including radiation detection

and analysis, information, analytics and testing, evaluation and certification capabilities.

To maintain these capabilities, DHS, along with two agencies within DOE, has entered into a memorandum of understanding to share the cost for replacing this laboratory complex.

I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. I thank the gentleman for yielding.

I would like to point out that DHS provided approximately \$2.25 million in prior years for conceptual design of this project. In addition, the FY07 Homeland Security appropriation bill provided \$2 million for the continued design and initial construction of this facility. And I thank the gentleman from Kentucky for his help last year. However, no funds were included in the FY08 budget request from DHS. The MOU calls for \$25 million to be contributed by DHS to begin construction. If this funding is not included, the project will likely be delayed into future years, causing both DHS and DOE to lose important laboratory capabilities they need to keep our country safe.

Mr. DICKS. I thank the gentleman for those important points. It is my understanding that there is language in the report to accompany the bill addressing the funding commitment made by DHS in the MOU.

I would yield to the chairman of the subcommittee for clarification.

Mr. PRICE of North Carolina. The gentleman is correct. Language in the report directs the science and technology directorate to fulfill the funding obligation to which it committed itself in the MOU signed last November.

Mr. DICKS. I thank the chairman for his response, and I ask him to continue to work with me and my colleague from Washington to ensure that this obligation is fulfilled by DHS.

Mr. PRICE of North Carolina. I would be happy to work with you and Mr. HASTINGS to ensure that the Department adheres to the direction provided in the report.

Mr. DICKS. Thank you.

I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. Thank you for yielding. I thank the gentleman, and I thank the Chair as well, and look forward to working with both of you in this regard.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 3 minutes to a very hard-working member of our committee, Mr. PETERSON of Pennsylvania.

Mr. PETERSON of Pennsylvania. I want to thank the gentleman from Kentucky, Ranking Member ROGERS, for yielding time and for the leadership he and Chairman PRICE have given this committee. It has been a pleasure to serve.

I rise today to speak about an issue of vital importance to me, the infrastructure protection and our energy delivery system protection.

This bill has \$532 million to protect the infrastructure of this country. Our transportation system has been a very high focus because that is how we were attacked, the use of our transportation system. But in my view, the vulnerability of America is very much its infrastructure on energy. We lack oil refineries and cannot afford to have any refineries offline from a terrorist attack. We now import 13 percent of our gasoline from foreign countries and often have to bid for it when it's in the ship.

Our natural gas system is struggling to furnish adequate and affordable natural gas for us to heat our homes and run our businesses because we are using huge amounts of it now to generate electricity. We are using large amounts of it now to make ethanol because it is a fuel. Ninety-six percent of all the new ethanol plants use natural gas.

We are finding that natural gas is the mother's milk of this country, and any disruption in our pipeline system, because we are not able to produce adequate amounts of natural gas without any disruption in the current delivery system.

Our electric grid, in my view, we were short on generating capacity; that has been beefed up because we have built a lot of natural gas electric generators. But we have not adequately invested, or in some cases have not been able to build the grid that connects our country. We need to have all of our country criss-crossed with a stronger grid, so that if any portion of it goes down, another portion, we can come in the back door with electricity.

Our dependence on electricity and our use of electricity is growing every day. And in my view, with wind and solar slowly coming online, those are often in areas that we don't have a good hookup to the grid, and we need to build transmission lines to bring that capacity to the system.

I believe the Department of Homeland Security must be more stringently identified as a priority within the Department of Homeland Security. I have said throughout the process of marking up this bill that the vulnerabilities of our electric grid, our pipeline system and our refinery system need to be a higher priority. I am thankful for the language that was accepted in this bill to require the Department of Homeland Security, with input from the Department of Energy, to provide a report on the most critical capacity limit segments of the North American electricity transmission and distribution network. And we probably ought to be doing the same for all of our other energy infrastructures.

It is critical that we identify these segments and also identify if disruption of any of these segments would generate a cascading affect that could cripple the economy of our country. It is vital that we protect our energy infrastructure.

I want to thank Mr. ROGERS and Mr. PRICE for their dedication on this bill

and their willingness to work with me on what I believe are the vulnerabilities that need to be beefed up to make sure this country has the energy it needs.

Mr. PRICE of North Carolina. Mr. Chairman, I yield 2 minutes to our colleague on the subcommittee, the gentleman from New York (Mr. SERRANO).

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

Mr. SERRANO. Mr. Chairman, I rise in support of this bill and would like to commend Chairman PRICE, Ranking Member ROGERS, and their wonderful staff for their hard work in bringing this bill to the floor.

The bill provides adequate funding for programs that are crucial to the Nation's security, many of which the President chose to underfund or eliminate in his request.

Although we have not suffered a terrorist attack since the morning of 9/11, the threat remains real. Therefore, it is crucial that we provide sufficient resources to support those who represent our first line of defense.

I am pleased that the bill acknowledges this reality and restores proposed cuts to grant programs such as the Metropolitan Medical Response System and the SAFER program, which helps our struggling local fire departments fulfill ever-increasing homeland security missions.

□ 1530

I know that my own City of New York is making good use of all of these grants, including those provided to the Urban Areas Security Initiative grant program.

Beyond helping our States and municipalities, I would also like to express my support for the way the committee handles the balance between the different demands in the different departments and their ongoing missions. These critical missions, such as stopping the flow of illegal drugs and approving visas, have not gone away since 9/11. This bill properly recognizes this reality and provides support.

Finally, I am pleased that the chairman and ranking member chose to address issues related to the treatment and deportation of immigrants. As we work to secure our borders, it is important that we never lose touch with America's enduring spirit as a nation that stands ready to welcome all who come in search of a better life.

Mr. Chairman, in conclusion, I believe the bill does a good job of providing adequate funds for programs crucial to the security of the homeland and strengthens the partnership between the Federal, State and local governments and all the local communities. I truly believe it includes all the ingredients necessary for success.

Therefore, I urge my colleagues to support this bill, and I would ask for their vote.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 3 minutes to the gen-

tleman from Texas (Mr. CARTER), one of the hardest working members of our subcommittee.

Mr. CARTER. I thank the chairman for yielding.

Mr. Chairman, first, I would like to thank Chairman PRICE and Ranking Member ROGERS for the hard work that they have done on this Homeland Security bill. What we are trying to do is secure our Nation with our Homeland Security bill, and this goes a long way to doing that. But I have some concerns about this bill, and I have expressed them.

We have got to secure our Nation, and it is of primary importance to this country that we secure this Nation at every level. We have been working diligently and hard to do that. We have tried to use an open process in the Homeland Security Subcommittee, and that is, we lay all our cards on the table in our appropriations bill. We have historically let all the spending on homeland security be laid out before this House so that the daylight and reality of how we are spending the American people's money is in the bill.

I am concerned, and I wish to express the concern that in the appropriations process this year there is a lot that is going to be done in the dark. In this particular bill, it is a very small item as compared to what is coming down the road at us, but there is \$16 million for bridges which we won't know exactly how that is going to be spent for this House to examine it, but it will be "air dropped" in in the conference committee. That is an indicator of what we are looking at as we deal with Member-initiated spending with the nickname of "earmarks" in the future.

At present, the plan is to set aside the money but not tell us how to spend it, and, oh, by the way vote for it. But I think in the last election the American people told us that they wanted sunlight on this process. They wanted to be able to see how we spend our money, including they wanted our names put on the things that were individually requested. In fact, the Republican House passed such a rule, to put the names on every earmark.

Yet we see in a very small part in this bill, and much expanded in the bills to follow, that there is going to be no sunshine on this process. In fact, it is going to be inside closed doors in the conference committee where there is really not a whole lot this House can do about it.

With increased nonemergency spending of \$81.4 billion, these are issues that American people want to know about it. They want their elected Representatives to take a look at it and be able to figure out how the money is being spent. We debated this process the last session of Congress. We made it important to us as individual Members. We talked about it and discussed it and voted on it.

Now, all of a sudden, we have a process that has gone behind closed doors in secrecy, and as we vote these things

out, as Members of Congress we are voting a bill which has a fund set-aside which we are not told how that fund is going to be spent. We are told it could be published over the break. This is inexcusable.

Mr. PRICE of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. FARR), another member of our committee.

Mr. FARR. I thank the gentleman for yielding.

Mr. Chairman, I rise as a member of this committee and want to commend the style of this committee. I don't think any committee has had more hearings with more substantive issues than this Committee on Appropriations for security.

In fact, this bill appropriates a record amount of spending, \$36.3 billion. What we tried to do in the committee, and I want to commend Mr. ROGERS and Mr. PRICE, was starting out asking what are the risk issues that we really need to face in the Nation. This whole emphasis has been essentially an antiterrorism effort, when, in reality, in creating this huge, huge bureaucracy and moving the Department of Agriculture and everybody else into it, what we have found from a lot of experts is that you really have to deal with issues such as the first responders would be the same for a terrorist activity as they would be for a natural disaster, and that we really have to base our decisions on risk-based management.

It was no more clear than in a place that we are just sort of throwing money at, which is the border between Mexico and the United States. In testimony, we found that there are more terrorist incidents—in fact, there have been none on the Mexican-U.S. border, but there have been several on the U.S.-Canadian border where we have very little security whatsoever. So if you were acting just on risk management, you would put more assets on the Canadian border than on the Mexican border. But the emphasis here isn't about homeland security; it is more about immigration.

I think hearing all the things put together, this is a really good bill.

One of the things Mr. ROGERS mentioned that I would like to just disagree with, all of our local law enforcement say that the biggest problem they are having is they arrest people who don't have papers and then they release them because nobody from INS will come around and check it out. Everybody on the committee was concerned about the fact that there wasn't enough effort put into what they call "jail checks," and this committee bill addresses that.

Mr. Chairman, I would like to commend the Members, and point out that this is not just a spending bill, because they cut a lot of things and they put conditions on spending.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 3 minutes to the gentleman from Tennessee (Mr. WAMP), a very hard-working member of our committee.

Mr. WAMP. Mr. Chairman, I rise to enter into a colloquy with the distinguished chairman of the subcommittee.

I commend the gentleman from North Carolina for putting together a bill that meets the security needs of this country. As a former member of the Homeland Security Subcommittee, I respect the enormous task the subcommittee has in providing oversight to a department that is still finding its way.

Of particular concern to me are the Department's Infrastructure Protection analysis centers, which provide basic analytic services to the Department of Homeland Security. PSAC, the Protective Security Analysis Center, is one such tool. PSAC is a collaborative effort between a number of Department of Energy national labs and industry partners which exist to collect, analyze and share infrastructure risk information within DHS, as well as with the communities in which the infrastructure is located.

PSAC integrates infrastructure information, risk analysis and data collection through assessment tools to support the process of risk-based decision-making. PSAC also hosts a number of DHS systems supporting chemical facility security and bombing prevention, as well as the National Asset Database, all of which are essential to accomplishing the DHS mission.

It is also important to note that DHS has made a \$52 million investment in PSAC over the past 4 years to develop these capabilities and expertise. Without continued support, this significant investment would be lost and DHS would be left with numerous unfunded mission requirements. It is my understanding the committee has approved \$78.9 million for identification and analysis.

Chairman PRICE, I ask if you will work with me, please, to ensure that the Department of Homeland Security provides adequate funding for these analysis centers, particularly the PSAC, in FY 08.

Mr. PRICE of North Carolina. Mr. Chairman, I thank the gentleman from Tennessee for his kind words on our bill, and I appreciate his interest in the Protective Security Analysis Center, or PSAC.

As the gentleman noted, the bill includes \$78.9 million for the Assistant Secretary for Infrastructure Protection to carry out identification and analysis programs. This funding supports the analytical work done by DHS to identify risks to infrastructure and to model the effects of terrorist attacks and natural disasters.

The PSAC is an important part of these activities. I look forward to working with the gentleman to ensure that these important activities are adequately funded in our bill.

Mr. PRICE of North Carolina. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. LEE), a member of the full Appropriations Committee.

Ms. LEE. Mr. Chairman, let me thank the gentleman for yielding and for his leadership.

Mr. Chairman, I rise today in strong support of this Homeland Security appropriations bill. For too long, this Congress has failed to fund our critical homeland security priorities. I am pleased, however, that this bill today takes significant steps towards addressing these issues.

As a Member who represents the Port of Oakland, I want to just mention port security, which has been long neglected by the Bush administration. In this bill, we make an important commitment to provide at the authorized level \$400 million in port security grants, which is \$190 million over the President's request.

To protect critical transit infrastructure, this bill provides \$400 million in grants, which is \$225 million over the President's request.

On the issue of ensuring that first responders are able to communicate between themselves, this bill provides \$50 million for essential interoperable communications.

Mr. Chairman, this Congress is making good on its promise to provide a clear and new and realistic direction on homeland security. I urge my colleagues to support this bill.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama (Mr. ROGERS), a member of the authorizing committee for homeland security in the House.

Mr. ROGERS of Alabama. Mr. Chairman, I rise today to support the Department of Homeland Security Appropriations Act for Fiscal Year 2008. I would like to thank Chairman PRICE and Ranking Member ROGERS for including a solid increase for funding for detection canine teams used by DHS. The bill includes an increase of \$17.3 million that will add more canine teams for air cargo inspections. The bill also includes funding for 1,506 canine teams for CBP, which represents an increase of 272 teams over last year's level.

These increases reflect a provision I supported in the Rail and Public Transportation Safety Act of 2007 and H.R. 659, the Canine Detection Team Improvement Act, which I introduced earlier this year.

However, I am deeply concerned about section 527 that would classify instructors at the Federal Law Enforcement Training Center as inherently governmental. This provision would impose a dangerous ban on using non-Federal trainers after a national emergency and the resulting needed times of surge.

I also remain concerned about the ability of DHS to recruit and train an additional 3,000 new Border Patrol agents funded by the bill. Given attrition rates, this means that Border Patrol will need to hire and train approximately 4,400 agents a year. While I support putting more boots on the ground as quickly as possible, I am convinced

that the current approach DHS is using cannot meet this goal.

I am also concerned that it continues to cost \$187,000 to recruit, train and deploy just one Border Patrol agent. The Subcommittee on Management Investigations and Oversight plans to hold another hearing on Border Patrol agent training costs in its capacity next Tuesday. It is my hope that the findings from this hearing will be considered by the House and Senate conferees on this bill to improve the way DHS recruits and trains Border Patrol agents.

Mr. PRICE of North Carolina. Mr. Chairman, I gladly yield 2 minutes to a very fine Member, the gentleman from Mississippi (Mr. THOMPSON), the chairman of our authorizing committee on homeland security.

Mr. THOMPSON of Mississippi. Mr. Chairman, I appreciate the gentleman giving me the time.

Mr. Chairman, I rise in strong support of H.R. 2638. This legislation goes a long way to meeting the Nation's homeland security needs. It also provides funding in a number of areas at the Department of Homeland Security that have repeatedly been short-changed.

Specifically, the bill before us today provides DHS with \$36.3 billion, a \$2.1 billion increase over the President's request. Additionally, H.R. 2638 addresses many of the areas identified in the authorization bill that the Committee on Homeland Security developed.

The House overwhelmingly approved the authorization bill in early May. At the same time, it also is shaped by many of the recommendations of the 9/11 Commission, as well as programmatic changes called for in H.R. 1, legislation that I authored and that passed the House in January on a bipartisan basis.

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For instance, this bill includes \$78 million to double the amount of cargo screened on passenger aircraft. This would put TSA on the path of inspecting 100 percent of cargo, a key provision in H.R. 1.

Chairman PRICE is to be commended for producing a bill that makes the homeland more secure, especially given the tight budget constraints. We all know that to get border security right, we need to put more trained "boots on the ground." H.R. 2638 provides funding for 3,000 additional Border Patrol agents to bring the number of agents to 17,819 by the end of the fiscal year.

It also makes some major enhancements to the operations of the Department. It mandates that all grants and contracts can only be used for projects that comply with Davis-Bacon. It also allows State and local governments to set chemical security rules that are stronger than those issued by the Federal Government. And it sets information protection standards for vulnerability and security plans for chemical facilities.

I support this bill and urge its passage.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield 3 minutes to the ranking member on the Border and Terrorism Subcommittee of the Homeland Security authorization committee, Mr. SOUDER from Indiana.

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

Mr. SOUDER. I thank the distinguished ranking member and chairman of the subcommittee.

Mr. Chairman, I want to point out a tremendous irony that is happening here in the Capitol Building today. In the other body, the President of the United States has come over to lobby for an immigration bill and the other body is considering this. Yet we are debating a homeland security bill where we have had Republicans come down to the floor who say it's too expensive, that it's spending too much money, but if you took this times four on an annual basis for 5 years, you couldn't begin to meet the standards that are in the Senate bill. We have people like Mr. ROGERS of Kentucky pointing out that we're mandating Homeland Security to go check everybody in these detention centers but without any money for it. Unless your intention is complete and pure amnesty, how would you do that if you don't fund programs?

Mr. ROGERS of Alabama pointed out that we don't have a realistic program for training Border Patrol, that it's costing too much. Yeah. Well, how are we going to ramp this up two or three times if we don't have money to do the Border Patrol people?

This bill is an advertisement, a walking billboard for the gaping holes in the bill of the other body. On pages 12 and 13 of this bill, and I agree with all these criticisms as we worked through our subcommittee, it says that they have to define activities, milestones and costs of implementing the program for the Secure Border Initiative. You mean they don't have that? You mean they're promising that we're going to have a secure border and they don't even have the cost estimates? Yes, that's correct.

Number 2 here on page 12 says, demonstrate how the activities will further the objectives of it and have a multi-year strategic plan. You mean they don't have a multi-year strategic plan? No, they don't.

Identify funding and staffing. You mean they haven't done that?

Describe how the plan addresses security needs at the northern border. They don't even have the date set for when they're going to develop a plan for the northern border, yet we're debating a bill in the other body that says that we're supposedly securing our border?

On page 37, it says, complete the schedule for the full implementation of a biometric exit program or certification that such program is not possible within 5 years. Well, I've talked to US-VISIT. They haven't even been

talked to about it. Of course they can't meet 5 years. We're talking 10 years minimum.

What are they debating over in the other body? When the American public looks at what's happening in the Capitol Building on the same day and we're passing an appropriations bill that has theoretically looking at a biometric exit maybe in the next 5 years and the other body is acting like it's done, what's going on here?

On page 59, there's a direct challenge to the question of our matching system. Now, the other day we had somebody with TB who had the warning on the screen, one we actually caught and we released him. But what we have is a question of are our lists even valid and there are restrictions on that.

Other parts of the bill are actually going to delay the implementation of the fence by saying that, for example, 75 percent of the land in Arizona is actually either government-owned, Native-American-owned, it's a wilderness area, it's a range; and it says we have to work out each of those things before we can put any fence in.

Another part of the bill says we have to work with State and local governments in their areas. How in the world can the other body be making these promises when this bill points out the gaping holes?

Mr. PRICE of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Rhode Island who's worked with us on this bill, Mr. LANGEVIN.

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

Mr. LANGEVIN. I thank the gentleman for yielding, and I want to say that I rise in strong support of the FY 2008 Department of Homeland Security appropriations bill. I want to begin by commending Chairman PRICE's leadership in crafting a measure that will provide an additional \$2.1 billion above the President's request and fill many of our remaining security gaps.

As chairman of the Homeland Security Subcommittee on Emerging Threats, Cybersecurity and Science and Technology, I am particularly pleased that this bill incorporates language I worked on to strengthen chemical security by allowing State and local governments to set chemical safety rules that are stronger than Federal mandates.

Further, this legislation incorporates an additional \$307 million for aviation security, an area the 9/11 Commission highlighted as a priority. This bill will allow TSA to install vital explosive detection systems at commercial airports nationwide and will double the amount of cargo screened on passenger aircrafts.

This bill also takes the critical step of lifting the cap on TSA airport screeners, a provision which is of tremendous importance to T.F. Green Airport in my district.

In addition, H.R. 2638 incorporates robust funding to strengthen border protection, including \$8.8 billion to fund

an additional 3,000 Border Patrol agents for FY08.

Finally, this legislation will help our first responders who place their lives on the line each and every day by restoring funding to the local law enforcement terrorism prevention program and the assistance to firefighter grants program.

Of course, no appropriations measure is perfect and this bill is no exception. I am especially disappointed with the inadequate funding level for R&D for cybersecurity. Cybersecurity poses potentially devastating threats to our Nation's critical infrastructure, and I hope we can improve the bill in this area. I have a later amendment to that effect that I hope to discuss with the chairman.

Overall, however, this is an excellent bill. I again want to commend the chairman and the committee for their outstanding work on this measure. It provides support to many critical programs, and I urge my colleagues to join me in supporting it.

Mr. PRICE of North Carolina. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. CUELLAR).

Mr. CUELLAR. I want to thank, Mr. Chairman, Chairman DAVID PRICE and Ranking Member HAROLD ROGERS for the leadership and bipartisan work that they have done in this bill.

I rise in support of this Homeland Security appropriations bill because I am a Member who represents part of the U.S.-Mexico border and this is strong on homeland security.

One of the things I would like to emphasize is that it allows input from the local communities. I think before a fence is put, that I think it's very, very important that we get the input of the local county officials, city officials, the business sector before any sort of fence is put in there.

The second part of it is we're doing a lot to help Border Patrol, but I think it's also important to provide incentives for customs officers; and by giving them law enforcement officer status, that will improve the Department of Homeland Security to recruit and retain those officers.

The last point is the criminal alien program. By providing extra funding, the \$50 million to make sure that we contact the local jails, this is important to make sure that we deport anybody who is in one of the local jails and move them out.

Mr. Chairman, I thank you for the leadership you have provided.

Mr. PRICE of North Carolina. Mr. Chairman, how much time do we have remaining?

The CHAIRMAN. The gentleman has 6½ minutes. The gentleman from Kentucky has 6 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. I thank the chairman very much, and I thank the ranking member for their work.

I want to point out particularly in the interest of our subcommittee on the authorizing committee, chairwoman of the Transportation Security and Critical Infrastructure, is the importance of the added amount of dollars for the Transportation Security Administration, a figure that is \$307 million above the 2007 request, \$6.62 billion. I am hoping that that means that we will begin to look at the entire operations of airports, to ensure that the grounds, the back side of the airport as well, are as safe as the front side, that we will be able to screen all of the employees that come on the airport grounds.

I am very happy to see that the port security grants are there, representing Houston and the Port of Houston. Lastly, let me say that I hope we will be able to work together on ensuring that when we have outreach and security training that we include the neighborhoods surrounding the items that may generate the kind of nonsecure incident that may occur. We must provide security for neighborhoods.

I hope that we will pass this bill and add the issue of securing neighborhoods to the bill.

Mr. Chairman, September 11, 2001, is a day that is indelibly etched in the psyche of every American and in the minds of many throughout the world. Much like the unprovoked attack on Pearl Harbor on December 7, 1941, September 11 is a day that will live in infamy. And as much as Pearl Harbor changed the course of world history by precipitating the global struggle between totalitarian fascism and representative democracy, the transformative impact of September 11 in the course of American and human history is indelible. September 11 was not only the beginning of the global war on terror, but moreover, it was the day of innocence lost for a new generation of Americans.

Since that catastrophic day, I have put the protection of our homeland at the forefront of my legislative agenda. I believe that our collective efforts as Americans will all be in vain if we do not achieve our most important priority: the security of our Nation. Accordingly, I became then and continue to this day to be an active and engaged member of the Committee on Homeland Security, and chairwoman of the Transportation Security and Infrastructure Protection Subcommittee.

Our Nation's collective response to the tragedy of September 11 exemplified what has been true of the American people since the inception of our Republic—in times of crisis, we come together and always persevere. Despite the depths of our anguish on the preceding day, on September 12 the American people demonstrated their compassion and solidarity for one another as we began the process of response, recovery, and rebuilding. We transcended our differences and came together to honor the sacrifices and losses sustained by the countless victims of September 11. Let us honor their sacrifices by passing H.R. 2638, which funds the important work of the Department of Homeland Security.

The Homeland Security Appropriations bill makes significant strides forward toward im-

plementing the suggestions of the 9/11 Commission report, as well as addressing the most pressing security issues that we, as Americans, face. In particular, new emphasis has been placed on port, rail, and transit security; on the need to support state and local efforts to prevent and respond to terrorism threats and natural disasters; on aviation security; and on border and immigration security.

Earlier in this Congress, we passed H.R. 1684, the Department of Homeland Security Authorization Act for 2008. This legislation included many significant provisions I ensured were incorporated either into the base bill or through amendments at the full committee markup, and I am pleased that my amendments are reflected in H.R. 2638, making appropriations for the Department of Homeland Security for FY 2008. These amendments were designed to strengthen and streamline management, organizational, personnel, and procurement issues at the Department to facilitate execution of its homeland security mission. Among these was an amendment to strip the Department's authority to develop a personnel system different from the traditional GS schedule Federal model, known as MAX-HR. In a number of critical ways, the personnel system established by the Homeland Security has been a litany of failure, and my amendment repealed a personnel system that eviscerated employee due process rights and placed in serious jeopardy the agency's ability to recruit and retain a workforce capable of accomplishing its critical missions.

I also worked with Chairman THOMPSON to incorporate into H.R. 1684 language authorizing Citizen Corps and the Metropolitan Medical Response System programs to strengthen emergency response and recovery efforts. The Citizen Corps Program is a critical program within the Department of Homeland Security that engages the community in emergency preparedness through public education and outreach, training, and volunteer service. My language ensured that funding will enable local Citizen Corps Councils to more adequately provide education and training for populations located around critical infrastructure.

Today, we are here on the floor to ensure that the department entrusted with protecting the security of our Nation is adequately funded. I believe that H.R. 2638 does exactly that, while also requiring specific new accountability and management reforms related to contracting, procurement, and competition. These reforms serve to ensure that American taxpayers get the greatest possible value for the money they provide.

H.R. 2638 provides \$4.52 billion in funding for First Responder and Port Security Grant Programs. This figure is \$1.97 billion above the President's request, and \$863 million above the 2007 funding level. Even though homeland security costs continue to rise, funding levels for these grants have been cut every year since their inception in 2004. These funds are used for grants to train first responders, aid preparedness in high threat communities, and protect critical infrastructure.

This bill also provides \$6.62 billion for the Transportation Security Administration, a figure that is \$307 million above 2007 funding and \$219 million above the President's request. This funding will be used for a number of key programs, including explosive detection systems to protect commercial aircraft, increased and expanded air cargo explosive

screening for passenger aircraft, and a secure flight certification program requiring the Administrator of TSA to certify that no security risks are raised by TSA's Secure Flight plans that would limit screening of airline passenger names only against a subset of the full terrorist watch list.

Additionally, this legislation appropriates significant funds for efforts to secure America's borders: \$8.8 billion is provided for customs and border protection, including border security fencing and other tactical infrastructure, as well as 3,000 additional border security agents. The committee mark adds \$27 million for 250 additional Customs and Border Patrol officers for commercial operations and Customs Trade Partnership against Terrorism validation, verifying that "trusted shippers" have in place necessary security measures, as mandated in the SAFE Port Act. Additionally, \$4.8 billion is appropriated for immigrations and custom enforcement, including the Federal Protective Service, a figure which is \$322 million above 2007 and \$15 million above the President's request.

This appropriations bill also funds a number of other crucial programs. It provides \$272 million for infrastructure protection, \$32 million above the President's request and \$44 million above 2007 funding, to be used to identify critical infrastructure, and assess security vulnerabilities.

Additionally, \$685 million, \$17 million above the President's request and \$150 million above 2007, is appropriated for FEMA management, including funding for regional offices responsible for assisting state and local communities prepare for and respond to disasters. This money will fund the necessary improvements to FEMA's management operations, whose weaknesses were laid bare in the shamefully catastrophic response to Hurricane Katrina. This bill provides a further \$1.7 billion to assist State and local governments following a declared disaster or emergency, and \$120 million for projects that reduce the risks associated with disasters.

In conclusion, I stand here remembering those who still suffer, whose hearts still ache over the loss of so many innocent and interrupted lives. My prayer is that for those who lost a father, a mother, a husband, a wife, a child, or a friend will in the days and years ahead take comfort in the certain knowledge that they have gone on to claim the greatest prize, a place in the Lord's loving arms.

Mr. Chairman, the best way to honor the memory of those lost in the inferno of 9/11, is to do all we can to ensure that it never happens again. The best way to do that is to bolster the efficacy, accountability, and our oversight over the Department of Homeland Security, which we created in the aftermath of 9/11 to protect and preserve our Nation which we all hold so dear. I encourage all my colleagues to vote for this legislation, and to ensure that the Department of Homeland Security can continue its important work protecting our homeland from all manner of threats.

Ms. WOOLSEY. Mr. Chairman, providing our police forces, firefighters, emergency medical service personnel, and public health personnel with the resources they need to effectively confront and overcome the threats posed by terrorism, natural disasters, and other emergencies requires our continued commitment and dedication. Our first responders work tirelessly to protect and aid victims of

disasters across our country. It's our responsibility to make sure they have the support necessary to perform their jobs.

The dedicated men and women who serve the people of California's 6th District understand the importance of adequate homeland security resources. Each day, ships arrive to dock in ports throughout the Bay Area, commuters travel across the Golden Gate Bridge and the Richmond-San Rafael Bridge, and travelers fly all over the world. In order to best utilize the well-trained first responders in my District, we need to enhance the security of the Bay Area's waterways, expand our ability to better prepare for disasters, and improve our ability to mitigate their effects once they occur.

In 2004, Congress provided \$4.92 billion in grants for port security and our first responders. Since then, the Bush Administration and the last Republican Congress cut funding for these programs every year, despite the fact that the costs of preparing for new homeland security threats have steadily increased. The President has continued to deny the importance of sufficiently funding our first responders by asking for only \$2.55 billion for these grant programs this year.

We cannot expect local communities to be the first to respond to an emergency unless we give them the resources to do so. Additionally, we cannot assure safe passage for those traveling into our country, nor that the containers transported aboard the airplanes and ships do not conceal weapons of mass destruction unless we provide adequate funds toward improving the safety and security of both our ports and our airlines.

Fortunately, the Homeland Security Appropriations bill for Fiscal Year 2008 represents an important step in remedying past failures to support our first responders and to strengthen our national security. This bill provides \$4.52 billion for first responder and port security grant programs, \$1.97 billion above President's request and \$863 million above the total these programs received in Fiscal Year 2007. Specifically, it provides \$800 million for firefighter assistance grants, \$800 million for urban security grants, and \$400 million for port facilities and infrastructure security grants. This bill also eliminates the cap on the number of federal airport screeners that the Transportation Security Administration can employ, which will help to improve security at airports nationwide.

In addition to funding measures to address our country's most pressing security vulnerabilities, the Homeland Security Appropriations bill also increases funding for our country's Disaster Relief Fund to \$1.7 billion in order to assist state and local governments following a declared disaster or emergency and provides \$230 million to modernize over 100,000 flood maps used to determine rates for the National Flood Insurance Program. Additionally, this important piece of legislation will require that all homeland security contracts will be awarded in an open, competitive process, ending the Bush Administration's practice of awarding large-scale contracts to companies with political connections to the White House. Furthermore, this bill will make sure that all funds allocated in this bill can only be used for projects that comply with the Davis-Bacon mandate, requiring that federal contractors pay workers no less than the local prevailing wage.

Securing our homeland demands a strong partnership between the federal government, state governments, and local communities, and I commend the Democratic leadership and the members of the Appropriations Committee for their diligence in working to strengthen our homeland security. By allocating our country's resources to where they are most needed, we will be able to better prepare for and respond to disasters that threaten the safety of the American people.

Mr. ROGERS of Kentucky. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the CONGRESSIONAL RECORD designated for that purpose. Those amendments will be considered read.

The Chair wants to make clear that the Committee is considering this bill under the 5-minute rule. Amendments are in order when the appropriate paragraph is read. If Members wish to offer an amendment in a timely fashion, Members should rise and orally seek recognition when the appropriate paragraph is read.

The Clerk will read.

The Clerk read as follows:

H.R. 2638

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes, namely:

**TITLE I—DEPARTMENTAL
MANAGEMENT AND OPERATIONS
OFFICE OF THE SECRETARY AND EXECUTIVE
MANAGEMENT**

For necessary expenses of the Office of the Secretary of Homeland Security, as authorized by section 102 of the Homeland Security Act of 2002 (6 U.S.C. 112), and executive management of the Department of Homeland Security, as authorized by law, \$102,930,000: *Provided*, That not to exceed \$40,000 shall be for official reception and representation expenses.

AMENDMENT NO. 21 OFFERED BY MR. CROWLEY

Mr. CROWLEY. Mr. Chairman, I have an amendment at the desk.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 21 offered by Mr. CROWLEY:

Page 2, line 9, after the dollar amount insert "(reduced by \$15,000,000)".

Page 2, line 16, after the dollar amount insert "(reduced by \$35,000,000)".

Page 39, line 14, after the dollar amount insert "(increased by \$50,000,000)".

Page 40, line 5, after the dollar amount insert “(increased by \$50,000,000)”.

Page 40, line 8, after the dollar amount insert “(increased by \$50,000,000)”.

Mr. CROWLEY. Mr. Chairman, my colleagues, Representatives FOSSELLA, MATSUI, GARRETT, and I are offering an amendment to increase by \$50 million the funding for the high-threat, high-density urban area program. If passed, our amendment would ensure that the program receives a total of \$850 million in fiscal year 2008.

As many of you know, this initiative, also referred to as the Urban Area Security Initiative, is the only homeland security initiative specifically targeted to assist the cities and States most vulnerable to a terror attack.

The Urban Area Security Initiative was created by myself and my fellow New Yorker, Representative FOSSELLA, in the months following the attack of 9/11. Its creation was a bipartisan effort, and it continues to be a bipartisanly supported program. Specifically, I want to thank Representative PRICE, chairman of the Homeland Security appropriations subcommittee, and the Democratic majority of the Homeland Security authorization committee for their hard work and dedication to the urban area initiative and to keeping Americans safe. Both of these committees understand the threats that America faces, both here at home as well as abroad, and they are working to make the investments that we need to make in order to secure our Nation.

Although the majority of this Congress understands the threats in the world that we face, I believe some of my colleagues do not fully understand them. There are some Members in this Chamber who oppose the urban area initiative and all homeland security grant initiatives, calling them, and I quote, revenue sharing, unquote, or secret earmarks. I think that's nonsense. Would my colleagues prefer we return to the pre-9/11 days? As someone who has known personal loss from that day, I for one do not want to.

The chief role for the Federal Government is to protect its citizens from attack and the Urban Area Security Initiative, like many other of the important domestic security programs in this bill, help to accomplish this. While some on the other side may try to play cute games with words, our Nation's security is more important than word games or photo ops.

I come from the State of New York where my hometown was hit and knows firsthand the act of terror. My own family knows firsthand the striking of terror. That is why I urge my colleagues to join me in strengthening the Urban Area Grant Initiative as a way to maintain our vigilance in the face of continuing threats against America that are both at home and abroad.

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This amendment is about making targeted, smart and necessary investments to keep our country safe. The

Urban Area Security Initiative works. It provides needed resources to the communities at greatest risk of an attack, and it helps to keep those who are defending us on our front lines of terror, our first responders, our fire fighters, EMTs, and police officers safe and protected.

This initiative has been a success, and I urge my colleagues to support the Crowley-Fossella-Matsui-Garrett amendment so we can continue to make the right investments in the protection of our homeland.

Mr. ROGERS of Kentucky. Mr. Chairman, I rise in opposition to the amendment.

The committee mark already includes huge increases in grants for the urban areas, and I am opposed to this further increase. I mean, there is only so much money to go around to all of the cities in the country and all that need help.

Just for an example, the urban area grants portion of the bill is increased already over current spending by some \$30 million. It is up to \$800 million just for the urban area grants.

Port security grants, all of which go to the large cities, increases from \$210 million to \$400 million in the bill already.

Rail and transit security grants go from \$175 million currently to \$400 million.

And then the SAFER fire grants, moneys that go to urban area fire departments for personnel costs, goes from \$115 million to \$230 million, double what it is now. There are huge increases in these grant programs, particularly for the urban areas.

I know the gentleman appreciates that. But we just don't have any more to go around unless you take it from another worthy cause.

I would oppose the gentleman's amendment.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New York (Mr. CROWLEY).

I do understand these large urban areas are at high risk from a terrorism event. We have addressed that conscientiously in this bill. This committee is providing \$30 million over last year's level of \$770 million for the urban area grants.

The gentleman's amendment would increase the Urban Area Security Initiative grants by \$50 million. At the same time it would reduce the Office of the Secretary and Executive Management and the office of the Under Secretary for Management. The Office of the Secretary and Executive Management would be reduced by \$15 million, or 14 percent.

Funding for a number of offices is included in this appropriation, including the Secure Border Initiative Office, the Policy Office, the Privacy Office, the Civil Rights Office and the Office of Counternarcotics Enforcement. The bill provides only enough funding to support current on-board staff except

for the Privacy and Civil Rights Offices, where staffing levels are increased slightly, and the Policy Office, where additional funding is provided for REAL ID and the Committee on Foreign Investment in the United States.

If funding is reduced, these program enhancements, which are carefully designed and will help ensure privacy and civil rights, could be compromised or largely defunded.

The gentleman's amendment also proposes to reduce funding for the office of the Under Secretary for Management by \$35 million, or 14 percent. The total increase in this office is due to \$101 million provided for DHS headquarters facilities at St. Elizabeth's. We have already substantially reduced the request coming from the administration. We need to get the Department consolidated in this new headquarters; and of course, this amendment would make even less funding available for this new facility.

So I reluctantly ask for a “no” vote.

Ms. MATSUI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the Department of Homeland Security made significant changes to our homeland security effort. They announced that for the first time areas such as Sacramento, San Diego and Las Vegas were at risk of losing their UASI grant funds.

Since learning of the changes to the UASI program, my colleagues and I have worked tirelessly to ensure that our most at-risk urban areas receive the funding they deserve. As a result, DHS has modified the UASI grant process. DHS's formula now includes more critical infrastructure such as dams and levees, and has also added a tiered system.

While I am glad that my work has ensured that Sacramento and other at-risk urban areas are eligible to apply for UASI funding this year, I believe my work is not done.

I have spent much of my time in the district working closely with local law enforcement and first responders of homeland security. I have seen firsthand the tremendous efforts to protect the millions of people living in the Sacramento area from a terrorist attack.

In Sacramento, I had the honor of attending the opening of the Sacramento Regional Homeland Security and Training Center. The new center was built using a wide range of Federal homeland security funding, including UASI. The center will improve intelligence sharing by housing all levels of law enforcement in one facility. This is just further proof of the truly unparalleled regional cooperation among Sacramento's law enforcement and first responders.

I have long been impressed by the local law enforcement and first responders in my community, and throughout the country. Now we need to make sure that Congress is giving them the necessary resources to do their job.

And so my colleagues, Mr. CROWLEY, Mr. FOSSELLA, Mr. Mr. GARRETT and I have offered an amendment to add \$50 million to the UASI grant program.

While I commend the chairman and the ranking member for adding \$30 million to the program, I believe an additional \$50 million is warranted. Our first responders and law enforcement tackle impossible tasks daily. This increased funding will help in pursuit of their mission, to keep our country safe and secure.

Finally, I would like to add to what the gentleman from New York (Mr. CROWLEY) has said about the issue of revenue sharing. I, too, don't think this is an appropriate place for semantics. The point is, this grant program and the criteria for receiving funding is predicated on the assessment of risk and a community's vulnerability. I would argue that with the UASI program, the issue is not cost sharing but risk sharing. I think this is an appropriate role for the Federal Government in the post-9/11 world. I urge my colleagues to support this amendment.

Mr. FOSSELLA. Mr. Chairman, I move to strike the requisite number of words.

I rise in support of the Crowley-Matsui-Fossella-Garrett amendment. I want to thank Chairman PRICE and Ranking Member ROGERS for their work on this legislation.

Time after time we come to the floor to ensure that homeland security dollars are allocated on a reasonable and rational basis, and that is to protect the American people and those who come to our country.

Time after time, we wake up and realize that places like New York City and other high-threat areas are the subject of potential terrorist attack. There are many, including myself, who believe that our homeland security dollars should be based on the threats and the vulnerabilities and the consequences that come with the potential; or, God forbid, an attack itself, as was the case, the catastrophic case, on 9/11.

As has been mentioned, our amendment would add \$50 million in funding for the high-risk, high-threat cities to fight terrorism. The additional funding would be directed to the Urban Area Security Initiative, which is the only homeland security grant program which distributes funding based on a risk-based formula, which is a key recommendation of the 9/11 Commission.

The President's budget on the underlying legislation funds UASI at about \$800 million, \$50 million short, we believe, of the all-time highest appropriation, which occurred in fiscal year 2005.

Despite the fact that America has not been attacked since September 11, our Nation is still at war with an evil enemy. Indeed, just a month ago, law enforcement captured four alleged terrorists on charges that they were plotting to blow up Kennedy Airport in New York City. Their plan was to top the attacks of the World Trade Center,

to massacre more people, destroy more property, inflict more damage, and leave our city in ruins.

The threat of terrorism remains very real, making it essential for cities that face the greatest risk to have the tools and resources they need to stop attacks before they occur. The amendment will help our first responders prepare, train and be ready to protect innocent Americans from acts of terrorism.

I believe it will also provide greater consistency to UASI, which has been beset by funding fluctuations of hundreds of millions of dollars from year to year.

It is clear that major cities like New York remain the center of the bull's-eye for terrorists. UASI helps us fight terrorism, and ensures our first responders have the equipment they need to protect the American people.

In a way, just in the last couple of years, a number of attacks have been foiled thanks to the efforts of law enforcement and intelligence gathering, much of it because of the funding that has gone through programs like UASI. Wouldn't it be wonderful if we can keep having the news media focus on foiled terrorist plots rather than counting caskets.

I urge adoption of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. CROWLEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. CROWLEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

Mr. CAMPBELL of California. Mr. Chairman, I have amendment No. 43 at the desk.

The CHAIRMAN. Is the gentleman aware that the amendment was printed incorrectly?

Mr. PRICE of North Carolina. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. Without prejudicing the gentleman from North Carolina's point of order, does the gentleman from California seek to correct the printing error?

Mr. CAMPBELL of California. I am not aware of what the printing error is.

The CHAIRMAN. The Parliamentarian advises the Chair there was a printing error, so the Clerk will report the amendment at the desk in lieu of amendment No. 43.

AMENDMENT OFFERED BY MR. CAMPBELL

Mr. CAMPBELL of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CAMPBELL of California:

In title I, under the heading "Office of the Secretary and Executive Management", after the first dollar amount insert "(reduced by \$9,961,000)".

The CHAIRMAN. Did the gentleman from North Carolina not hear the amendment as read?

Mr. PRICE of North Carolina. No, I did not.

The CHAIRMAN. The Committee will be in order. The Clerk will reread the amendment.

The Clerk read the amendment.

The CHAIRMAN. Does the gentleman from North Carolina wish to continue to reserve a point of order?

Mr. PRICE of North Carolina. Mr. Chairman, I withdraw my point of order.

Mr. CAMPBELL of California. Mr. Chairman, the bill that we have before us today would increase spending. When coupled with the supplemental bill that the President just signed a few weeks back, would increase spending in the area of homeland security by nearly 17 percent. Now, perhaps people on the other side of the aisle have not noticed, but we have a deficit, a very large deficit in this country. And we still are adding to that deficit every year.

Now, I think Members on the other side of the aisle have noticed this because they have talked about their PAYGO and other principles, that we won't be increasing spending without some way to pay for this. However, with this appropriations bill we are doing exactly that. We are increasing spending by billions of dollars, by 17 percent over last year's level, without paying for it in any way, without reducing spending anywhere else, which means that we are adding to the deficit because of the spending, the additional spending that is in this bill.

Let me just give you a sense of what a 17 percent increase is. If someone outside of this building in the world is making \$15 an hour, they would have to get a raise this year to \$17.55 an hour in order for their income to keep pace with the spending increase in this bill.

□ 1615

Mr. Chairman, I would suggest that most of the people out there making \$15 an hour, or any number you want, are not likely to see their bosses come in and say we want to give you a raise of 17 percent from \$15 an hour to \$17.55 an hour, not something that they are likely to see. But yet to keep and sustain this level of increase in spending, that's exactly what would have to happen or else we just take more and more and more money out of individuals' pockets so we can spend it here.

Now, I'm sure that people on the other side in support of this bill are going to start to talk about how important this bill is to homeland security. Okay. We will have that debate over the next couple of days about what is in this bill, but what this amendment does is deal purely with bureaucracy. We're not dealing here with any program. We're not dealing here with officers in the field. We're not dealing here with equipment that's being used or computers or anything else for homeland security.

What this amendment says is simply that the Office of the Secretary and Executive Management, the office of the Secretary, purely bureaucracy, gave the Secretary of Homeland Security and the people in that person's office, right now this bill gives them an 11 percent increase, when we're trying to get a deficit down, when we want to, at least some of us do, keep taxes low.

What this bill says is you ought to be able to get by on what you had last year. It is not even proposing that we cut the spending of this bureaucracy, not even proposing that we take the Secretary's office and just their bureaucracy in there and cut it, but simply saying get by on the same amount of money you did last year. Now, how many people in America do that every day but somehow the bureaucracy in Homeland Security can't do that?

And by doing that, Mr. Chairman, this amendment saves \$10 million. Now, maybe in a \$3 trillion budget it doesn't sound like much, but \$10 million is still a lot of money. It's a lot of money to everybody out there. It's a lot of money to me. It's a lot of money to you. And \$10 million and \$10 million and \$10 million and we will eventually get our spending down, and that, Mr. Chairman, is how we are going to eliminate this budget deficit and that's how we're going to do it without having the largest increase in taxes in American history, which the other side has proposed to do.

And what is that tax increase for? It's for things like this, for things like taking a bureaucracy of people, sitting around doing phone calls and paper and saying we're going to give you an 11 percent raise. We should not be doing that, not in this environment and not in this bill.

So, Mr. Chairman, I would respectfully ask that Members support this amendment, not feed the bureaucracy further and save the taxpayers \$10 million.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it's the easiest thing in the world to come to this floor and to rail against bureaucracy, this abstract notion of cutting bureaucracy; but I think it's prudent to ask what exactly do these officials do and what is actually in the bill and why is it there. So let me try to get beyond just the symbolism of cutting bureaucracy and try to answer those very basic questions.

First of all, let me say, I don't know where the figure 17 percent that the gentleman's using comes from. The increase in this bill over fiscal 2007 spending, counting the bill that we passed last year and the emergency spending incorporated in that bill, is 7½ percent. And if you include the emergency funding that we just added to the 2007 bill, then the increase is 4 percent without the Katrina funding, and it is actually a cut of 7½ percent with the Katrina funding. So if you're

using the 2007 bill as the baseline, those are the accurate numbers.

Now, let's look at the front office of the Department of Homeland Security. The bill includes, sure enough, \$923 million for Department operations, but that's less than the 2007 appropriation. It's less than the President requested by \$73 million.

The gentleman has focused on one aspect of front office operations, which is the Office of Secretary and Executive Management, and he wants to cut that by almost \$10 million. But there are good reasons for that being increased while the overall front office expenses are being decreased.

This appropriation, the one the gentleman has targeted, the one he has said is purely bureaucracy, included in that appropriation are the Secure Border Initiative office, which many Members on both sides of the aisle have a strong interest in; the policy office; the privacy office, which surely needs strengthening; the civil rights office, which surely needs strengthening; and the office of counter-narcotics enforcement, a critical function as well.

And the bill isn't lavish even in this respect. It provides only enough funding to support current on-board staff except for the privacy and civil rights offices, where staffing levels are increased, and the policy office, where additional funding is provided for REAL ID, a new program that requires some staffing up, and for the Committee on Foreign Investment of the United States, which, as every Member knows, we are trying to also strengthen.

If funding is reduced, these program enhancements, which will help to better ensure privacy, to better ensure civil rights protections, would not be funded. So let's get past the rhetoric about bureaucracy. Let's look at what the appropriation actually does. I think if Members do, they will reject this amendment.

Mr. SERRANO. Mr. Chairman, I move to strike the last word.

I join Chairman PRICE in his comments. I think that we come to the floor with two kinds of amendments, one that really tries to do something, that we believe in, and another just for grandstanding and for publicity.

The gentleman speaks about a deficit and speaks about his side wanting to reduce the deficit. Let me just do a few seconds of history.

When the last President left, we didn't have a deficit. We have a deficit now. Why? Because we were involved in a war and we were sent off to war when we should not be at all, and so we spend billions and billions and billions of dollars every week on a war that was built on lies and bad information, and now we try to get out of that war. And instead of getting out of it, we keep spending more, billions and billions and billions.

And if you think this war deficit is a problem, wait till the boys and girls come home and we have to provide

them the medical services that some people will want to cut. The deficit would only grow.

Secondly, to be brief, the gentleman speaks about giving somebody a 17 percent pay raise. Yet it was that side that refused to give some people a couple of pennies' increase in a minimum wage. So all of the sudden that side is very concerned about raising people's salaries to keep up with the needed expenses of surviving in this society, but they were not for giving some folks a minimum wage increase.

So let's get it clear. Yes, there is a deficit, but this bill doesn't cause a deficit. The war is causing the deficit. The war on terror is causing the deficit. That's what this is about. This bill, in a very smart way, deals with some issues that we have to deal with.

And, lastly, it is always easy to attack the bureaucrats. Everybody wants services, everybody wants something done, but nobody wants anybody in charge of providing those services. Somehow we expect a computer to run the agency and not have people actually doing the work.

Let's be fair. Let's be honest when we come to the House floor. If we have an amendment that really has a message, present it. If we're just grandstanding, then we should have a disclaimer that says, and by the way, this is the reason that I'm on the House floor today.

Mr. HENSARLING. Mr. Chairman, I move to strike the last word, and I'd yield to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL of California. Mr. Chairman, I thank the gentleman from Texas. The gentleman from New York said that there were two types of amendments, one that tried to do something that you believe in and others that make statements.

I would like to assure the gentleman from New York that I believe in this amendment, and I think a lot of people on this side of the aisle believe in this amendment because we believe that we need to start controlling costs in this government.

And is this amendment all by itself going to do that? No, of course not, but it will begin the process of doing that, and in combination with a lot of other amendments like it, yes, it will start to control the cost of government, and, yes, I firmly believe in what this amendment is about, in spite of what the gentleman from New York suggested.

The gentleman from North Carolina talked about numbers, and perhaps my numbers are incorrect, but this bill is now at \$36.254 billion over and enacted last year \$31.905 billion which is a 13.6 percent increase.

Mr. PRICE of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. HENSARLING. I yield to the gentleman from North Carolina.

Mr. PRICE of North Carolina. Mr. Chairman, I think it will be in the interest of the debate the rest of the day to have this straight, so I do appreciate the gentleman's yielding.

It's true, the bill is at \$36.3 billion. Last year's appropriation was \$34.2 billion. That is counting the emergency spending that was enacted at the same time as the regular bill. That means this year's increase is 7½ percent. And then if you add the 2007 supplemental appropriations, which were just voted by the House, depending on whether you count the Katrina money or not, you either get a 4.2 percent increase or a 7.5 percent decrease from the 2007 funding level.

I appreciate the chance to clarify those numbers.

Mr. HENSARLING. Mr. Chairman, I yield to the gentleman from California.

Mr. CAMPBELL of California. I thank the gentleman from Texas.

To the gentleman from North Carolina, this is something I guess we'll probably need to work out as we go along because I'm not looking at increase over a baseline. We're looking at increase over actual enacted last year, and maybe we can compare notes. But my notes show that that actual last year was \$31.905 billion, and then there was the supplemental which has been added on top of this bill itself.

But in any event, one other thing the gentleman from North Carolina alluded to was that this amendment proposes to cut spending in this area in the Office of the Secretary and Executive Management. I want to make that clear. This is a definitional thing which we often have problems with in this House and in this building.

What this amendment proposes to do is to leave the budget for the Office of Secretary and Executive Management equal to what it was in the prior fiscal year. That is not a cut. If you have \$10 and I give you \$10, I take away \$10, give you back \$10, that is not a cut. That is the same amount of money you had before. What this does do is it prevents the 11 percent increase that is in this bill.

So let's make it very clear in vernacular that if I make \$10 an hour and I want to make \$11, if somebody gives me a raise to \$10.50, it is still a raise; it is not a cut. And that's what is going on here.

We are not proposing to cut this office. We are merely proposing to tell them, do continue your operations on the same amount of money that you did last year. I don't think that is a great leap to ask of what is clearly an element of the bureaucracy, in spite of the gentleman from North Carolina's admonitions that it is not.

Mr. HENSARLING. Mr. Chairman, I thank the gentleman for offering this amendment, and I certainly support his amendment.

In the big scope of the Federal budget perhaps the dollars are not large, but before we can really ever attack spending, we have to attack the culture of spending, and you have to lead by example.

And why can't we ask people in the Federal Government, as we ask families all around the Nation, as our

friends on the other side of the aisle have recently passed the single largest tax increase in history, they're expecting American families to somehow do more with less. Can't we expect a few of the administrators of this agency to somehow, somehow get by on the same amount of money they had last year?

I encourage the support for this amendment.

Mr. PRICE of Georgia. Mr. Chairman, I move to strike the last word.

I want to commend the gentleman from California for offering this amendment. I think that at the beginning of this first appropriations bill of the 110th Congress, which I might add is 1 month after the first appropriation bill that we, when we were in the majority last year, that we moved through the House. So the time is without a doubt getting late, but I commend the majority for finally bringing this to the floor.

But I want to commend the gentleman from California because this is the type of amendment that sets the tone about what kind of responsibility we will bring to this House for all of our appropriations processes over the next number of weeks.

□ 1630

I want to commend the gentleman for this amendment. I appreciate the fact that he has identified an area where, yes, it's only \$10 million, but \$10 million in my area is a fair amount of money. So I want to commend the gentleman for bringing the amendment to the floor.

I would be happy to yield to the gentleman from California.

Mr. CAMPBELL of California. I thank the gentleman from Georgia.

To the gentleman from North Carolina, just to clarify again on these numbers, we agreed that it's \$36.3 billion in this bill, and the number you threw out, \$34.2 billion, I believe, was the President's budget proposal for this, and that the prior year enacted, 2007 enacted, was \$31.9 billion.

Do you have different numbers on that?

Mr. PRICE of Georgia. I am pleased to yield to the gentleman from North Carolina for a response.

Mr. PRICE of North Carolina. I am happy to clarify the situation.

The 2007 appropriation, as enacted, was \$34.2 billion. That includes the \$31.9 billion that the gentleman cited, plus the emergency spending in that same bill, because as you well remember, we needed to address the border and immigration situation. So that was added to the bill.

The spending in the 2007 bill was \$34.2 billion, and we are increasing that by 7.5 percent, and then we have recently supplemented the appropriation. The 2007 spending now stands at \$39.2 billion, and the 2008 bill is 7.5 percent less than that in nominal terms.

If I may just say further, the gentleman referred to the way we do accounting around here. This is just

straight nominal numbers. The departmental operations are cut—are cut—in our bill from 2007 levels by \$1.2 million. They are cut from the President's request by \$72 million. It's not a matter of adjustments one way or the other for inflation; those are straightforward cuts.

Mr. PRICE of Georgia. Reclaiming my time, I appreciate the gentleman pointing out the increase by 7.5 percent. Again, I would like to just draw the House's attention to the fact that this may just be \$9.5 million, but as I mentioned, \$9.5 million is a fair amount of money.

I appreciate also the gentleman coming to the floor earlier and talking about broadening this debate. He talked about what he called the war deficit. He brought minimum wage into this debate, brought spending into this debate. That's a wonderful thing. Because, yes, that's what we're talking about. We are talking about spending hard-earned taxpayer money. So no amount of money is too small to discuss and to bring light to.

I would implore my colleagues on both sides of the aisle to, yes, look at the expansive nature of these appropriations bills, to look at the increase in the amount of money that this majority plans on spending over past Congresses.

I also would ask my colleagues to look at the process. Because the debate has been expanded, I think it's an appropriate time to talk about the issue regarding earmarks, special projects. We have now a policy apparently in this House of Representatives, that allows the majority party or, actually, one Member of the majority party, to determine when he decides which earmark, which special project, warrants support by the entire House or warrants the opportunity to even have a vote on a special project.

But can you have a vote on a specific special project? No, no. What we will have, our special projects that are the pet special projects of one individual, brought into a conference report, and no opportunity, no opportunity for any Member of this body to point out that, in fact, that ought to have a particular vote, that we ought to have individuals stand up.

I support the amendment of the gentleman from California.

Mr. MCHENRY. Mr. Chairman, I move to strike the last word.

We do have some concerns on this side about the legislation put together, as we would have on any large bill that spends billions of dollars, but I want to commend my colleague from North Carolina for his fair work and his hard work on this legislation.

With that, I would like to yield to my colleague from California.

Mr. CAMPBELL of California. I thank the gentleman from North Carolina.

If I can refer to the gentleman, I believe I heard, and maybe we can sort this out, but I think that if you include

the supplementals on both sides, that we went from \$34.2 billion to \$39.2 billion, which would be a 15.2 percent increase, perhaps not the 17 I said earlier, but in either event, frankly, whether it's 17 percent, 15 percent or the 13.6, if you leave both of the supplementals out, it's a lot of money. It's billions and billions and billions of dollars of increase.

Some of that increase is a lot more than inflation, multiple times more than inflation, and it's a lot more than taking the growth in inflation and the growth in population and put it together. Most importantly, it's a lot more than personal income growth.

That's something we need to look at, as we are looking at all these appropriations and all of these spending bills. Because if we increase spending faster than people's incomes are increasing in America, it is unsustainable over time unless you continue to take more and more and more of their hard-earned money away from them.

Now, I know that's what many of you on the other side of the aisle want to do. But, A, we don't; and, B, even if you want to do it, eventually you'll run out of space. Eventually, you'll take it all if you increase at this kind of level.

Once again, this amendment does not ask anybody to cut anything. It simply tells this one element, this one part of the bureaucracy in Homeland Security to do, get by and exist on the same amount of money that you had last year.

I thank the gentleman from North Carolina.

Mr. MCHENRY. I thank my colleague for his comments.

Mr. WESTMORELAND. Mr. Chairman, I move to strike the last word.

I felt compelled to say something after the gentleman from North Carolina and the gentleman from New York talked about bureaucracy. It's easy to pick on bureaucracy. I ask any Member of this House that has talked to any constituencies, whether it's about a Social Security issue, a veterans' issue, Department of Homeland Security, FAA issue, to talk about it, and they will tell you that they had trouble with the bureaucracy, that they were having to call your office because they had trouble with the bureaucracy. This government has grown at a pace way beyond our population.

As we know, once somebody gets in a position in government, what they try to do is to expand that position, to get another secretary, to get an assistant secretary, an executive secretary, and so forth, because they are trying to build their power base.

So, yes, you ask any citizen that was affected by Katrina on the gulf coast if we have too much bureaucracy in our government, because a lot of those individuals down there that were hurt by that hurricane have yet to get assistance, or the full assistance they need, because of the bureaucracy in Washington D.C. So don't say that the bu-

reaucracy is just something easy to pick on.

Let me say this. The gentleman from California is very earnest in wanting to get \$10 million. Now, \$10 million may not sound like a lot to a lot of people, but it's a lot of money. I will tell the gentleman from New York that commented on what was causing a deficit, yes, the war is causing the deficit, some part of the deficit. But what is causing the deficit, this is a moment of truth, is overspending, overspending.

Yes, the public did speak last November, and what they said is, you Republicans who have always stood up and said, government is too big and we have too much spending. Yet we were the ones up here increasing the size of government and spending too much money, it's time for us to reclaim the brand of being fiscal conservatives and watching after the taxpayers' dollars. That's exactly what this amendment from the gentleman from California does.

Our base, the Republican base, does not like to spend money or does not like to see government grow, because we think that the entrepreneurial spirit is that we can take care of ourselves better than the government can take care of us. The unfortunate side for our base is that the majority base thinks that the government can do a better job of looking after people than people themselves.

So that's the dilemma that we find ourselves in, that we have got one side that's trying to reclaim their brand, trying to make people realize that we really are who we say we are and doing the things that we are supposed to be doing in cutting the size of government and reducing spending. The other side is saying, here we are and here we are to take care of you.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. CAMPBELL).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. CAMPBELL of California. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT OFFERED BY MR. KUCINICH

Mr. KUCINICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KUCINICH:

Page 2, line 9, after the dollar amount, insert "(reduced by \$500,000)".

Page 38, line 17, after the dollar amount, insert "(increased by \$500,000)".

Mr. KUCINICH. Mr. Chairman, my amendment directs FEMA to conduct a comprehensive study of the increase in demand for FEMA's emergency response and disaster relief services as a result of weather-related disasters associated with global warming.

It will tell us what FEMA can expect 5, 10, and 20 years from now. The as-

essment will include an analysis of the budgetary material and manpower implications of meeting such increased demand for FEMA services. We have been warned. We have been warned that we should expect to see more extreme weather, like severe rain storms and snowstorms that can come in an El Nino season.

We have been warned that we will see stronger hurricanes and hurricanes with more total rainfall. We have been warned to expect heat waves. We have been told to expect melting glaciers, rising sea levels swallowing low-lying land in places like Bangladesh, Florida, the gulf coast and Manhattan.

We have been warned that rising temperatures will force infectious diseases to move north or upwards in elevation to expose previously unexposed and, therefore, defenseless populations. We have been warned that droughts will intensify and lengthen, straining already strained water supplies and bring crop failures. Droughts also place those areas at greater risk for wildfires.

These warnings come from the most respected, most credible, most well-studied scientists this world has to offer. This was most recently affirmed by the Fourth Assessment Report by the Intergovernmental Panel on Climate Change. Turns out, they were right.

The 11 hottest years on record have occurred since 1994. Two of the three last hurricane seasons have broken records. The polar ice cap is melting even faster than our previous best estimates. Greenland's ice is melting. Permafrost in Alaska is thawing, causing homes to crumble. Residents of low-lying nations like Tuvalu have applied for entry into other countries as climate refugees and have been denied.

West Nile virus from Africa has taken a toehold in the U.S. The European heat wave of 2003 killed well over 15,000 people. Carbon dioxide concentrations in the atmosphere are at levels scientists say have not occurred in 400,000 years.

These effects are directly in line with the warnings we received from the scientific community. Even though it is difficult to attribute all of these effects directly to climate change, some have been able to. A 2006 article in the journal *Nature* blames half of the risk associated with the European heat on human-induced warming.

The World Health Organization has estimated that 150,000 deaths every year can already be attributed to climate change.

□ 1645

Hurricane Katrina gave us another grim warning, telling us not only what we should expect, but showing us what happens if we're not prepared.

Katrina showed us that when disasters hit, the most vulnerable among us become even more vulnerable because they lack the resources and access to cope. That was made clear as image

after image of those hit the hardest were people of modest means and people of color.

In fact, in the Chicago heat wave of 1995, African Americans were twice as likely to die as Caucasians. The elderly, many of whom could not afford air conditioning, made up most of the victims.

Katrina showed us that disasters are expensive. We have so far spent about \$77 billion on disaster assistance for Hurricanes Katrina, Wilma and Rita alone. Insurance companies whose very existence rely on their predictive abilities have seen enough to make them drop certain coverage and to conduct campaigns to try to reduce our greenhouse gas emissions. Reinsurance companies in particular, like Swiss Re, have taken a leadership role in promoting action on climate change.

Katrina has showed us that an unprepared FEMA costs time, money and ultimately lives. If past is prologue, we have an obligation to look at the future in order to prepare. We have to allow FEMA to take into account the realities of the challenges that await them.

At this moment we can still choose among policy options. We can deal with the effects of climate change in one of two ways. We can acknowledge the extraordinary challenges before us and prepare for them voluntarily and aggressively, but steadily, predictably and controllably, or we can continue to create policy as if there's no problem and wait for the severe weather to control our pace of adaptation. The choice is ours.

Let FEMA prepare for the task ahead. Vote "yes" on the Kucinich amendment.

Mr. PRICE of North Carolina. Mr. Chairman, I want to commend the gentleman for his eloquence, both about the potential threat of global warming and what that may mean for emergencies that we have to deal with in the future, and also for the need to repair and rebuild FEMA so that we have a nimble, responsive agency that can respond to all kinds of disasters all over this country.

I understand that the gentleman will perhaps be willing to withdraw this amendment. I hope that he will do that, but I want to assure him that we understand what he's focusing on, and that we will work with him as we go to conference to make sure that FEMA has the resources that it needs. We have beefed up FEMA's resources a good deal in this bill.

Now, on the question of who should be studying global warming and assessing its future impact, there are legitimate questions, I believe, as to whether FEMA is the agency that's best equipped to do this. Other agencies, such as the National Oceanic and Atmospheric Administration, NOAA, do have expertise in this area, but if that expertise is not being translated into practical preparation, and if there's not adequate coordination between

NOAA and the research operations and the operational agencies, then that obviously is a concern that needs to be addressed. I appreciate the Member from Ohio's raising that concern, and promise that we will work with you.

Mr. KUCINICH. Will the gentleman yield?

Mr. PRICE of North Carolina. I will.

Mr. KUCINICH. First of all, I want to thank the chairman for his willingness to work to address this issue of the need for an increase in demand for FEMA's emergency response services. And I think that, as the bill moves to conference, that it could be a service to people in all those areas which are likely to be assailed by adverse weather conditions to make sure that FEMA understands that there's going to be greater demand on their services.

And if the gentleman, as you have indicated, is willing to take this issue up in conference on behalf of all of us, I certainly would be willing to withdraw the amendment.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. Without objection, the amendment is withdrawn.

Mr. CARTER. Mr. Chairman, I'd like to move to strike the requisite number of words on this issue.

The CHAIRMAN. The amendment has just been withdrawn.

Mr. CARTER. I believe I have the right to object.

The CHAIRMAN. The time for objection has passed.

If the gentleman just wishes to strike the requisite number of words—

Mr. CARTER. Okay. I'll wait for the bill.

AMENDMENT OFFERED BY MR. REICHERT

Mr. REICHERT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. REICHERT:

Page 2 line 9, after the dollar amount insert "(reduced by \$1,000,000)".

Page 2 line 16, after the dollar amount insert "(reduced by \$11,000,000)".

Page 4 line 24, after the dollar amount insert "(increased by \$10,000,000)".

Mr. REICHERT. Mr. Chairman, as the ranking member of the Homeland Security Subcommittee on Intelligence, I rise today to offer an amendment that would restore a cut to the Department of Homeland Security's intelligence function.

This bill cuts the analysis and security's intelligence functions. This bill cuts \$8 million from that account from last year, and this bill cuts the analysis and operations account by \$8 million from last year, and is \$23 million below the administration's request.

I simply do not understand why we would be cutting the intelligence funding. Let's be clear about this. Intelligence is what we use to prevent terrorist attacks. Good intelligence helped prevent the recent plots against

Fort Dix and against John F. Kennedy Airport in New York. The Department of Homeland Security intelligence had a role in both of these cases, and, in fact, in the JFK plot the Department of Homeland Security was sharing classified intelligence with the private sector for more than a year before the threat was made public.

My amendment attempts to strike an appropriate balance between response, recovery and prevention. This legislation, in its current form, includes cuts to intelligence and yet significantly increases response and recovery programs.

While all are important to homeland security, I think we can all agree that it is better to prevent a terrorist attack than be forced to respond to one. According to the Department of Homeland Security, this bill would reduce the Department of Homeland Security's intelligence support for border security, terrorist travel, and human smuggling. It would severely impact the Department's ability to assess these threats, and would harm their efforts to focus on homegrown terrorism and violent extremism within the United States.

My amendment simply adds \$10 million for analysis operations to that account to help restore the Department's intelligence functions. This would eliminate the cut and provide a modest \$2 million increase from last year.

The terrorists only have to be right once, but to defend ourselves, we have to be right every time. Intelligence is the most sound investment we can make as a Nation to prevent terrorism.

I urge my colleagues to vote "yes" on this amendment.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Washington, although I want to heartily endorse the emphasis he's given to the importance of the intelligence and analytical functions.

Perhaps I can best begin by making an observation about this bill as a whole. We have closely examined the status of the programs that we're funding, their history of drawing down funds, their unspent balances, their ability to spend the money that has been requested. And so when the gentleman sees a reduction in funding of the sort that he sees in this account, it would be a big mistake to read that as a de-emphasis of this function or some kind of judgment that this function is not important. We think it's highly important. But we do have some observations that are included in the committee report.

I refer the gentleman to page 23 of the report about the rationale behind the, we hope, temporary reductions that we've written into this bill. It's a short section. Let me just read it. "The Committee has reduced the funding level for intelligence and analysis below the amounts requested. The Committee notes that the Office of Intelligence and Analysis carried over

significant unobligated balances at the end of fiscal year 2006, and has shown no signs of an increased pace of obligations during the current fiscal year.”

That is not something we're pleased about, but the best way to create some pressure and some incentives to correct this situation, to get this function moving, is what the committee has done.

The gentleman's amendment would reduce by \$10 million the amounts provided to the managerial function and the Border Patrol at DHS and reallocate those funds for the intelligence functions.

But as I said, at the end of 2006 the intelligence program had \$50 million remaining unspent, largely because it was unable to hire the staff at the rate at which it was planned. There's been no indication from the intelligence managers of the Department that the pace of hiring has increased, so we fully expect the programs will end this year with significant balances unspent. It's simply imprudent to keep appropriating more money when those sizable balances remain unspent.

Now, as for the offset, briefly, the amendment proposes to reduce funding for the Office of the Secretary and Executive Management by \$1 million, or 1 percent. That, as we've said earlier, would nip in the bud our efforts to better ensure privacy and to enforce civil rights. That's the reason there's a slight increase in that function. And the gentleman's amendment would remove that, as well as reduce funding for the office of the Under Secretary for Management, which is tied to the need to consolidate DHS operations in a new headquarters.

So, in the other aspect of the amendment, perhaps even more dangerously, the amendment proposes to reduce CBP salaries, Border Patrol salaries and expenses, by \$6 million. That could generate significant vulnerabilities in the Border Patrol's ability to ensure the security of the northern and southern borders.

So the offsets are not good, and the overall increase would, in all likelihood, remain unspent.

So for those reasons, and certainly not for any lack of concern about intelligence and analytical operations, I do reluctantly oppose the gentleman's amendment.

Mr. GARRETT of New Jersey. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to address the Chamber and also to commend the gentleman for his excellent amendment.

As the gentleman knows, I come from, hail from the great State of New Jersey where we are all too well aware of why we are here on the floor tonight discussing the issue of homeland security. My district is in the shadows of the Twin Towers.

I commend the gentleman for his opening comments when he stated that we need a balance between response, recovery and prevention. I would sug-

gest, if we're going to strike that balance, that we might want to tip that balance a little bit to the way of prevention.

While as glad as my constituents are, immediately in the aftermath of 9/11, of how tremendous the response was from people, not only from New York City, New Jersey, my State, the entire tri-state area, but America in general to what happened on 9/11. That was the response.

And as great as it was, the recovery after 9/11, and putting people's lives back in order as well, the thing that most New Yorkers and all Americans would agree on is if we could have prevented 9/11 to occur in the first place, how much better that would have been.

Now, we just had another incident in the State of New Jersey as well, I'm sure the gentleman knows, down in the southern part of the State with regard to several terrorists, this time homegrown terrorists trying to get into a U.S. military establishment and shoot up that establishment. In that case we did not have to look at that balance with regard to response or recovery because our government did such a phenomenal job in the area of prevention.

And what does the gentleman's, his amendment do today? He addresses that point of prevention, trying to prevent another 9/11, trying to prevent another incident that could have occurred in the State of New Jersey and the loss of life there.

And what does the amendment do? It tries to restore the \$10 million cut that would have occurred should this amendment not occur.

Now, the other side of the aisle, on this amendment and a previous amendment, and I presume for the rest of this evening as well, they will be coming to the floor defending the bureaucracy. They will be coming to the floor defending the bureaucrats. They will be coming to the floor defending the status quo.

I would suggest that we do not want to defend the status quo. We want to improve the situation.

□ 1700

The gentleman's amendment will do that by putting the resources where they should be, in intelligence, which is prevention so that we should never have such an incident in this country again.

I commend the gentleman and encourage my colleagues from both sides of the aisle to support this amendment when it later comes to the floor for a vote.

Mr. WESTMORELAND. Mr. Chairman, I move to strike the last word.

I would like to yield to my friend from Washington, someone that is a professional in law enforcement (Mr. REICHERT).

Mr. REICHERT. Mr. Chairman, I thank the gentleman from Georgia for yielding.

I want to just respond to a couple of points that were made. Part of this

budget is classified, and we can say one thing, though, in open session, and that is that the Department of Homeland Security disagrees with your assessment. For instance, your report states that the Office of Operations and Coordination has significant unobligated balances. According to the Department of Homeland Security, as of June 7 of this year, OPS has obligated 63 percent of fiscal year 2007's funding and 99.9 percent of fiscal year 2006 carry-over funding.

So let's just be real about this bill. If you are serious about intelligence, why are we cutting it by \$8 million over last year's budget, \$23 million over the suggested administration's budget?

This is what it does: It will reduce our ability to deploy personnel to the southwest and northern borders to support border enforcement efforts. It will reduce our ability to identify and assess threats to the security of the Nation's land, air, and sea borders. It will reduce our ability to analyze the threat of homegrown terrorism and domestic terrorism. It will reduce our ability to provide an alternative perspective to terrorist threats. It will reduce our ability to collect intelligence and support those intelligence owners and operators of the Nation's critical infrastructure. And it will reduce our ability to analyze terrorist travel trends and methods.

I have 33 years of law enforcement experience in the Seattle area, was the sheriff of Seattle before I came here, now serving in my second term in Congress. I understand the balance between response and prevention. I understand the balance of civil liberties and protection of the public against criminal activity. I understand the balance there. This bill puts this balance way out of whack.

One million dollars taken from management in the Secretary's office, \$11 million taken from the Under Secretary's office. They still receive a \$79 million increase. The committee's recommendation in this report remains intact; therefore, civil liberty funding and privacy, counternarcotics funding levels remain intact. They are not part of our offsets. Also not a part of our offset is CBC.

Mr. WESTMORELAND. Mr. Chairman, reclaiming my time, I want to thank the gentleman for offering the amendment.

You want to listen to somebody that has expertise in this. And I don't think anybody has more expertise in intelligence than a local sheriff does, somebody that has been involved in trying to find some criminals. And the gentleman from Washington has certainly done that. He has brought his professionalism here to Washington. And I think it is good advice that the Members vote for this amendment and recognize that we are listening to somebody that has got the experience and not bureaucrats that think they know how to do a job and they have never actually even been in the field.

Mr. McHENRY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to urge my colleagues to support my good friend from Washington's amendment. It is a good amendment because, as a sheriff, he knows, firsthand, homeland security. And what he also knows is the most important thing we can be doing in this time of war is funding our intelligence capabilities domestically and internationally. And what this legislation does is reduce our capacity to gather intelligence through this homeland security appropriation.

Mr. Chairman, I think what my colleague from Washington has offered is a very sensible thing. This bill actually has \$23 million less in funding for intelligence resources than the President requested. And what my colleague does is restore the funding level to the prior year's funding for the intelligence-gathering resources of the Homeland Security Department.

I think overall what we have to discuss as a Congress is whether or not we are going to fight an offensive war. Are we going to do the necessary things, the intelligence gathering that we need to do as a country and as a nation to make sure that we are safe and secure when we are dealing with these very complicated threats both internationally and domestically.

We saw what has happened over the last few years with intelligence-gathering capabilities that during the 1990s were decimated. Our intelligence-gathering capabilities were decimated. And what we have to do as a nation is make sure we have the proper funding so we don't have those threats, we don't have those scares, that we don't have that level of war here at home.

So, Mr. Chairman, I commend my colleague for offering this amendment. I urge its adoption. And I think we can do this on a very bipartisan basis to ensure that we have a strong homeland and have the proper intelligence-gathering resources funded by this United States Congress.

Mr. Chairman, I would be happy to yield to my colleague from the great State of New Jersey.

Mr. GARRETT of New Jersey. Mr. Chairman, I appreciate the gentleman's yielding.

And I just want to reiterate a point that you made at the end, and that is to take a brief look at history to see where our intelligence apparatus, if you will, has been in this country.

I was going to step up to the floor a little earlier on a previous amendment when one of our colleagues from the other side of the aisle began to give a history as to the budget process and the deficits and the like, and I was going to say at that time, we really shouldn't be looking back on some of these issues. But I think you raised a point that we need to look back to, and it brings us to the point of 9/11 and why we got there in the first place. And that was, we went through a time, fol-

lowing the collapse of the "evil empire," as Ronald Reagan called it, the Soviet Union, the breakup of the Soviet Union and the Eastern Bloc, the end of the so-called Cold War. And there were Members from the other side of the aisle in this House and the other House, but specifically in this House who said, we do not need an intelligence apparatus in this country anymore.

I remember one of my colleagues from the other side of the aisle said that we can even get rid of the CIA because we no longer need such an apparatus in a world free of the Soviet Union and the like. That was impetus during a previous administration, back during the Clinton administration.

The dollars of investments were not made during that period of time, and what was wrought because of that? What became because of that? Well, not just 9/11, which we are all familiar with. Something that people are less familiar with or already forget was the first bombing of the World Trade Center, when at that time the towers did not come down, collapsing upon the neighbors and the people in the area; but you may recall that bombing in the cellars and the trucks.

What it led to also was bombing of U.S. interests around the world as well. In each instance it was because of a lack of dollars and investment in apparatus, invested in our intelligence community, in the CIA and other apparatus, National Security Agency and the like. Because of that those things came about.

So the gentleman is absolutely correct in this case of looking back to see where we did not make the investments in the past and where our colleagues on the other side of the aisle would say continue that wrong philosophy of not investing in intelligence but instead just looking to the recovery and the response.

We believe that we must be looking to the prevention, as the author of this amendment said at the very outset, that we must look to the prevention, and that has come about through the investment of our intelligence.

So I just want to reiterate that point that the gentleman raised. Look back to history. Look at which party led us to the problems that we have today and what we need to do about it today. Look back at history.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. REICHERT).

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. REICHERT. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Washington will be postponed.

Mr. RODRIGUEZ. Mr. Chairman, I move to strike the last word.

Mr. Chairman, today I rise in support of this piece of legislation. This bill has particular significance for all Americans concerned about promoting the necessary and difficult objectives of protecting our homeland.

As a member of the Appropriations Subcommittee on Homeland Security, it has been a pleasure for me to work with Chairman PRICE on adding language and enhancements that will make the bill stronger and generally more effective.

As a Member who represents a district that comprises 700 miles along the Texas-Mexico border, I am distinctly aware of the challenges that confront frontline law enforcement officers charged with upholding criminal laws such as drug and human trafficking. In recognition of these inherent dangers presented to law enforcement officials, also to private landowners as well as elected officials concerned about border issues, and the statutory requirements imposed by the Department of Homeland Security to erect a fencing barrier that spans 370 miles along the southwestern border, I was pleased to work with the chairman, who was working with me on these two distinct issues.

My first and most important objective that I would like to address is regarding homeland security grants that would hopefully help the border cities and the law enforcement personnel that are on the border such as the police and the sheriff, the first responders, for stemming the tide of drug and human trafficking along our border. Chairman PRICE was instrumental in working with me and helping us to obtain \$15 million for funding for Operation Stonegarden, a program that this administration failed to seek funding for and which had previously been funded in 2006.

Operation Stonegarden began as a successful pilot program in 2005 and helped 14 border States on these issues. The initiative gave the States the flexibility that the Department grants provided to enhance coordination among not only the States but local community and Federal law enforcement agencies that are drastically needed. This pilot program resulted in an estimated 214 State, local, and tribal agencies working 36,755 man-days on various public safety as well as border security operations on the border.

The budgetary constraints imposed on the committee precluded more funding in this area, but the bill language sends a clear message that programs such as Stonegarden are viable and will serve as a funding aid to the law enforcement communities along the border.

Stonegarden did not receive funding last year. The funding assists local authorities with operational costs and equipment purchases that contribute to border security. The funds are intended to be used for operations involving both narcotics and human trafficking.

The second objective regarding the fencing and the barriers that are necessary, I want to thank the chairman also for working with us in making sure we provide these types of barriers in an appropriate manner.

I believe that the bill reported by the full committee and under consideration by the full House represents the most viable approach that can be utilized. I want to thank the chairman for allowing us to be able to present this bill. And as you well know, Mr. Chairman, this is a bill that is critical, an area that we have been lacking in this country where the administration has failed to provide the appropriate resources on the border. So I want to thank the chairman for allowing us to do that.

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KING of Iowa:

In title I, under the heading "Office of the Secretary and Executive Management", after the first dollar amount insert "(reduced by \$79,000)".

Mr. KING of Iowa. Mr. Chairman, this amendment would reduce the Chief of Staff account in the Office of the Secretary and Executive Management to the fiscal year 2007 level. It represents a \$79,000 reduction, and it would go from \$2.639 million to \$2.56 million.

The bill's current funding level is a 3 percent increase over fiscal year 2007 as enacted. There has been at least \$105.5 billion in new Federal spending authorized by the House Democrat leadership this year. The current Federal debt is \$8.8 trillion, roughly \$29,000 for every U.S. citizen.

□ 1715

And it grows by over \$1 billion a day. Entitlement spending, being Medicare, Medicaid and Social Security, is out of control and within a generation will force either significant cutbacks in services or benefits or massive tax increases.

The Congressional Budget Office and the Government Accountability Office have been warning Congress that the growth in direct spending, and that is spending that's on autopilot outside the annual spending process, is occurring at an unsustainable rate due to well-known demographic trends and other factors. Discretionary spending has also grown exponentially and must be brought under control.

This amendment is the first step of many necessary steps in forcing fiscal discipline and sanity upon the Federal Government and out-of-control Federal spending. We must restore fiscal discipline and find both commonsense and innovative new ways to do so, and we need to find ways to do more with less.

I have often speculated as to how this Congress would react if we brought a budget down here and presented a budget that would actually be a balanced budget without increasing taxes.

We were on a trajectory to do that. And many of the things that have happened so far here in this 110th Congress have reversed that opportunity that we've had and made it far more difficult for us to be able to get to the point where we can balance this budget again.

Most of us will look back and remember that at the time of the beginning of this current administration, we were caught in a real flux, we had a dot-com bubble that was an unexpected growth in our economy. It brought in Federal revenues that surpassed the anticipated revenue stream and actually surpassed the ability of Congress to react to increasing spending with the Federal revenue increase. So, when the bubble burst, it slowed down our revenue, and at the same time, since we hadn't anticipated the increase, we ended up with some surplus in this budget, and we paid down some debt.

That was a good thing, and I would hope we could find a way to get back to that good thing, but the good thing didn't last very long because, at the same time we had the bursting of the dot-com bubble, we also had things we knew about that had to do with some corporate corruption. That was difficult on our economy and our adjustments. And nearly the same time, and from a national historical perspective it was the same time, we had the September 11 attacks, which in the end generated the very subject matter that is the appropriations of the Department that this bill appropriates. All of those things added together turned this increase or spending and slowed down our revenue increase. Now we've seen the growth in this economy. We have seen unprecedented growth in our Dow, for example. And we have a strong economy that surpassed my anticipation. It went beyond my optimism and exceeded that, Mr. Chairman.

So, what I would submit is that this Congress needs to have the discipline every step of the way, wherever we have the opportunity discretionarily, to take us back down to the level where we can one day come to this floor, Democrats and Republicans, and offer a balanced budget and then talk about how we spend that money within that balanced budget without increasing taxes. That's the key, and that's the thrust, and that's the message, Mr. Chairman, that I bring with this amendment that simply reduces the COS office by \$79,000.

Mr. PRICE of North Carolina. Mr. Chairman, I rise to indicate that we will accept this amendment, but I want to explain my reasoning, if I might, and explain it very carefully.

For 2 hours now we have sat in this Chamber and have heard Republican Members railing against the Bush administration. Member after Member after Member has risen in this Chamber to condemn Bush administration bureaucrats in unsparing terms, and not one voice on that side of the aisle has been raised in opposition, not one.

So, we are asking ourselves, how long are we going to defend a very carefully crafted bill that deals with the administration's legitimate needs to administer its Department?

Now, I don't care how many times people get on this floor and claim that we have made lavish increases. The fact is, and I will say it one more time, this bill cuts departmental operations. It cuts them below the President's request, and it cuts them below 2007 levels. And that is not a matter of inflation adjustment. It is a real cut in nominal terms.

Now, within that overall cut there are some adjustments. Some accounts are cut more, some are increased. They are not increased for frivolous reasons. If we have made an increase, it has been because there is a good rationale for that increase. A couple of the earlier cuts targeted the account that includes the Privacy Office, the Civil Rights Office, offices that need work and need to be strengthened.

So we have scrubbed this bill very carefully. We have basically provided only for current staff on board, and, in a few instances, for staff that we knew needed to be augmented to perform very specific functions. So, we have been conscientious within the context of overall reduction.

Of course, the easiest thing in the world is to rail against the front office or the Department, to rail against the bureaucrats, to say these are abstract, invisible cuts. Let's just cut away, and then beat our chest about how tough we are fiscally. I tell you, we've been tough fiscally, but we have not been irresponsible. We have tied, in each case, our funding recommendation to specific needs of the Department, specific functions that need to be continued or need to be augmented. So we are asking, why should we be the ones to stand up for this administration?

Now, I know not every Republican is in line with the sentiments that have been expressed here. I know there are Members on both sides of the aisle who understand that you need some reasonable level of funding to run a department. And in past years, we have provided that reasonable level, and we have done it again this year. But we are not going to sit here and simply hear all this and then be alone in our defense. So we accept the amendment.

Mr. OBEY. Mr. Chairman, I rise to strike the last word.

Mr. Chairman, I would like to follow through on the comments made by the distinguished chairman of the subcommittee. And I think for Members who aren't here, which is approximately 90 percent of the body, for Members who are watching in their offices or perhaps not watching at all, I should make clear what is happening here and what is not happening here.

We are not having a real debate on a real bill. What is happening is a debate, it is really "filibuster by amendment." It has been made quite clear by the opposition leadership that the opposition

party intends to bring this institution to a halt today. And the way they intend to do that is by offering amendment after amendment after amendment. There are about 120 amendments pending. And as the gentleman from North Carolina has indicated, we are trying to responsibly deal with a budget from an administration of the other party.

The easiest thing in the world for us to do would be for us to gut and slash the administrative accounts in the bill for any department, because, after all, the administration is Republican and we are Democratic. But what we have tried to do instead is to meet our responsibilities. We tried to tie administrative budget levels to the actual needs of the agencies, and we have tried to deal with those agencies in a bipartisan manner.

But we have a series of amendments not taking any meaningful reductions out of these agency budgets. We have a series of very tiny nicks being taken out of these budgets. And these amendments, in my judgement, are designed more to take up the time of this body than they are to produce a different financial result. And as the gentleman from North Carolina indicates, we have been, for the last 2 hours, trying to defend an administrative budget for the other party's administration.

Now, we may not be the smartest folks in the world, but we haven't exactly fallen off a turnip truck. And I also think that we are not exactly cut out to be suckers. And so, I don't think that we can allow our friends on the other side of the aisle to assume that we will simply serve as punching bags, and that we will simply stand here continuing to defend administration operation accounts.

And so, as far as I am concerned, if the administration and if the minority party's leadership can't control their own Members in terms of these budgetary attacks on these agencies, then who are we to stand in the way? So, I think what happens to these administrative levels will be pretty much up to the administration's own party. It will be very interesting to watch.

Mr. RYAN of Wisconsin. Mr. Chairman, I move to strike the last word.

It is asked, you know, why are we doing what we are doing, and why are these amendments coming to the floor, and why are these Members saying what they are saying? There is a big picture involved here, Mr. Chairman, and I would like to speak to that.

Number one, this isn't just about increasing spending in one particular program or one pet project, this is about the now majority increasing spending everywhere, on virtually every program and virtually every pet project at almost every opportunity. Six months into the new majority, \$6 billion on the omnibus appropriations, \$17 billion in non-war-related emergency spending supplemental, \$21 billion more on top of discretionary spending above the level at which we

realize the veto threat is going to occur.

Each of these appropriation bills is representing an installment on a plan to increase nonemergency spending by more than \$81 billion over last year. That is a spending increase of 9 percent, three times the rate of inflation.

Now, I will be the first to acknowledge that when our party was in the majority, we made similar mistakes. We made similar big spending increases. I recall my first term in 2000, coming at the end of the Clinton administration, an 11 percent increase in discretionary spending. That got built into the base, and what happened? Our budgets got thrown through the loop forever. We went into deficit. It was a big mistake at the time, that we should not have done that.

But there are four specific problems I have with this particular bill before us, Mr. Chairman, which the gentleman from Iowa's amendment does some things to help fix.

First, the President's budget called for an increase of 7.2 percent. This budget calls for an increase of 14 percent. So it raises the ante. So, instead of doubling the spending at the rate of inflation, we're going four times the rate of inflation on this bill.

Number two, this bill takes advantage of prefunding. They have already used the 2007 war supplemental to prefund over \$1 billion in fiscal year 2008 Homeland Security appropriations. That lets us free up the cap for more spending. So, it's really more than a 14 percent increase from one year to the next.

Third, and this is my biggest concern, Mr. Chairman, earmark transparency. We have come a long ways on earmarks. The former majority party made mistakes on earmarks. Let me say this one more time. Republicans made mistakes on earmarks. And good thing Republicans, last session, began fixing those mistakes. Last session we brought to the floor and passed in the rules new earmark transparency rules, new earmark accountability rules, giving the public the ability to see the earmarks, see who the author is, and giving Members of Congress, there as the people's representatives, the ability to come to the floor and challenge those earmarks. To the Democratic Party credit, they extended those earmark reforms. And you know what, Mr. Chairman? They built upon them. They improved upon those earmark reforms. The Democrat majority improved upon the Republican earmark reforms when they came into power at the beginning of this year.

Where are we now? What has happened? We went three steps forward, and now we went six steps back, Mr. Chairman. Now, instead of giving the public the ability to see these earmarks, instead of giving Members of Congress, the people's representatives, the ability to challenge them, to vote on them, to have scrutiny on them while we consider these appropriation

bills, what are we doing? They are air-dropping them in the conference report.

Okay. What did that just mean for those people who don't know our lingo? This means we're not going to see the earmarks while we are considering this legislation as they go through the House and the other body, the Senate. They will be conveniently put in the bill at the end of the process so that no amendment can address the issue, so that the public will have very little time to see these earmarks, so that no Member of Congress can challenge the worthiness of a pet project. When we have come to the time where Congress is putting in thousands and thousands and thousands of these earmarks, raking up to tens of millions of dollars, one of the bills we are going to consider this week has something like \$20 billion slated for earmarks in just one bill.

□ 1730

No vote, just \$20 billion, empty money to be spoken for, later inserted in the conference report by a couple of people in the majority, namely the chairman of the Appropriations Committee, the dean of my delegation. No transparency, no public accountability, no ability for the people, Representatives, to come to the floor and challenge these earmarks.

That is not earmark reform, Mr. Chairman.

We need real earmark reform. Let's not go backwards. And what is worse about all of this is, these bills are coming in far above where they ought to be from a funding level. We are going to have a veto at the end of the year and a train wreck.

Ms. FOXX. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to build on the comments by my colleague from Wisconsin, but I also want to talk a little bit about this amendment and the previous amendment. I tried to talk about it, but did not get recognized by the chairman, unfortunately.

Mr. Chairman, I am very much concerned about the need for us to restore fiscal discipline to this House. I have only been here a little over one term. I am in my second term. I came here with the notion that Republicans would be people who cared about fiscal discipline. We did not care about fiscal discipline as much as I would have liked for us to, but we made a start in the right direction, and I was pleased about that.

Now what we are trying to do is bring more fiscal discipline to this House and to spending. We do have a broken process.

I find it really interesting that the gentleman on other side of the aisle, the chairman of the Appropriations Committee, is talking about our trying to shut this place down. I think that he has a very funny definition of this open process and this open rule and our being able to offer amendments. That

is the way I thought a democracy operated.

Saying that we are trying to “shut the place down” by doing our jobs is a little disingenuous, I think. I think that is coming because in the last 5 months you all have become so used to ramming things through with no opportunity for amendments that you find this a very unusual process. Well, we intend to use the opportunity available to us to offer amendments every chance we get.

He also made the comment that we are taking up the time of this body to do frivolous things. Well, again, this is the job that we are elected to do. We are not taking up the time of the body. We are doing what we are supposed to be doing.

You spent 3 months dealing with what we considered a frivolous exercise in talking about not funding our troops serving overseas, trying to protect us so we can do the very things that we are doing; and you didn't want to give them the money that they needed in order to be able to do that. That is where a lot of time was wasted, as far as I'm concerned.

I want to also talk about some comments that have been made by members of the other party that show that there were some people who made promises that have not been kept.

This quote is from 1-5-2007 from the gentleman from Alabama. “Today, we made a strong commitment to returning fiscal responsibility to Congress. It is vital that Congress improves its stewardship of the taxpayers' money so we do not pass along today's spending tabs to our children and grandchildren.”

That is a Democratic Member from Alabama. That is what we are talking about here today. We want to make cuts in this unnecessary spending so that we're not passing along these bills to our grandchildren and children.

From the chairman of this very subcommittee, “This bill mandates that all grants and contract funds be awarded through full and open competitive processes, except when other funding distribution mechanisms are required by statute. This approach creates a level playing field and also ensures that there are no congressional or administration earmarks in the bill.”

Well, that is very different from what we know is going to be happening on this bill, where these earmarks are going to be “air dropped,” as we say, later on, after the bill has already been passed, and people don't get a chance to react to those earmarks.

Another Member from Arizona: “The American people deserve nothing less than a government that is fully accountable and completely transparent. They need to know that their elected Representatives are focused on the public interest, not the special interests and not the lobbyists' interests.”

In the last amendment that was offered, we wanted to do more to increase what is happening in national security.

No. You all prefer to spend a lot more money on bureaucracy.

I am very pleased that you are going to take this amendment offered by my colleague from Iowa. I think that is a step in the right direction. But we need to do a lot more of that. We need to cut funding here, and we need to make sure that you fulfill the promises that you made so strongly last fall and at the beginning of this session.

Let's make this earmark process transparent. Let's know what is going to be funded in these bills. Let's put it all out there. And let's have the open debate that you promised we would have.

Mr. FLAKE. Mr. Chairman, I move to strike the last word.

The chairman of the Appropriations Committee mentioned that this debate is really not about the bills that we are debating this week, and in a sense, he is right. Unfortunately, that is the case. Particularly later this week, we will be debating three other appropriation bills, some of which have headroom or a placeholder for tens of millions or hundreds of millions of dollars that we don't know what that spending is. It is put in place for earmarks to be added later.

So we really are not debating the real bills, and that is unfortunate. We should be. How can we as a legislative body decide whether this is appropriate spending or not when we don't know what is in the bill, when that will be added later?

I am well aware of the plan to have Members request and that these earmarks later on will be somehow made public. But that is the legislative equivalent of appointing an ombudsman. Why does a body like this need something like that? We are not potted plants. We should be able to see what is in the bills. These are earmarks that should be transparent.

The Appropriations Committee has before it right now some 30,000 earmark request forms that could be made public. Other Members could see them. We could see if these earmark requests are appropriate or not. But we are not allowed to see them. We won't be allowed to see them. We will only be allowed to see those few that the leadership decides that we can see, the ones that are approved later; and then once we do see them, we will have no ability whatsoever to have an up or down vote on the individual earmarks. None.

That is not a legislative body. That is saying that we can't handle it, so we are going to appoint an ombudsman, in this case maybe a couple of members of the Appropriations Committee, and hope that they will sufficiently scrub these earmarks. That is simply not acceptable.

To the other point, that we are simply defending what the President has done or what the administration has done, let me just take one program here that we are discussing today, and that is the State Homeland Security grant program.

This program is being plussed up by, I think, about \$50 million, a significant plus-up. Yet the chairman of the Appropriations Committee, I think very wisely, in the committee report indicated several areas where this grant program is being misused, where there are several frivolous programs going on. Let me just name a few of them.

A \$3,000 grant was given under the State Homeland Security Grant Program to the city of Converse, Texas, for a trailer used to transport lawn mowers to lawn mower drag races. For a fire department in Wisconsin, \$8,000 for clown and puppet shows. That is under the Assistance to Firefighters grant program.

Under the State Homeland Security grant program, \$202,000 was spent on “downtown” security cameras for a rural fishing village in Dillingham, Alaska. Now, “downtown,” there is a population of 2,400. This is 300 miles from Anchorage. There are no roads linking that city to anywhere. So \$202,000 for security cameras in a remote fishing village in Alaska.

Keep in mind, we are plussing up spending for State Homeland Security grants by \$50 million. Why in the world are we doing that?

Just a few others. \$3,500 for small crates and kennels to hold stray animals. This is in Modoc County, California.

There are some even in my own State and in my own district; I think we are spending \$100,000 or so for synchronization of traffic lights in Apache Junction, Arizona, in my district. That money shouldn't come from the Federal Government. We are making local governments dependent on the Federal Government.

Why are we plussing up funding for the State Homeland Security grant program by \$50 million in this bill with this kind of wasteful spending?

As I mentioned, the chairman of the Appropriations Committee wisely pointed out some of these abuses. I will offer amendments to strike some of that funding. I hope that we have the support of the majority here.

This is not frivolous time being spent here. We are spending far too much money. We can ill afford it. If we can't do it here, when will we do it?

As I pointed out, we are not discussing a lot of the funding that is in the bills. It is off limits. We don't know what it is. It will be added later. It is secret at this point, secret from us, the Members.

So I applaud my colleagues for bringing forth amendments, and I hope that we will have more time to debate it.

Mr. CAMPBELL of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I too want to comment on some of the comments made by the Appropriations Committee chairman, the gentleman from Wisconsin.

There are two things we are doing here. One was just very eloquently presented by the gentleman from Arizona.

We are trying to say and trying to insist that when these projects, when these earmarks, when these sorts of things appear in these bills, that there is sunshine, that people know what they are, that they can see them and that they are subject to an up-and-down vote, rather than these big slush funds that appear in this bill and others as they are currently constructed.

The other thing we are trying to do here is very simple, and that is saving the taxpayers \$21 billion. There is \$21 billion more that has been proposed to spend in the Democrats' appropriations bills than what the President proposed to spend.

Now, I might add that I am one of the 160 people who voted for a budget to spend \$20 billion less than the President has proposed. It is not like what the President proposed was a flat budget. It is not like the President proposed a budget that didn't increase spending; it did. But what you have done is taken the President's proposals for spending increases, accepted all that, and added to it in most cases.

I think it is very interesting that the chairman of the Appropriations Committee seems so surprised that the amendments that some of us are offering, including the one that I offered just about an hour or so ago, that these were reducing spending that was actually proposed by the administration.

It may come as a surprise to people on the other side of the aisle, but we don't really care who proposed it, whether the President proposed it, a Democrat proposed it or a Republican proposed it. If it is spending more money than we believe should be spent, if it is increasing spending that increases the deficit, if it is further putting pressure, further trying to create a reason to enact the largest tax increase in American history that you all want to do, then we are going to want to stop it. And that is what we are doing.

Now, there was a comment also made by the chairman of the Appropriations Committee that there were 120 amendments, I believe he said, on this bill. We are talking about a lot money. I would bet there are a lot more than 120 earmarks that get put in here by the time things are done. I know there is at least \$21 billion of more spending in all of these appropriations bills, and specifically on this bill itself a nearly \$5 billion increase in spending over last year. So, for \$5 billion and countless thousands of earmarks, 120 amendments is not a problem.

It may be many more than that. It could take many more than that.

□ 1745

These are big issues. These are important things. This is about whether we are going to start to arrest spending where we can, or whether we are going to let it continue to grow and grow and grow. Whether we are going to allow Americans to keep at least the amount of their own money that they keep

now, or whether this government is going to continue to tax them and tax them and take more of it. If it is 120 amendments or 240 amendments or 480 amendments, we will stand here and we stand ready to do that.

I would hope that the message would get across at some point to the other side of the aisle that what they are doing is not right, and that these amendments are processes by which we are getting to what is right, which is not increasing spending on everything, not increasing all of these things and trying to keep it under control and making sure that when we do spend the taxpayers' money, we are up front about what it is, about who requested it and why. And that people have an opportunity to challenge that request.

Mr. Chairman, we have begun some amendments and we have a lot more. This is not a joke. This is not silly, this is not something that we don't believe in. This is something we believe in very deeply, and it is something that is important and that's why we are engaged in this fight and will continue to be engaged in this fight.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

I have absolutely the highest respect for the chairman of the Appropriations Committee, Mr. OBEY. He has worked very hard on this, along with Ranking Member LEWIS, on the overall appropriations process.

The conversation he had with this House a few minutes ago concerns me in that I think Mr. KING, what Mr. KING has proposed, it is small but it is frugal. It is trying to set a tone. As our chairman points out, we have offered, there have been offered over 100 amendments to this bill. What does that tell us? That tells us there are people who are looking at this in detail and trying to see if we are doing things wisely. We are exposing this bill to scrutiny.

I think the message that we are trying to send to the Congress and to the process is that it is good to lay out before the world honestly how we spend our money. And, in turn, it is a way to show concern for a process that has been created by the chairman which will not disclose how we are going to spend special project money as we debate these bills.

Two of the previous speakers have raised this concern. Quite frankly, the chairman mentioned we are trying to shut down the House. Well, if examining the work of the House is shutting down the House, examining it in detail, then, yes, I guess we are trying to shut it down. But I don't think that is the way you shut it down. That is the way you open it up. You let sunlight come on the process and let everybody look at it and decide: Is it worth that extra \$79,000 or not? That is what this process is all about.

But in the earmark process that is being proposed in appropriations this year, there is no sunlight upon that process. This process is in the dark. In fact, we are being asked over the next

couple of weeks to vote on numerous bills that have billions of dollars set out in some sort of unidentified account that tells you we are going to spend this money, we will let you know how.

I am sure my beloved wife, whom I love dearly, would love to have that deal; and I am sure there are a lot of other people who would love to have that deal. Here is the pot of money; I will let you know how I am going to spend it later, but I am going to spend it.

In this particular process, it is going to be done behind a closed door. And behind that closed door, and the Members of Congress, who by the way in this Republic were sent here to do just what we are doing here today, examine this spending in detail, we were sent here to take a look at this spending on the earmark process. But we are being excluded. And if we have an objection that we think is offensive to America, we should be able to have a process to stop that.

But when you "air drop," as has been described, secretly drop into a conference committee the earmark process determined by one or more small groups of people without the 435 Members of Congress looking at it, too, I don't think that is any sunlight at all. That seems to be a dark, dark room where legislation is taking place. And it will only be exposed when you get a "take it or leave it" proposition back on the floor of the House. Take it or leave it. You can't amend it; you can't deal with it. Take it or leave it.

Really, we are showing what it means to put sunlight on a procedure. We are going to try to continue to put sunlight on this procedure because the American people have raised the issue to us at the polling place that we spend too much money. So let's let them see how we spend it.

I commend those who have examined this bill in detail and are willing to come in and make such delicate surgical cuts so as to say, this guy doesn't deserve an extra \$79,000. You know, that is the kind of thing that is going to save this Republic. If we can just get the earmark process to be done out in the open, in the sunlight for all of us to see, it would be a better process.

Mr. MCHENRY. Mr. Speaker, I move to strike the last word.

I appreciate the opportunity to speak before the House, and I appreciate the fact that we are taking this amendment up under an open rule which allows for a wide-ranging debate on the important issues of the day.

Now, this amendment is very simple. It saves the taxpayers money. It saves the taxpayers money, Mr. Chairman, and I think that is what is very important for us to understand here on this House floor. If we do not spend this money in the appropriations bill, it will reduce our deficit.

As the chairman of the full committee said in his speech here on the floor a few minutes ago, he believes Republicans are simply filibustering.

Well, he is in the wrong Chamber for filibustering; it is across the hall in the Senate.

What we are doing here today is bringing out the fact that we as Republicans, our side of the aisle, we actually want to reduce spending and balance the budget. We have had some tough times since 2001, since this war began, when we were attacked in 2001. But, Mr. Chairman, what we have to do is understand as a nation, we have to cut this deficit and balance this budget and start paying down the national debt. We have to make sure that we have a balanced budget.

How do we begin that process for a balanced budget? It is not by raising taxes, which the other side of the aisle already proposed and actually adopted through their new budget that they put in place this new Congress. They made it clear that they want to roll back to the prior level of taxation, the very high level of taxation that we as Americans faced.

But what we believe in as conservatives, and on this side of the aisle especially, is that the way we balance the budget is not by raising taxes on the American people. We have plenty of income coming into the government, but we have a spending problem here. So with this amendment we are taking a small step, a very small step, but a step nonetheless, that will help us reduce spending.

The chairman of the full committee said they have been very busy spending for the Iraq war, the supplemental vote. Well, as we well know, within that Iraq war funding bill they have plenty of pork barrel spending, plenty of earmarks. Well, we believe over \$20 billion in earmarks was in that final version of the bill. They were too busy spending on special interest projects to actually put in the details of this legislation so the American people can see what kind of pork barrel projects they have tucked into the legislation before us.

So first of all, the process is wrong.

Second, the spending is too high. The American people understand that, and they want us to do something about it. As conservatives, we need to take that first step. That first step is offered by my colleague from Iowa, Mr. KING, who has offered a very reasonable, very simple, very straightforward amendment that is good for the taxpayer and is good for Americans.

We all care about homeland security, Mr. Chairman. We believe it is in the interest of our government to fund homeland security and national defense effectively, but not blindly. Not simply because a number is put forward, do we have to accept it. And that is what the debate is about here today, about whether or not we are simply going to accept a high level of spending and look the other way while the deficit increases, while the American people are asked to spend more on government through their taxes.

But we have to take that first step. A small step, but a very good, very im-

portant step, nonetheless. I will be proud to vote for the King amendment when we get that chance here in a few minutes.

Mr. Chairman, I urge my colleagues to come forward with a consensus that these important spending matters deserve an open, honest, fair debate. It is not simply about getting it done quickly. We know that legislation takes awhile to craft. We should have an open debate and allow a real exchange of ideas about how to best spend our homeland security dollars.

Mr. Chairman, the American people understand that their government costs too much. So let's support my colleague, the gentleman from Iowa (Mr. KING), his amendment here today, that allows us to take a step in the right direction.

Mr. PRICE of Georgia. Mr. Chairman, I move to strike the last word.

I want to commend the gentleman from Iowa (Mr. KING) for his amendment, drawing attention once again to the amount of spending in this and, I am certain, in other appropriations bills as we go forward.

I think it is important for the Chamber and for all of those who might be watching to appreciate that spending is, indeed, the disease that infects Washington. It is the disease that makes it so that Americans all across this Nation no longer trust this Congress to do the right thing when it comes to being good stewards of their hard-earned taxpayer money.

In fact, this Congress so far has increased spending, authorization for spending, by over \$50 billion already. And instead of being more responsible with the appropriations bills they are bringing forward, in fact we find tens of billions of dollars in more spending.

Now, the consequence of that is somehow you have to pay for that. What we have seen by our friends in the majority is adopting a budget that will be, if not the largest tax increase in the history of the Nation, the second largest tax increase, depending on how you do the numbers, but hundreds of billions of dollars.

Mr. Chairman, I know we have good friends who talk about the new direction that they brought to Washington, given the last election. Mr. Chairman, I am here to tell you, that new direction is backwards, and it is backwards to a time of tax and spend that, frankly, the American people don't favor.

One of the things the American people do favor, however, is sunshine. And they favor it for all of the activities that we engage in here in Congress, sunshine in the processes that we have, and sunshine in making sure that votes are recorded in committee, sunshine in terms of the debate that goes on. And, yes, Mr. Chairman, sunshine in terms of the money that this Congress spends, which is why it is so distressing that we have a new policy on behalf of the Appropriations Committee and the majority that allows for hidden spending, less transparency, less account-

ability when it comes to something that the American people care dearly about; and that is earmarks, special projects, or "pork projects," as many people know them by back home.

□ 1800

We have been harping on this because it is such a change, such a remarkable change in policy and in procedure here on the House floor and within the House of Representatives.

And it's not just our opinion. It's not just our opinion. There are newspapers that have provided their opinion all across this Nation, that have agreed. They have said that the process that's been adopted, which would allow for one individual, one individual in this Chamber, to determine which special projects would be supported and to determine which projects would be included in a conference report, not brought to the floor in the usual appropriations process, not so that my colleagues here can stand up and say, I don't think we ought to be spending hard-earned taxpayer money on that project. In fact, I think I feel so strongly about that that we ought to vote on it, and people ought to be held accountable.

It's the kind of vote that when we were in the majority we allowed because it's an appropriate vote to allow, and we even went further in the last Congress and adopted a rule that said if earmarks, if special projects were put in in a conference report, when you only get to vote on the overall bill itself, you can't pick out individual projects. If they were put in that conference report, then a Member of the House on either side of the aisle could raise a point of order and say, we ought not be taking that up because it violates the rules of the House, and had an opportunity to highlight, to bring a specific vote for a specific measure.

Well, Mr. Chairman, that apparently is no longer the case, from what we hear by Members in the majority party now, and it's not only our opinion that it's the bad way to do the House's business, it's the opinion all across this Nation.

The Wisconsin State Journal recently wrote an editorial and said, with this maneuver, it will prevent the public and most lawmakers from questioning earmarks until it's too late. That means you can't do anything about it.

St. Louis Post-Dispatch said, But in a slick maneuver, they will keep them hidden from public scrutiny. In a slick maneuver, they will keep them hidden from public scrutiny.

Mr. Chairman, that's not the kind of leadership that the American people want. That's not the kind of responsible spending of hard-earned taxpayer money that the people want. That's not what they voted for in November. They didn't vote for more hidden rooms. They didn't vote for less scrutiny.

I urge my colleagues to adopt this amendment and to adopt any amendment that decreases spending in this appropriations bill.

Mrs. BLACKBURN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, you know, it is amazing that the liberal leadership in the House is living up to the moniker of the hold-on-to-your-wallet Congress, and we see that they can't even get out of paragraph 1, Title I, of the bill without spending more money.

And I want to commend the gentleman from Iowa for offering his amendment. Sounds really simple, \$79,000, make a reduction of \$79,000 in spending and make it out of the Office of the Secretary and Executive Management. It's the right type thing to do.

In my district in Tennessee, people don't like what the Federal Government spends, and we are hearing from our constituents. They are looking at this bill, \$36.3 billion, 6 percent more than was requested, 13.6 percent more than last year. And in the middle of all this money, we can't find a way to fund the fence, which is one of the things that people want to see, securing our southern border?

Now, my constituents are upset about that. They know that this is hypocrisy. They know that people are trying to skirt around the edges. They have caught on to this secret slush fund and going back to the way they were and the way things used to be done. And quite frankly, Mr. Chairman, it's something that they don't like, and they are hopeful that we are going to be down here making certain that we put some sunlight on what is taking place.

When you've got a group that is so addicted to the taxpayer dollar that they cannot get out of paragraph 1, Title I, of that bill without spending more money, you've got a problem. And my constituents know that that problem is not that the taxpayers aren't sending enough money up here. My constituents know that the problem is the Federal Government who has a spending problem. They know that it is the bureaucracy that has too much power over how that money is spent, and they know that it is the government that has a ceaseless and insatiable appetite for their hard-earned dollars.

So I commend the gentleman from Iowa. I commend him for being diligent and reading the language in this appropriations bill. I commend him for being diligent and making certain that he goes through this bill to find ways to reduce what would be spent, to cut out the waste, to look for areas where it can be pulled in and tightened up and reductions can be made.

You know, I know a lot of people in this House didn't like the Deficit Reduction Act, when we made a step in the right direction, reducing, cutting in that 2006 Deficit Reduction Act, cutting more than \$40 billion, and poof, it all goes away with one stroke of their budget pen. Given the opportunity, they're going to spend more, and they're going to hide it and not tell you exactly where it is.

And the issue of earmarks, Mr. Chairman, it comes up in nearly every conversation that we're having in our districts. Let's have a way to evaluate those earmarks. Our constituents deserve to know before that vote takes place rather than after that bill comes out of conference committee.

In order to fund all this fun that the leadership is having, we face the single largest tax increase in American history. It is certainly, certainly inappropriate, and going in here and beginning to find places to make cuts, as the gentleman from Iowa has done, is the right type way to go.

If you cannot find \$79,000 out of a \$36.3 billion budget, you've got a problem. If you can't reduce some out of a 6 percent increase more than was requested, 13.6 percent more than last year, then you've got a problem. It is a spending problem. It is something that needs to be dealt with by the Federal Government.

Mr. HENSARLING. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I'd like to associate myself with the comments of the gentleman from Tennessee. I, too, appreciate the leadership of the gentleman from Iowa in offering this amendment.

Again, the dollars may be small but the principle is large, and frankly, Mr. Chairman, I really somewhat object to those who somehow suggest that after a budget was passed in this institution, representing the largest single tax increase in American history, that somehow amendments to try to save the people's money are somehow dilatory, are somehow frivolous, are somehow not worthy of debate in this democratic institution.

We spent months, months debating one spending bill on whether or not to support our troops in Iraq, months, and now we hear protests from the other side, hours into a regular appropriations bill. Somehow after hours we've grown tired of that particular process.

Mr. Chairman, I'm worried about this largest single tax increase in American history and what it means to people in my district, the Fifth District of Texas, how it impacts their ability to send their children to college, how it impacts their ability to start a small business, how it impacts their ability to pay their health care premiums. Every opportunity we have to try to get some of that money back to them is an important use of this body's time, a very important use.

And so there are several amendments that have a very simple proposition behind them, and the simple proposition is in this particular Department, can't you level-fund from one year to the next year just that group administering the programs. All over America, after passing this single largest tax increase in the history, we're asking American families to somehow do with less, and all we're asking these people to do is do with the same amount that you had last year. That's all that we're asking, Mr. Chairman.

But there are bigger issues involved here besides the roughly \$2,600, \$2,700 per family in the Fifth District of Texas who are going to have to pay that single largest tax increase in history.

But we look to the future, and we know what happens if we don't take the first few steps towards fiscal sanity. Already we have been warned by the Congressional Budget Office, we've been warned by the Office of Management and Budget, we've been warned by the Comptroller General what is going to happen to this Nation if we don't do something about entitlement spending, something that our friends on the other side of the aisle refuse to engage in. Social Security and Medicare, in their budget, there's nothing about that.

We've heard from Federal Reserve Chairman Ben Bernanke: Without early and meaningful action to address the rapid growth in entitlements, the U.S. economy could be seriously weakened, with future generations bearing much of the cost. Too much expenditure of the people's money impacts the people's security.

We've heard from Comptroller General Walker: The rising costs of government entitlements are a fiscal cancer that threatens catastrophic consequences for our country and could bankrupt America.

How are we going to pay for future homeland security bills if we don't take the first few steps towards fiscal responsibility now? Simply level-fund, level-fund, not cut, level-fund the administrative function and lead by example. Lead by example.

Mr. Chairman, we haven't even talked about the secret earmark slush fund yet, which, again, I don't understand. I would think if there was any party who would heed the lessons well of the last election, it would be the party that has become the majority party. They know the people are outraged at earmarks, at the process, and so instead of taking this forward, the new majority is taking us backwards.

Now, Mr. Chairman, I don't want to necessarily personalize debate, so I will paraphrase here, but recently the Wisconsin State Journal, and I paraphrase, said the Democrats are now dodging the very reforms they helped to generate, and that with this new secret slush fund, and I paraphrase once again, it would prevent lawmakers from questioning earmarks.

Mr. PENCE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the King amendment, and I'm grateful for the opportunity to call for this apparently Draconian cut in the Office of the Chief of Staff of the Department of Homeland Security.

Mr. Chairman, I come to the floor today in the context of having, like you, served in the Congress before September 11 and before there was a Department of Homeland Security. And I'll never forget in the hurried moments that would follow 9/11 how we

dealt with the immediate issues, funding, reconstruction and recovery efforts in New York and at the Pentagon, how we put together to the best of our ability transportation security for our country.

But I will never forget coming to this floor and feeling a great and ominous sense of foreboding as we created a Department of Homeland Security. I couldn't help but feel then that we might be unleashing, however well-intended, on the American taxpayers a behemoth of a new bureaucracy that we would someday find ourselves arguing over on this floor in the way we argue over every other bureaucracy.

But it was not meant to be the case. To be candid with you, Mr. Chairman, I thought this day might come decades from now, when the bureaucratic instinct would overtake even the wisdom and the clarity that would be derived on September 11, that made us focus a new department on the specific purpose of protecting our people from a real and present threat of terrorism.

And yet as I look at the watch, it is less than half a decade from that horrific day, and here we are with the party in the majority opposed to keeping bureaucratic and administrative staff funding levels at their previous year. It's really extraordinary to me; \$8.8 trillion of national debt, and the majority comes to the floor of this Chamber with a 13.6 percent increase in the Department of Homeland Security.

□ 1815

The current budget, \$31.9 billion, the proposed budget, \$36.2 billion, more than 50 percent larger, or is \$2 billion larger than the President's request. It's astonishing to me. I just have to wonder, as the American people look in on this issue, if they aren't just scratching their heads just the same.

But here we are, having these typical and predictable arguments on the floor of the Congress about bureaucracy and levels of bureaucracy when we are talking about homeland security. We are also doing it very much without, as most of my colleagues have said, without the daylight and the sunshine and the accountability of knowing what will ultimately be in this legislation.

I mean, it is extraordinary to me that a Democrat Congress seems so opposed to practicing democracy on the floor of the House of Representatives. To bring a bill to the floor of this Congress with the promise that Member projects, so-called "earmark projects," will be added long after we have had the opportunity to challenge them.

The Democratic process on this floor is breathtaking to me. Again, it bespeaks of the embrace of a bureaucratic, big-government attitude even where our own homeland security is involved.

We ought, rather, in this process, to know what Members have requested what projects, and we ought to be having a thoughtful and focused discussion on this floor and calling votes one after

another on those individual projects to decide what will keep our cities and our people and our families and our children safe. We ought to be having that discussion in the context of a full and open debate.

But, instead, we are told that we don't have time to do that. We are told the public will be made aware of these projects some day in the future.

That's not democracy, that's not the process.

Mr. WEINER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today, first of all, to express my gratitude to the chairman for crafting a bill which tries to do what we want to do, which is to take seriously the admonition by former Department of Homeland Security Secretary Tom Ridge that homeland security starts in our hometowns, and tried to officially get homeland security funds to our neighborhoods.

Congressman CANTOR and I were going to be offering an amendment on the floor to address a program that has been funded in the last couple of years, albeit inefficiently, by the Department of Homeland Security, to deal with the problem that local neighborhood nonprofit organizations, churches, synagogues, civic institutions, are being visited by local law enforcement all the time saying, here are the things you need to do to make your institution more hardened for the challenge of homeland security.

Yet, with all the things they are being told to do, unlike a business that can pass along its expenses to stockholders, or unlike a government entity that can raise taxes or make choices on what they want to allocate, these nonprofit organizations really have no way to find the funds for things like security cameras, for emergency escape hatches, for communication devices within their facilities.

The nonprofit Homeland Security grants have done that. They have done it in a relatively efficient way. You haven't read the stories about great waste because they are relatively small amounts of money to pay for the things like I described.

This section of the bill, the administrative section, was where we thought maybe we could take some of the money to allocate for the nonprofit grants. The other body, an earmark, is going to take \$20 million and allocate it for that purpose. It's only a \$25 million program that we have allocated for the past couple of Congresses. I think that, frankly, the knowledge that this is going to be worked out in conference is comforting.

But we need to realize that one of the things we need to do, and frankly, it's a program that has been administered in a remarkably democratic, with a small D, way. It has been distributed to small towns, big cities, nonprofit organizations. They get visited by local law enforcement: These are the things you do to become more safe. They have gone out and done it. They have made

applications to the States that have then funded these programs as they see fit.

We are not going to be offering the amendment, although I am grateful for the bipartisan work that we have done on this. I would like to ask the chairman, as this moves forward to committee, in the interest of time in moving the program forward, I just want to make sure that you are mindful of our concerns about making sure that these nonprofit grants continue to see the light of the day.

I yield to the chairman.

Mr. PRICE of North Carolina. I thank the gentleman for yielding and for his strong advocacy for these nonprofit security grants. I, too, have constituencies concerned about these grants, about their continued availability, and have convincing testimony as to the importance of this resource.

We did not have a specified account in our bill, but I am aware that the Senate does, and we will be going to conference. I am glad to assure the gentleman that we will have an open mind about dealing with this in conference. I appreciate that he is not offering the amendment tonight, but we will be very, very happy to work with him going forward.

Mr. WEINER. If I could reclaim my time, I would express my gratitude to the chairman and also to the gentleman from Virginia (Mr. CANTOR) who has been so helpful with this.

Mr. PUTNAM. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I thank the sponsor of this amendment.

This is a defining moment, an illustrative debate about priorities for this Nation. To set the stage for this debate, we have to look at the original blueprint for the Nation's spending that the Democratic Congress has produced for the American people.

That blueprint sets the priorities for our Nation, and that blueprint includes the second largest tax increase in American history, second only to the tax increase that was proposed the last time the Democrats controlled the Congress. So the revenues that are being counted upon to be spent in these appropriations bills come from increased burdens on the American taxpayer.

The other interesting thing about that defining document, that budget of the new Democratic majority, is that it includes provisions that would make Enron accountants blush, because it funds priorities like the farm bill and other major authorization measures and other reforms. It funds those with these IOU accounts called "reserve funds," but there's nothing actually in the reserve funds.

So this document raises taxes, spends all that money. Then, that's not enough, so they include these phony reserve funds to spend even more.

As we enter the appropriations process to actually get down to the nuts and bolts of spending and allocating

those dollars to the various programs, we also see explosive growth in the amount of money that they are spending and, again, to borrow from the accounting model that was Enron, more slush funds, more secret slush funds, stepping away from the important reforms that were passed in the last Congress that shed light on the process whereby Members could direct appropriations.

But under the process in the last Congress, it was open to public scrutiny, it was transparent to the press and to the public eye; and a point of order could be brought to this House floor if there was not disclosure and if it were air dropped in the moonlight of a conference.

All that's gone. All those reforms have been swept away by the new majority and replaced by a system whereby one person, one individual, will be the sole arbiter of what is or is not appropriate public spending, relegating the other 434 Members of the House of Representatives to a state about as useful as an appendix.

One individual has deemed himself the sole determinant of where hard-earned Federal dollars will be spent, and that will be done at the last possible moment in the earliest possible hour of the wee hours of the morning without the press, without the public, without the taxpayers' involvement.

That is not acceptable.

Today's debate marks the beginning of an appropriations season where the Republicans will insist on transparency, insist on full disclosure, and insist on maximizing value for America's hard-earned dollars and how they are spent in this Federal Government. It may be \$79,000 at a time, as this amendment is; it may be into the millions or the tens of millions or the hundreds of millions.

But we will not tolerate having a \$2.7 trillion budget rammed down our throats without disclosure, without debate, without consideration.

The CHAIRMAN. The gentleman's time has expired.

(By unanimous consent, Mr. PUTNAM was allowed to proceed for 1 additional minute.)

Mr. PUTNAM. It will not be done without appropriate deliberation, and these Members are here to ensure that every American tax dollar is spent as wisely as humanly possible. We will not accept the largest tax increase in American history without a fight, and the ruination that it will do to this economy.

It is important that we review each and every one of these issues, that we consider them thoughtfully, and that we consider each and every one of these amendments that these individually elected Members of both parties have brought to this floor to work through the democratic process.

That's how this institution was intended to run. That's how we will insist on its being run, and we will do so in a way that brings credit to this institu-

tion and not one that forces hundreds of millions of dollars.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

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

Mr. PRICE of Georgia. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

AMENDMENT OFFERED BY MR. LAMBORN

Mr. LAMBORN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LAMBORN:

In title I, under the heading "Office of the Secretary and Executive Management", after the first dollar amount insert "(reduced by \$300,000)".

Mr. LAMBORN. Mr. Chairman, this would reduce by \$300,000 the money appropriated by the Office of Secretary and Executive Management.

Instead of \$6.3 million, it would be \$6 million, and this would be in accordance with last year's spending. This appropriations bill in its entirety would increase spending for homeland security by more than \$2 billion; that's more than what the President requested, and it will increase spending by more than \$4.2 billion over the fiscal year 2007 Homeland Security appropriations bill.

We should show restraint by reducing the amount that the Federal Government spends, rather than increasing the amount. It is simply not prudent.

We are at a time when the Federal Government faces an \$8.8 trillion national debt. It's important, and this is a step in the right direction. Just as the last amendment saved us some hard-earned taxpayer dollars, this would save hard-earned taxpayer dollars as well.

So we can be fiscally disciplined and reduce the deficit if this money is not spent elsewhere. Increasing the size of government or the amount of bureaucracy, as this bill would otherwise do, is not going to help in this reduction effort.

I look forward to the debate on this amendment. I hope it's as productive and successful as the debate on the last amendment.

Now, by reducing the Office of Public Affairs in the Office of the Secretary and Executive Management account to the fiscal year 2007 level, that is a \$300,000 increase, or a 5 percent increase over the amount of last year's budget.

□ 1830

That's more than the rate of inflation. So this amendment would be the first step of many necessary steps in forcing fiscal discipline and sanity upon the Federal Government.

Now, this is part and parcel of a larger issue, Mr. Chairman, that's very concerning to many of us on this side

of the aisle. We have an earmark process that is not subject to sunshine, not subject to sunlight. It is said that sunlight is the best disinfectant. And I'm disturbed.

You know, I'm a freshman coming in here, Mr. Chairman, and I expected the better of Congress. I thought that we would have the opportunity to debate earmarks, and I'm very, I'm deeply disturbed about that because apparently we're starting down a road of appropriations bills where the earmarks are going to be saved for the conference committee.

By the way, that'll be in August when we're going to be in recess. We're not even going to be here. And apparently there's going to be a list printed, and you get the bill out of conference committee, and you're just going to have to take it or leave it. That's not what I expected when I came here to Congress, Mr. Chairman. I expected better than that. And I'm sorry that we're going down this road. I hope that it can be changed at the last minute, and course can be reversed.

The bills that are just scheduled this week would increase spending by \$20 billion over last year. Twenty billion dollars is significant, Mr. Chairman, and this is one of the four bills that would contribute to that \$20 billion increase.

I'm also disturbed, Mr. Chairman, I've heard some reasons thrown around why this might be happening. I can only speculate, but what I've heard is that, for one thing, the Appropriations Committee was just too busy to look at the many, many, many earmarks that were requested of it. However, that reason doesn't really hold water, I don't think, because we just frittered away 3 months going through the Iraq war supplemental process, and ended up where many of us said it should have started out in the first place, and would have ended up and started out that way if we had just applied a little common sense at the beginning, and we would have saved those 3 months, and maybe we would have had time for the Appropriations Committee to look at some of these earmarks.

I've also heard it said, Mr. Chairman, that for those Members who vote against this bill, you know, they can pretty much write off any chance of getting an earmark. And I'm not planning on offering any myself. That's probably good. And I'm planning on voting against this bill from everything I know about it so far. But I just think that that kind of retaliation is beneath the dignity of the People's Body, and I think that, once again, that's something I as a freshman am coming in and seeing for the first time, and I'm deeply disappointed by it.

Mr. PRICE of North Carolina. Mr. Chairman, for the reasons I explained earlier, we accept the amendment.

Mr. FLAKE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise again in support of the amendment. Again, we're being

asked to approve a bill that increases spending over the President's request by more than \$2 billion.

The majority party wisely, I believe, in the report accompanying this bill, explained that there are several misuses in spending; that there is money that is being misspent. How in the world can we, then, appropriate \$2 billion more than was requested by the administration?

If we believe in fiscal discipline, we should act like it, and we simply can't afford to spend this much more money.

I would also, again, talk about the earmark process. It seems to me that if we have a transparent process, or we require Members to actually put their names next to earmarks and to indicate the entity that the earmark goes to, that that ought to mean something, that we should be able to do something with that information.

Last summer, during the appropriation process, I offered I believe it was 39 earmark amendments, and I got beat on every one of them. I was beat like a rented mule. I never got more than, I think, 90 votes, and most times under 50 for those that we called a roll call on. It was because of the process of log rolling. I'll vote against your earmark or amendment if you'll vote against the others. And so it goes.

But we never had the luxury of actually knowing whose earmark that was. Sometimes, when the earmark was questioned on the floor, the author of the earmark would come to the floor and defend it. Sometimes they wouldn't. Sometimes we'd have the debate. We'd have a vote, roll call vote even, and we still had no idea who requested that earmark or what entity it really went to, because the language was very vague in the bill or the committee report.

Now we actually have that information. We would have a different dynamic. If you came to the floor and said, I'm going to strike funding for this amendment, or, I'm sorry, for this earmark, because it goes to a project that is duplicative, it's wasteful, and besides, it goes to a project that maybe this Member is a little too close to, maybe that Member is getting campaign contributions that are linked to that earmark. Those are things that you can find out if you actually have the information.

That information now sits at the Appropriations Committee. More than 30,000 request letters sit there right now, and we have no access to them, nor will we. We'll only have access to those few who are approved by a very few Members. And then we have the luxury of actually writing a letter and asking about the project and having the Member supposedly respond.

But then to what effect? We can take no vote on it. It's all an academic exercise because we'll have one vote, up or down, on the bill and no ability to strip the earmark. So this process is simply wrong.

It's been said that the majority is backsliding on commitments made on

earmarks. We've seen that, unfortunately. I was pleased to see the reforms that happened in January. I have said more than once I think there were more effective reforms, more comprehensive than we did as the majority party last year.

The problem is your rules are only as good as your willingness to enforce them or use them, and that's where we've fallen down. That's where we're not only backsliding, but I would submit we're actually cutting and running the other direction. And unfortunately, a process in which you have some transparency but no accountability is an unacceptable process.

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, 28 years ago I first took to this floor as a newly elected Member of Congress from the State of California. At that time we were spending more than we were taking in.

At that time I was one of those who joined others, oftentimes, in voting against appropriation bills because we were not taking seriously enough the direction of the people that we represented to, yes, spend money where necessary, but get our financial house in order.

During those first 10 years I served in this House, many times I was on the short end of spending votes. I recall during the 8 years of Ronald Reagan supporting him oftentimes on vetoes. And we managed to bring some of the spending down that was presented to him on occasion, but we still didn't do a good enough job.

I left this House for 16 years, and when I returned, I thought maybe we would see another day. Well, I was doubly disappointed because my party, then being in power, was not doing that which I thought was necessary, again, to bring our financial house in order.

And as much as I worked hard to ensure that my party would retain the majority status in both Houses, the people spoke otherwise. And I thought maybe this would give us an opportunity to finally get our fiscal house in order, because I had watched as we had dropped the banner of fiscal responsibility. I had watched, during the election, my friends on the other side of the aisle picking it up and suggesting that if they were put in charge, they would do what we had promised to do in the past.

And alas, I thought that we had some suggestion that that might be the case as the majority party took over and, in adopting the rules, took the rules that we had on some reform of earmarks and actually built upon them, suggesting to all of us and to the public at large that we would, in fact, be more transparent; that we would, in fact, be more accountable; that we would, in fact, have greater responsibility for all Members individually, and in this body, collectively.

And then I look at the very first bill that is presented here for this fiscal

year from the Appropriations Committee, and I must register deep disappointment. In the first instance, this is an important bill, the appropriations for Homeland Security. There is probably no other appropriation bill that is more worthy of consideration, except perhaps the DOD, because, fundamentally, we are responsible for providing the security of the people who send us here.

And yet, while the people tell us that is what they want us to do, they also suggest that we need to get our fiscal house in order.

So how do we balance that? It seems to me we have to be honest with ourselves. If we get rid of all waste, fraud and abuse, we still won't get our fiscal house in order.

We have to have the courage to look at important bills such as this bill and say, are we spending wisely? Is every dollar spent here necessary? Do we need to have a 13.6 increase over non-emergency appropriations from the previous fiscal year?

And I would suggest that unless we look carefully at bills such as these, which are the most important bills that we have before us, we will never do the people's work appropriately.

And I'd just ask, how is it that we say we are going to be more faithful to our commitment to the people, to give them a sense of responsibility, when we are told that we won't know what earmarks there are when we vote on the bill because they won't be there then, but they will somehow be dropped in in the conference report? I don't understand how that increases transparency.

Now, I was just a lowly English major, and so I'm burdened by looking at the dictionary. And transparency means that you see better; that you see through things; that it is more obvious to you, not obscured. And for the life of me, I can't understand, if I'm denied the list of appropriations that are going to be put into that bill at the time I'm voting for it, how that fits the simple dictionary definition of transparency. Perhaps I can be aided by the other side to explain this to me, because I cannot understand it.

The CHAIRMAN. The gentleman's time has expired.

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I ask unanimous consent for 1 additional minute.

Mr. FILNER. Mr. Chairman, I object. The CHAIRMAN. Objection is heard.

Mr. ROGERS of Kentucky. Mr. Chairman, I move to strike the requisite number of words.

I yield to the gentleman from California.

Mr. DANIEL E. LUNGREN of California. I thank the gentleman for yielding.

And I'm sorry some thought that after we spent 120 days getting to a single bill on spending for our troops, and after we spent Monday voting on important things such as changing the U.S. Code to recommend that people fly their flag on Father's Day, that

someone thinks allowing me to speak an extra minute is somehow offensive. I'm sorry that that is the kind of courtesy that is missing on this floor.

I thank the gentleman for yielding. And I would just like to conclude by saying this. If we truly want to get our house in order, Democrats and Republicans alike, we have to understand that it is when we're dealing precisely with those things that are most important that we find the courage to make sure that every dollar is spent wisely so that we can then move on to things such as waste, fraud and abuse. But unless we have the guts to do this, we're never going to get our fiscal house in order.

I rise in support of the gentleman's amendment. I support the idea of funding the Department of Homeland Security appropriately, but question whether a 13.6 percent increase over non-emergency appropriations in the previous fiscal year shows either that we have exercised that proper authority with respect to spending, and whether or not we have been discreet enough in our decisions.

And I thank the gentleman for yielding.

Mr. ROGERS of Kentucky. Reclaiming my time, and I would like to ask the gentleman a question, or ask his comment.

At the end of the bill, in the general provisions, I'll be offering an amendment to cut, across the board, 5.7 percent of the entire bill, across the board.

□ 1845

Even with that so-called "cut" in the increase, it will still be a 7.1 percent increase over current spending, taking the budget request that came to us from OMB.

Would the gentleman feel compelled to support that type of an approach?

Mr. DANIEL E. LUNGREN of California. I would feel compelled to support that type of approach.

And, Mr. Chairman, if the gentleman is criticized at that time for having a cut through his amendment, I would suggest that those of us who want to lose weight should follow that kind of argument. Because we could say, instead of gaining 50 pounds, we only gained 30 pounds, and, therefore, we managed to lose weight.

Mr. ROGERS of Kentucky. Well, at the end of the bill, Mr. Chairman, I can't do it now and I would like to have done it at the outset of the debate, under our rules, it can only be offered at the end of the discussion. But at the end of the bill I will be asking Members of this body to reduce the increase for homeland security from its 16 percent level to 7.1 percent, which is the President's request; and, number two, thereby avoiding a veto.

I desperately want this body to pass a responsible funding level for the Department of Homeland Security and not have it vetoed. There is a veto threat there. If you want to prolong this agony over the bill, we need to

pass a responsible funding level for the Department, which I think the President's proposal is responsible and even generous. But this Department, like all other departments in the government, is still subject to fiscal responsibility.

I am for a strong homeland defense, like all the rest of you, and for a number of years I chaired this subcommittee and I think we have done a good job of holding spending in line. But this increase is not needed. It is wasteful and it must be controlled. And the overall cutting amendment that I will offer at the end of the debate will be the responsible way to do it. And I would hope the gentleman and all of his colleagues in the body would support that when the time comes.

Mr. DANIEL E. LUNGREN of California. If the gentleman would yield, I will be proud to vote for your amendment to have a 7.1 percent increase, which, as I understand, is more than double the rate of inflation over the previous year.

Mr. ROGERS of Kentucky. The gentleman is correct.

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I thank the gentleman for yielding.

Mr. HENSARLING. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to thank the gentleman from Colorado for offering this amendment, and I want to thank him for his leadership in this body, particularly on matters of fiscal responsibility. And I know his district is proud to have him as their Representative.

Mr. Chairman, this is a very serious matter that we discuss this evening. Like many Members of Congress, I commute. I work in Washington, but I live back in my district. And I have two small children that happen to be visiting this particular week, and I think about threats to my children and I know the threat of radical Islam. It is one of the most serious threats that they face. So I take the debate on this bill on homeland security very seriously.

But, Mr. Chairman, I see other threats to my children's future and my Nation's future. And another threat I see is a Federal budget that has grown beyond the ability of the family budget to pay for it. And, Mr. Chairman, I am afraid if I look at a bill that calls for roughly a 14 percent increase from one year to the next, almost twice the level of what the President requested, I question what this is going to do to the future of my children and the future of my country.

Because don't take my word for it, Mr. Chairman; look again at what the Congressional Budget Office has told us, the Office of Management and Budget, the Secretary of Treasury, the Federal Reserve, both conservative and liberal think tanks. They have told us that the present spending patterns that we have, if we don't begin to change the way we spend the people's money, if we don't reform out-of-control entitlement spending, the next generation

will face one of two perils. Either, number one, we will actually see their taxes doubled, just to sustain this rate of growth in spending, their taxes will be doubled; otherwise, we will have a Federal Government that consists of little more than Medicaid and Medicare and Social Security.

I mean, Mr. Chairman, that is what is almost ironic about this debate; that as we talk about plussing up this account by 14 percent, if we don't change the way we spend the people's money, there won't even be a Department of Homeland Security for the next generation. So, again, what we are doing here in this bill is, we are kicking the can down the road, I fear.

And as I look at how money is spent, it reminds me, it is not always how much money you spend. It is how you spend the money. And I don't know if it is the President's fault, Democrats' fault, Republicans' fault, everyone's fault, nobody's fault. But when I see the Department of Homeland Security money somehow ending up helping fund lawn mower races, as the gentleman from Arizona brought to our attention, fund puppet shows, how is that a critical mission within the Department of Homeland Security? That is beyond me. That is beyond me.

So I think we have to look very carefully at how the money is spent. And I am afraid that throwing this much money at this situation is just going to exacerbate this kind of spending.

Now, in my home district, I am very happy when every volunteer fire department in every small community in my district gets a new pumper truck. I am happy to announce that. I wonder, though, with the challenges we face for the next generation if it is really mission critical.

And I am very concerned, as the gentleman from Arizona has spoken, as many others have risen on the floor today, about what is happening in the earmark process. Again, it is not so much always how much money you spend; it is how you spend the people's money.

So the new majority that promised us earmark reform is now telling us that they are going to do something completely opposite. They are going to take away the ability for Members, Members who are on the floor today, with the exception of one, I suppose, to offer amendments to strike these earmarks to get at spending perhaps like the lawn mower races. This is moving in the complete opposite direction of what the majority promised when they took office.

The American people will not stand idly by.

Ms. FOXX. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I was just back in the cloakroom getting a little bit of the news of the outside world. And the outside world is focusing on what we are doing here.

There was a long segment on Fox News about the issue that we are discussing here today. And they actually

did a fairly good job of characterizing what is happening here. They talked about the fact that, as a result of a lot of discussion about the plans by the majority to take away our opportunities to have transparency in the earmark process, one person is going to be making those decisions as to whether or not the earmarks are right. We are not going to be able to vote on them.

They said, I think very correctly, that that is not what the American people were promised last year. And one of them, not known as a flaming conservative, I have to say, said what the American people wanted was maximum scrutiny and maximum sunshine on the process.

And I again want to bring some quotes to our discussion to remind people of some of the things that were promised. The Speaker of the House said last December, "We will bring transparency and openness to the budget process and to the use of earmarks, and we will give the American people the leadership they deserve."

Well, I don't think the American people deserve what they are being given by the majority party. I call it the "house of hypocrisy" and an "attitude of arrogance." The attitude of arrogance is so pervasive on the other side that it has become something that even the press is talking about. We don't normally get that kind of coverage on what is happening here in the kind of detail that they are coming out with, and I think it is good for the American people.

Another quote by the majority leader: "We are going to adopt rules that make the system of legislation transparent so that we don't legislate in the dark of night . . . We need to have earmarks subject to more debate. That's what debate and public awareness is all about. Democracy works if people know what's going on."

Earlier this evening the chairman of the Appropriations Committee accused us of simply wanting to slow down the process by our bringing up amendments and raising the issues about what this bill does. And yet his own leader says, "Democracy works if people know what's going on."

But the majority party wants to keep the people from knowing what's going on. They have an attitude of arrogance. They know best. The people don't know best. Our side of the aisle doesn't know best. Only one or two people know best in here.

Some other Members, some of the freshman Members actually, who were elected last year on the basis of openness in government and reform in government, the gentleman from New York: "Mr. Chairman, we have a responsibility to the American people to spend their hard-earned tax dollars in a fiscally responsible way."

Some of my colleagues have just outlined the deficit problem that we have and how pretty soon almost all the Federal dollars are going to be spent on Medicare, Social Security, and Med-

icaid, with nothing left. We are spending ourselves into a terrible deficit situation.

Another freshman, this time from Florida: "Congress will not reestablish its credibility and trust with the American people until accountability and oversight is established in Washington." A grammatical error there, but that is the quote.

That is what the American people want. That is what they were promised last fall. They are not getting it.

Ms. GIFFORDS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I intended to offer a clarifying amendment to the underlying bill. As currently constituted, funding is appropriated for Customs and Border Patrol to construct, renovate, equip, and maintain buildings and facilities necessary for enforcing our immigration laws.

My amendment would have added the word "structures" in addition to facilities and buildings. This minor change would have made it clear that the Customs and Border Patrol can focus on the physical infrastructure needs of our border security apparatus with the funds appropriated by this bill.

Securing our borders, as we know, requires a multifaceted approach. We need to do more than just maintain facilities and buildings. We need to build fences. We need to deploy sensors, and we need to take advantage of all the advanced technology and equipment that is being developed right now.

Currently, the Tucson sector that I represent has more apprehensions than all other sections of the border combined. Every single day our Border Patrol apprehends, on average, about 2,000 individuals and over 2,500 pounds of drugs.

□ 1900

This is the most porous part of the U.S.-Mexico border.

While most illegal immigrants come here to look for work and opportunities, approximately 10 percent are involved in criminal activities. So, border security must be strengthened, and all options for accomplishing this must be on the table.

Nationally, the Border Patrol arrests about 1 million illegal immigrants annually, seizes about a million pounds of marijuana and 15 to 20 tons of cocaine. Smugglers' methods, routes and modes of transportation are potential vulnerabilities that can be exploited by terrorists attempting to bring weapons into our Nation. The Border Patrol must be allowed to deploy and sustain an appropriate mix of personnel, equipment, technology and border infrastructure in order to protect our Nation.

As Congress moves forward in this process, I urge my colleagues to allow the Customs and Border Patrol to take the necessary steps in order to secure our border and to secure our citizens. This would expand the opportunity for Customs and Border Patrol to secure

our Nation and protect our communities.

Mr. SHADEGG. Mr. Chairman, I move to strike the requisite number of words.

I rise in strong support of the amendment from my colleague from Colorado. I think it is important that we remind those participating in this debate what that amendment would do. That amendment would strike a grand total of \$300,000 from the public affairs budget of the Department of Homeland Security. It would hold the Department's public affairs budget to the same figure that they are living with this year. I would suggest that that is not a shocking proposal. It is one that I am happy to support, and one that I think illustrates the kind of thing we can do in this Congress on this floor to demonstrate to the American people that we get it, that we understand that as a Nation we are overspending. We are spending not our money, we aren't even spending our children's money; we are spending our grandchildren's money. And they, the American people, have told us they do not want us to do that. They want us to stop that practice. They want Republicans to stop that practice, they want Democrats to stop that practice, they want conservatives to stop that practice, they want liberals to stop that practice. They want us to live within our means and to be reasonable.

The ranking member of this committee has spoken earlier today that the bill increases spending by 13.6 percent. I want to ask, how many Americans, how many people in this room, how many Members of Congress, how many of your children who have gotten a job this year will get a 13.6 percent raise this year? I suggest virtually no one can answer that question and say they will get that kind of staggering raise.

Instead, the ranking member has proposed a reasonable solution which is, in fact, quite frankly, generous in and of itself, and that is a 7.2 percent increase. Not exactly a tiny, not exactly a squeaky cheap amount; a pretty darn generous raise, a generous raise that probably any American would take. And yet, that is not enough.

I also rise to express my objections to the earmarking practices that are being condoned and that are proposed to be implemented in this body.

The reality is that earmarking has its defenders and can, in fact, do some good. The reality is that earmarking is also susceptible of outrageous abuse and can lead to scandals. Many of the scandals in this body which were talked about by the minority in the last election are scandals that relate to earmarks. And yet, in the face of promises that we would have more sunshine, in the face of promises that the American people would get to see where their money is being spent, that they can hear about it, that it could be challenged and debated on this floor, that it could be vetted and viewed, I happen

to believe in sunshine. I came out of the Arizona Attorney General's Office, and we had the most open sunshine laws in the Nation because we believed sunshine would bring cleanliness, sunshine would allow people to see what government was doing. And here we propose to hide that. We propose to hide tens of thousands, I guess the chairman of the committee says 36,000 earmarks are going to be air-dropped into the legislation at the end of this process. That is simply unacceptable to me, and it ought to be unacceptable to the American people.

The gentlelady just spoke of the importance of securing the Arizona border, and I believe that is extremely important. But let's talk about one provision of this bill that simply not only makes no sense, it is hypocritical, and it will clearly violate the U.S. Constitution.

In this bill we say point blank we are appropriating \$1 billion for new high-tech security. And I certainly agree with my colleague from Arizona that every dime of that \$1 billion for high-tech security on our border is needed. If we are to secure that border, we need that money. But this legislation says, we appropriate \$1 billion, but then \$700 million, almost three-fourths of \$1 billion, is reserved and cannot be appropriated until a committee in the Congress says so. That is unconstitutional.

Mr. PENCE. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. PENCE. I rise in strong support of the Lamborn amendment, Mr. Chairman, for many of the reasons that have been expressed more eloquently by my colleagues, including the gentleman from Arizona.

It does strike me that at a time of an \$8.8 trillion national debt, that we should be able to ask the Department of Homeland Security to get by on last year's public affairs budget, which is really all the Lamborn amendment does, by my way of thinking, is it asks the Department of Homeland Security to stay at the \$6 million level for a public affairs budget as opposed to moving to a \$6.3 million.

As my friend from Arizona just expressed, this legislation overall will allow for a 13.6 percent increase in a single year. And as other amendments have illuminated, much of those increases are simply going for the same kind of bureaucracy that we will argue over in every other aspect of government.

But I go back to my previous point, Mr. Chairman. I thought for sure when we created the Department of Homeland Security that it would be different. And I have to say, that is probably a naive thought. We excluded it from many of the public employee protections. We gave the President of the United States greater flexibility because we said, you know, very much like the military, the Department of

Homeland Security will have a special and unique mission. It would not just be another Cabinet agency that we would be feeding from the trough here on Capitol Hill in the appropriations process every year. But here we are. Here we are with a Democrat majority that is opposed to even our willingness, with the outstanding leadership of the ranking member, to let this Department get by a 7 percent increase next year as opposed to 13.6.

I also would renew my objection expressed in much of the procedure that is happening on the floor today and well into tonight, and perhaps well into the rest of the week; that is, it is astonishing to me that a Democratic Congress is against democracy when it comes to providing for accountability in the spending process in the United States Congress. I mean, to simply say that there are tens of thousands of specific so-called earmark projects that have been requested of the committee that are in some filing cabinet here in the Capitol Building, but that were not able to be added to this bill in a timely fashion so that the democratic process and the accountability of this open rule could serve as that antiseptic that it is supposed to function is quite beyond me.

It is quite beyond me that the Democrat majority would think that the American people would be willing, having clamored loudly in the last election for fundamental reform in the way we spend the people's money, fundamental earmark reform, with the infamous "bridge to nowhere," would now allow and stand idly by while the Democrat majority brings about earmark reform that says we will only bring earmarks when they can no longer be removed from bills. We will presumably make them public during the month of August so people can look at them, but we will give Members of Congress absolutely no power to challenge those earmarks in the legislative process. That seems to me to be a breathtaking step backwards from the earmark reform that the American people demanded in 2006.

And so I renew my support for the Lamborn amendment, Mr. Chairman, but I also renew my objection to the fact that we are seeing appropriations bills, starting today, coming to the floor with, shall we say, room to grow, room to add earmarks at a time in the legislative process when they cannot be challenged, and therefore, the interests of the American people and the accountability they demand cannot be served in the ordinary legislative process.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. LAMBORN).

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

Mr. PENCE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on

the amendment offered by the gentleman from Colorado will be postponed.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 21 by Mr. CROWLEY of New York.

Amendment by Mr. CAMPBELL of California.

Amendment by Mr. REICHERT of Washington.

Amendment by Mr. KING of Iowa.

Amendment No. 32 by Mr. LAMBORN of Colorado.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 21 OFFERED BY MR. CROWLEY

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. CROWLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 244, noes 174, not voting 19, as follows:

[Roll No. 453]

AYES—244

Abercrombie	Davis, Lincoln	Higgins
Ackerman	Davis, Tom	Hill
Allen	DeFazio	Hinchee
Andrews	DeGette	Hirono
Baca	Delahunt	Hodes
Baird	Dent	Holden
Baldwin	Diaz-Balart, L.	Holt
Barrow	Diaz-Balart, M.	Honda
Bean	Dicks	Hooley
Becerra	Doggett	Inlee
Berkley	Donnelly	Israel
Berman	Doolittle	Jackson (IL)
Biggert	Drake	Jackson-Lee
Bilbray	Ellison	(TX)
Bishop (NY)	Ellsworth	Jefferson
Blumenauer	Emanuel	Jindal
Boren	Engel	Johnson (GA)
Boustany	English (PA)	Johnson, E. B.
Boyd (FL)	Eshoo	Jones (NC)
Brady (PA)	Fattah	Jones (OH)
Braley (IA)	Feeney	Kagen
Brown, Corrine	Ferguson	Kanjorski
Buchanan	Filner	Kaptur
Burgess	Forbes	Keller
Capps	Fortuño	Kennedy
Capuano	Fossella	Kildee
Carnahan	Frank (MA)	Killpatrick
Carson	Frelinghuysen	Kind
Castor	Garrett (NJ)	King (NY)
Chabot	Gerlach	Kirk
Chandler	Giffords	Klein (FL)
Clarke	Gilchrest	Kline (MN)
Clay	Gillibrand	Knollenberg
Cleaver	Gingrey	Kucinich
Clyburn	Gonzalez	LaHood
Cohen	Gordon	Lampson
Conyers	Green, Al	Langevin
Costello	Green, Gene	Lantos
Crenshaw	Grijalva	Larsen (WA)
Crowley	Hall (NY)	Lee
Cummings	Hare	Levin
Davis (AL)	Harman	Lipinski
Davis (CA)	Hastings (FL)	LoBiondo
Davis (IL)	Heller	Loeb sack

Lofgren, Zoe	Pastor	Smith (TX)	Whitfield	Wilson (NM)	Young (AK)	Latham	Paul	Sensenbrenner
Lowey	Payne	Smith (WA)	Wicker	Wilson (SC)	Young (FL)	LaTourette	Pearce	Shadegg
Lungren, Daniel E.	Perlmutter	Solis				Lewis (CA)	Pence	Shays
Lynch	Poe	Space				Lewis (KY)	Peterson (MN)	Shimkus
Mahoney (FL)	Porter	Stark	Arcuri	Edwards	Linder	Linder	Peterson (PA)	Shuler
Maloney (NY)	Price (GA)	Stupak	Bordallo	Faleomavaega	Miller (FL)	Lucas	Petri	Shuster
Markey	Pryce (OH)	Sutton	Conaway	Goode	Platts	Lungren, Daniel E.	Pickering	Simpson
Marshall	Ramstad	Tancred	Costa	Gutierrez	Sessions	Mack	Pitts	Smith (NE)
Matheson	Rangel	Tanner	Davis, Jo Ann	Hastert	Westmoreland	Manzullo	Platts	Smith (TX)
Matsui	Reichert	Tauscher	Deal (GA)	Kuhl (NY)		Matheson	Poe	Stearns
McCarthy (CA)	Renzi	Taylor	Doyle	Lewis (GA)		McCarthy (CA)	Porter	Sullivan
McCarthy (NY)	Reyes	Thompson (CA)				McCaul (TX)	Price (GA)	Tancred
McCaul (TX)	Reynolds	Thompson (MS)				McCotter	Pryce (OH)	Taylor
McDermott	Rodriguez					McCrery	Putnam	Terry
McGovern	Ros-Lehtinen					McHenry	Radanovich	Thornberry
McHugh	Roskam					McKeon	Ramstad	Tiahrt
McNerney	Rothman					McMorris	Regula	Tiberi
McNulty	Roybal-Allard					Rodgers	Rehberg	Turner
Meehan	Ruppersberger					Melancon	Reichert	Upton
Meek (FL)	Rush					Mica	Renzi	Walberg
Meeks (NY)	Ryan (OH)					Miller (FL)	Reynolds	Walden (OR)
Melancon	Sánchez, Linda T.					Miller (MI)	Rogers (AL)	Walsh (NY)
Miller, George	Sanchez, Loretta					Miller, Gary	Rogers (KY)	Walz (MN)
Moore (KS)	Sarbanes					Mitchell	Rogers (MI)	Wamp
Moore (WI)	Schakowsky					Moran (KS)	Rohrabacher	Weldon (FL)
Moran (VA)	Schiff					Moran (VA)	Ros-Lehtinen	Weller
Murphy (CT)	Schmidt					Murphy, Tim	Roskam	Whitfield
Murphy, Patrick	Schwartz					Musgrave	Ross	Wicker
Murphy, Tim	Scott (GA)					Myrick	Royce	Wilson (NM)
Murtha	Scott (VA)					Neugebauer	Ryan (WI)	Wilson (SC)
Musgrave	Serrano					Nunes	Sali	Wolf
Myrick	Sestak						Schmidt	Young (FL)
Nadler	Shays							
Napolitano	Shea-Porter							
Neal (MA)	Sherman							
Ortiz	Sires							
Pallone	Slaughter							
Pascarell	Smith (NJ)							

NOES—174

Aderholt	Etheridge	Mollohan
Akin	Everett	Moran (KS)
Alexander	Fallin	Neugebauer
Altmire	Farr	Norton
Bachmann	Flake	Nunes
Bachus	Fortenberry	Oberstar
Baker	Fox	Obey
Barrett (SC)	Franks (AZ)	Oliver
Bartlett (MD)	Gallely	Paul
Barton (TX)	Gillmor	Pearce
Berry	Gohmert	Pence
Bilirakis	Goodlatte	Peterson (MN)
Bishop (GA)	Granger	Peterson (PA)
Bishop (UT)	Graves	Petri
Blackburn	Hall (TX)	Pickering
Blunt	Hastings (WA)	Pitts
Boehner	Hayes	Pomeroy
Bonner	Hensarling	Price (NC)
Bono	Herger	Putnam
Boozman	Herseth Sandlin	Radanovich
Boswell	Hinojosa	Rahall
Boucher	Hobson	Regula
Boyd (KS)	Hoekstra	Rehberg
Brady (TX)	Hoyer	Rogers (AL)
Brown (SC)	Hulshof	Rogers (KY)
Brown-Waite, Ginny	Hunter	Rogers (MI)
Burton (IN)	Inglis (SC)	Rohrabacher
Butterfield	Issa	Ross
Buyer	Johnson (IL)	Royce
Calvert	Johnson, Sam	Ryan (WI)
Camp (MI)	King (IA)	Salazar
Campbell (CA)	Kingston	Sali
Cannon	Lamborn	Saxton
Cantor	Larson (CT)	Sensenbrenner
Capito	Latham	Shadegg
Cardoza	LaTourette	Shimkus
Carney	Lewis (CA)	Shuler
Carter	Lewis (KY)	Shuster
Castle	Lucas	Simpson
Christensen	Mack	Skelton
Coble	Manzullo	Smith (NE)
Cole (OK)	Marchant	Snyder
Cooper	McCollum (MN)	Souder
Courtney	McCotter	Spratt
Cramer	McCrery	Stearns
Cubin	McHenry	Sullivan
Cuellar	McIntyre	Terry
Culberson	McKeon	Thornberry
Davis (KY)	McMorris	Tiahrt
Davis, David	Rodgers	Udall (NM)
DeLauro	Mica	Visclosky
Dingell	Michaud	Walberg
Dreier	Miller (MI)	Walden (OR)
Duncan	Miller (NC)	Wamp
Ehlers	Miller, Gary	Welch (VT)
Emerson	Mitchell	Weldon (FL)

NOT VOTING—19

Edwards	Linder
Faleomavaega	Miller (FL)
Goode	Platts
Gutierrez	Sessions
Hastert	Westmoreland
Kuhl (NY)	
Lewis (GA)	

□ 1935

Messrs. LARSON of Connecticut, SPRATT, CUELLAR, BOSWELL, and ROHRABACHER changed their vote from “aye” to “no.”

Messrs. INSLEE, GINGREY, CRENSHAW, PASTOR and BILBRAY changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. COSTA. Mr. Chairman, on rollcall No. 453, had I been present, I would have voted “aye.”

AMENDMENT OFFERED BY MR. CAMPBELL OF CALIFORNIA

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. CAMPBELL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 201, noes 221, not voting 15, as follows:

[Roll No. 454]

AYES—201

Aderholt	Capito	Garrett (NJ)
Akin	Carter	Gerlach
Alexander	Castle	Gilchrest
Altmire	Chabot	Gillmor
Bachmann	Coble	Gingrey
Bachus	Cole (OK)	Gohmert
Baker	Cooper	Goode
Barrett (SC)	Costa	Goodlatte
Bartlett (MD)	Crenshaw	Granger
Barton (TX)	Cubin	Graves
Bean	Culberson	Hall (TX)
Berry	Davis (KY)	Hastings (WA)
Biggart	Davis, David	Hayes
Bilbray	Dent	Heller
Bishop (UT)	Diaz-Balart, L.	Hensarling
Blackburn	Diaz-Balart, M.	Herger
Blunt	Donnelly	Herseth Sandlin
Boehner	Doolittle	Hill
Bonner	Drake	Hobson
Bono	Dreier	Hoekstra
Boozman	Duncan	Hulshof
Boren	Ehlers	Hunter
Boustany	Ellsworth	Inglis (SC)
Brady (TX)	Emerson	Issa
Brown (SC)	English (PA)	Jindal
Brown-Waite, Ginny	Everett	Johnson, Sam
Buchanan	Fallin	Jones (NC)
Burgess	Feeney	Jordan
Burton (IN)	Flake	Keller
Buyer	Forbes	King (IA)
Calvert	Fortenberry	Kingston
Camp (MI)	Fortuño	Kline (MN)
Campbell (CA)	Fossella	Knollenberg
Cannon	Fox	LaHood
Cantor	Franks (AZ)	Lamborn
	Gallely	Lampson

NOES—221

Abercrombie	Frank (MA)	McGovern
Ackerman	Frelinghuysen	McHugh
Allen	Giffords	McIntyre
Andrews	Gillibrand	McNerney
Baca	Gonzalez	McNulty
Baird	Gordon	Meehan
Baldwin	Green, Al	Meek (FL)
Barrow	Green, Gene	Meeks (NY)
Becerra	Grijalva	Michaud
Berkley	Hall (NY)	Miller (NC)
Berman	Hare	Miller, George
Bishop (GA)	Harman	Mollohan
Bishop (NY)	Hastings (FL)	Moore (KS)
Blumenauer	Higgins	Moore (WI)
Bordallo	Hinchey	Murphy (CT)
Boswell	Hinojosa	Murphy, Patrick
Boucher	Hirono	Murtha
Boyd (FL)	Hodes	Nadler
Boyda (KS)	Holden	Napolitano
Brady (PA)	Holt	Neal (MA)
Braley (IA)	Honda	Norton
Brown, Corrine	Hooley	Oberstar
Butterfield	Hoyer	Obey
Capps	Inslee	Oliver
Capuano	Israel	Ortiz
Cardoza	Jackson (IL)	Pallone
Carnahan	Jackson-Lee	Pascarell
Carney	(TX)	Pastor
Carson	Jefferson	Payne
Castor	Johnson (GA)	Perlmutter
Chandler	Johnson (IL)	Pomeroy
Christensen	Johnson, E. B.	Price (NC)
Clarke	Jones (OH)	Rahall
Clay	Kagen	Reyes
Cleaver	Kanjorski	Rodriguez
Clyburn	Kaptur	Rothman
Cohen	Kennedy	Roybal-Allard
Conyers	Kildee	Ruppersberger
Costello	Kilpatrick	Rush
Courtney	Kind	Ryan (OH)
Cramer	King (NY)	Salazar
Crowley	Kirk	Sánchez, Linda T.
Cuellar	Klein (FL)	Sanchez, Loretta
Cummings	Kucinich	Sarbanes
Davis (AL)	Langevin	Saxton
Davis (CA)	Lantos	Schakowsky
Davis (IL)	Larsen (WA)	Schiff
Davis, Lincoln	Larson (CT)	Schwartz
Davis, Tom	Lee	Scott (GA)
DeFazio	Levin	Scott (VA)
DeGette	Lipinski	Serrano
Delahunt	LoBiondo	Sestak
DeLauro	Loeback	Shea-Porter
Dicks	Loftgren, Zoe	Sherman
Dingell	Lowey	Shimkus
Doggett	Lynch	Shuler
Ellison	Mahoney (FL)	Simpson
Emanuel	Maloney (NY)	Smith (NE)
Engel	Marchant	Smith (TX)
Eshoo	Markey	Smith (WA)
Etheridge	Marshall	Snyder
Farr	Matsui	Solis
Fattah	McCarthy (NY)	Souder
Ferguson	McCollum (MN)	Space
Filner	McDermott	Spratt

Stark Udall (NM) Weiner
 Stupak Van Hollen Welch (VT)
 Sutton Velázquez Wexler
 Tanner Visclosky Wilson (OH)
 Tauscher Wasserman Woolsey
 Thompson (CA) Schultz
 Thompson (MS) Waters
 Tierney Watson
 Towns Watt
 Udall (CO) Waxman

NOT VOTING—15

Arcuri Doyle Kuhl (NY)
 Bilirakis Edwards Lewis (GA)
 Conaway Faleomavaega Rangel
 Davis, Jo Ann Gutierrez Sessions
 Deal (GA) Hastert Westmoreland

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote).
 Members are advised 2 minutes remain
 in this vote.

□ 1942

Mr. BARROW changed his vote from
 “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced
 as above recorded.

AMENDMENT OFFERED BY MR. REICHERT

The CHAIRMAN. The unfinished
 business is the demand for a recorded
 vote on the amendment offered by the
 gentleman from Washington (Mr.
 REICHERT) on which further pro-
 ceedings were postponed and on which
 the noes prevailed by voice vote.

The Clerk will redesignate the
 amendment.

The Clerk redesignated the amend-
 ment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has
 been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-
 minute vote.

The vote was taken by electronic de-
 vice, and there were—ayes 218, noes 205,
 not voting 14, as follows:

[Roll No. 455]

AYES—218

Aderholt	Carter	Garrett (NJ)
Akin	Castle	Gerlach
Alexander	Chabot	Gilchrest
Altmire	Coble	Gillmor
Bachmann	Cole (OK)	Gingrey
Bachus	Crenshaw	Gohmert
Baker	Cubin	Goode
Barrett (SC)	Culberson	Goodlatte
Bartlett (MD)	Davis (KY)	Granger
Barton (TX)	Davis, David	Graves
Bean	Davis, Jo Ann	Hall (TX)
Biggert	Davis, Tom	Harman
Bilbray	Deal (GA)	Hastings (WA)
Bilirakis	Dent	Hayes
Bishop (UT)	Diaz-Balart, L.	Heller
Blackburn	Diaz-Balart, M.	Hensarling
Blunt	Doolittle	Hерger
Boehner	Drake	Herseth Sandlin
Bonner	Dreier	Hill
Bono	Duncan	Hoekstra
Boozman	Ehlers	Holt
Boswell	Ellsworth	Hulshof
Boustany	Emerson	Hunter
Brady (TX)	English (PA)	Inglis (SC)
Brown (SC)	Eshoo	Israel
Brown-Waite,	Everett	Jindal
Ginny	Fallin	Johnson (IL)
Buchanan	Feeney	Johnson, Sam
Burgess	Ferguson	Jones (NC)
Burton (IN)	Flake	Jordan
Buyer	Forbes	Keller
Calvert	Fortenberry	King (IA)
Camp (MI)	Fortuño	King (NY)
Campbell (CA)	Fossella	Kingston
Cannon	Fox	Kirk
Cantor	Frelinghuysen	Kline (MN)
Capito	Gallegly	Knollenberg

LaHood	Murphy, Tim	Saxton
Lamborn	Musgrave	Schmidt
Langevin	Myrick	Sensenbrenner
Larsen (WA)	Neugebauer	Shadegg
Latham	Nunes	Shays
LaTourette	Pascrell	Shimkus
Lewis (CA)	Paul	Shuster
Lewis (KY)	Pearce	Simpson
Linder	Pence	Smith (NE)
LoBiondo	Peterson (MN)	Smith (NJ)
Lucas	Peterson (PA)	Smith (TX)
Lungren, Daniel	Petri	Smith (WA)
E.	Pickering	Souder
Mack	Pitts	Stearns
Mahoney (FL)	Platts	Stupak
Manzullo	Poe	Sullivan
Marchant	Pomeroy	Taylor
Matheson	Porter	Terry
McCarthy (CA)	Price (GA)	Thornberry
McCaul (TX)	Pryce (OH)	Tiahrt
McCotter	Putnam	Tiberi
McCrery	Radanovich	Turner
McHenry	Ramstad	Upton
McHugh	Regula	Walberg
McIntyre	Rehberg	Walden (OR)
McKeon	Reichert	Walsh (NY)
McMorris	Renzi	Wamp
Rodgers	Reynolds	Weldon (FL)
McNerney	Rogers (AL)	Weller
Meeks (NY)	Rogers (KY)	Whitfield
Mica	Rogers (MI)	Wicker
Miller (FL)	Rohrabacher	Wilson (NM)
Miller (MI)	Ros-Lehtinen	Wilson (SC)
Miller, Gary	Roskam	Wolf
Moran (KS)	Royce	Young (AK)
Moran (VA)	Ryan (WI)	Young (FL)
Murphy, Patrick	Sali	

NOES—205

Abercrombie	Emanuel	McGovern
Ackerman	Engel	McNulty
Allen	Etheridge	Meehan
Andrews	Farr	Meek (FL)
Baca	Fattah	Melancon
Baird	Filner	Michaud
Baldwin	Frank (MA)	Miller (NC)
Barrow	Giffords	Miller, George
Becerra	Gillibrand	Mitchell
Berkley	Gonzalez	Mollohan
Berman	Gordon	Moore (KS)
Berry	Green, Al	Moore (WI)
Bishop (GA)	Green, Gene	Murphy (CT)
Bishop (NY)	Grijalva	Murtha
Blumenauer	Hall (NY)	Nadler
Bordallo	Hare	Napolitano
Boren	Hastings (FL)	Neal (MA)
Boucher	Higgins	Norton
Boyd (FL)	Hinchey	Oberstar
Boyda (KS)	Hinojosa	Obey
Brady (PA)	Hirono	Olver
Braley (IA)	Hodes	Ortiz
Brown, Corrine	Holden	Pallone
Butterfield	Honda	Pastor
Capps	Hooley	Payne
Capuano	Hoyer	Perlmutter
Cardoza	Inslee	Price (NC)
Carnahan	Jackson (IL)	Rahall
Carney	Jackson-Lee	Rangel
Carson	(TX)	Reyes
Castor	Jefferson	Rodriguez
Chandler	Johnson (GA)	Ross
Christensen	Johnson, E. B.	Rothman
Clarke	Jones (OH)	Roybal-Allard
Clay	Kagen	Ruppersberger
Cleaver	Kanjorski	Rush
Clyburn	Kaptur	Ryan (OH)
Cohen	Kennedy	Salazar
Conyers	Kildee	Sánchez, Linda
Cooper	Kilpatrick	T.
Costa	Kind	Sanchez, Loretta
Costello	Klein (FL)	Sarbanes
Courtney	Kucinich	Schakowsky
Cramer	Lampson	Schiff
Crowley	Lantos	Schwartz
Cuellar	Larson (CT)	Scott (GA)
Cummings	Lee	Scott (VA)
Davis (AL)	Levin	Serrano
Davis (CA)	Lipinski	Sestak
Davis (IL)	Loebach	Shea-Porter
Davis, Lincoln	Loggren, Zoe	Sherman
DeFazio	Lowey	Shuler
DeGette	Lynch	Sires
Delahunt	Maloney (NY)	Skelton
DeLauro	Markey	Slaughter
Dicks	Marshall	Snyder
Dingell	Matsui	Solis
Doggett	McCarthy (NY)	Space
Donnelly	McColum (MN)	Spratt
Ellison	McDermott	Stark

Sutton Van Hollen Weiner
 Tancred Velázquez Welch (VT)
 Tanner Visclosky Wexler
 Tauscher Walz (MN)
 Thompson (CA) Wasserman
 Thompson (MS) Schultz
 Tierney Waters
 Towns Watson
 Udall (CO) Watt
 Udall (NM) Waxman

NOT VOTING—14

Arcuri Franks (AZ) Kuhl (NY)
 Conaway Gutierrez Lewis (GA)
 Doyle Hastert Sessions
 Edwards Hobson Westmoreland
 Faleomavaega Issa

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote).
 Members are advised there are exactly
 2 minutes remaining.

□ 1949

Mrs. BACHMANN and Mr. LARSEN
 of Washington changed their vote from
 “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced
 as above recorded.

AMENDMENT OFFERED BY MR. KING OF IOWA

The CHAIRMAN. The unfinished
 business is the demand for a recorded
 vote on the amendment offered by the
 gentleman from Iowa (Mr. KING) on
 which further proceedings were post-
 ponied and on which the ayes prevailed
 by voice vote.

The Clerk will redesignate the
 amendment.

The Clerk redesignated the amend-
 ment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has
 been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-
 minute vote.

The vote was taken by electronic de-
 vice, and there were—ayes 379, noes 45,
 not voting 13, as follows:

[Roll No. 456]

AYES—379

Abercrombie	Bordallo	Clyburn
Ackerman	Boren	Coble
Aderholt	Boswell	Cole (OK)
Akin	Boustany	Conyers
Alexander	Boyd (FL)	Cooper
Allen	Boyda (KS)	Costa
Altmire	Brady (TX)	Costello
Andrews	Braley (IA)	Courtney
Baca	Brown (SC)	Cramer
Bachmann	Brown, Corrine	Crenshaw
Bachus	Brown-Waite,	Crowley
Baker	Ginny	Cubin
Baldwin	Buchanan	Cuellar
Barrett (SC)	Burgess	Culberson
Barrow	Burton (IN)	Cummings
Bartlett (MD)	Butterfield	Davis (AL)
Barton (TX)	Buyer	Davis (CA)
Bean	Calvert	Davis (IL)
Becerra	Camp (MI)	Davis (KY)
Berkley	Campbell (CA)	Davis, David
Berman	Cann	Davis, Jo Ann
Berry	Cantor	Davis, Lincoln
Biggert	Capito	Davis, Tom
Bilbray	Capps	Deal (GA)
Bilirakis	Capuano	DeFazio
Bishop (GA)	Cardoza	DeGette
Bishop (NY)	Carnahan	Delahunt
Bishop (UT)	Carney	DeLauro
Blackburn	Carter	Dent
Blumenauer	Castle	Diaz-Balart, L.
Blunt	Castor	Diaz-Balart, M.
Boehner	Chabot	Dicks
Bonner	Chandler	Doggett
Bono	Clay	Donnelly
Boozman	Cleaver	Doolittle

Drake	LaHood	Reynolds	Fattah	Marshall	Ryan (OH)	Ellison	Larson (CT)	Renzi
Dreier	Lamborn	Rodriguez	Grijalva	Matsui	Sherman	Ellsworth	Latham	Reyes
Duncan	Lampson	Rogers (AL)	Hinche	McCauley (TX)	Skelton	Emanuel	LaTourette	Reynolds
Ehlers	Langevin	Rogers (KY)	Holden	McNerney	Slaughter	Emerson	Levin	Rodriguez
Ellison	Lantos	Rogers (MI)	Hoyer	McNulty	Stark	English (PA)	Lewis (KY)	Rogers (AL)
Ellsworth	Larson (CT)	Rohrabacher	Jackson (IL)	Meehan	Sutton	Eshoo	Linder	Rogers (KY)
Emanuel	Latham	Ros-Lehtinen	Kanjorski	Mollohan	Thompson (CA)	Etheridge	Lipinski	Rogers (MI)
Emerson	Levin	Roskam	Kucinich	Murphy (CT)	Waters	Everett	LoBiondo	Rohrabacher
English (PA)	Lewis (CA)	Ross	Larsen (WA)	Murtha	Weiner	Fallin	Loebach	Ros-Lehtinen
Eshoo	Lewis (KY)	Rothman	Lee	Nadler	Welch (VT)	Feeney	Lofgren, Zoe	Roskam
Etheridge	Linder	Roybal-Allard	Mahoney (FL)	Pascrell	Wilson (OH)	Ferguson	Lowe	Ross
Everett	Lipinski	Royce	Markey	Payne	Woolsey	Filner	Lucas	Rothman
Fallin	LoBiondo	Ruppersberger				Flake	Lungren, Daniel E.	Roybal-Allard
Farr	Loebach	Rush				Forbes	E.	Royce
Feeney	Lofgren, Zoe	Ryan (WI)	Arcuri	Fortuño	Lewis (GA)	Fortenberry	Lynch	Ruppersberger
Ferguson	Lowe	Salazar	Conaway	Gutierrez	Sessions	Fossella	Mack	Rush
Filner	Lucas	Sali	Doyle	Hastert	Westmoreland	Fox	Maloney (NY)	Ryan (WI)
Flake	Lungren, Daniel E.	Sánchez, Linda T.	Edwards	Kuhl (NY)		Frank (MA)	Manzullo	Salazar
Forbes	Lynch	Sanchez, Loretta	Faleomavaega	LaTourette		Franks (AZ)	Marchant	Sarbanes
Fortenberry	Mack	Sarbanes				Frelinghuysen	Matheson	Saxton
Fossella	Maloney (NY)	Saxton				Gallegly	McCarthy (CA)	Schakowsky
Fox	Manzullo	Schakowsky				Garrett (NJ)	McCarthy (NY)	Schiff
Frank (MA)	Marchant	Schiff				Gerlach	McCaul (TX)	Schmidt
Franks (AZ)	Matheson	Schmidt				Giffords	McCollum (MN)	Schwartz
Frelinghuysen	McCarthy (CA)	Schwartz				Gilchrest	McCotter	Scott (GA)
Gallegly	McCarthy (NY)	Scott (GA)				Gillibrand	McCrery	Scott (VA)
Garrett (NJ)	McCollum (MN)	Scott (VA)				Gillmor	McDermott	Sensenbrenner
Gerlach	McCotter	Sensenbrenner				Gingrey	McGovern	Serrano
Giffords	McCrery	Serrano				Gohmert	McHenry	Shadegg
Gilchrest	McDermott	Sestak				Gonzalez	McHugh	Shays
Gillibrand	McGovern	Shadegg				Goode	McIntyre	Shea-Porter
Gillmor	McHenry	Shays				Goodlatte	McKeon	Shimkus
Gingrey	McHugh	Shea-Porter				Gordon	McMorris	Shuler
Gohmert	McIntyre	Shimkus				Granger	Rodgers	Shuster
Gonzalez	McKeon	Shuler				Graves	Meehan	Simpson
Goode	McMorris	Shuster				Green, Al	Meek (FL)	Sires
Goodlatte	Rodgers	Simpson				Green, Gene	Meeks (NY)	Smith (NE)
Gordon	Meek (FL)	Sires				Hall (NY)	Melancon	Smith (NJ)
Granger	Meeks (NY)	Smith (NE)				Hall (TX)	Mica	Smith (TX)
Graves	Melancon	Smith (NJ)				Hare	Michaud	Smith (WA)
Green, Al	Mica	Smith (TX)				Harman	Miller (FL)	Snyder
Green, Gene	Michaud	Smith (WA)				Hastings (FL)	Miller (MI)	Solis
Hall (NY)	Miller (FL)	Snyder				Hastings (WA)	Miller (NC)	Souder
Hall (TX)	Miller (MI)	Solis				Hayes	Miller, Gary	Space
Hare	Miller (NC)	Souder				Heller	Miller, George	Spratt
Harman	Miller, Gary	Space				Hensarling	Mitchell	Stearns
Hastings (FL)	Miller, George	Spratt				Herger	Moore (KS)	Stupak
Hastings (WA)	Mitchell	Stearns				Herseth Sandlin	Moore (WI)	Sullivan
Hayes	Moore (KS)	Stupak				Higgins	Moran (KS)	Tancred
Heller	Moore (WI)	Stupak				Hill	Moran (VA)	Tancred
Hensarling	Moran (KS)	Sullivan				Hinojosa	Murphy, Patrick	Tanner
Herger	Moran (VA)	Tancred				Hirono	Murphy, Tim	Tauscher
Herseth Sandlin	Murphy, Patrick	Tanner				Hobson	Musgrave	Taylor
Higgins	Murphy, Tim	Tauscher				Hodes	Myrick	Terry
Hill	Musgrave	Taylor				Hoekstra	Nadler	Thompson (MS)
Hinojosa	Myrick	Terry				Holden	Napolitano	Thornberry
Hirono	Napolitano	Thompson (MS)				Holt	Neal (MA)	Tiahrt
Hobson	Neugebauer	Thornberry				Hooley	Norton	Tiberi
Hodes	Norton	Tiahrt				Hulshof	Nunes	Tierney
Hoekstra	Nunes	Tiberi				Hunter	Obey	Turner
Holt	Oberstar	Tierney				Inglis (SC)	Oliver	Udall (CO)
Honda	Obey	Towns				Inlee	Ortiz	Udall (NM)
Hooley	Oliver	Turner				Israel	Pallone	Upton
Hulshof	Ortiz	Udall (CO)				Issa	Pascrell	Van Hollen
Hunter	Pallone	Udall (NM)				Jefferson	Pastor	Velázquez
Inglis (SC)	Pastor	Upton				Jindal	Paul	Visclosky
Inlee	Pearce	Van Hollen				Johnson (GA)	Payne	Walberg
Israel	Pence	Velázquez				Johnson (IL)	Pearce	Walden (OR)
Issa	Perlmutter	Visclosky				Johnson, E. B.	Pence	Walsh (NY)
Jackson-Lee	Peterson (MN)	Walsh (NY)				Johnson, Sam	Perlmutter	Walz (MN)
(TX)	Peterson (PA)	Walz (MN)				Jones (NC)	Peterson (MN)	Wamp
Jefferson	Petri	Wamp				Jones (OH)	Peterson (PA)	Wasserman
Jindal	Pickering	Wasserman				Jordan	Petri	Schultz
Johnson (GA)	Platts	Schultz				Kagen	Pickering	Watson
Johnson (IL)	Poe	Watt				Kaptur	Pitts	Watt
Johnson, E. B.	Pomeroy	Waxman				Keller	Price (GA)	Waxman
Johnson, Sam	Porter	Weldon (FL)				Kennedy	Price (NC)	Welch (VT)
Jones (NC)	Price (GA)	Weller				Kildee	Pryce (OH)	Weldon (FL)
Jones (OH)	Price (NC)	Wexler				Kind	Putnam	Weller
Jordan	Pryce (OH)	Whitfield				King (IA)	Radanovich	Wexler
Kagen	Putnam	Wicker				King (NY)	Rahall	Whitfield
Kaptur	Radanovich	Wilson (NM)				Kingston	Ramstad	Wicker
Keller	Rahall	Wilson (SC)				Kirk	Rangel	Wilson (NM)
Kennedy	Ramstad	Wolf				Klein (FL)	Regula	Wilson (OH)
Kildee	Rangel	Wu				Kind	Rehberg	Wilson (SC)
Kilpatrick	Regula	Wynn				King (NY)	Reichert	Wolf
Kind	Rehberg	Yarmuth				Kingston	Reichert	Wu
King (IA)	Reichert	Young (AK)				Klein (FL)		Wynn
King (NY)	Reichert	Young (FL)				Kline (MN)		Yarmuth
Kingston						Knollenberg		Young (AK)
Kirk								Young (FL)
Klein (FL)								
Kline (MN)								
Knollenberg								

NOT VOTING—13

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1956

So the amendment was agreed to. The result of the vote was announced as above recorded.

AMENDMENT NO. 32 OFFERED BY MR. LAMBORN

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. LAMBORN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 381, noes 41, not voting 15, as follows:

[Roll No. 457]

AYES—381

Abercrombie	Boswell	Cohen
Ackerman	Boustany	Cole (OK)
Aderholt	Boyd (FL)	Conyers
Akin	Boyd (KS)	Cooper
Alexander	Brady (TX)	Costa
Allen	Braley (IA)	Courtney
Altmire	Brown (SC)	Cramer
Andrews	Brown, Corrine	Crenshaw
Baca	Brown-Waite,	Crowley
Bachmann	Ginny	Cubin
Bachus	Buchanan	Cuellar
Baker	Burgess	Culberson
Baldwin	Burton (IN)	Cummings
Barrett (SC)	Butterfield	Davis (AL)
Barrow	Buyer	Davis (CA)
Bartlett (MD)	Calvert	Davis (IL)
Barton (TX)	Camp (MI)	Davis (KY)
Bean	Campbell (CA)	Davis, David
Becerra	Cannon	Davis, Jo Ann
Berkley	Cantor	Davis, Lincoln
Berman	Capito	Davis, Tom
Berry	Capps	Deal (GA)
Biggert	Capuano	DeFazio
Bilbray	Cardoza	DeGette
Bilirakis	Carnahan	Delahunt
Bishop (GA)	Carney	DeLauro
Bishop (NY)	Carson	Dent
Bishop (UT)	Carter	Diaz-Balart, L.
Blackburn	Castle	Diaz-Balart, M.
Blumenauer	Castor	Dicks
Blunt	Chabot	Doggett
Boehner	Chandler	Donnelly
Bonner	Christensen	Doolittle
Bono	Clay	Drake
Boozman	Cleaver	Dreier
Bordallo	Clyburn	Duncan
Boren	Coble	Ehlers

NOES—41

Baird	Dingell	Hinchey
Boucher	Engel	Honda
Brady (PA)	Farr	Hoyer
	Fattah	Jackson (IL)
	Grijalva	

Jackson-Lee (TX)	McNerney	Skelton
Kanjorski	McNulty	Slaughter
Kucinich	Mollohan	Stark
Larsen (WA)	Murphy (CT)	Sutton
Lee	Ryan (OH)	Thompson (CA)
Mahoney (FL)	Sánchez, Linda	Towns
Markey	T.	Waters
Marshall	Sanchez, Loretta	Weiner
Matsui	Sestak	Woolsey
	Sherman	

NOT VOTING—15

Arcuri	Fortuño	Lewis (GA)
Conaway	Gutierrez	Oberstar
Doyle	Hastert	Sali
Edwards	Kuhl (NY)	Sessions
Faleomavaega	Lewis (CA)	Westmoreland

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in the vote.

□ 2002

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 33 OFFERED BY MS. FOXX

Ms. FOXX. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 33 offered by Ms. FOXX:

In title I, under the heading "Office of the Secretary and Executive Management", after the first dollar amount insert "(reduced by \$1,241,000)".

Ms. FOXX. Mr. Chairman, this amendment would reduce the Office of General Counsel in the Office of the Secretary and Executive Management account to the FY 2007 level representing a \$1.241 million reduction from \$14 million to \$12,759,000. The bill's current funding level for this office represents a 10 percent increase over FY 2007, enacted.

There has been at least \$105.5 billion in Federal spending over 5 years authorized by the House Democrat leadership this year. The current Federal debt is \$8.8 trillion, roughly \$29,000 for every U.S. citizen.

This is growing by over \$1 billion a day. We know that because every day we walk down the halls of these buildings here, and we see the signs that the Blue Dogs have put out, which remind us what the current Federal debt is and how much it is for every single U.S. citizen.

Spending on the programs, Medicare, Medicaid and Social Security, is out of control, and within a generation will force either significant cutbacks in services and benefits or massive tax increases. We know that is already happening because the Democratic majority has already recommended the largest tax increase in the history of this country through their budget they adopted earlier this year.

The Congressional Budget Office and the Government Accountability Office have been warning Congress that the growth in direct spending, for instance, spending that is on autopilot and outside the annual spending process, is occurring at an unsustainable rate due to well-known demographic trends and

other factors. That spending, subject to the annual spending process, has also grown exponentially and must be brought under control.

This amendment is one step of many necessary steps enforcing fiscal discipline and sanity upon the Federal Government and out-of-control Federal deficit spending. We must restore fiscal discipline and find both commonsense and innovative new ways to do more with less. The Federal budget must not grow faster than American families' ability to pay for it.

We have been hearing a lot here tonight about fiscal responsibility and spending, taxes and deficits. There was a lot of talk about these things during the last election. I think there is a lot of confusion and misinformation out there right now, and I want to take a few minutes to give people a heads-up on what's going on.

This debate and all this talk need some context and some simple facts. Speaker PELOSI said on September 12, 2006, "Democrats are committed to ending years of irresponsible budget policies that have produced historic deficits. Instead of piling trillions of dollars of debt onto our children and grandchildren, we will restore pay-as-you-go budget discipline."

If you want to know exactly what's not going to happen to the Federal budget under this Congress, listen to that statement. PAYGO will not touch a cent of the trillions of dollars with which we have saddled our children and grandchildren. Furthermore, new spending will be proposed and taxes raised to pay for it.

That's what we are seeing here, and that's what this debate is all about. The plan is to spend more than ever, repeal tax relief and allow the trillions of dollars of unfunded liabilities to go on unreformed, all under the veneer of fiscal responsibility called PAYGO.

I am down here now because I want people to know this, and to know what it means. I want to put this debate in context.

This bill and the others we will debate in the coming weeks mean that the Federal Government is going to cost you more. You are going to pay more than you ever have before in taxes. I think we need to talk about that.

People can deny it and spin it any way they want, but the cost of the Federal Government is going to increase under the current fiscal plan. This is in spite of the fact that Americans already pay a staggering amount of money, but Democrats want more. They always do and they always will, even though the average American worked about 125.6 days in 2005 to pay for Federal, State and local spending.

Guess where the largest part of it went. To the politicians right here in Washington. In 2005, the average American worked about 83 days to pay for Federal spending. Guess what, it's not enough. These numbers are set to increase as far as the eye can see.

Now, let's just put Federal spending into context.

The CHAIRMAN. The gentlewoman's time has expired.

Ms. FOXX. Mr. Chairman, I ask unanimous consent, since the House was not in order, for another minute.

The CHAIRMAN. The gentlewoman will have another minute, but the Chair will, for the edification of all Members, point out that the very able timekeepers do stop the clock when Members are interrupted.

Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

Ms. FOXX. Let's just put Federal spending into context. Do you know that the United States Federal Government is on track to spend more money next year than Germany's entire economy in 2005? Germany is and has been the third largest economy in the world.

There are only two countries in the world with entire economies larger than the U.S. Government budget, the United States itself and Japan. Do you know that next fiscal year, the fiscal year we are considering now, the U.S. Government is on track to spend \$700 billion more, \$700 billion more. That's more than the entire Chinese economy in 2005.

We are on a spending spree that needs to stop. It's called a tax-and-spend policy. That's the model. It hasn't changed.

So I urge my colleagues to vote "yes" on this amendment and make a very small dent in this unsustainable fiscal policy.

Mr. PRICE of North Carolina. Mr. Chairman, I rise to accept the amendment, but I want to make clear that we are doing it in the spirit that we accepted earlier amendments. That is, if no one on the other side of the aisle is willing and able to defend the Bush administration and their budget request and their departmental operations, then it's not clear to us why we should take that on. We have had a steady stream of invective tonight, a lot of ideology, a lot of bureaucratic bashing, and not very much attention to the specifics of this very carefully drawn budget.

Now, you wouldn't have known it from the last presentation, but let me tell you what this amendment does. The amendment cuts the funding for the general counsel in the Department \$1.2 million below President Bush's request. Now, it's not about earmarks. It's not about the history of the parties and their ideologies. It's about cutting \$1.2 billion below President Bush's request for the general counsel in the Department of Homeland Security.

Now, Members can make their own decision about whether that's wise. But as for us, we don't intend to oppose the amendment.

Mr. CAMPBELL of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to clarify again that the gentleman from North Carolina just said that this amendment proposed by Ms. FOXX cuts \$1.24 million from the President's request.

It is true that, in fact, it proposes to spend less on the Office of General Counsel, which is the attorneys, than what the President has proposed. But that does not make it a cut. Because what it proposes to do is leave the spending for the Office of General Counsel, for the attorneys, in the Office of the Secretary and Executive Management at exactly the same level they had last year.

I really have a hard time understanding how it is always a cut when it is less of an increase than you want it to be, or than somebody wants it to be, in this case, I suppose, than the President wants it to be. But we are not looking at this as Republican spending or Democratic spending, we are looking at it as spending.

The reason, I am not sure that it's been made quite as clear as perhaps it ought to be, that in the Democrats' budget that you all passed a month or so ago, where you moved towards a balanced budget, and I take you at your word that it's your intention to, at some point, get to a balanced budget, but you did it by enacting, proposing, I guess it's the second largest tax increase in American history, which means that as you increase spending on things, you intend to then balance the budget by increasing taxes.

That is clearly what you are going to do. That is what your budget does, and you have made it very clear through your PAYGO provisions what you intend to do. When you increase spending, going to balance the budget will increase taxes.

So with this amendment and with every other amendment we are looking at, we are saying here that we are not going to increase spending in the Office of General Counsel by \$1.2 million. That is \$1.2 million of additional spending that will not occur if this amendment passes.

But that means it is \$1.2 million of taxes that you all won't raise if this amendment passes. Now that works on this amendment, it works on various other amendments that will be coming up through the evening. So it's more than just an academic exercise about whether or not a certain department's budget should be increased.

□ 2015

It, in fact, affects, Mr. Chairman, people at home today now watching this. Is this \$1.2 million that you want to see your taxes increase to spend? I think not. I think most of the people on this side believe not; and that is really what we're talking about, because if you say, as you did in your budget, that you will increase whatever taxes you need to to get to a balanced budget, then this \$1.2 million is \$1.2 million of money that you will take out of Americans' pockets that you're not taking now.

And it's really more than that, because if this were to go in, then next year there's a new base, and it's a higher base, and if you increase it another 10 percent beyond that, then it's another \$1.22 million; and if you increase it again, it's another \$1.44 million. And it goes on and on, and so that over a 5-year period this \$1.2 million magically turns into about \$6 million or so of people's money that gets spent, and which you will propose, undoubtedly, to increase taxes to cover so that you can balance the budget.

We can balance this budget, and we can balance it without taking any more money out of Americans' pockets. And we can balance it by passing amendments like this and simply asking government to live with the money they have now. This is not a cut, just live with the money you have now.

Can't this General Counsel's Office, can't these attorneys operate for another year on the same amount of money that they got last year? I think they can.

Mr. DAVID DAVIS of Tennessee. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to thank the gentlelady from North Carolina for offering this amendment. Any time we can save \$1.2 million, I think we ought to do it.

We have Americans sitting across our great fruited plain tonight listening to this debate. They've just gotten up from their dinner tables, trying to make decisions on how they can balance their own budgets.

When we first came to Congress, I'm a new Member of Congress. I came out of the Tennessee Legislature. When we came here, we talked about open government and transparency, and we're going to be the most honest government in Congress ever; also talked about gas prices are going to be brought down rather than go up. Those are just some of the things that were promised.

Well, American families are sitting around their dinner tables tonight trying to decide how they're going to balance their own budget, and they're looking to us here in the Congress to make sure that we don't put an extra burden on them by raising their taxes and raising these appropriation requests.

I came to the Congress out of the Tennessee Legislature, as I said, and I was known for open government and transparency. That's one of the ways I was able to win my election. And that's exactly what people want in this Congress. They want a Congress that they can feel good about, that we're going to be honest with them and we're going to spend their tax dollars wisely.

Ronald Reagan once said, we don't have a \$1 trillion debt because we don't tax enough. We have a \$1 trillion debt because we spend too much. And anything we can do to help control those tax dollars and that spending is exactly what we need to do.

We need that transparency and that accountability as we move forward, and we don't need secret slush funds. We don't need to come in after we pass bills, later on, and then drop in pieces of legislation called earmarks. That was another promise that was made during the last elections, that those would be open and transparent. We don't need to drop those in later, where the American people don't have an understanding.

They understand they've got to make their house payments. They understand they've got to fill up their vehicles and their cars with this gas that was going to have lower gasoline prices. They understand that. But they certainly need to understand, as well, what we're voting on. We need to be open and accountable.

It's interesting to me, just looking back at some of the things that were said by the Democrat leadership. Back on September 14 of 2006, the Speaker of this House said, this is a place where we really need to throw up the shades and pull back the curtains. We have to have the fullest possible disclosure. It has to be on earmarks and appropriations and on taxation, and it has to be across the board with no escape hatches.

Well, I stand in support of this amendment, so we can make sure that we throw up the shades and make sure that we're held accountable.

I'd like, again, to thank the gentlelady from North Carolina for her leadership on this amendment.

And with that, I'd like to yield my time to the gentlelady from North Carolina.

Ms. FOXX. Mr. Chairman, I want to say that I thank my colleagues for coming and supporting my amendment tonight. I thank them for the points that they are bringing up.

The gentleman from Tennessee is doing an excellent job in his first year here in the Congress.

I also want to thank my colleague from California who made a really excellent point that is something that needs to be made over and over again. When we try to cut back additional spending, it is always a cut, not raising money. Not raising spending is a cut to Democrats. And I think that's a point that needs to be made over and over again. Not increasing spending is a cut. That's not the way the general public sees it.

I also want to point out the fact that we are working very hard to bring us to the point where we could have a balanced budget.

Americans do have to live with a balanced budget. Individual Americans have to. They have to live with the money they have now. But Congress doesn't do that. And this Congress particularly is looking for every way it possibly can to spend additional money and to tax the American public, which is certainly taxed enough.

This seems like, to the majority party, that this, again, is a cut. But

Everett Dirksen, one of my heroes, said, a million here and million there, and pretty soon you're talking about real money. That was during the time when they were not billions.

Mr. TERRY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do appreciate your patience as some of us exercise our frustration and try and make a point or two. And I want to commend the gentlelady from Virginia for offering this amendment to cut \$1.241 million from the Office of General Counsel and the Office of the Secretary and Executive Management account from the fiscal year 2008 level that's being proposed here.

It would still be an increase, but there's two areas that I want to highlight with my frustration, and one is, with an overall level of antagonism and kind of vitriolic partisanship that's occurring here, and I think a lot of it's a frustration or results from our frustration.

For example, in the last year or so, as our friends in the now majority, then minority, were bringing up and talking about how we were spending so much and that we were out of control, and I've got to tell you, I voted against some of our appropriation bills because I thought that they were too high.

The interesting part is when people in my district would come up, having bought into this rhetoric, I said, but you don't understand that we're fighting with them every day to keep it as low as it is. I said, if they're in charge, just wait.

Well, here we are with the first bill, and it's a 13.6 percent increase over last year's appropriation. And we had a speaker up here earlier that talked about building that base. You increase it 13.6, and then next year, when you increase it 13.6, just the exponential increases in the budget.

When you look at those that we passed last year, we are barely above the inflation rate in these discretionary accounts, but yet we were criticized by the now majority for being too "spendy."

So I see the irony, and most of it was, you know, we tried to tell people last year that this is just their campaign nasty rhetoric. But it seems odd to me that just their first bill they're going to increase it so dramatically.

Now, I'll tell you another area of my frustration was coupled with the criticism from the now majority last year about earmarks and the process. And we passed a bill last year that altered the process for earmarks, and it was one that I thought was very appropriate because it dealt with earmarks by spreading sunshine on the process. And I really believe that sunshine is always the best disinfectant. So we adopted a process that embraces sunshine. What it means is that somebody had to have ownership for an earmark request, and that the earmark request had to go through what we would deem regular order, which means you submit

it to the appropriations subcommittee staff, then I would go and testify in front of that subcommittee on my earmark; we could have give and take and an intellectual conversation about that, and it would be then voted upon by that subcommittee, which would then raise up to the committee level where that earmark or that Member request would then be reviewed again.

The most important part of the process is when you get it out of the appropriations arena and bring it to the House floor where everyone can then see it and determine whether or not there should be an amendment to strike that particular provision from the appropriation bill. This is when everyone then gets to be part of the process of making sure that it's a valid, well, whatever is determined to be valid, but whether it's not, you know, a rainforest in Iowa City or some type of pet project like that.

I remember last year we voted probably almost on every appropriation bill at least a dozen amendments to strip out these type of really pet projects that just really didn't mean much for the Nation, but certainly may have meant something for a neighborhood. Now, most of those failed, although I voted in favor of most of them.

Mr. NEUGEBAUER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the gentlewoman's amendment. You know, I think sometimes we get a little crass around here and we think, oh, it's just \$1 million, it's just \$1.2 million. But the people back in the 19th District of Texas still think that \$1.2 million is a lot of money. In fact, it's their hard-earned money that we're debating on the floor of this House tonight. I think sometimes we forget that.

One of the things that I am very proud of is the fact that our economy has been growing at a very strong rate for the last few years. We found a novel idea about leaving more of the American taxpayers' money in their pocket, and what happened? The economy started getting better, more jobs.

More people today, Mr. Chairman, own a home than any other time in the history of this country. More people working today than any other time in the history of this country. And why is that? Because we're creating jobs. And who are creating those jobs? Businessmen all over this country.

And one of the things that concerns me about this budget process that we've gone down, and it's been alluded to tonight, is really what we're talking about tonight is tax increases, because we know that this budget is going to be financed with more taxes.

□ 2030

And, quite honestly, the people in the 19th District of Texas believe they are paying enough taxes. In fact, they believe that Congress doesn't have an income problem. It has a spending problem. And it is one that they are look-

ing to our leadership to begin to solve. As was alluded to a while ago, you cannot spend your way out of a deficit.

One of the things that concerns me most about this budget process is, we are also going to be asked to vote on things we can't see right now, but we are going to trust somebody. In other words, what we are going to do is, we are going to be asked to vote on these appropriation bills, and then in August the chairman of the Appropriations Committee is going to tell us what we voted on.

You know what? The people in the 19th District of Texas voted to send RANDY NEUGEBAUER to the United States Congress to review legislation, review appropriations, determine whether they think that that is in their best interest, and vote on it. And they kind of think that it would be a good idea, before I voted on something, that I knew what was in that piece of legislation. But yet we are going to have appropriation bills where we are going to vote on those, and then earmarks are going to be airdropped into those bills and mysteriously are going to be revealed to all of us.

Can you imagine being in your home district and the paper calls you up and says, "I see what you voted on." And you say, "I'm sorry. I haven't read the paper this morning. I haven't seen what I have voted on," because the earmarks were not disclosed in the bills that we are considering. Now, I don't know about in your home district, but in my home district that doesn't make a lot of sense.

What we need is transparency here. We have a lot of very smart people in Congress, and while the chairman may believe he is a very smart person, and he may be, I don't know, but I believe that I know more about the 19th District and some of the priorities in that community than the chairman of the Appropriations Committee. And the people in the 19th District are relying on RANDY NEUGEBAUER to make sure that that interest is represented here.

Now, one of the things that we have to begin to do is to do what we said we were going to do. And this group, when they got the leadership, they ran on a platform of we are going to be more transparent, that people are going to get to see all of the spending bill at one time, that they are not going to be in pieces and parts, and there are not going to be deals cut in conference; that when these spending bills are brought to the floor of the House of Representatives, we are going to know what is in those bills. And that should be the way it is.

But now, as we get into this process, we find out that, no, that is not the way it is going to be; that we have a new rule, and the new rule is that we will let you know when it is time for you to know.

Well, you know what? The people in America think that the time for a United States Congressman to know what is in a bill is not after he has

voted or she has voted on that bill, but while and before they voted on that bill.

We said we were going to come down and bring these bills onto the floor. We were going to look at them, peruse them, that we were going to have time to look at them. And we have not kept that promise, and that is a shame. It is a shame that the American taxpayers are getting rooked with this appropriation process.

Mr. BURTON of Indiana. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I have been here in this Chamber for a long time, and I was here in the minority back in the early 1980s when my colleagues over there were running this place. They ran this place for 40 years. For 40 years they ran this place, and they ran the budget right into the ground and raised taxes and spent more money.

But they became reformed, like some ladies of the evening are reformed. And they changed their spots and said, we have got to do something about spending in the Congress because the Republicans took over for 12 years, and they didn't like the way we ran this place. They said we were spending too much money, and they went on a tirade time after time, saying that they needed to be back in power because they were going to be fiscally responsible, and they were going to control spending, and they were going to do everything they did not do for 40 years when they had control.

I used to walk past my colleagues' offices when we were in charge, and they had big signs out in front of their offices: Today the national debt went up this much and today spending went up this much, and it is all because of the Republicans, they were implying.

Well, they got control back and what has happened? They have authorized \$105.5 billion in new spending over the next 5 years. And they complain because we want to cut \$1.241 million out of this bill. Just \$1.241 million, not billions but a million. And you don't like that. And we are keeping the spending at last year's level.

My colleagues on this side of the aisle do not want to vote for a balanced budget amendment. They will tell you they want to balance the budget. But when a balanced budget amendment comes to the floor, they almost all vote against it because they know where their power lies, and that is in spending and taxes, spending and taxes; and that is what they are going to do.

The tax cuts that President Bush and this Congress, back in the early part of the Bush administration, put in place, they want those tax cuts to expire. And in Indiana alone, that means that most of the people in my State will have a \$2,200 per person tax increase because the tax cuts expire. They want those to expire. They want to spend more money like they are doing right now. They want to extend spending over the next 5 years by \$105 billion. And yet they are the fiscally responsible people in this body.

I would just like to say to my colleagues and anybody else who is paying attention that they really ought to look at history. They really ought to look at what the Democrats said before they took power, and then they ought to look very seriously at what they are doing right now. They want more taxes. They want more spending. They want more control. And that is exactly what they did the 40 years they had control before the Republicans took office and the Bush administration.

There is no question that when we were in charge, we spent too much money. But compared to them, we are pikers. And the American people are going to find out once again how much these people spend and what big spenders they are and what big taxpayers they are. It is going to happen.

Hopefully, the American people will get the message and put the right people back in charge.

Mr. TIBERI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the gentlewoman from North Carolina's amendment, and I too will echo the words of the gentleman from Indiana that it is disappointing to see what we are doing here tonight; when the American people spoke loud and clear last November for transparency, for more openness in government, and what we have is less transparency and less openness in government.

I think you will see tonight and tomorrow a series of amendments that will try to strike that balance that the American people spoke so loudly about in November.

Tax and spend is back. Today is just the beginning. I believe what we will see in the next 11 appropriation bills is a lot more spending that the American people are going to be very surprised about.

With that, Mr. Chairman, I would like to yield to the gentlewoman from North Carolina.

Ms. FOXX. Mr. Chairman, I appreciate my colleague from Ohio's yielding to me, and I appreciate the comments that he made.

I want to also echo how much I appreciate our colleague from Indiana, who has been in the House for several years and came through a time when the Democrats were in the majority. And as he points out, they were in the majority for 40 years, and they did spend this country almost into a situation where we could not get ourselves out of it. And I appreciate his bringing that up again. We need to do it over and over and over again, reminding the American people what they did.

I, frankly, thought that when they took the majority this time that they would act differently as they had promised in the election. But we now have what we know is a house of hypocrisy because they promised a lot to the American people and they have not fulfilled those promises.

I have been particularly disappointed in the Blue Dogs. As somebody has

said, there are these charts all over our office buildings, and they tell us over and over and over that the current Federal debt is \$8.8 trillion, roughly \$29,000 for every United States citizen, and growing by \$1 billion a day. But where are those Blue Dogs when we need them? Where are they, calling for fiscal restraint? They are going right along with their leadership, going ahead and increasing the deficit every day and doing all that they can to increase the deficit. I would like to know where they are and why they aren't being responsible, as they promised they would be.

And I want to give us another quote to tie into what my colleagues have been saying. This is from Speaker PELOSI in a floor speech she made on January 7: "After years of historic deficits, this new Congress will commit itself to a higher standard: pay as you go, no new deficit spending. Our new America will provide unlimited opportunity for future generations, not burden them with mountains of debt."

And yet, as has been pointed out over and over and over again, there has been at least \$105.5 billion in new Federal spending over 5 years that has been authorized by the House Democrat leadership this year. That doesn't sound to me like we are committed to a higher standard of "pay as you go, no new deficit spending."

I am also concerned about what this is doing to the American public and how cynical it is making the people. They can't count on the Democrats to do what they said they were going to do.

We have also heard tonight that we are trying to slow down the process, and I checked about that in terms of what happened last year on this bill. It took 2 full legislative days to debate this bill last year during this process, and the Democrats offered over 70 amendments to that bill. I find it really ironic that the chairman of the Appropriations Committee now says to us, as the Republicans, that we are trying to slow down the process when we are exercising our responsibility as American citizens to try to slow down this incredible spending that the Democrats want to do, increase the deficit, increase taxes. They are saying to us, you are trying to slow down the process.

They wanted this week to do four complete appropriations bills. They frittered away their time for 3 months, blamed it on the minority, saying they are not in control of what is going on here.

Mr. PEARCE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise tonight to talk a little bit about what we as Members of the House owe the American public, what the people who elect this House deserve and expect.

The first thing they deserve and expect is honest conversation. They deserve fiscal responsibility. They deserve openness and transparency. They deserve fairness from us.

Now, the bill in front of us, the appropriation bill in front of us tonight, spends about \$4.3 billion more than the same type of bill last year. That is almost a 14 percent increase. If you look at where the increase is, about \$4 billion is in first responder grants. Now, that would seem on the surface of it to be adequate and fair. That is something that the American people might like. The first responders do expect and deserve good treatment.

But when we understand from the past appropriation processes that there is almost \$5 billion left in this fund for first responders to draw from that they have not yet taken out from past appropriations and we go ahead and add \$4 billion on top of it now, it causes the American public to say, Why? What is it that we are getting?

The American public will stand for things that seem right and seem justified, but in order to get the \$4 billion to put into this fund, our friends on the other side of the aisle are increasing taxes, the second largest tax increase in American history.

Now, how is that important?

□ 2045

I will tell you that the Governor of New Mexico said it best: Lowering taxes creates jobs. The corollary of that is also true; raising taxes depresses jobs. Raising taxes stagnates the economy. It does away with the vitality that any country is looking for.

So, when Ireland wanted to improve its economic state, it began to lower taxes. When it lowered taxes on internal corporations, they had a surge of growth. But when they lowered taxes on external corporations, companies began to move to Ireland and create a grand, booming economy and new jobs in Ireland, and for the first time in the Irish history they have moved their economy tremendously forward because they cut taxes.

Now, what we are doing in order to create the \$4 billion in just this one appropriations bill is to raise taxes. We are going to stagnate the American economy. We have created an about 7.7 million jobs in the past 2 or 3 years. It has been an excellent economy, one that started off in a recession, the recession that started at the end of the Clinton years, and that recession then moved forward. And 9/11 shocked us into the recession again; the Global Crossing scandal, the Enron scandal, the WorldCom scandal that shocked us into recession even further. But the Bush administration and this Congress passed two successive tax cuts which began to revitalize the economy, and that revitalization is now at risk because of the way that the Democrats in this Congress are willing to put \$4 billion into this one fund that has a surplus of over \$5 billion in it.

Now, the lady from North Carolina is taking a small attack on this whole increase. She's saying, quite simply, let's just don't pay the attorneys \$1.2 million that they received. A \$1.2 million

increase is not needed for attorneys. The people in this country need good-paying jobs, they need a good economy, they need a sound economy and a good government, and that good government is being denied in the guise of providing another \$4 billion into a fund that still has a surplus of over \$5 billion to it.

So, tonight I would recommend that we all look carefully at the lady from North Carolina's amendment, and that we support it as the first increment of many in reducing the cost of this particular bill.

The deficit spending for the government doesn't occur one large lump at a time, it occurs one small piece at a time. And the lady from North Carolina has adequately stated, let's just not do it. Let's level fund. Let's fund at the same amount that we gave last year.

That is a reasonable thing for the American people to want to see. The American people deserve and expect this fiscal responsibility, for us to spend the money as if it were our own because they are trusting us with it. They put us in a position of stewardship over that money, and yet here we are throwing the money into a fund that is not being spent adequately yet. And in order to get more money to put in there, we are raising taxes.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

Well, we are right back doing what we said we were going to do because we think it's important. We are talking about cutting back the level of administrative costs that we had last year. And you know, for a whole year, almost 2 years, the now majority, then minority, told us what a lousy job the Department of Homeland Security was doing, and in some ways I agreed with them. Well, I don't give raises to people who do lousy jobs. I don't think that's the way you ought to do it. I don't think you just automatically get a raise in this world, that your department should automatically give an increase if you're not doing the job. And in some areas I think a message needs to be sent that you hold the line and do the job we paid you to do, and you will be doing what we want you to do, and then we will talk about what your needs are for the future.

But I think the present, going back to the 2007 budget numbers, is the proper thing to do. I support the gentlelady's amendment. It is about telling the American people that we are ready to tighten the belt and show fiscal responsibility. We are not willing to push spending levels so high, as this process is doing in the Democratic plan, to where, once again, if you look at their budget, and it has been talked about tonight over and over, if you look at it, it is an inevitable road to a massive tax increase, which, quite frankly, as my friend from New Mexico was saying, is not good for the United States.

So, once again, let's let the sunshine in. As the sun rises over the mountain,

let it shine on this appropriation bill. And let this appropriation bill be open to all in the United States. And how do we do that? Well, one thing we've got to do is we've got to talk with the chairman; he has got to be convinced to put some light on the process of earmarks.

And I want to make something very clear, Mr. Chairman, nobody on this side of the aisle is fighting for their earmark. We are asking clearly, whatever the process may be, we want to be able to see it so we can do something about it. The American people told us, do something about earmarks. We wrote a law that would work, the Democrats agreed, and now all of a sudden the whole process is behind closed doors. And somebody, and I am not sure exactly yet who, will be behind those doors to make the decisions of how Member-initiated projects will be funded.

This debate is not about Member-initiated projects. The debate is about letting us see, while we still have a chance to do something about it, and don't airdrop this into committee where it can't be done. I don't think this is hard to figure out. I think this is an easy process, and that is a process that the chairman can work with us on and come up with a solution for.

It is important, Mr. Chairman, that we have sunshine upon the earmark process. And if we get that, I think we will have what the American people asked us for in the last election. It is very critical.

Mr. SERRANO. Mr. Chairman, I move to strike the last word.

You know, I tried listening to this debate and coming to a conclusion that we were discussing something important. But here's my feelings: If I was a highly paid Republican consultant, although that's redundant, but if that's what I was, I would say to you guys you are making a terrible mistake; somebody misinformed you on what bill this is. This is not the Labor-H bill, where you would go after labor unions, which you always do, where you would not care about funding programs for education, which you always do, where you would leave children behind for a long, long time.

I could understand if you did it there. If this was the VA-HUD bill, I could understand all these desires to cut because, what the heck, you send people to war, and then you don't want to fund the Veterans Hospital Administration. I understand that. You don't want to do housing. I understand that. If this was any other bill, I would understand the strategy. But this is the bill that every right-winged radio talk show host says you're the best on, homeland security, protecting the homeland, making sure that there is never another terrorist attack. And this gentleman from North Carolina (Mr. PRICE) gives you a well-thought-out bill that takes care of the needs for protecting the homeland, and you spend the last X amount of hours trying to tear it apart because we are

spending too much time, and it is driving up the deficit.

Now, I don't know how many people were around when I spoke the last time, and I reminded you that there is a deficit; a deficit created by going into a war that was built on lies and bad information; a deficit created by refusing to bring the troops home now, or soon, like we had suggested, but keeping this war going and spending a lot more money; a deficit created by reducing the taxes of the richest people in the country, while squabbling over giving the little guy a minimum-wage increase.

So, all I want to tell you today, as a friendly person and kind, gentle-hearted person that I am, is that someone has given you some bad information. This is not any of those other bills that you are known for bashing. This is not the one that will leave children behind. This is the one that is supposed to be the hallmark of your existence as a party. This is national security. This is protecting the homeland. How could you cut this bill?

But you know something? Mr. PRICE is right. If you are not going to protect your administration's programs, then we are certainly not going to waste a lot of time over here trying to debate you on it. So, go ahead and destroy protecting the Homeland Security Department. Go ahead and turn your back on securing the motherland. Go ahead and do it all. We will just stand here and wait it out. It may take days, but there's where you're heading.

POINT OF ORDER

Mr. MCHENRY. Mr. Chairman, I have a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MCHENRY. Mr. Chairman, I make a point of order that the rules of the House state that all discussions must be directed towards the Chair.

The CHAIRMAN. That is true.

Mr. MCHENRY. And Members should be reminded that discussions of debate on the floor should abide by decorum and direct their comments to the Chair.

The CHAIRMAN. The gentleman's point of order is correct. Many Members today have failed to live up to that rule. Members should be reminded that remarks are to be directed to the Chair.

Mr. MCHENRY. I thank the Chair.

Mr. MCCOTTER. Mr. Chairman, I move to strike the last word.

I greatly appreciate the compassionate concern of the previous speaker for the well-being of the Grand Old Party. It seems that compassionate conservatism these days is far more contagious than many expected and even I would have hoped. I will also tell you that prolonged exposure to the speeches of Ronald Reagan will quickly cure you of that.

I would also like to point out to the gentleman, through the Chair, that he points out the rich Republican lobbyists that this town is so awash in. Well,

I have good news for him and bad news for the rich Republican lobbyists that are more highly paid these days than the Democrats, as they are now in the majority, which is why you will see so many foreign cars driving around with Kerry-Edwards bumper stickers on them in our Nation's Capital, if not in the Motor City where the UAW might find them.

I was told that we are antilabor. As the grandson and son of union members, whose voting record was better on CAFTA than 13 Members of the new majority, I take umbrage at that statement. As the son of schoolteachers, who has a good voting record on education matters, I take umbrage at that. And in terms of voting to send our troops to war and then not voting to fund our veterans, I would point out that in the new majority there are those who voted to send our troops to war and then voted not to fund our soldiers. So let us be careful with our accusations and how we impugn one's motivations.

Interestingly, we are not content with the war overseas, and now we see a case where we are going to engage in class warfare over here at home at a very time when we should be united.

It is these types of situations that, when I try to explain government and what I do to my wife and I's 10-year-old daughter Amelia, that I spend a lot of time scratching my head, which would explain my balding pate, because I find this place very frustrating.

To the gentleman, I know the majority has tried very hard to work on this bill, and it has been called a "delicate, well-thought-out document." If that were the case, how can \$1.2 billion be accepted in such a facile fashion at the drop of a hat to simply pacify a minority and to get them to stop addressing this bill? \$1.2 million remains a lot of money. And it would be, I would hope, wrong of people to perceive that \$1.2 million could either be taken from or put into a bill simply for reasons of convenience and operations of the floor of the United States House of Representatives.

But these are the problems that tend to come with governing, as my own party found out. We got to sit in power for 12 years, some of us for far less than that, and we watched and we watched and we watched as the spending and the debt continued to mount and our Nation's taxpayers and families and our party was no longer entrusted by the American people to govern. But I remember at the time I would point out that a lot of those appropriation bills that so many people decried throughout that election were vastly bipartisan exercises in governance, and that there were many votes on this side of the aisle for the excessive spending, and many votes on the other side of the aisle for excessive spending.

□ 2100

The rub then came when the majority party at the time, our Republican

Party, was accused of spending too much on too many things and for deficit spending.

Today we flash forward, and what do we find? We find a situation where we have just recently passed a budget. I didn't vote for it. None of my Republican colleagues voted for it. But it was duly passed.

What did that budget do? That budget promised billions in new spending in reserve accounts. Billions in new spending. What else did it promise? What else did it promise? It promised the largest tax increase in American history to pay for it.

Now, today, as we go through this appropriation process, we see that some of the promises they are attempting to keep in the new majority. That would be the billions and billions in new spending. Does one not believe that they are going to do everything they can to go through and have the largest tax increase in American history to pay for it, or, in the alternative, they will continue to see the deficit and the debt mount?

Mrs. BACHMANN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to thank the gentlewoman from North Carolina for her wonderful amendment this evening.

Mr. Chairman, I am new to this body, and one thing I found is that in Minnesota, we have a little bit different definition of "transparency."

"Transparency" in Minnesota means an individual stands on one side of a divide, and they can look through to see something on the other. Here in the case of this bill, you have the taxpayer and you have Members of Congress trying to look through a divide, and what they see on the other side is a very interesting definition of "transparency."

Mr. Chairman, the first thing that they see is a slush fund for earmarks. And this is something I don't quite understand; the Democrat majority, they are leaving lump sums of money without a specified purpose in legislation being considered by this House and then later authorizing those funds for earmarks in a closed-door conference committee. It is just a real interesting definition of transparency, because the Democrats have created now, Mr. Chairman, a slush fund for earmarks which will be funded by the largest tax increase in American history. This is just so interesting to me, this new definition of "transparency."

Also a part of this definition is that earmarks will no longer be allowed to be challenged here on this House floor because under the Democrats' rules, Members will be prohibited from challenging individual earmarks in bills on the floor or debating their merit as long as there is a list of earmarks in the bill.

But what is interesting, Mr. Chairman, is that it won't matter if this list is flat-out wrong, if it is incomplete, or whether the earmark which is one that a Member would like to debate is missing from the list. It is just a real interesting definition of "transparency."

The "truth in labeling" that we are seeing in this bill is also interesting, Mr. Chairman, because earmark-laden bills can now be certified as earmark-free. Real interesting. I guess it depends on what the meaning of "free" is.

Democrats will be allowing their bills to be certified by the majority as earmark-free even if they contain earmarks. So as long as you take a magic wand, Mr. Chairman, and wave it over the bill, you can just say, "Voila, it is now earmark-free." It is kind of like having fat-free french fries. It is something we would all love to have, but it just isn't possible. As long as any bill is certified by Chairman OBEY as earmark-free, then, under the House rules, it is earmark-free.

This rule was exploited earlier in February, Mr. Chairman, by the House Democrats when they passed their continuing resolution that contained hundreds of millions of dollars in taxpayer-funded, hidden earmarks, kind of like those fat-free french fries.

The largest tax increase in history, Mr. Chairman, is in the budget that was passed by the House Democrats, and that will likely be the story. Even though the majority likes to claim otherwise, they will raise taxes by at least \$217 billion, Mr. Chairman, in all likelihood most likely \$392 billion, and will raise marginal rates, except for the 10 percent rate, and capital gains rates and dividend rates and prevent a full repeal of the death tax, items the American public have indicated they are not for.

Speaker of the House *Pelosi* had said earlier that the budget should be "a statement of our National values." Well, not only is this budget, Mr. Chairman, the largest in American history, it will sanction the largest tax increase in history upon more American families, because people in Minnesota, Mr. Chairman, my home State, will be paying an average of more than \$3,000 a year more to this town, Washington, D.C. Again, a very interesting definition of "transparency."

The budget is going to trigger more tax hikes, and it will greatly increase domestic spending. It will increase nondefense appropriations by \$23 billion above what we spent in 2007. That is in addition, Mr. Chairman, to the \$6 billion that the Democrats have already added to the omnibus bill and more than \$20 billion in the war supplemental.

The American people, Mr. Chairman, are very concerned as well about the unlimited emergency spending, because the Democrat budget is going to abandon the emergency set-aside that was established in last year's budget resolution and change what Congress can call an emergency, unlimited exemption, exempting the Senate spending bill from any limits.

This is really, Mr. Chairman, putting the next election above the next generation, something that none of us should want to do. The Democrats in

this bill, unfortunately, have ignored the warnings of the entitlement crisis. Let's not forget, we have heard from the Comptroller General David Walker.

The CHAIRMAN. The time of the gentlewoman has expired.

(By unanimous consent, Mrs. BACHMANN was allowed to proceed for 1 additional minute.)

Mrs. BACHMANN. Mr. Chairman, the Democrat majority has once again ignored the dozens of experts, including Chairman Greenspan, including the Federal Reserve Chairman Ben Bernanke, and also the Comptroller David Walker, who have pleaded with us, pleaded, Mr. Chairman, with the Congress and given us repeated warnings about the unsustainable rate of entitlement spending.

This is our upcoming economic tsunami, Mr. Chairman. Their budget has turned a blind eye to the impending crisis that is coming upon this next generation. Who among us can look in the eyes of the next generation, knowing what we know of the bill that will be handed to them for the party that we are all having today? Unfunded net liabilities. And yet we can stand here and do nothing to address the concerns and put off any major reform for at least 5 years?

Now is the time, Mr. Chairman, to have true transparency, and I am sad to say that this bill does none of that.

Mr. GINGREY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, many of our colleagues on the Democratic side of the aisle, and I have been listening to this debate for the last 5 hours, have lamented our efforts to highlight objections to not only this bill, but also the underlying process by which all of the appropriations bills, 11, and then 12 later on, will be brought to the House floor this year.

I believe it is crucial that we take this opportunity to register our strong opposition to the process, while I rise in support of the gentlewoman from North Carolina's amendment to cut \$1.2 billion out of this homeland security appropriations bill, and that is not a small chunk of change. But it is a process which we believe is neither fair nor open nor in the best interests of the American taxpayer.

Late last year the new majority in this House assured the American public that it would bring transparency and openness to the appropriations process and specifically to this practice which we and the general public very well know now, as they campaigned on this issue last fall, the practice of earmarking.

At a minimum we believe that this commitment, and I think the American people believe as well, or they wouldn't have gained the majority, that it would equal that of the Republican majority in the last Congress, that the sponsors of earmarks would be identified in the bills themselves, whether they were authorizing bills, appropriations bills, indeed even in narrowly drawn tax bills,

so that Members could debate and challenge those earmarks if they were found to be egregious on the House floor. Apparently the Democratic majority has very different definitions of "transparency" and "openness" than we do and than the American people do that elected them to this new majority.

The respected chairman of the Appropriations Committee, the gentleman from Wisconsin, how long has he been in this body, 39 years? I think he is going on his 20th term. He has been a former member of and chairman of the Appropriations Committee. He is one of the most respected Members, one of the most knowledgeable Members. He clearly knows what he is doing in regard to not putting these earmarks in the appropriations bill, which he knew would be coming to this floor under an open rule so that we could have a free, a fair, an open debate.

We would accept some earmarks. They are not all bad. Certainly they are not all bad. But the ones that are egregious, that we should have an opportunity to debate on both sides of the aisle and strike.

Now, the chairman has said, well, you know, we are going to go ahead after we finish all these bills, these 11 bills, we are going to publish all of the earmarks that we are considering airdropping in the conference report. They are going to have transparency. They are going to see the light of day, because we are going to put them in the CONGRESSIONAL RECORD 2 months from now, in August.

But that does not give the Members of this body on either side of the aisle an opportunity. Yes, you can see them, and maybe it will remove the opportunity for the Senate to use a point of order to strike some of these amendments that have been airdropped because all of a sudden they have been published in the CONGRESSIONAL RECORD. That is not the same as having the opportunity, Mr. Chairman, on the floor to debate and to vote up or down some of these egregious earmarks.

Now, what I want to suggest in my time remaining, I want to suggest to the chairman of the Appropriations Committee, why don't you simply then in August bring a bill?

The CHAIRMAN. As the Chair held in response to the gentleman from North Carolina previously, Members must address the Chair and not other Members. In the same vein, the Chair must correct the gentleman from Georgia.

Mr. GINGREY. I thank the Chairman.

Mr. Chairman, what I would suggest is that very easily a package of these earmarks, I don't know how many are going to be put in the final conference report; if there are 30,000 earmarks, maybe 15,000 of them in the aggregate in these 11 bills will be published in the CONGRESSIONAL RECORD and then eventually airdropped in the conference report.

Well, it seems to me, Mr. Chairman, that a bill or resolution through the

Appropriations Committee could come to the floor of this House under an open rule, and let us at that point take each one of those earmarks, maybe specified for each of the 11 appropriations bills, and then have our opportunity to vote up or down.

I have been listening to the debate, again, like I said, for a couple or 3 or 4 hours, and nobody has made that suggestion. So I want to try to improve the process, Mr. Chairman, and I want to make that suggestion to the Democratic leadership and to the chairman of the Appropriations Committee. It is not too late to do the right thing. We feel like you have done the wrong thing and shut the process down. It is not what the people want, but it is not too late to see the error.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. GINGREY was allowed to proceed for 1 additional minute.)

Mr. GINGREY. Mr. Chairman, again, the comments that these are dilatory amendments, the subcommittee chairman from North Carolina saying, well, you want to strike a little bit of change here and there, and you are just trying to slow the process down. In some cases, yes. In some cases, like the amendment that we are discussing right now, the gentlewoman from North Carolina, the gentleman from Washington Mr. REICHERT, who is a ranking member on the subcommittee, these are not dilatory amendments. These are important policy amendments.

But we are outraged by the policy. And to take my time and make the suggestion of what you can do to correct this, I hope you will take that to heart. I hope the chairman, Mr. Chairman, will take that to heart and give us an opportunity, if not now, at least in August, to vote on these earmarks. That is exactly what you promised the American people, and you need to deliver on that promise.

The CHAIRMAN. The Chair wishes to remind Members, as the gentleman from North Carolina pointed out, that remarks are to be addressed to the Chair.

The Chair will admonish Members not to direct remarks to other Members, to the Democratic leadership, or anyone other than the Chair. It is not that the Chair wants all of the attention, but the gentleman from North Carolina has insisted on the rules, and the Committee will abide by them.

□ 2115

Mr. PRICE of Georgia. Mr. Chairman, I move to strike the last word.

I appreciate the opportunity to weigh in on this issue, and I commend the gentlewoman from North Carolina for presenting this issue.

The hour is getting late, but I think it is extremely helpful and extremely clarifying for those watching to appreciate that there is a distinction between the different folks rising this

evening and drawing attention to the amount of spending.

The gentleman who is presenting this bill said in all sincerity that this bill wasn't about earmarks and it wasn't about ideology. Well, Mr. Chairman, I would beg to differ. It is all about ideology, and it certainly has a lot to do with earmarks.

The ideology we talk about being present in this bill and every other appropriations bill that I have seen that has been filed so far is that there is one side that believes that spending ought to increase to a fare-thee-well. And there is the other side which believes there ought to be responsibility to that spending.

We have already seen the majority party, so far this year, increase authorization for spending by over 50 billion new dollars. We have already seen the new majority adopt a budget which has, depending on who you talk to, the largest tax increase, or the second largest tax increase, in the history of our Nation. That tax increase is to pay for the spending.

So, yes, Mr. Chairman, it is all about ideology. It is also about earmarks because what we have been presented is a new policy by the majority party that allows for a slush fund, a slush fund for earmarks in virtually any appropriations bill that comes to the floor.

So I commend my colleague from Georgia who spoke just before me and offered a solution, an opportunity to bring greater sunshine and greater light to those earmarks. I think that was a well-thought-out proposal.

I suspect there are people watching and saying, what is it that we desire? Why is it that we are drawing attention to what we believe to be an egregious rule? Well, Mr. Chairman, I would suggest what we desire is a decrease in irresponsible spending. It is that irresponsible spending that is causing tax bills for Americans to mount up to unacceptable levels. And, consequently, we believe the slush fund for earmarks ought to be done with, ought to go away. The American people ought to know who is spending their hard-earned tax money, and they ought to be able to hold those folks accountable.

I would suggest, Mr. Chairman, that the solution to the dilemma in which we currently find ourselves is to have the chairman of Appropriations or somebody in leadership on the majority side say, we won't do that, we won't bring about any earmarks in a conference committee that aren't agreed to by each and every Member of the House individually. Individually, that's what we proposed. In fact, that is what we enacted in our own bill, in our own rules last session.

Mr. Chairman, there is a solution to this. There is an opportunity for us to move onward and make it so the American people are able to have their say, to have each and every one of their Representatives have their say about the kind of spending that is going on here in Washington.

And it is not just our side. If you take the words of the Members of the new majority from the not-too-distant past, after the recent election, when the the majority leader said, "We are going to adopt rules that make the system of legislation transparent so that we don't legislate in the dark of night, and the public and other Members can see what is being done." That is a quote.

Here is another quote. "Words will not do it. I have a good relationship with Representative ROY BLUNT. I have a good relationship with Representative JOHN BOEHNER. We'll work together. We'll include them in decision-making."

"To the extent that we create an atmosphere of mutual respect, the American people will feel more comfortable with Congress."

Mr. Chairman, I suspect you know what I know, and that is that the recent data on the respect with which the American people hold this Congress and this majority is at an all-time low. And I would suggest, Mr. Chairman, that one of the reasons that it is at an all-time low is because of the kind of policies that are being put into place by this majority that make it so that light cannot shine on the amount of spending that is being done in this Congress.

I urge adoption of the amendment. I urge a change to the earmark policy.

Mr. HENSARLING. Mr. Chairman, I move to strike the last word.

First, I want to thank the gentlelady from North Carolina for her amendment. And I want to say, Mr. Chairman, I am very disappointed by some comments I have heard from the other side of the aisle that somehow this is not a worthy debate. I believe one of my colleagues said, I thought I would come to the floor and find us debating something important.

How we spend the people's money, how much money we take from hardworking Americans is a very important matter. How much of the bread we take off of the table of that hardworking teacher in Malakoff, Texas, is a very important matter. How much money we take from the fireman, the fireman in Crandall, Texas, who is working to ensure our safety, and how much of the bread we take off of his table is a very important matter, Mr. Chairman. And not just how much money, but once we take that money, how we spend that money.

We know that the people, the people, decry how the practice of earmarks has been practiced in this House. And I wished when the Republicans were in the majority we would have done a better job. I was often disappointed. I, myself, don't request earmarks, although I know there are many that are worthy.

But at least when this party was in the majority, they woke up and heard the voices of people and said, we need reform. We need accountability. We need transparency. And Members were

given that ability to focus sunlight, sunshine, on those earmarks, and they were allowed a process by which to strike them from the bill.

Now I read a number of quotes from our new Democrat majority leadership. The Speaker said, "I would just as soon do away with them," referring to earmarks. She said shortly after becoming Speaker, "We have placed a moratorium on earmarks until a new reform process is in place to ensure the integrity of every earmark that is funded." A new reform process.

So now we discover, Mr. Chairman, that the new reform process is to take it out of the sunshine, hide it in the darkness, take away Members' ability to strike it from the bill, and give that, albeit apparently, to one individual who apparently is all knowing, all seeing, and all powerful when it comes to these earmarks.

I do not believe, Mr. Chairman, that the American people will sit idly by for this practice. Already the Third Estate is letting the people know what is going on. I don't want to personalize the debate, but let me paraphrase from the Wisconsin State Journal. I won't talk about individual Members, but I will talk about the majority.

The Wisconsin State Journal: The Democrats are, and I paraphrase, "now dodging the very reforms they helped to generate." This will "prevent the public and most lawmakers from questioning earmarks until it is too late." Wisconsin State Journal, June 7.

The Cleveland Plain Dealer, "Five months after," and again I paraphrase, the Democrat majority, "took control, the promises remain unfulfilled." And what we have, "That's a secretive process, and its final product gets a 'yes' or 'no' vote in each Chamber. This means earmarks will sail through before the press or even most Members of Congress can examine or challenge them." The Cleveland Plain Dealer of June 10.

The Mobile, Alabama, Press Register. "Democrats work ATM," automatic teller machine. "But now that they control the ATM, the Democrats are finding all sorts of excuses to keep the earmark dispenser open for business. Democrats are renegeing on their vows of fiscal responsibility just a few months after they won their chance to load the ATM." The Mobile Press Register, June 8.

And the list goes on and on and on.

Mr. Chairman, there ought to be a message loud and clear from the last election. The people want to reform earmarks. This bill, this Democrat majority, this process, takes us in the exact opposite direction, and it is one more reason we need to support the gentlewoman's amendment.

Mr. FLAKE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I think at this time of night, it is good to remind those who might have been watching or listening why we are here. First, this bill is \$2 billion over the President's request. So it is spending that we simply cannot justify moving forward with.

The second reason we are here debating and still on, I think, the first paragraph of the bill is that the majority has decided to keep earmarks secret until this bill passes and until we get to the conference report when it will be too late to amend or to strike or to challenge those individual earmarks. That is why we are here.

The distinguished chairman of the Appropriations Committee has said that if this process does not go well, we may just have to get rid of earmarks completely. That would be wonderful. I would gladly sit down for the rest of the appropriations season if we were to do that.

But if we are not going to get rid of earmarks completely, at least we should have a process that even the majority party has said that we need, one that has transparency, one where we actually know what is in the bills, one that has both transparency and accountability.

If you have transparency, if you have Members' names next to earmarks and an indication what entity that earmark is to support, that is a good thing. That is an element of transparency, and it is a good thing that the Democrats put that in their reform bill in January. It was a good move, and I think all of us applaud them for it.

But what good is transparency if you don't have accountability with it? What good is it to know which name is next to an earmark if that request letter is just buried over at the Appropriations Committee? And none of us have seen them; there are some 30,000 earmark request letters sitting over in the Appropriations Committee.

The distinguished chairman said last year that we simply had gotten out of control with earmarks and there is no way, with the staff that we have, to police these earmarks. He was right. He was right. If you don't believe him, you can ask a couple of the Members who are in prison today. We simply haven't policed that process very well.

I would submit it is beyond reason that the Appropriations Committee and its staff can alone police 30,000-some earmark requests. It is simply impossible. So why not release those letters and let the other Members see them? Some 30,000, if you do the math, that amounts to 73 earmarks or so per Member. You can't expect the Appropriations Committee to police those earmarks. It is beyond them.

I think they make a valiant attempt, and that is great, but it is simply beyond reason that you can police that many earmarks. So release them. Let others see them. Let outside groups and others help in that regard instead of keeping those earmark requests secret, and keeping earmarks out of the bills until those bills pass and then drop them in at a time when it is too late to challenge them.

If you want transparency, that's great. Let's have it. Let's also have accountability. That is what we want with this process, and that is why we

are here tonight. That is why we are only on the first paragraph of this very large bill.

I would suspect until we reach an agreement that either we will have no earmarks, which would be the best in my view, until we reach that kind of agreement; or we will proceed under a different fashion, we will say we are going to have real accountability, real transparency.

I think we are going to have this same kind of activity.

□ 2130

Because I think that this institution deserves better. Certainly the taxpayers deserve better than the process that they have been given over the past several years.

So I'm pleased that the gentlewoman has offered this amendment. I do support it. There will be many more amendments, I believe, tonight. I plan to offer others myself.

Mr. MCHENRY. Mr. Chairman, I move to strike the requisite number of words.

We've had a long discussion tonight about my colleague from North Carolina's amendment. I certainly thank her for offering it. I think we've had a healthy debate about the size and scope of government.

I think what the American people understand, Mr. Chairman, is that we should have this debate on the House floor. Mr. Chairman, our colleagues should have this grand debate about whether or not to increase the size and scope of government, even in areas of grave national importance. This is a serious debate. This is a very serious debate, and I think the American people should be proud of the kind of debate we're having today on the House floor.

As a conservative, I can see that there's waste, fraud and abuse in all areas of government, even in the Department of Homeland Security. I think we should be wise with how we spend the taxpayer dollar, even in the Department of Homeland Security.

Even if this President requested tons more money, billions more money, as a conservative I would say, no, Mr. President, we don't need those billions of dollars in new spending. And I must tell you, as a conservative I've been outspoken, trying to hold this President accountable when it comes to spending.

Yet my Democrat colleagues, Mr. Chairman, would say the President requested money, more money for the Department of Homeland Security. I think that was valid in this time of war, in this time of great national security issues.

The President requested more money for intelligence spending; yet this Democrat majority in this House, Mr. Chairman, said no to the President's increase when it came to intelligence spending. Instead, Mr. Chairman, the majority decided to spend intelligence money on this debate about climate

change, about global warming. I'm not exactly sure, Mr. Chairman, what this majority was thinking when they allocated intelligence resources, intelligence money to the debate on global warming, but they did. They said that was just.

When the President requested more money for homeland security, a \$3 billion increase over last year's funds, the Democrats said that is not enough, and they went \$2 billion over that. Mr. Chairman, even in Washington, D.C., \$2 billion is a lot of money.

We know that the Department of Homeland Security's well funded, and what we're having a debate on here today, tonight, Mr. Chairman, is whether or not we should lard up the Department of Homeland Security with more bureaucrats at the top level; not people that are screening the airports at the lowest level, not people who are out gathering intelligence at the lowest level, but they're larding it up for the Secretary's budget, for the management's budget. They're not allocating money to get it out on the streets. They're allocating money for more bureaucrats here in Washington, D.C. And as a conservative, even if it's a Republican in the White House and a Republican administration, I will say no to that. We don't need more bureaucrats here in Washington, D.C.

We need more agents out on the streets tracking terrorists. We need more intelligence capabilities out in the streets, catching the bad guy, finding out what they're doing, how they're plotting and planning against us. That's the debate we should have here on this House floor, Mr. Chairman. That's the debate the American people want and deserve.

Mr. Chairman, this is an important debate about how we're going to allocate our homeland security dollars. Should we put it with more bureaucrats sitting in an office in Washington, D.C., or should we spend that money in a better way, to make sure when you go to the airport you have an airport screener, somebody to get you through that line effectively, people that are well-trained to track the bad guys through our intelligence capabilities, that actually have good plans in place if, God forbid, heaven forbid, we have another attack? We don't need more money for bureaucrats in Washington. We need more funding to get the bad guys.

Mr. Chairman, we have a serious debate here tonight, and I think this has been a very worthy debate of this House. My friends and colleague, Mr. Chairman, have all stated their opinions tonight, and I think there's a good consensus from the American people, good consensus from the American people that we need to cut spending to a greater degree.

Mr. GARRETT of New Jersey. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the 110th Congress now under Democrat leadership, we're

6 months into this Congress now. If you think about it, that's one-quarter of the way toward the completion of this term. The American public at home should be thinking, what has this new Democrat leadership wrought in many different areas?

What has it wrought? The largest tax increase in U.S. history, the breaking of promises during the campaign of openness, the repealing of transparency that the previous majority had instituted, repealing of the openness in the area of earmarks and budget process reform.

And now on top of that, on top of the largest tax increase in history, on top of the repealing of transparency and openness, slush funds, slush funds in the very appropriations bills that the majority campaigned on that they would bring a new air of relief to this House.

The other side has said they were trying to slow down the process, that the amendments that we make are not about the bills. Well, Mr. Chairman, this bill is a homeland security bill, and as long as I have breath, I will come to this floor and speak about trying to improve homeland security in the legislation that passes this House.

I represent a district that was tremendously impacted by 9/11. I do not go to a county in my district where I do not meet victims of 9/11 or family members or people who did business with or are related with victims of 9/11.

While the rest of the world and the rest of this country may see 9/11 as something that is going by year after year and less and less part of their lives, mine is a district that remembers it every day. Mine is a district that remembers it every year still on its anniversary.

So, homeland security legislation, and amendments such as this one which work to try to improve that legislation, are incredibly important to me. And more important than that, it is incredibly important to my district.

This piece of legislation that's before us deals with the financial aspect of homeland security. Quite candidly, this is not just a matter of dollars and cents when we talk about dollars and what we spend here in Washington. What we spend here impacts upon the Federal budget, but more important than that, it impacts upon the family budget.

What the average family in Bergen County, Sussex County, Passaic County, Warren County have to do every day in their lives in order to get by is impacted by what we do on this floor and what we will do on this amendment later on tonight on how much we spend. It may be vast numbers here in Washington, but it is dollars and cents back at home.

I have the honor to serve on the Budget Committee, and on that committee for the 4-plus years that I've been here, I felt there was one thing that both sides of the aisle generally agreed to, I thought, and that was that

we have a problem in this country with regard to our deficit. The difference, however, is on how to resolve that issue.

The one side, as we see now in control, sees that problem and continues to exacerbate it by spending more, more than the President asked for, more than this side of the aisle would suggest is needed, more than the American public would think that we should be spending on the American Federal budget.

We had looked to the other side after this last election to give us relief and give us reform, and what did they give us instead? The largest tax increase in history and significant spending on top of that. I guess the two really go hand in hand. If you are going to enlarge budgets without end, well, you're going to have to look back to the American public and ask them to dig ever deeper into their pockets, into their wallets and send it here to Washington. You're going to have to ask the American public to send their hard-earned tax dollars to Washington to spend on bureaucrats in offices and other such matters as opposed to allowing the American public to keep it for themselves, for their health care need, for their children's education, for their food and their housing.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. GARRETT of New Jersey was allowed to proceed for 1 additional minute.)

Mr. GARRETT of New Jersey. Mr. Chairman, I commend the gentleman for her amendment, even though the amount that she's looking to reduce in the scheme of things is merely a de minimis amount as we look at it here in Washington.

But let me tell you when we get home and we are able to tell them that we were able to start the process of returning the dollars back to you, the American taxpayer, and still provide the significant and essential homeland security that is vastly important to the people in my district, they will say to this side of the aisle and to the other side of the aisle as well that they agree with us; job well done.

AMENDMENT OFFERED BY MR. MCHENRY TO AMENDMENT NO. 33 OFFERED BY MS. FOXX

Mr. MCHENRY. Mr. Chairman, I offer a second-degree amendment.

The Clerk read as follows:

Amendment offered by Mr. MCHENRY to amendment No. 33 offered by Ms. FOXX:

Strike "\$1,241,000"

Replace with "\$8,961,000"

Mr. MCHENRY. Mr. Chairman, the amendment before us today is a second-degree amendment to my colleague from North Carolina's amendment to the bill.

This second-degree amendment is very simple, very straightforward. Instead of striking \$1,241,000 from this legislation in the Secretary of Homeland Security's personal budget for his office, we've increased that number to actually \$8.9 million.

What this amount difference is a result of the debate we've had here on the floor. What is very good is that we've had an open debate, an open rule, one of the rare that we've had in this new Democrat majority, Mr. Chairman. This open rule has allowed a free form of debate, which has allowed all my colleagues to engage in this discussion about decreasing the size and scope of government and curbing the excess of the growth of bureaucracy here in Washington.

As a result of this debate, I've analyzed the last amendment debates we had. My colleague from California (Mr. CAMPBELL) offered an amendment that would take the Secretary's budget back to the 2007 level. His amendment would reduce the spending by \$9,961,000. Well, that amendment failed, unfortunately. I'm very happy, though, that my colleague from California offered it, though, because the House got to vote on fiscal discipline, and 201 Members of this body voted in favor of striking that \$9,961,000 from the bill. Unfortunately, though, 221 voted "no," so the amendment failed.

Well, watching the last series of votes, I also noticed that our colleagues voted to strike \$79,000 from the Secretary's budget, as well as \$300,000 from the Secretary's budget, which through this debate I really analyze that. I really had to think about those votes and see what the will of the body was on restraining government spending and the rise in growth and the bureaucracy here in Washington.

□ 2145

What I realized is that maybe my colleagues weren't ready to cut \$9.9 million. But perhaps, just perhaps, we could try this out and see if my colleagues would cut \$8.9 million. Now, it's not quite as much as I would like to cut from the fat of the Secretary's budget, but it's close. It's a savings to the taxpayers.

So let's try this out. Let's have a vote on this; let's have a debate on whether or not we can cut \$8.9 million from a budget, if I may state, from a budget as proposed in this Chamber of \$36 billion, if I have that correct. Can we cut \$8.9 million from a \$36 billion budget?

Well, my colleagues, 221 of them said "no" to this cutting \$9.9 million. Let's see if they will cut \$8.9 million; it's close, and it's \$1 million. The American taxpayers understand the difference in \$1 million. But if we could cut \$8.9 million, I think we would be happy. It would be a step in the right direction.

I hope my colleagues concur.

My colleagues would say "yes" to cutting \$300,000 from this \$36 billion bill. They cut \$300,000. They cut \$79,000. But I wonder if my colleagues would, instead of cutting \$1.2 million, which my colleague from North Carolina seeks to do, if they would cut \$8.9 million.

Let's try this out. Let's have a debate on whether or not \$8.9 million is

enough money to cut from this \$36 billion bill. Let's see if we can return that money to the taxpayers. Let's see if we can reduce the deficit so we can balance this budget. Let's see if we can cut spending so we can continue the tax cuts and continue the economic growth that we have seen over the last 5 years. Let's see if we can make sure that the American taxpayers get to keep more of what they earn. Let's see if we can cut off some fat, even just a little fat from the Department of Homeland Security. Let's see what we can do to reduce bureaucracy here in Washington.

I am not sure if \$8.9 million is the right amount, but I would like to hear from my colleagues to see if they agree or if they disagree.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. MCHENRY was allowed to proceed for 1 additional minute.)

Mr. MCHENRY. I would like to hear from my colleagues on whether or not \$8.9 million, \$8,961,000 is the right amount to cut from this \$36 billion bill. I'd love to hear this debate. Some may say it's 10 million, others may say it's 6 million. Let's have this debate. It's only 10 minutes till 10:00 tonight.

We have plenty of time to continue this debate. The American taxpayers can watch us here on C-SPAN and see what good work we are doing here in Washington and see if we are being effective with their dollars.

Mr. PRICE of North Carolina. Mr. Chairman, I rise to offer a modest reality check. I hope that's helpful.

The gentleman from North Carolina gives an impression of great precision in wanting to cut \$8,961,000, and he suggests that we might want to debate tonight whether that's exactly the right figure. He suggests that without indicating, as far as I can tell, any fact or any premise on which this very precise number is based. So we will await that with interest, exactly why this much and no more and no less.

Let me offer a little reality check in the form of the language from the committee report. Our committee recommended \$14 million for the general counsel.

By the way, that's the start of understanding this. This isn't about bureaucracy, in general. It's not about government fat, in general. It certainly has nothing to do with entitlements. It's not even about the Secretary's office, in general. This is about the general counsel's office at the Department of Homeland Security. This figure was arrived at after close consultation with that office. We recommended \$14 million for the Office of General Counsel.

Now, we didn't give them everything they wanted. President Bush requested \$1.2 million above this. We cut that. We did not grant that full amount.

Now, 77 staff, 77 is what that appropriation pays for or would pay for. That's equal to the current on-board strength. We do say in the report, and

maybe the gentleman disagrees with this, that as vacancies arise in the office, the committee directs the Department to fill the vacancies with positions dedicated to CFIUS reviews and fiscal law.

Now, CFIUS, you might remember, is the Committee on Foreign Investments in the United States, better known by reference, perhaps, to the Dubai ports deal. You will remember a great deal of discussion in this body on both sides of the aisle on how CFIUS needs to be beefed up and do a better job. We don't want to have another Dubai ports deal.

That's what we are responding to in consultation with the Department. They need some positions dedicated to those CFIUS reviews so that we do them right. Is there something wrong with that? Is there something wrong with the number 77?

That's the rationale. Since nobody else has provided it, I will. That's the rationale for what the committee has done here, as we said, not granting everything that the administration wanted, but trying to make certain that the staff has the strength they need to fulfill their present obligations and to move in this new direction which CFIUS has provided. I hope that's helpful.

Mr. TERRY. I move to strike the last word.

I do appreciate the gentleman's secondary or second-degree amendment. The good chairman stood up and gave an eloquent argument about what the primary and secondary amendment is not about. But what it is about, in my opinion, is the hypocrisy in two different areas, the hypocrisy of having boards out front of their offices talking about the mounting debt and then the first appropriation bill increasing the discretionary spending by 13.6 percent. Then, also, the hypocrisy of talking about a culture of corruption and how it spills over to earmarks.

Well, the way to cure that is transparency. The first appropriation bill out of the block hides them so we can't debate them on the House floor. That's what this is about. This is why we're upset and coming to the floor and discussing this issue. I'm very frustrated with this process of hiding these earmarks.

Well, they are not being hidden, they are just not being included in this bill so they can be dropped in at a later date, at a time when we don't have an opportunity to review them and determine them on an individual basis, the merits or lack of merit for any specific project listed. That's atrocious.

What's mostly atrocious and frustrating and hypocritical about it is the fact that these folks campaigned on reforming that, and they were the ones to throw out all the good forms of transparency so they can hide them from us.

That's wrong, and that's why we're down here. That's why we're down here, to show our frustration with blowing the lid off the spending now

and hiding these earmarks at a time when the people want to know what we're doing with earmarks here. They want them to stop. At the very least, they want to make sure that they're valid ones and not Members' pet projects.

Now, the gentleman from North Carolina with the second-degree amendment, you indicated you wanted to expand what Chairman PRICE mentioned as well.

I yield to the gentleman.

Mr. MCHENRY. I thank my colleague from Nebraska for yielding.

Let me answer the chairman's questions, because I do appreciate my colleague's leadership, and he has crafted, largely, a good bill.

My disagreements are oftentimes with my Republican administration, my colleague in the White House who is of my same party. What they have requested here is a good bit more bureaucracy at the top.

Let's face it, they have mismanaged the Department of Homeland Security. Look at the response to Katrina. I agree wholeheartedly with my Democrat colleagues. But I am of the opinion that simply because they have mismanaged does not simply mean you add to their budget.

I appreciate my colleagues' clapping. I appreciate my colleagues on the other side of the aisle clapping for me. That is so wonderful. I am excited about that. I am hopeful they will vote for my amendment, especially my good friends back there.

But let me tell you something. What I am attempting to do is get the numbers back to last year's spending level, to make sure we maintain this. My colleague from North Carolina said he spoke with the administration and realized that they wanted this amount of money. I have spoken with the taxpayers. They want some more of their money back. They don't want to deal with tax increases.

We need to get back to closer to last year's spending levels on management of the bureaucracy. We saw how the border is still porous. Let's put that money into the border.

We see how FEMA was mismanaged. Let's pour that money into getting people out there with supplies when catastrophic events come. But let's not spend on our bureaucracy here in Washington. Let's bring those numbers back closer to last year's budget levels.

Mr. TERRY. Thank you for your explanation. I think, coming here with amendments that cut the amount of this bill, even if we can reduce it from 13.6 to 13 percent or down to something reasonable like the rate of inflation, 2 or 3 percent or 4 percent, then at least that puts it in the realm of what's reasonable. But this hypocrisy is just really frustrating me.

Mr. ISRAEL. Mr. Chairman, I move to strike the last word.

I was watching this debate on my television in the office. I am not sure whether I was watching C-SPAN or the Twilight Zone.

When I hear some of our colleagues come to the floor and express their concern over earmarks, my question is, what is so important? I will yield to anyone on the other side. What is so important about any specific earmark that you have that it has to be rushed to passage tonight, that it cannot stand the scrutiny of this body?

If you can tell us what specific earmark you have requested that should not be studied, if my colleagues will remember, the problem was not that we studied earmarks; the problem is that they were bulldozed to passage without proper scrutiny, without proper vetting.

Well, guess what, we are running an intervention here. We are going to save you from yourselves. We are not going to allow you to continue to bulldoze these earmarks.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The gentleman will address his remarks to the Chair.

Mr. ISRAEL. Mr. Chairman, we are not going to allow them to continue to rush these earmarks to passage without the proper scrutiny and to make sure the American people never again have to read headlines of Members who are incarcerated because of abusive earmarks. We will not tolerate those abuses.

So I would ask, I would yield time to the gentleman if will tell us specifically what earmarks he feels so passionate about that he has requested that should be passed tonight rather than being scrutinized by the professionals of the Appropriations Committee and debated.

Mr. MCHENRY. Mr. Chairman, I would be happy to entertain this question. I thank my colleague for yielding.

I would say this. We have no idea what the earmarks are in this bill, because they are not in the bill.

Mr. ISRAEL. I reclaim my time. I will yield to the gentleman if he can publicize for us tonight what specific earmarks he has requested.

Mr. MCHENRY. You are asking the same question. We are asking because we don't see any earmarks in this bill because you intend to drop them in during a private meeting.

Mr. ISRAEL. I reclaim my time.

I will yield to the gentleman if he can answer this question. Does the gentleman know what earmarks he submitted to the committee?

□ 2200

Mr. MCHENRY. Yes, none.

Mr. ISRAEL. Does the gentleman from Nebraska know what earmarks he's submitted to the committee?

Mr. TERRY. Yes. I did not submit any.

Mr. ISRAEL. I reclaim my time. The gentleman has requested no earmarks in any appropriations bill on any appropriations bill? I'll yield to the gentleman. Ever.

Mr. MCHENRY. Yes, I have, and I publicized it at home. I publicize the ones I do ask.

The CHAIRMAN. The gentleman from New York has the time.

Mr. ISRAEL. I will reclaim my time. The gentleman who has railed about the evil of earmarks has just acknowledged that he has requested earmarks. I would ask the gentleman what earmarks has he requested that are so important that they should not be studied by the Appropriations Committee so that we avoid the abuses of the last Congress? I yield to the gentleman.

Mr. MCHENRY. I ask for full public scrutiny, not just a private meeting between party leaders in this body.

Mr. ISRAEL. Mr. Chairman, I reclaim my time. The gentleman still has not told us what earmark that he has requested is so vitally important that it should not be scrutinized.

Mr. BACHUS. Would the gentleman yield?

Mr. ISRAEL. I will yield to the gentleman if he can answer my question about what specific earmarks he has requested that are so important that they cannot be scrutinized. I will yield to the gentleman.

The CHAIRMAN. The gentleman has just declined to yield to the gentleman from Alabama. He has said he would yield to the gentleman from North Carolina.

Mr. MCHENRY. Has the gentleman yielded?

Mr. ISRAEL. I am yielding to the gentleman if he can answer my question.

Mr. MCHENRY. Mr. Chairman, his question is impossible to answer. Under the rules of this House that the Democrats have written, they do not publicize the earmarks requested by Members.

Mr. ISRAEL. I reclaim my time, Mr. Chairman.

Mr. Chairman, I am asking the gentleman to tell us, despite what he may, his interpretation of the rules, whether he knows what earmarks he has requested. He said he does know what earmarks he has requested.

I then asked him, Mr. Chairman, to share that information and explain why these should not be studied to avoid the kinds of abuses and jail sentences that occurred in the past, Mr. Chairman.

I will yield back to the gentleman.

The CHAIRMAN. The gentlewoman from North Carolina (Ms. FOXX) is recognized on the secondary amendment. Having not spoken on the secondary amendment, the gentlewoman is entitled to recognition for 5 minutes.

The gentlewoman yields to the gentleman from Alabama.

Mr. BACHUS. I thank the Chairman, and let me attempt to answer the question.

The question is really not whether the gentleman from North Carolina objects to an earmark. It's not whether the gentleman from New York is for an earmark.

Really, this is the people's House, and it's really up to the people to make the final judgment on each and every

one of these earmarks, and the people simply don't know what these earmarks are. This is the people's House, and we've been told there are earmarks in this bill, there will be earmarks added in conference. We're told that the professionals on the Appropriations Committee are reviewing these earmarks. They're making a determination. That's what it's about.

I grew up in Birmingham, and there was a Scripps Howard newspaper in Birmingham, and it had a searchlight on the front page. I'm sure some of you had a Scripps Howard newspaper in your community, and that was the truth going out, the light.

The gentleman from North Carolina says he doesn't know anything about these earmarks. I don't know anything about these earmarks. The gentleman from New York may know all about them. The chairman of the committee may know about them. But really, the truth is that who ought to know, and who has a right to know and a right to make that judgment in each and every case is the people we represent, the people of the United States. It's their money. It's not our money.

And that's what's so wrong with this process tonight. We are arguing among ourselves that this Member doesn't have the right, or this Member knows more than this Member, when the truth is it's the American people that have the right to know. They have the right to disclosure. This is their House. This is their money. And they have the right to make decisions about each and every one of these earmarks that some of us know about and some of us don't know about.

Now, I would say this. The American people don't know how many earmarks are in this bill or how many earmarks will be in this bill. We're going to be asked to pass, we represent, we each represent, 6-, 700,000 citizens, and we're going to be asked tomorrow or the next day to vote on this bill, to vote "yes" or "no."

We've already been told there will be earmarks added to the appropriation bill, but it won't be until all the bills are passed that they'll go to conference, and a few select Members, representing probably 10 percent of the American people, they will add the earmarks. The American people will not ever know what these earmarks are until they're passed into law.

Now, you know, I will tell the gentleman from New York, I don't care if you tell me about the earmarks.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The gentleman will address his remarks to the Chair.

Mr. BACHUS. I care about the American people. They have a right to know. They have a right to disclosure.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Let me, once again, not that anyone on the other side of the aisle is interested in listening to facts, but let me, once again, cite what the facts are. We keep hearing this mythical, robotic

claim from the other side of the aisle that somehow these earmarks are going to be dropped in in conference.

Well, it is not our fault that you couldn't finish the budget last year and we had to finish your work. It is not our fault that you couldn't finish the work on the Iraqi bill for 2007, so we had to spend the last 3 months cleaning up your mess on that one.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The gentleman will address his remarks to the Chair.

Mr. OBEY. It is not our fault that we had to spend at least 60 days answering questions from the San Diego prosecutor about shenanigans that occurred on your side of the aisle in the last year. That occupied the staff for an incredible amount of time.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Members have listened very courteously all evening. Members will not interrupt and heckle, on either side, the speakers.

The gentleman may proceed.

POINT OF ORDER

Mr. PRICE of Georgia. Point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state his point of order.

Mr. PRICE of Georgia. Has the Chairman not said—

The CHAIRMAN. The gentleman may state a point of order. A point of order is not a question. Does the gentleman have a point of order?

Mr. PRICE of Georgia. I have a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. PRICE of Georgia. The gentleman who is currently possessing the time has violated the rules by addressing Members other than the Chair.

The CHAIRMAN. Yes. The Chair has tried to remind Members on both sides of that. The gentleman will address his remarks to the Chair.

Mr. OBEY. Mr. Chairman, I won't say, I won't direct it directly to them. I will simply direct it to you.

It is not our fault that the San Diego attorney subpoenaed records from our committee relating to shenanigans that were conducted on the other side of the aisle in the previous Congress under Republican control.

Mr. BACHUS. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I will not yield until I finish my statement. I would appreciate the same courtesy I've shown you.

Now, let me point out, the process that they've invented is not one that we have requested. What we have said is that, because of the urgency of substance, we decided we were going to leave pork projects behind for the moment. And what we've decided instead was to focus on oversight and producing substantive bills.

We've now also said that in order to assure that there is review of every project, that we are going to be filing, before the August recess, every single earmark that we expect to place in the

appropriation bills. And Members will then have over 30 days to look at the process. They can complain about any earmark they want.

We are going to ask that it be open, not hidden, behind-the-scenes telephone calls. We're going to ask that people file in writing if they have an objection. We're going to ask the sponsor of the amendment to then respond in writing so that we can make a decent judgment about those earmarks.

Now, let me make another point. For people who are squawking about the fact that these earmarks aren't going to be in the bill originally, the Republicans did the same thing on the Labor-H bill in 1998, in 1999, in 2002, in 2004, in 2005. They did not have any earmarks in the Labor-Health-Education bill until the bill was in conference. The only difference was those earmarks were never reviewed ahead of time. These will be. Those earmarks were never in public view. These will be.

They also did the same thing in 2002 and 2003 when they couldn't even get a Labor-H bill through the House, and so they went directly to conference in an omnibus.

The difference between our process and the one they've been following is that there will be an opportunity ahead of time to know who has asked for these earmarks, and you'll be able to ask questions about it.

And I would assume that the leadership of both parties would take a look at the project list for both parties so that they protect this institution from the outrageous scandals that we had because of their mismanagement when they were running the show.

And I will stack my record on congressional reform against anybody on that side of the aisle any time. My entire career here has been defined by reform, and I don't intend to change it now.

Mr. BLUNT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I just suggest that our former speaker does know the rules. He does put his time in on the work here. But by pointing out the exceptions, he also points out the vast majority of the time that the projects we had in the bill were in the bill. They could have been debated.

In the long process that the gentleman has now suggested we would go through, Mr. Chairman, the one thing that is not included in that process, where apparently people can file responses, they can do this, they can do that, they will not have the chance to debate on the House floor.

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

MOTION TO RISE OFFERED BY MR. BLUNT

Mr. BLUNT. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion to rise.

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. BLUNT. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 190, noes 221, not voting 26, as follows:

[Roll No. 458]

AYES—190

Aderholt	Frelinghuysen	Musgrave
Akin	Galleghy	Myrick
Alexander	Garrett (NJ)	Neugebauer
Bachmann	Gerlach	Nunes
Bachus	Gilchrest	Paul
Baker	Gillmor	Pearce
Barrett (SC)	Gingrey	Petri
Bartlett (MD)	Gohmert	Pickering
Barton (TX)	Goode	Pitts
Biggert	Goodlatte	Platts
Bilbray	Granger	Poe
Bilirakis	Graves	Porter
Bishop (UT)	Hall (TX)	Price (GA)
Blackburn	Hastings (WA)	Pryce (OH)
Blunt	Hayes	Putnam
Boehner	Heller	Ramstad
Bonner	Hensarling	Regula
Bono	Herger	Rehberg
Boozman	Hobson	Reichert
Boustany	Hoekstra	Renzi
Brady (TX)	Hulshof	Reynolds
Brown (SC)	Inglis (SC)	Rogers (AL)
Brown-Waite,	Issa	Rogers (KY)
Ginny	Jindal	Rogers (MI)
Buchanan	Johnson (IL)	Rohrabacher
Burgess	Johnson, Sam	Ros-Lehtinen
Burton (IN)	Jones (NC)	Roskam
Buyer	Jordan	Royce
Calvert	Keller	Ryan (WI)
Camp (MI)	King (IA)	Sali
Campbell (CA)	King (NY)	Saxton
Cannon	Kingston	Schmidt
Cantor	Kirk	Sensenbrenner
Capito	Kline (MN)	Shadegg
Carter	Knollenberg	Shays
Castle	Kuhl (NY)	Shimkus
Chabot	LaHood	Shuster
Coble	Lamborn	Simpson
Cole (OK)	Latham	Smith (NE)
Crenshaw	LaTourette	Smith (NJ)
Cubin	Lewis (CA)	Smith (TX)
Davis (KY)	Lewis (KY)	Souder
Davis, David	Linder	Stearns
Davis, Tom	LoBiondo	Sullivan
Deal (GA)	Lucas	Tancredo
Dent	Lungren, Daniel	Taylor
Diaz-Balart, L.	E.	Terry
Diaz-Balart, M.	Mack	Thornberry
Doolittle	Manzullo	Tiahrt
Drake	Marchant	Tiberi
Dreier	McCarthy (CA)	Turner
Duncan	McCaul (TX)	Upton
Ehlers	McCotter	Walberg
Emerson	McCrery	Walden (OR)
English (PA)	McHenry	Walsh (NY)
Everett	McHugh	Wamp
Fallin	McKeon	Weldon (FL)
Feeney	McMorris	Weiler
Ferguson	Rodgers	Whitfield
Flake	Mica	Wicker
Forbes	Miller (FL)	Wilson (NM)
Fortenberry	Miller (MI)	Wilson (SC)
Fossella	Miller, Gary	Wolf
Fox	Moran (KS)	
Franks (AZ)	Murphy, Tim	

NOES—221

Abercrombie	Boyd (FL)	Costello
Ackerman	Boyda (KS)	Courtney
Allen	Brady (PA)	Cramer
Altmire	Brown, Corrine	Crowley
Andrews	Butterfield	Cuellar
Baca	Capps	Cummings
Baird	Capuano	Davis (AL)
Baldwin	Cardoza	Davis (CA)
Barrow	Carnahan	Davis (IL)
Bean	Carney	Davis, Lincoln
Becerra	Carson	DeFazio
Berkley	Castor	DeGette
Berman	Chandler	DeLauro
Berry	Christensen	Dicks
Bishop (GA)	Cleaver	Dingell
Bishop (NY)	Clyburn	Doggett
Blumenauer	Cohen	Donnelly
Boren	Conyers	Ellison
Boswell	Cooper	Ellsworth
Boucher	Costa	Emanuel

Engel	Lofgren, Zoe	Salazar
Eshoo	Lowey	Sánchez, Linda
Etheridge	Lynch	T.
Farr	Mahoney (FL)	Sanchez, Loretta
Fattah	Maloney (NY)	Sarbanes
Frank (MA)	Markey	Schakowsky
Giffords	Marshall	Schiff
Gillibrand	Matheson	Schwartz
Gonzalez	Matsui	Scott (GA)
Gordon	McCarthy (NY)	Scott (VA)
Green, Al	McCollum (MN)	Serrano
Green, Gene	McDermott	Sestak
Grijalva	McGovern	Shea-Porter
Hall (NY)	McIntyre	Sherman
Hare	McNerney	Shuler
Hastings (FL)	McNulty	Sires
Herseht Sandlin	Meehan	Skelton
Higgins	Meek (FL)	Slaughter
Hill	Meeks (NY)	Smith (WA)
Hinchey	Melancon	Snyder
Hinojosa	Michaud	Solis
Hirono	Miller (NC)	Space
Hodes	Miller, George	Spratt
Holden	Mitchell	Stark
Holt	Mollohan	Stupak
Honda	Moore (KS)	Sutton
Hooley	Moore (WI)	Tanner
Hoyer	Moran (VA)	Tauscher
Inslee	Murphy (CT)	Thompson (CA)
Israel	Murphy, Patrick	Thompson (MS)
Jackson (IL)	Murtha	Tierney
Jackson-Lee	Nadler	Towns
(TX)	Napolitano	Udall (CO)
Jefferson	Neal (MA)	Udall (NM)
Johnson (GA)	Oberstar	Van Hollen
Johnson, E. B.	Obey	Velázquez
Jones (OH)	Olver	Visclosky
Kagen	Ortiz	Walz (MN)
Kanjorski	Pallone	Wasserman
Kaptur	Pascrell	Schultz
Kennedy	Pastor	Waters
Kildee	Payne	Watson
Kilpatrick	Perlmutter	Watt
Kind	Peterson (MN)	Waxman
Klein (FL)	Price (NC)	Weiner
Kucinich	Rahall	Welch (VT)
Lampson	Rangel	Wexler
Langevin	Reyes	Wilson (OH)
Lantos	Rodriguez	Woolsey
Larsen (WA)	Ross	Wu
Larson (CT)	Rothman	Wynn
Lee	Roybal-Allard	Yarmuth
Levin	Ruppersberger	Young (AK)
Lipinski	Rush	Young (FL)
Loeb sack	Ryan (OH)	

NOT VOTING—26

Arcuri	Doyle	Lewis (GA)
Bordallo	Edwards	Norton
Braley (IA)	Faleomavaega	Pence
Clarke	Filner	Peterson (PA)
Clay	Fortuño	Pomeroy
Conaway	Gutierrez	Radanovich
Culberson	Harman	Sessions
Davis, Jo Ann	Hastert	Westmoreland
Delahunt	Hunter	

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining on the vote.

□ 2234

Messrs. DEFAZIO, SHULER, PALLONE, ALTMIRE and DOGGETT, Ms. WATSON and Ms. ESHOO changed their vote from “aye” to “no.”

Messrs. KINGSTON, WALSH of New York and WICKER changed their vote from “no” to “aye.”

So the motion to rise was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The pending business is the amendment offered by the gentleman from North Carolina (Mr. McHENRY) to the amendment offered by the gentlewoman from North Carolina (Ms. FOXX).

Mr. GINGREY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the second-degree amendment of the gen-

tleman from North Carolina (Mr. McHENRY) in regard to cutting something like \$7.5 million out of this section of the bill.

The gentleman from North Carolina, Mr. Speaker, the chairman of the subcommittee, spoke a little earlier in the evening and questioned the logic, you know, why that amount. Well, if you do the math and you look at that section, Mr. Chairman, that cut is about 7 percent. That amount reflects the same amount of overspending in this bill. The \$2 billion is about 7 percent more than the President requested, and actually a 14.5 to 15 percent overall increase. So I think that the gentleman from North Carolina (Mr. McHENRY) is absolutely appropriate in asking for a reasonable, fiscally responsible cut in a \$120 million spending category.

Mr. Chairman, another North Carolinian was heard by me to say this morning, after the chairman of the Appropriations Committee had spoken and said what we are trying to do, what the Republican minority is trying to do is shut down the process. Mr. Chairman, what the gentleman from North Carolina, Mr. Robin Hayes, said was, we're not trying to shut down the process, we are trying to clean up the process.

Just a few minutes ago, before the last motion, the distinguished chairman of the Appropriations Committee said, and I paraphrase, it is not our fault that the former majority couldn't get their work done in the previous Congress. Well, I would say to him, Mr. Chairman, it is not our fault that the new majority and the Appropriations Committee spent 3½ months debating an emergency supplemental for funding of our troops with benchmarks and timelines, Mr. Chairman, that would call for the withdrawal of our troops at a date certain, no matter what the situation was. Indeed, Mr. Chairman, there were a number of amendments in that process to bring the troops home immediately and not to give victory a chance. And, Mr. Chairman, it is not our fault that they refused to listen, this new majority, and insisted on milking this process for every ounce of political fodder that they could get out of it, knowing full well that in the final analysis they had a losing proposition. And they did lose that debate before we went home for the Memorial Day recess. So, that is not our fault.

So, Mr. Chairman, if the chairman of the Appropriations Committee says, you know, we weren't able to put these earmarks in the appropriations bill under the sunshine and the light of day, as always has been done, because we ran out of time. And, Mr. Chairman, I have heard it said that the chairman of the Appropriations Committee feels very strongly that he wants to get all these bills done before the 4th of July recess to do just as good a job as our distinguished former chairman of the Appropriations Committee Mr. LEWIS did last year and the year before that in the 109th Congress.

Mr. Chairman, it is not our fault that the new majority wasted 3½ months and were not able to get these earmarks together in time to put in these bills like they should have done. That's not our fault.

The CHAIRMAN. The gentleman's time has expired.

The Chair recognizes the gentlewoman from California.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I move to strike the last word.

Mr. GINGREY. Mr. Chairman, point of order.

The CHAIRMAN. The gentleman's time had expired, at which point the Chair recognized the gentlewoman from California.

Mr. GINGREY. Mr. Chairman, I have a privileged motion at the desk.

The CHAIRMAN. The gentleman will state his point of order.

Mr. GINGREY. Mr. Chairman, I have a privileged motion at the desk.

The CHAIRMAN. The Chair had recognized previously the gentlewoman from California.

Mr. GINGREY. Mr. Chairman, I move that the Committee rise.

The CHAIRMAN. Members will suspend.

The gentleman from Georgia's time had expired. The Chair announced that his time had expired and recognized the gentlewoman from California.

Mr. GINGREY. Point of order, Mr. Chairman.

The CHAIRMAN. For what purpose does the gentlewoman from California rise?

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I rise to strike the last word.

The CHAIRMAN. For what purpose does the gentleman from Georgia rise?

MOTION TO RISE OFFERED BY MR. GINGREY

Mr. GINGREY. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion to rise.

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. GINGREY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 189, noes 218, not voting 30, as follows:

[Roll No. 459]

AYES—189

Aderholt	Bono	Carter
Akin	Boozman	Castle
Alexander	Boustany	Chabot
Bachmann	Brady (TX)	Coble
Bachus	Brown (SC)	Cole (OK)
Baker	Brown-Waite,	Crenshaw
Barrett (SC)	Ginny	Cubin
Bartlett (MD)	Buchanan	Davis (KY)
Barton (TX)	Burgess	Davis, David
Biggert	Burton (IN)	Davis, Tom
Bilbray	Buyer	Deal (GA)
Bilirakis	Calvert	Dent
Bishop (UT)	Camp (MI)	Diaz-Balart, L.
Blackburn	Campbell (CA)	Diaz-Balart, M.
Blunt	Cannon	Doolittle
Boehner	Cantor	Drake
Bonner	Capito	Dreier

Duncan	LaHood	Reichert
Ehlers	Lamborn	Renzi
Emerson	Latham	Reynolds
Everett	LaTourette	Rogers (AL)
Fallin	Lewis (CA)	Rogers (KY)
Feeney	Lewis (KY)	Rogers (MI)
Ferguson	Linder	Rohrabacher
Flake	LoBiondo	Ros-Lehtinen
Forbes	Lucas	Roskam
Fortenberry	Lungren, Daniel	Royce
Fossella	E.	Ryan (WI)
Fox	Mack	Sali
Franks (AZ)	Manzullo	Saxton
Frelinghuysen	Marchant	Schmidt
Gallely	McCarthy (CA)	Sensenbrenner
Garrett (NJ)	McCaul (TX)	Shadegg
Gerlach	McCotter	Shays
Gillmor	McCrery	Shimkus
GINGREY	McHenry	Shuster
Gohmert	McHugh	Simpson
Goode	McKeon	Smith (NE)
Goodlatte	McMorris	Smith (NJ)
Granger	Rodgers	Smith (TX)
Graves	Mica	Souder
Hall (TX)	Miller (FL)	Stearns
Hastings (WA)	Miller (MI)	Sullivan
Hayes	Miller, Gary	Tancredo
Heller	Moran (KS)	Taylor
Hensarling	Murphy, Tim	Terry
Herger	Musgrave	Thornberry
Hobson	Myrick	Tiaht
Hoekstra	Neugebauer	Tiberi
Hulshof	Nunes	Turner
Inglis (SC)	Paul	Upton
Issa	Pearce	Walberg
Jindal	Petri	Walden (OR)
Johnson (IL)	Pickering	Walsh (NY)
Johnson, Sam	Pitts	Wamp
Jordan	Platts	Waxman
Keller	Poe	Weldon (FL)
King (IA)	Porter	Weller
King (NY)	Price (GA)	Whitfield
Kingston	Pryce (OH)	Wicker
Kirk	Putnam	Wilson (NM)
Kline (MN)	Ramstad	Wilson (SC)
Knollenberg	Regula	Wolf
Kuhl (NY)	Rehberg	Young (FL)

NOES—218

Abercrombie	DeGette	Kennedy
Ackerman	DeLauro	Kildee
Allen	Dicks	Kind
Altmire	Dingell	Klein (FL)
Andrews	Doggett	Kucinich
Arcuri	Donnelly	Lampson
Baca	Ellison	Langevin
Baird	Ellsworth	Lantos
Baldwin	Emanuel	Larsen (WA)
Barrow	Engel	Larson (CT)
Bean	Eshoo	Lee
Berman	Etheridge	Levin
Berry	Farr	Lipinski
Bishop (GA)	Fattah	Loeb
Bishop (NY)	Filner	Loftgren, Zoe
Blumenauer	Frank (MA)	Lowe
Boren	Giffords	Lynch
Boswell	Gilchrest	Mahoney (FL)
Boyd (FL)	Gillibrand	Maloney (NY)
Boyda (KS)	Gonzalez	Markey
Brady (PA)	Gordon	Marshall
Braley (IA)	Green, Al	Matheson
Brown, Corrine	Green, Gene	Matsui
Butterfield	Grijalva	McCarthy (NY)
Capps	Hall (NY)	McCollum (MN)
Capuano	Hare	McDermott
Cardoza	Hastings (FL)	McGovern
Carnahan	Herseth	McIntyre
Carney	Higgins	McNerney
Carson	Hill	McNulty
Castor	Hinche	Meehan
Chandler	Hinojosa	Meek (FL)
Clarke	Hirono	Meeks (NY)
Cleaver	Hodes	Melancon
Clyburn	Holt	Michaud
Cohen	Honda	Miller, George
Conyers	Hooley	Mitchell
Cooper	Hoyer	Mollohan
Costa	Insee	Moore (KS)
Costello	Israel	Moore (WI)
Courtney	Jackson (IL)	Moran (VA)
Cramer	Jackson-Lee	Murphy (CT)
Crowley	(TX)	Murphy, Patrick
Cuellar	Jefferson	Murtha
Cummings	Johnson (GA)	Nadler
Davis (AL)	Jones (NC)	Napolitano
Davis (CA)	Jones (OH)	Neal (MA)
Davis (IL)	Kagen	Oberstar
Davis, Lincoln	Kanjorski	Obey
DeFazio	Kaptur	Oliver

Ortiz	Schakowsky	Thompson (MS)
Pallone	Schiff	Tierney
Pascarella	Schwartz	Towns
Pastor	Scott (GA)	Udall (CO)
Payne	Scott (VA)	Udall (NM)
Perlmutter	Serrano	Van Hollen
Peterson (MN)	Sestak	Velázquez
Pomeroy	Shea-Porter	Visclosky
Price (NC)	Sherman	Walz (MN)
Rahall	Shuler	Wasserman
Rangel	Sires	Schultz
Reyes	Skelton	Waters
Rodriguez	Slaughter	Watson
Ross	Smith (WA)	Watt
Rothman	Snyder	Weiner
Roybal-Allard	Solis	Welch (VT)
Ruppersberger	Space	Wexler
Rush	Spratt	Wilson (OH)
Ryan (OH)	Stark	Woolsey
Salazar	Stupak	Wu
Sánchez, Linda	Sutton	Wynn
T.	Tanner	Yarmuth
Sanchez, Loretta	Tauscher	Young (AK)
Sarbanes	Thompson (CA)	

NOT VOTING—30

Becerra	Doyle	Johnson, E. B.
Berkley	Edwards	Kilpatrick
Bordallo	English (PA)	Lewis (GA)
Boucher	Faleomavaega	Miller (NC)
Christensen	Fortuno	Norton
Clay	Gutierrez	Pence
Conaway	Harman	Peterson (PA)
Culberson	Hastert	Radanovich
Davis, Jo Ann	Holden	Sessions
Delahunt	Hunter	Westmoreland

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 1 minute remains in this vote.

□ 2259

Mr. PETERSON of Minnesota and Mr. CUELLAR changed their vote from "aye" to "no."

So the motion to rise was rejected.

The result of the vote was announced as above recorded.

□ 2300

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, thank you for your work on this bill. As you know, I chair the Border, Maritime and Global Counterterrorism Subcommittee of the Homeland Security Committee, and I have been working on port security issues for many years, and I was extensively involved in the SAFE Port Act that was signed into law last year.

One important provision of the SAFE Port Act was the requirement that the Coast Guard implement a long-range vessel tracking system. More than 60,000 vessels traverse the world's oceans annually, and more than 8,000 deep-draft vessels call on United States ports every year.

Implementation of a long-range vessel tracking system is critical to ensure that maritime operations are conducted in a way that keeps our Nation safe and secure. In addition, it will make international commerce more efficient for our Nation's port operators.

Chairman PRICE, while your bill does not allocate a specific amount of funding for the implementation of the required long-range vessel tracking system, I have noted that there is a funding stream of \$40 million for activities mandated by the SAFE Port law, and I want to clarify your support for the implementation of the long-range vessel tracking system required in the

SAFE Port law and that part of the \$40 million in funding could be used towards meeting that mandate.

Mr. PRICE of North Carolina. Mr. Chairman, will the gentlewoman yield?

Ms. LORETTA SANCHEZ of California. I yield to the gentleman from North Carolina.

Mr. PRICE of North Carolina. I thank the gentlewoman for her inquiry and for her leadership on the Homeland Security authorizing committee.

As you stated, the SAFE Port Act established many new requirements related to port security. I agree that the implementation of a long-range vessel tracking system should be a priority, and that part of the \$40 million in additional funding could be used to meet the long-range vessel tracking system mandated in the SAFE Port Act.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, thank you for that clarification and for your strong support for improving port security and the security of our country.

Mr. BACHUS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I have a question I think the American people would like answered. It is a question that has not been asked tonight. We know Chairman OBEY, and we know he has taken a position that he is not going to publish or disclose these earmarks. He has expressed his opinion.

What we don't know, Mr. Chairman, is, the Speaker is not sitting in the Chair and we don't know where the Speaker stands on this whole procedure. We do know that the majority leader said that all earmarks would be published, there would be complete transparency. We know that he said in committee they would be debated. We know that the Speaker on a number of occasions, I think we have all seen those quotes, we have heard a few tonight, the Speaker make it clear during the campaign and after the campaign that all earmarks would be disclosed prior to any vote on the House floor.

So, Mr. Chairman, I believe it is incumbent on the Speaker to come before this body and address the body and tell the body whether or not the procedure that we are witnessing, whether it is chairman of the Appropriations Committee has taken this on himself, whether he is doing it on his own accord, whether he has polled the Democrat Members to see where they stand.

But more important, we want to know where the Speaker stands. We want to know whether the Speaker consulted with the chairman, whether she has blessed this. We know what she said in USA Today. We know what she said in the Christian Science Monitor and what she said in a news conference just last month. We know that in a press conference on March 13, 2007, she specifically said that all earmarks would be made public before a vote on the House floor. We know that, so it is a mystery to us why we are going through this process.

Now, the chairman of the full committee said back in 1999 there was a bill, one bill, that the Republican majority did not publish the earmarks before the vote on the floor. We know that is part of his reason for doing this. But we also know that the Speaker of the House told the American people that this would never happen as long as she was Speaker. And she, as a late as a month ago, said there would be no votes on the House floor on an appropriations bill where earmarks were not published.

In fact, the gentleman from Illinois, the majority whip, says, if possible, we are going to put them on the Internet weeks before we vote on them on the House floor. They are not on the Internet. We don't know how many earmarks there will be, what earmarks are under consideration, the total amount of those earmarks.

But more importantly, we do know one thing, Mr. Chairman, we know that the Speaker of this House, the Speaker of this House said that this wouldn't happen. She said it many times on many occasions, both during the campaign when she asked the American people to turn the Republicans out and put the Democrats in.

And we know that from exit polls that many people went to the polls on election day with that promise in mind; and they voted for Democrats who now serve in this body under the assurance that this wouldn't happen, and it is happening.

Now, we know that the chairman of the full committee, we know his position. He said we just have to do. He talks about what we have done and what they have done. The important thing is the American people.

In fact, earlier tonight on one of the news network, it was not Fox, they asked: Where does Speaker PELOSI stand on this? The American people are asking, where does the leadership of the majority stand on this issue?

That is my question, Mr. Chairman. I would ask that before we proceed in this body, that the Speaker of this House come before this body and not tell, I don't care if she tells Republicans, I don't care if she further explains to Democrats, I want her to tell the American people why, only 3 weeks after promising that earmarks would be fully disclosed both in committee and on the floor of this House, that we backed away from this.

The CHAIRMAN. The time of the gentleman has expired.

MOTION TO RISE OFFERED BY MR. BACHUS

Mr. BACHUS. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion to rise.

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. PRICE of Georgia. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 187, noes 220,

answered “present” 1, not voting 29, as follows:

[Roll No. 460]

AYES—187

Aderholt	Frelinghuysen	Nunes
Akin	Galleghy	Paul
Alexander	Garrett (NJ)	Pearce
Bachmann	Gerlach	Pence
Bachus	Gillmor	Petri
Baker	Gingrey	Pickering
Barrett (SC)	Goode	Pitts
Bartlett (MD)	Goodlatte	Platts
Barton (TX)	Granger	Poe
Biggert	Graves	Porter
Bilbray	Hall (TX)	Price (GA)
Bilirakis	Hastings (WA)	Pryce (OH)
Bishop (UT)	Hayes	Putnam
Blackburn	Heller	Radanovich
Blunt	Hensarling	Ramstad
Boehner	Herger	Regula
Bonner	Hobson	Rehberg
Bono	Hoekstra	Reichert
Boozman	Hulshof	Renzi
Boustany	Inglis (SC)	Reynolds
Brady (TX)	Issa	Rogers (AL)
Brown (SC)	Jindal	Rogers (KY)
Brown-Waite,	Johnson (IL)	Rogers (MI)
Ginny	Johnson, Sam	Rohrabacher
Buchanan	Jordan	Ros-Lehtinen
Burgess	Keller	Roskam
Burton (IN)	King (IA)	Royce
Buyer	King (NY)	Ryan (WI)
Calvert	Kingston	Sali
Camp (MI)	Kirk	Saxton
Campbell (CA)	Kline (MN)	Schmidt
Cannon	Knollenberg	Sensenbrenner
Cantor	Kuhl (NY)	Shadegg
Capito	LaHood	Shays
Carter	Lamborn	Shimkus
Castle	Latham	Shuster
Chabot	LaTourette	Simpson
Cole (OK)	Lewis (CA)	Smith (NE)
Crenshaw	Lewis (KY)	Smith (NJ)
Cubin	Linder	Smith (TX)
Davis (KY)	LoBiondo	Souder
Davis, David	Lucas	Stearns
Davis, Tom	Lungren, Daniel	Sullivan
Deal (GA)	E.	Tancred
Dent	Mack	Taylor
Diaz-Balart, L.	Manzullo	Terry
Diaz-Balart, M.	Marchant	Thornberry
Doolittle	McCarthy (CA)	Tiahrt
Drake	McCaul (TX)	Tiberi
Dreier	McCotter	Turner
Duncan	McCrery	Upton
Ehlers	McHenry	Walberg
Emerson	McHugh	Walden (OR)
Everett	McKeon	Walsh (NY)
Fallin	Mica	Wamp
Feeney	Miller (FL)	Weldon (FL)
Ferguson	Miller (MI)	Weller
Flake	Miller, Gary	Whitfield
Forbes	Moran (KS)	Wicker
Fortenberry	Murphy, Tim	Wilson (NM)
Fossella	Musgrave	Wilson (SC)
Fox	Myrick	Wolf
Franks (AZ)	Neugebauer	Young (FL)

NOES—220

Abercrombie	Cardoza	Donnelly
Ackerman	Carnahan	Ellison
Allen	Carney	Ellsworth
Altmire	Carson	Emanuel
Andrews	Castor	Engel
Arcuri	Chandler	Eshoo
Baca	Christensen	Etheridge
Baird	Clarke	Farr
Baldwin	Cleaver	Fattah
Barrow	Clyburn	Filner
Bean	Cohen	Frank (MA)
Becerra	Cooper	Giffords
Berkley	Costa	Gilchrest
Berman	Costello	Gillibrand
Berry	Courtney	Gonzalez
Bishop (GA)	Cramer	Gordon
Bishop (NY)	Crowley	Green, Al
Blumenauer	Cuellar	Green, Gene
Boren	Cummings	Grijalva
Boswell	Davis (AL)	Hall (NY)
Boyd (FL)	Davis (CA)	Hare
Boyda (KS)	Davis (IL)	Hastings (FL)
Brady (PA)	DeFazio	Herseth Sandlin
Braley (IA)	DeGette	Higgins
Brown, Corrine	DeLauro	Hill
Butterfield	Dicks	Hinche
Capps	Dingell	Hinojosa
Capuano	Doggett	Hirono

Hodes	McNulty	Schwartz
Holt	Meehan	Scott (GA)
Honda	Meek (FL)	Scott (VA)
Hooley	Meeks (NY)	Serrano
Hoyer	Melancon	Sestak
Inslee	Michaud	Shea-Porter
Israel	Miller (NC)	Sherman
Jackson (IL)	Miller, George	Shuler
Jackson-Lee	Mitchell	Sires
(TX)	Mollohan	Skelton
Jefferson	Moore (KS)	Slaughter
Johnson (GA)	Moore (WI)	Smith (WA)
Johnson, E. B.	Moran (VA)	Snyder
Jones (NC)	Murphy (CT)	Solis
Kagen	Murphy, Patrick	Space
Kanjorski	Murtha	Spratt
Kaptur	Nadler	Stupak
Kennedy	Napolitano	Sutton
Kildee	Neal (MA)	Tanner
Kind	Oberstar	Tauscher
Klein (FL)	Obey	Thompson (CA)
Kucinich	Oliver	Thompson (MS)
Lampson	Ortiz	Tierney
Langevin	Pallone	Towns
Lantos	Pascarell	Udall (CO)
Larsen (WA)	Pastor	Udall (NM)
Larson (CT)	Payne	Van Hollen
Lee	Perlmutter	Velázquez
Levin	Peterson (MN)	Visclosky
Lewis (GA)	Pomeroy	Walz (MN)
Lipinski	Price (NC)	Wasserman
Loeb sack	Rahall	Schultz
Lofgren, Zoe	Reyes	Waters
Lowey	Rodriguez	Watson
Lynch	Ross	Watt
Mahoney (FL)	Rothman	Waxman
Maloney (NY)	Roybal-Allard	Weiner
Markey	Ruppersberger	Welch (VT)
Marshall	Rush	Wexler
Matheson	Ryan (OH)	Wilson (OH)
Matsui	Salazar	Woolsey
McCarthy (NY)	Sánchez, Linda	Wu
McCollum (MN)	T.	Wynn
McDermott	Sanchez, Loretta	Yarmuth
McGovern	Sarbanes	Young (AK)
McIntyre	Schakowsky	
McNerney	Schiff	

ANSWERED "PRESENT"—1

Gohmert

NOT VOTING—29

Bordallo	Doyle	Jones (OH)
Boucher	Edwards	Kilpatrick
Clay	English (PA)	McMorris
Coble	Faleomavaega	Rodgers
Conaway	Fortuño	Norton
Conyers	Gutierrez	Peterson (PA)
Culberson	Harman	Rangel
Davis, Jo Ann	Hastert	Sessions
Davis, Lincoln	Holden	Stark
Delahunt	Hunter	Westmoreland

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 2327

Mr. GOHMERT changed his vote from "aye" to "present."

So the motion to rise was rejected.

The result of the vote was announced as above recorded.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

POINT OF ORDER

Mr. MCHENRY. Point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MCHENRY. Mr. Chairman, under House rules, only a Member can speak one time on each amendment.

The CHAIRMAN. The gentleman has spoken on the secondary amendment. He has, however, not spoken on the primary amendment, which is still pending.

The gentleman from Wisconsin is recognized for 5 minutes.

PARLIAMENTARY INQUIRY

Mr. MCHENRY. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman may state it.

Mr. MCHENRY. The secondary amendment is before us here now. That is the operational motion.

The CHAIRMAN. That is correct.

Mr. MCHENRY. And so, therefore, since he has already spoken on the secondary amendment, he may not speak a second time on the secondary amendment.

The CHAIRMAN. The underlying amendment remains subject to debate, and the gentleman is entitled to speak on the underlying amendment.

The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, I am opposed to both the underlying amendment and the substitute amendment, and let me tell you why. I think it's important to put that amendment in context.

We had crocodile tears expressed here about the number of earmarks and what will happen to earmarks. Let me cite the record.

In 1994, the last year when Democrats controlled the House, earmarks were primarily concentrated in four appropriation bills. They were project-oriented bills like military construction, energy and water, Interior and general government. This Homeland Security bill had not even come to pass yet because it was before 9/11.

In the Labor-Health-Education appropriation bill the last year that the Democrats controlled, we had zero earmarks. The last year under Republican control that we had earmarks in the Labor-H bill, we had over 3,000.

In the Transportation bill, the authorizing bill, from 1956 through 1995, we had 20 separate highway bills pass this House containing a total of 739 earmarks. Do you know how many we had, Mr. Chairman, in 2005 under Republican control in just one bill? Five thousand.

□ 2330

Then we all remember the infamous 3-hour vote on Medicare part D.

I would ask my colleagues on this side of the aisle to keep this civil. If the other side wants to turn it into a circus, fine, but I think we ought to behave.

Let me say, we remember Medicare part D when the Republican leadership kept the vote open for 3 hours. Meanwhile, the newspaper stories told of how they promised earmarks in the transportation bill in return for votes on Medicare part D.

Last year, we had three major scandals. We had the Cunningham affair, then we had the bridge-to-nowhere, which caused a lot of heartburn around the country; and now, just recently, we have another story suggesting that the committee chairman then, the gentleman from Alaska, inserted a project for Florida.

Under Republican rules, as they existed then, nobody knew about any of that until about 2 years after the fact. Under the proposal that we are proposing for earmarks, you would know about that 30 days before they went into effect. That is a huge difference.

Let me also point out, in 1994, the four biggest appropriation bills that's Commerce-Justice, Labor, Transportation and VA-HUD. The last year the Democrats controlled the House, in 1994, the four major appropriations bills, Commerce-Justice, Labor-Health, Transportation and VA, we had a total of 764 earmarks. Those same bills, just one fiscal year ago, had 8,600 earmarks.

With all due respect, I don't want to hear any crocodile tears on the other side of the aisle with respect to the issue of earmarks. They have exploded under their operation of this House, not under ours.

In terms of what's going on tonight, I should make quite clear that the gentleman from California (Mr. LEWIS) told me in January that the minority party would give us no procedural cooperation because they didn't like the way we had handled a continuing resolution. They wanted us to have a straight CR rather than thinking our way through priorities. Now they have simply moved on to another excuse.

So I would simply say, whether you vote for the underlying amendment or for the amendment to the amendment, these are not real amendments. It is clear to me that they have only one purpose, to bring this House to a halt, and they are looking for any excuse they can find.

They got a mighty weak one, but we are going to stay here until the job is done. This is the people's business. We are not going to be diverted by their trying to play Trivial Pursuit on this bill.

Mr. YOUNG of Alaska. Mr. Chairman, I move to strike the last word.

I have voted every time to continue our process against my leadership. I was not going to say anything, but when you referred to the bridge-to-nowhere as a scandal, when you voted for it four times, most of the people in this room voted for it four times. It was always transparent. I was always proud of my earmarks. I believe in earmarks, always have, as long as they are exposed.

But don't you ever call that a scandal.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The gentleman will direct his remarks to the Chair.

Mr. YOUNG of Alaska. That's hard to do.

I would suggest respectfully, again, let's keep our facts straight. Every one of you in this room, maybe, six or eight people, never voted for the bill that you are talking about. But you voted for it four times.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The gentleman will direct his remarks to the Chair.

Mr. YOUNG of Alaska. It was transparent, as it should be tonight.

Mr. SHADEGG. Mr. Chairman, I move to strike the last word.

It seems to me we are in some danger of forgetting what we are here about. We are here about the second-degree amendment of the gentleman from North Carolina (Mr. MCHENRY). I rise in strong support of that amendment because it would restrain the excessive spending in this bill.

But it's more important that we talk about what we are really here about. What we are really here about is the people's business. What we are really here about is how we spend their money.

What brings us here tonight, in the middle of the night, is that the majority has proposed a procedure for handling earmarks which is inconsistent with what you told the American people. It is indefensible, and it cannot stand. You can recognize that. You can accept that fact tonight and change that procedure; you can accept that fact tomorrow.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The gentleman will direct his remarks to the Chair.

Mr. SHADEGG. You can accept those facts tonight and change the procedure. The majority can accept that fact tomorrow and change the procedure. The majority can accept that fact next week and change the procedure, but the procedure will change.

I have the greatest respect for the chairman of the Appropriations Committee. I admire his energy, his tenacity and his passion. I understand that he believes he has proposed a fair system. I understand that he has just recited for us a history lesson about how earmarks were handled in the past.

But I would suggest to you that time moves on. The American people now understand earmarks in a way they did not understand. The American people understand earmarks, and they understand this process, and they cannot be fooled. You cannot take the process for disclosing earmarks and make those earmarks public after the bill has been debated.

There is not a constituent of yours that believes that makes sense. The American people understand that some people in this body believe earmarks are very good, and some people in this body believe earmarks can be very bad and very corrupt.

They are in unanimity on one point, and that is, they want to know what's in those earmarks. That means those earmarks have to be debated on this floor.

Now, I understand that the gentleman who is the chairman of the Appropriations Committee believes that he can just vet them, and he can post them in August, but that obviates the most important part of this process. We do not engage in this process by adding language to bills, critical language to bill language that the American people don't get to see or know about after debate has occurred.

We didn't tell the American people that we would make the process open

this year, that we would disclose every earmark and allow every earmark to be debated, because we don't run the place.

You run the place. You're in the majority.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The gentleman will suspend. Members will remember to address their remarks to the Chair.

Mr. SHADEGG. The majority party told America that these earmarks would be openly revealed, and that means they have to be debated.

It doesn't matter. You can relent now, or you can go on and defend this practice through the press tomorrow and tell them that you want secrecy. You do not want a Member over here to be able to debate an individual earmark. You do not want that earmark revealed to the public today.

You do not want that earmark revealed to the public today. You want to put its being revealed off to some point later, when no Member can raise it or object to it, but the American people get it. The history lesson is nothing more than a history lesson.

Earmarks in this body must now be disclosed because the Speaker said she would disclose them. That's all we are asking for. We are asking that they be disclosed so the American people can see them, so that our constituents can see them, and so on this floor we can debate them and discuss them. The good ones will pass, and the ones that are corrupt or inappropriate will fail.

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

MOTION TO RISE OFFERED BY MR. SHADEGG

Mr. SHADEGG. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion to rise.

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. SHADEGG. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 188, noes 216, not voting 33, as follows:

[Roll No. 461]

AYES—188

Aderholt	Brown-Waite,	Diaz-Balart, L.
Akin	Ginny	Diaz-Balart, M.
Alexander	Buchanan	Doolittle
Bachmann	Burgess	Drake
Bachus	Burton (IN)	Dreier
Baker	Calvert	Duncan
Barrett (SC)	Camp (MI)	Ehlers
Bartlett (MD)	Campbell (CA)	Emerson
Barton (TX)	Cannon	Everett
Biggert	Cantor	Fallin
Bilbray	Capito	Feeney
Bilirakis	Carter	Ferguson
Bishop (UT)	Castle	Flake
Blackburn	Chabot	Forbes
Blunt	Cole (OK)	Fortenberry
Boehner	Crenshaw	Fossella
Bonner	Cubin	Fox
Bono	Culberson	Franks (AZ)
Boozman	Davis (KY)	Frelinghuysen
Boustany	Davis, David	Gallegly
Brady (TX)	Davis, Tom	Garrett (NJ)
Brown (SC)	Deal (GA)	Gerlach
	Dent	Gilchrest

Gillmor	Mack	Rogers (MI)
Gingrey	Manzullo	Rohrabacher
Gohmert	Marchant	Ros-Lehtinen
Goode	McCarthy (CA)	Roskam
Goodlatte	McCaul (TX)	Royce
Granger	McCotter	Ryan (WI)
Graves	McCrery	Sali
Hall (TX)	McHenry	Saxton
Hastings (WA)	McHugh	Schmidt
Hayes	McKeon	Sensenbrenner
Heller	McMorris	Shadeegg
Hensarling	Rodgers	Shays
Herger	Mica	Shimkus
Hobson	Miller (FL)	Shuster
Hoekstra	Miller (MI)	Simpson
Hulshof	Miller, Gary	Smith (NE)
Inglis (SC)	Moran (KS)	Smith (NJ)
Issa	Murphy, Tim	Stearns
Jindal	Musgrave	Sullivan
Johnson (IL)	Neugebauer	Tancredo
Johnson, Sam	Nunes	Taylor
Jones (NC)	Paul	Terry
Jordan	Pearce	Thornberry
Keller	Pence	Tiahrt
King (IA)	Petri	Tiberi
King (NY)	Pickering	Turner
Kingston	Pitts	Upton
Kirk	Platts	Walberg
Kline (MN)	Poe	Walden (OR)
Knollenberg	Porter	Walsh (NY)
Kuhl (NY)	Price (GA)	Wamp
LaHood	Pryce (OH)	Weller
Lamborn	Putnam	Whitfield
Latham	Radanovich	Wicker
LaTourette	Ramstad	Wilson (NM)
Lewis (CA)	Regula	Wilson (SC)
Lewis (KY)	Rehberg	Wolf
Linder	Reichert	Young (AK)
LoBiondo	Renzi	Young (FL)
Lucas	Reynolds	
Lungren, Daniel	Rogers (AL)	
E.	Rogers (KY)	

NOES—216

Abercrombie	Ellison	Levin
Ackerman	Ellsworth	Lewis (GA)
Allen	Emanuel	Lipinski
Altmire	Engel	Loebach
Andrews	Eshoo	Lofgren, Zoe
Arcuri	Etheridge	Lowe
Baca	Farr	Lynch
Baird	Fattah	Mahoney (FL)
Baldwin	Filner	Maloney (NY)
Barrow	Frank (MA)	Markey
Bean	Giffords	Marshall
Becerra	Gillibrand	Matheson
Berkley	Gonzalez	Matsui
Berman	Gordon	McCarthy (NY)
Berry	Green, Al	McCollum (MN)
Bishop (GA)	Green, Gene	McDermott
Bishop (NY)	Grijalva	McGovern
Blumenauer	Hall (NY)	McIntyre
Boren	Hare	McNerney
Boswell	Hastings (FL)	McNulty
Boyd (FL)	Herstein Sandlin	Meehan
Boyda (KS)	Higgins	Meek (FL)
Brady (PA)	Hill	Meeks (NY)
Braley (IA)	Hinchey	Melancon
Brown, Corrine	Hinojosa	Michaud
Butterfield	Hirono	Miller (NC)
Capps	Hodes	Miller, George
Capuano	Holt	Mitchell
Cardoza	Honda	Mollohan
Carnahan	Hooley	Moore (KS)
Carney	Hoyer	Moore (WI)
Carson	Inslee	Moran (VA)
Castor	Israel	Murphy (CT)
Chandler	Jackson (IL)	Murphy, Patrick
Christensen	Jackson-Lee	Murtha
Clarke	(TX)	Nadler
Cleaver	Jefferson	Napolitano
Clyburn	Johnson (GA)	Neal (MA)
Cohen	Johnson, E. B.	Oberstar
Cooper	Jones (OH)	Obey
Costa	Kagen	Olver
Costello	Kanjorski	Ortiz
Courtney	Kaptur	Pallone
Cramer	Kennedy	Pascarelli
Crowley	Kildee	Pastor
Cuellar	Kilpatrick	Payne
Cummings	Kind	Perlmutter
Davis (AL)	Klein (FL)	Peterson (MN)
Davis (CA)	Kucinich	Pomeroy
DeGette	Lampson	Price (NC)
DeLauro	Langevin	Rahall
Dicks	Lantos	Reyes
Dingell	Larsen (WA)	Rodriguez
Doggett	Larson (CT)	Ross
Donnelly	Lee	Rothman

Roybal-Allard	Shuler	Udall (NM)
Ruppersberger	Sires	Velázquez
Rush	Skelton	Visclosky
Ryan (OH)	Slaughter	Walz (MN)
Salazar	Smith (WA)	Wasserman
Sánchez, Linda	Snyder	Schultz
T.	Solis	Waters
Sanchez, Loretta	Space	Watson
Sarbanes	Spratt	Watt
Schakowsky	Stupak	Waxman
Schiff	Sutton	Weiner
Schwartz	Tanner	Welch (VT)
Scott (GA)	Tauscher	Wexler
Scott (VA)	Thompson (CA)	Wilson (OH)
Serrano	Thompson (MS)	Woolsey
Sestak	Tierney	Wu
Shea-Porter	Towns	Wynn
Sherman	Udall (CO)	Yarmuth

NOT VOTING—33

Bordallo	Delahunt	Myrick
Boucher	Doyle	Norton
Buyer	Edwards	Peterson (PA)
Clay	English (PA)	Rangel
Coble	Faleomavaega	Sessions
Conaway	Fortuño	Smith (TX)
Conyers	Gutierrez	Souder
Davis (IL)	Harman	Stark
Davis, Jo Ann	Hastert	Van Hollen
Davis, Lincoln	Holden	Weldon (FL)
DeFazio	Hunter	Westmoreland

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that there is 1 minute remaining in the vote.

□ 2356

So the motion to rise was rejected.

The result of the vote was announced as above recorded.

Ms. FALLIN. Mr. Chairman, I move to strike the last word. And I yield the balance of my time to the gentlelady from North Carolina (Ms. Foxx).

Ms. FOXX. Mr. Chairman, there's been a lot said tonight by the chairman of the Appropriations Committee about how the numbers of earmarks have gone up over the years, or went up over the years that Republicans were in charge. But nary a word has been said about the fact that the Democrats were getting a large proportion of those earmarks. So I think we ought to talk a little bit about the fact that Democrats were getting some of those evil earmarks that they campaigned so hard against last year.

For example, actually, in 1996, the first year that Republicans were in charge and did the budget, the number of earmarks actually went down. The last year that the Democrats did their budget, the earmarks were 1,439. The first year that Republicans were in

charge, the earmarks went down to 958. Of the 958, the Democrats had 40 percent, 383.

Now, it is true that the number of earmarks went up over the years. In 1997 they went to 1,596. Democrats had 638 of those earmarks.

In 2005 the number did go up to 13,996, and Democrats had 5,599 of those. So if they were so evil in those days, it's hard to understand how you could have been claiming such a large proportion of them.

Obviously you all missed the point in the debate about these earmarks. Many Republicans believe in earmarks. We think that it is the right of the Congress to appropriate money to certain projects. That's not the issue.

The issue is you campaigned on transparency and changing the system.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The gentlewoman will direct her remarks to the Chair.

NOTICE

Incomplete record of House proceedings.

Today's House proceedings will be continued in the next issue of the Record.