

do. I remember staying here in the wee morning hours, 3 hours, when that vote was held open in 2003 so Republican leaders could twist enough arms to win their vote. That is not how democracy is supposed to work, and our rules change would prevent that from ever happening.

We are also going to give Members more time to read bills so that they actually know what they are reading. It should be par for the course to get a bill of a thousand pages and then begin to vote on it. We need to have more time to review that.

Today, Mr. Speaker, democracy returns to the House.

DEMOCRATIC AGENDA ON HONEST LEADERSHIP AND OPEN GOVERNMENT

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

Ms. WATSON. Mr. Speaker, this week with pride the new Democratic House opens this congressional session by bringing ethics reform measures to the House floor that will sever the unhealthy ties between lawmakers and lobbyists.

We made a promise to the American people that we would drain the swamp of unethical behavior here in Washington, and we begin this Congress by living up to that promise by banning travel and gifts from lobbyists, getting tough on special interest earmarks, and ending the abusive processes that have destroyed democracy.

The American people sent us all a message last November. They want us to work for them and not for the special interests. I would hope that our agenda for reform would garner the support of both Democrats and Republicans. We should all be interested in policies that will ensure that the outrageous abuses of power that have taken place over the last couple of years do not continue.

These important reforms are only the beginning.

RULES OF THE HOUSE

The SPEAKER pro tempore (Mr. STUPAK). Pursuant to section 4 of House Resolution 5, proceedings will now resume on the resolution (H. Res. 6) adopting the rules of the House of Representatives for the 110th Congress.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. When proceedings were postponed on Thursday, January 4, 2007, the portion of the divided question comprising title II had been disposed of.

Pursuant to section 2 of House Resolution 5, the portion of the divided question comprising title III is now debatable for 60 minutes.

The gentlewoman from California (Ms. MATSUI) and the gentleman from California (Mr. DREIER) each will control 30 minutes.

The Chair recognizes the gentlewoman from California.

□ 0945

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

Mr. Speaker, here in the first hours of the 110th Congress we rise to restore decorum and civility to what has been from its founding the greatest deliberative institution. In doing so, we open a new chapter in the history of the House of Representatives, one that is dignified.

Mr. Speaker, the American people spoke loud and clear this past November, and I am proud to say that the Democratic majority is responding to that call. This legislation marks a new beginning. The Democratic reform package, H. Res. 6, enacts long overdue congressional reform: restoring an open government, an honest government, an ethical government; and it marks the restoration of the American people's priorities to the people's House. It is my hope that by enacting these changes we will be able to change the tone of how we conduct business in this Chamber and with each other.

I recall a time in the House of Representatives and not too long ago when Members had friends on both sides of the aisle. Our children played together, they got to know each other, they became friends. Our families ate dinner together. We treated each other as friends and colleagues, and debate on the House floor reflected mutual respect even when we disagreed and an understanding that we all have a role to play in the legislative process.

We are here today to say that this sense of civility and decorum is not dead. This institution is too great to permit any tarnish of its honor to become permanent or to allow the slights of yesterday to interfere with our efforts to build a better tomorrow. Civility can return to this great institution with the right style of leadership.

As we turn here and now in the first hours of the 110th Congress, part of that process is making sure that House rules can prevent the abuses of prior Congresses. This is the overarching intent of H. Res. 6. In particular, there are several provisions in title III of that resolution that will begin to restore civility and decorum to the legislative process and which will honor this Chamber's place as the people's House by making us more accountable to the people who sent us here.

The first provision of title III prohibits floor votes from being held open for more than 15 minutes for the sole purpose of changing the outcome of a vote. Voting is a Member's core responsibility and our primary means of giving voice to the view of our constituents. This reform is important and long overdue.

The other two provisions address the handling of conference reports, with the goal to end backroom deals for special interests. In the 110th Congress, conference committees will be con-

ducted in an open and fair manner, and conference reports containing last-minute provisions will not be considered on the House floor.

A Chamber worthy of the title the people's House is one which conducts its business within the people's view. By making this reform package the very first item considered in this Congress, our new leadership is sending a strong message to all of the American people, Democrat, Republican, Independent, that we have heard the message you have sent us, demanding honest and ethical leadership, and we are heeding that call.

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

Mr. DREIER. Mr. Speaker, let me begin by, now since I have the first opportunity to formally see my California colleague here on the floor, to congratulate her and all of the members of the new majority. I have congratulated Ms. SLAUGHTER and of course Ms. PELOSI, and now I join in extending congratulations to Ms. MATSUI for her move into the majority, and to say as I did yesterday that I anxiously look forward to working in a bipartisan way as was said by Speaker PELOSI and Leader BOEHNER here yesterday.

I believe it is absolutely imperative that we meet the demand that was put forth by the American people in the November election. The message that I received from that election was that they want us to work together, they want us to solve their problems. Clearly, there needs to be a clash of ideas which was envisaged by James Madison, and I believe that that is something that we can't forget, because we are not supposed to pursue what I like to call the Rodney King view of the world: can't we all just get along. The fact of the matter is we do need to recognize that there are disparate views and they need to be voiced on this House floor.

Now, the question is, can we in fact do that and at the same time maintain civility? And I think that is what title III is all about here. It is titled "civility" and it is something that I have always prided myself on, and I will say that I am saddened that it is something that has been often lacking in this House.

Frankly, as I have seen the debate take place even yesterday, I was concerned that some of the statements made would indicate a lack of civility, and that is all I am going to say about it. I hope very much that the title "civility" used for this title III is one that is recognized by Members on both sides of the aisle.

Let me get into some of the specifics now, Mr. Speaker, if I might. In February of last year, almost a year ago, Ms. SLAUGHTER, the then-ranking minority member of the Rules Committee, and all of the members of the Rules Committee joined in introducing House Resolution 686. It is a resolution which called for virtually all of the things that my colleague, Ms. MATSUI,

outlined are very important for us to pursue: openness, transparency, disclosure, making sure that we meet our obligation to vote here on the House floor, that we have it done in the light of day.

The concern that I have is that what has happened here is we have unfortunately gotten a package which does not have the kind of enforcement mechanisms that were envisaged by H. Res. 686 as introduced by the members of the Rules Committee in the last Congress, and I believe unfortunately it really is not reflective of anything other than sort of the spirit of what it was they were talking about. And the spirit is of things that we all can agree on. I am supportive of those.

The fact is when they were in the minority, Resolution 686 calls for consultation and agreement with the minority. Now that they are in the majority, unfortunately, this measure does not in any way reflect the need to have consultation with the minority.

For example, on this notion of keeping votes open beyond the 15-minute period of time, when they were in the minority they called for it to only take place if they had consultation with the minority. Well, unfortunately, this measure does not call for that. And what I am reminded of as I look at these items which touch on the issues that were raised in Resolution 686, I am reminded of again the experience that I had in the past on this when I moved from minority status to majority status 12 years ago. We had something known as the Contract With America. Some may remember that. What we said was that there would be 10 items that we would bring to the floor and we would have up or down votes on those items because, frankly, we were denied the chance for many, many years to consider them. They were items that were supported by broad-based backing of the American people.

Frankly, at the end of the day, President Clinton, who was President at that time, signed over 60 percent of the measures that were incorporated in the Contract With America. What we did is we outlined in detail what that would consist of. We said it would be considered under an open amendment process, and that is exactly what we did. It is exactly what we did with those measures that came forward.

So, Mr. Speaker, we unfortunately with this measure have not seen the same kind of reflection of the goals that were outlined by the then-minority in this measure, and I thought I would take a moment just to go through a few of those items specifically and say that, unfortunately, this package is not what they called for.

Now, in the package that we had introduced in 686, it called for a requirement that conference reports contain an itemized list of any provisions in violation of the Scope rule. That is not included in this measure. It said that a rule prohibiting the Rules Committee from reporting martial law rules could

not be in order. That is not included here.

A rule prohibiting the Rules Committee from waiving points of order against the conference report were a serious violation of the Scope Rule, or additions or deletions made after final agreement. That is not included here.

Another provision in Ms. SLAUGHTER's resolution as introduced in February of last year: a rule prohibiting the Rules Committee from waiving points of order against a conference report where the minority party managers of the House were not allowed to fully participate in the conference. Well, they of course said they want to have this happen, but the kind of specificity and enforcement mechanisms that were outlined in the Slaughter Resolution, H. Res. 686, introduced in February of last year, not included in this measure.

A rule permitting consideration of a conference report only if a roll call vote in open meeting was held on its final version and the results included the accompanying joint explanatory statement of managers. Well, sounds great, we are all for that, but that wasn't included in this resolution that we are now considering.

A rule prohibiting the Rules Committee from calling up a rule within 24 hours of reporting it. Well, everybody talked about that. We know that on the opening-day rules package that we considered, we received it maybe 19 hours before we brought it up or something like that, but it clearly was in the violation of the 24 hours that was insisted upon by the then-minority.

A rule requiring the Speaker of the House to publish in the CONGRESSIONAL RECORD a log of all voting activity occurring after the first 30 minutes of any recorded vote whose maximum time for voting exceeds 30 minutes. That is not included in here at all.

A rule prohibiting suspensions costing more than \$100 million. I don't see that in here at all.

A rule requiring the Speaker of the House to allow an equal number of bills and resolutions sponsored by majority and minority parties under suspension.

A repeal of the Gephardt rule. A rule requiring a 24-hour layover of unanimous consent requests.

A rule prohibiting the Rules Committee from reporting a rule unless at least one minority party member of the committee is allowed to offer an amendment to it.

Now, again, I know that we are hearing words from the new majority that they want to do all these things, but when they introduced House Resolution 686, they made it very clear that they had to have enforcement mechanisms and that they were going to provide guarantees of minority rights. Unfortunately, while the word "civility" sounds great, this measure falls way, way short of that.

So I again go back to when we went from minority to majority and I looked at the fact that we were able to main-

tain our promise, we were able to keep our word. And I am very proud of that fact. The thing that troubles me, while I am supportive of what we are trying to do here, is that it does not comply with the promises and the commitments and the vision and the goals that were set forth in February in House Resolution 686 as was introduced by the then-minority.

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

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

Mr. Speaker, I wish to make a few comments so that all Members may keep in mind the heart of what we are doing today.

These two days of debate on the House floor mark a historic moment for reform of the people's House. The American people grew tired of a Republican Congress too unethical to conduct its business in the light of day and too deaf to hear the people's complaint. And so this past November the people exercised their right to vote in order to send a message. It was a mandate for change, to restore civility, decorum, and ethical behavior to Congress. Democrats are acting swiftly in response to their call.

When it passes the House later today, the Democratic ethics package will be the greatest reform of this institution in history. There will be no more corporate jet travel paid by special interests, no more roll call votes held open for hours in the middle of the night so that Members could be arm twisted on the floor, no more anonymous earmarks, no more last-minute provisions slipped in conference reports.

In short, Mr. Speaker, the Democratic reform package is far tougher than anything Republicans ever proposed or enacted, and it will restore integrity to this sacred institution.

Mr. Speaker, I yield 5 minutes to the gentleman, our new Member from Vermont (Mr. WELCH).

□ 1000

Mr. WELCH of Vermont. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Together, we have a lot of work to do: To help working families get ahead, restore America's standing in the world, and bring our budget back in balance. Making progress is what our constituents in 435 districts around this country have elected us to do.

To be sure, our differences will be intensely debated. However, our mutual obligations is to do everything we can to move our country forward by confronting directly and immediately the challenges before us. To succeed in the job our constituents sent us here to do, we must lay out rules in a regular order that Members can count on. These ground rules will not guarantee an outcome, but they will set out a framework where we, as an institution, make progress and serve the public.

That is why the Democratic leadership embraces three very simple,

straightforward principles that will help us succeed. As the Member from California has laid out, we set out today to establish a regular civility in this body.

Civility, it is mutual respect, really, requires straightforward ground rules to guide debate. It requires adherence to rules that apply to all. Each of us will know and be able to assure the citizens who elected us when it comes to votes in this, their representative body: Members will have time to read what they are voting on; Members will have time to vote, but votes will not be held open for the purpose of changing the outcome; and Members will vote on conference reports that are the ones agreed upon by the conferees, not ones altered after the fact.

These rules, applied to all, will help us do the work of the people we represent. Our debates at times will be intense, as they should be, but we must strive to have our debates on the merits. The rules we propose for your consideration are basic. They are rules that apply to legislators in Vermont where I am from, and probably rules that your own legislators take for granted: Time to read and review before voting, timely voting procedures, and considering conference reports as signed.

Mr. Speaker, I served 13 years in the Vermont legislature, sometimes in the minority and sometimes in the majority. We in Vermont were proud of the legislative process and standards that we set. Those in the majority couldn't do things simply because they had the power. Minority voices were heard, Members were kept informed, and our legislative process was respected. We did have intense debates on the issues, but more often than not, not always, at the end of the day, good ideas were considered and we were able to move Vermont ahead.

These changes that we present for your consideration today are not just about process, they are about passing good, substantive legislation.

These new rules to establish civility to this body are essential for Congress to do the work of the American people and to build the trust of those we serve.

We face looming challenges in America, to the security of our families and to the security of our country. And nobody and no party has a monopoly on the good ideas required to steer us forward. The simple and straightforward rules of engagement will help all of us do that.

Yesterday, the minority leader, in handing over the gavel to the new Speaker, was graceful and was wise when he reminded us that we can have disagreements without being disagreeable. Both the Speaker and the minority leader stated on our behalf what we all know to be true: All of us are here for the common purpose, to make America a better place. There is and must be room for all of our voices to be heard to achieve our common purpose.

The rules we propose will help us do that. How? By establishing very clear ground rules that apply to all, the majority as well as the minority, to every Member, committee chairs and ranking members, House veterans and House freshmen. One and all alike.

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

Mr. Speaker, I would like to begin by reminding my California colleague that yesterday we passed the ethics package about which she spoke, indicating that we would be voting on it later today. We voted on that yesterday. It has already gone into effect, I am very happy to say. And we did it with very strong bipartisan support.

I am proud that the ethics reform legislation, of course, was based on and incorporated most of the items that were already passed in the House last year. Again, a year ago this month, Speaker HASTERT and I stood in the well and we outlined our call for ethics and lobbying reform, bringing about the kind of accountability and transparency and disclosure, calling for the ban on gifts and dealing with the travel and all of these problems that were out there. We recognize that they are there in a bipartisan way, and yesterday we voted that out in a strong bipartisan-ship way.

I am very pleased to see the distinguished Chair of the Rules Committee here, and I will again, as I did yesterday, extend congratulations. And, Mr. Speaker, in the spirit of civility that we are pursuing, I think it is very important for us to debate these issues, and I would like to engage my distinguished new Chair in a colloquy, if I might.

Mr. Speaker, as I look at the resolution that is before us, the thing that I find most troubling as we focus on the issue of civility is the fact that those items that I outlined that were included in H. Res. 686 that was introduced on February 16, 2005, which called for the litany of items, and I can go through them again quickly: A requirement that conference reports contain an itemized list of any provisions in violation of the scope rule; a rule prohibiting the Rules Committee from reporting martial law rules; a rule prohibiting the Rules Committee from waiving points of order against a conference report with a serious violation; and it goes on for basically two pages.

What I would like to ask my distinguished Chair is why it is that those items that were incorporated in the base of H. Res. 686, the commitment that was made by the then-minority as to what would be done if they were to move to majority, are not included in this title that we are considering here, and not, in any way, included in the opening day rules package.

Mr. Speaker, I yield to the gentlewoman from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. I think, Mr. DREIER, my good friend, that we have done a remarkable job considering we have been sworn in less than 24 hours.

We are, by no means, through when we finish the 100 hours, and we will be moving toward, again, a more just democracy in this House in the future. We have never said this is all of it.

Frankly, everybody has known what is in this package since we first unveiled it at the Library of Congress last January.

In addition, many of our colleagues in the House on both sides of the aisle are already on record through votes on many of the things that we want to bring up. Certainly minimum wage, absolutely stem cell research, and what we want to do on ending the war. And the war itself is not addressed.

Mr. DREIER. Mr. Speaker, reclaiming my time, let me just say I have been supportive of stem cell research, and I have supported the minimum wage increase. That is not what I am talking about here.

Mr. Speaker, in terms of our civil debate, which I think is very important, we are talking about the opening day rules package which is going to set forth, Mr. Speaker, the guidelines around which we will consider all of these items.

Now I would ask my friend, am I correct from inferring from the statement she just made that there is a commitment, a commitment that as we proceed forward to modify the rules of the House to include those items in H. Res. 686, which were really the cornerstone of the package that was introduced by Mrs. SLAUGHTER and the other then-minority members of the Rules Committee, which guarantee these rights to the minority that they believed were so critically important when they were in the minority; and, unfortunately, are not included in the package.

Mr. Speaker, I yield to my friend.

Ms. SLAUGHTER. You really liked those, did you, my colleague? You thought those were good reforms, the ones you are talking about?

Mr. DREIER. Mr. Speaker, reclaiming my time, in the spirit of civil debate, let me say that I believe these measures that were authored by Members of the new majority as being critical rights that the minority should have, that those Members in the majority who believed them to be so important should obviously stand by them.

All I am asking is that the promise that was made in the 109th Congress by the then-Members of the minority about what they believed minority rights should be should be, in fact, implemented. Because, unfortunately, while we can talk about these great things, when you go down the line seriatim, looking at each individual item, making sure that we do have Members of the minority guaranteed to have a right in conference committees to be there, bringing an end to considering measures without a 24-hour waiting period, these kinds of rights that the

then-minority believed were imperative for the minority to have are, unfortunately, not included in this package. This is what I find to be very troubling.

Mr. Speaker, I yield to my distinguished Chair.

Ms. SLAUGHTER. I am sure you recall the time in the Rules Committee when we took this package and broke it down vote by vote, and the majority, led by you, voted down every single one of them. This seems somewhat hypocritical to me.

Mr. DREIER. Reclaiming my time so I might respond, these were not my proposals, Mr. Speaker. These were not my proposals. These were proposals put forward by Members of the new majority, and they were the commitments, the promises, and the obligations that they made as far as enforcement of minority rights that they believed to be so important. That was the platform on which they ran in November, Mr. Speaker.

I believe that what we should do is do all that we can to simply point to the fact that this title III on civility, which is supposed to be reflective of these notions, is in no way emblematic of H. Res. 686 that was introduced by the Members.

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

Ms. MATSUI. Mr. Speaker, I yield 30 seconds to Ms. SLAUGHTER to respond.

Ms. SLAUGHTER. Let me say, just watch us, Mr. DREIER. I want to reiterate what I said last night: We have no intention of keeping our foot on your necks the way you did us. And you are just going to have to watch us and see. But you have voted against every one of these, along with many other things.

Ms. MATSUI. Mr. Speaker, I yield 5 minutes to the gentlewoman from New York (Ms. SLAUGHTER), the chairman of Rules Committee.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentlelady for yielding, and thank her for her wonderful job.

Mr. Speaker, today we are taking up the third title of the new Democrat rules package which will restore civility to this body.

The House was always intended to be a place where civil discourse and the courteous exchange of ideas would be the normal state of affairs.

But referring to this portion of our rules package as the "civility" title is actually a civil term for what we are talking about: The restoration of democracy itself in the House of Representatives.

Over the last several years, parliamentary procedure has broken down here, and I don't know anybody who can deny that. The standard practices of this body, carefully designed rules that are fundamental to our democratic process, fell by the wayside. Far too often, they have been shunned and ignored whenever doing so fit the needs of the former majority.

At the end of 2003, the House took up a Medicare prescription drug bill. It is

a perfect example of the broken legislation produced by a broken process.

Instead of proceeding in an open and transparent manner, conference discussions were held behind closed doors for months, excluding all Democrats. On one occasion, Democratic conferee CHARLES RANGEL and MARION BERRY, men who have spent their lives and careers fighting for the good of the Nation, were not let into the conference room and were physically prevented from coming inside, even though they had been appointed to be there. Why? Because the lobbyists were in the room. The lobbyists were writing the bills, not the Members of Congress, and certainly not the minority who had no fingerprint at all on the Medicare prescription drug bill.

That abuse of secrecy was for a good reason: It was bad for the country and the Republican conferees didn't want anybody to find out about it. But one group that did learn of its dangerous provisions was the Republican conference, and when the bill was brought to the floor on November 21, a significant number of principled Republicans refused to vote for it.

□ 1015

And so once again civil and democratic procedures were denied. The Republican leadership had lost the vote after the standard time allotted; so they simply kept it open. I have never seen anything like that in my years in the House. There were Cabinet Secretaries all over the floor. There were strangers or people we didn't even know on the floor as for over 3 hours they worked on people who were in tears, many of them, to make them vote for that bill. There was also a blanket liability exemption for drug manufacturers inserted into the language without the approval of the conference about 5 hours after the conference had been signed off on, and so absolutely the process was broken. According to reports, the President of the Senate simply walked over to the House side and inserted 40 pages into the bill. It amounted to a multi-billion dollar gift to drug companies.

Mr. Frist's liability exemption had been brought up during the conference process, but it was rejected, just like the Medicare legislation of 2003 had, in truth, been rejected by this House. But in each case, Members of the Republican leadership wanted something they couldn't get through the democratic process, and so they ignored the process. By doing so, they did more than pass flawed legislation. They undermined our democracy itself.

This democracy is a system designed to prevent abuses like these from occurring, a system constructed and improved over two centuries so that bad legislation could be exposed and voted down.

If we profess to care about democracy, the proof will be in the process. And, Mr. Speaker, we must save the democratic process in this House. How

hypocritical is it that we try to spread democracy to other parts of the world when we disallow it in the American House of Representatives?

The civility portion of the Democratic rules package before us today will prevent the abuses of recent years from happening again. It will prohibit the Speaker from holding open votes just so the outcome can be changed. Democracy is the art of compromise, not the art of coercion.

We are also going to insist that conference committees operate in an open and fair manner and that House conferees sign final conference papers at one time and in one place. In other words, they have to be present at the conference to do so. Never again will the esteemed Members of this body on either side of the aisle be locked out of this democracy. In fact, Mr. Speaker, it does not go too far to say that about half of the American public was disenfranchised. Because of the closeness of the majority and minority, we left half of America out of the room.

This package prohibits the consideration of any conference report that was altered after it was signed by the conferees. If a conference can't agree on a legislative provision, it should not be in the conference report, period. If the Members of this body believe in the power of their ideas, there will be no need for tactics like those we have seen of late. An open, democratic, and civil process will promote good ideas and good legislation and will eliminate corruption and influence peddling.

In this new Congress and with this new rules package, we are standing up for our system of government and the needs of the people it serves and bringing back the government that they think they had, up until this last November. Democrats are going to return civility and common sense to this body, and I encourage everyone on both sides of the aisle to join us.

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

Once again, I am very enthusiastic about this return to civility, and I am very proud of engaging in civil debate on a regular basis. And I thank the distinguished Chair of the Rules Committee, Ms. SLAUGHTER, for engaging in debate with me on this issue once again.

And I would say that as I listened to her prepared statement, I was struck with, once again, how the notion of not keeping votes open for a long period of time is an admirable one. It is a great one. But guess what, Mr. Speaker. There is not one single item in this package that guarantees enforcement. In fact, Speaker PELOSI introduced her legislation, H.R. 4682. I remember very well looking at that legislation. Mr. Speaker, I will tell you exactly what it said. It said that if a vote is kept open beyond a 20-minute period of time, there had to be consultation with the minority. Now, that is not something I proposed. That was the proposal of Speaker PELOSI. Now, the sad thing is

that in this measure there is no enforcement mechanism.

Now, of course, people are busy. They come over here for a 15-minute vote. They would like to have it take place within 20 minutes. We are hearing that votes won't go beyond that period of time for the sole purpose of changing a Member's vote. But, again, there is no enforcement mechanism. And, again, the enforcement mechanism was not my proposal. It is a proposal that the then-minority offered. But now that they are in the majority, they just decide to say, well, we want to keep this process going and we want to keep doing it, but we are not going to consult with the minority. So, again, those aren't my proposals. Those are their proposals.

Mr. Speaker, at this juncture I am very happy to yield 4 minutes to my very good friend from Marietta, Georgia, a former member of the Rules Committee, who is very thoughtful on these issues, Dr. GINGREY.

Mr. GINGREY. Mr. Speaker, I want to also commend the majority in regard to title III and the overall civility tone as it pertains, of course, to conference committees and having the opportunity for Members of the minority conference team to be present, not to have things added at the last minute after all the conferees signatories have read the report and designate it as complete and then add something at the midnight hour. All of these things are good.

I was in the Georgia State Senate in the minority, and I remember the Democratic president of the senate appointing me to my first conference committee. I was thrilled. It was an issue on which I had worked very hard with the majority, and I couldn't understand why I was never called to a conference committee. And then at the sine die hour, all of a sudden this conference report was stuck under my nose and asked for my signature without even reading it, and I was absolutely appalled at that. So I commend the majority for wanting to clean that up, and I support it.

But I agree with my former chairman, now ranking member, of the Rules Committee in regard to the argument that was proffered just a minute ago that it doesn't really go quite far enough. But let me spend a little time continuing to make the point that he just made in regard to this issue of holding votes open.

Now, during the last 2 years, during almost the entire 109th Congress, after we passed an historic prescription drug benefit for 38 million seniors who had been waiting for 45 years because the now majority, when they were in control, could never deliver on that promise, all we heard for 2 years were these complaints of, well, you held the vote open 3 hours and 28 minutes. You were breaking arms of a former Member from Michigan, Mr. Smith, and others, and it was inappropriate, how appalling that was.

And now maybe you are right. Maybe holding the vote open for that purpose is inappropriate when the concerns of our constituents might be that when a Member in good conscience is opposed or in favor of a particular controversial piece of legislation and his or her vote is not going your way and so you get him in a corner or a back room and say, hey, what can we do for you? Or maybe what can we do to you if you don't vote with us? Like removing you, a good productive Member, from a certain select committee, or maybe we promise to put you, who is not quite qualified, on a good select committee that you have been wanting and pushing for for a number of years, and all of a sudden you grant them some earmark that is absolutely egregious, maybe almost as bad as the "bridge to nowhere."

So I would say to my friends in the majority, why the modifier "sole" purpose? If you really believe this, as the gentleman from California just pointed out, take out that modifier. Let us not hold votes open beyond 15 minutes for the purpose of breaking an arm and trying to change someone's mind when they in good conscience have had plenty of time to consider the bill, to think about it, indeed, maybe even pray about it. I think it is inappropriate, and I agree with you. But let's get serious about this. Let's make sure we really change it and it is not just some window dressing to kind of make your argument that you have been trying to make over the last 2 years. Let us take out the modifier, close the loophole, get serious about this, and that is real reform.

Ms. MATSUI. Mr. Speaker, before yielding to the next speaker, I yield for the purpose of making a unanimous consent request to the gentleman from Texas (Mr. GENE GREEN).

(Mr. GENE GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, I rise to show my support for the House rules, as we are dealing with them today, but I am also calling for an independent investigating arm for the House of Representatives.

Mr. Speaker, I rise today to lend my full support to these changes to our House Rules.

These rules are the foundation that will govern how this body operates, but also serves as a reflection of our collective values and character.

I have served almost 6 years on the House Ethics Committee.

I have seen more investigations than I care to in the last 6 years of Members on both sides of the aisle.

These rule changes should restore a tone of civility and honesty in this chamber and that is why I am supporting this package and urge all my colleagues to do the same.

However, I would like to raise an issue that is not contained in this package today.

I strongly believe that the House Ethics Committee needs an independent investigative office.

Currently, my colleagues on the Ethics Committee and I are tasked with determining

whether rumors and innuendos have any merit to launch investigations that at times bring disgrace to this body and end the careers of our colleagues.

We are the Court of Congress, yet we serve as both the investigators and the judges of our colleagues. This is no easy task.

Those of us on this Committee have accepted this position and stand poised to enforce the Rules of the House and preserve the integrity of this body.

However, it would be beneficial to the Members of the Ethics Committee and this House if we had an independent investigation arm so we may have unbiased, thorough information regarding any accusation of impropriety by a Member of this body.

I believe this would help remove any partisan sentiments regarding origination of investigations and may help restore America's faith in our ability to enforce our rules.

With this information the Members of the Committee would then determine whether or not there is sufficient information to further the investigation, or take action on the issue before the Committee.

Allowing an independent investigating office to begin investigating then bring information to the Ethics Committee would not make our job easier, but it would help us have this non-partisan information to do our job better.

I strongly support the changes proposed today, but I believe it is necessary for us to begin a dialogue on creating an Independent Investigative Office to serve the House Ethics Committee and the House of Representatives.

Ms. MATSUI. Mr. Speaker, for the purpose of debate only, I yield 2 minutes to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Speaker, I thank the gentlewoman from California for yielding.

Of the many concerns my constituents had as they looked at the Congress over the last few years, one of the most important and troubling had to do with the minimal amount of time we were repeatedly given to address important pieces of legislation. Indeed, it seemed often that the more important the legislation before us, the less time we had to read it.

My colleague from Georgia talked momentarily ago about the Medicare prescription drug benefit. During debate on that bill, there were important elements of it that no one seemed to understand. I asked repeatedly if people could explain it. I was told by one speaker on the then-majority side, You will have to ask somebody on the Ways and Means Committee; I am only on the Rules Committee. But we all voted on it. We voted on things repeatedly that we had not been given a chance to read, that were not allowed for amendment, and that was wrong. And I commend our leadership for trying to set a new tone, and I welcome the support of our colleagues on the minority side as they commit to trying to work with us.

Included in this rules package is a commitment by our leadership to allow adequate time for consideration of legislation before it comes to a vote. The situation here is this: we ought to make sure that we can look our constituents and our colleagues in the eye

and say that before we voted on this legislation, we had ample time for ourselves and our staff to study it and we knew what was in it.

For too long lobbyists have written legislation. On some of the legislation I have talked about before, I had lobbyists calling me to say I should vote for a bill, the text of which was not even available to the Members themselves.

Members of Congress have the responsibility to give themselves and one another time to study legislation, to debate it, to hear from both sides, because there are good ideas on both sides and, frankly, there are bad ideas on both sides. So let's work together in this new Congress to set a new tone and a new precedent and a new practice.

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

I would like to engage in colloquy with my friend. I wonder if the gentleman has had an opportunity to look at what we consider to be the opening-day rules package that we are considering.

He has talked about, Mr. Speaker, some very important provisions. I believe that the 24-hour layover idea which was propounded by the then-Members of the minority is an important one. It is not guaranteed here; so it is not provided.

Number two, if you look at title V of the measure that is before us, title V provides 5 minutes of debate on five closed rules. The Rules Committee will not even be giving the minority the opportunity to have its amendments defeated in the Rules Committee, and we are not going through the committee process at all.

Now, I will acknowledge that the items that we are going to be addressing, a majority of which I support, are very important for us to proceed with, and an argument has been made that this was debated and discussed in the last Congress. Well, look at the tremendous number of new Members of the House that have come in, especially on the majority side. They are denied any opportunity to participate in this process at all. So as I hear my friend talk about, yes, we need to proceed in a civil manner, and I am all for that, I believe we need to proceed with fairness. I believe these things are all very important. It is just unfortunate that the facts are not reflected in the rhetoric that we are getting on the need for civility and openness and debate.

If my friend would like to respond, I would be happy to yield to him.

Mr. BAIRD. Mr. Speaker, I would be happy to respond. And let me say I acknowledge the gentleman's concern and I share it to a significant degree. Personally, I would prefer that there had been more time and more opportunity for debate in some of these measures and more opportunity for input from the minority side.

Mr. DREIER. Mr. Speaker, reclaiming my time, I appreciate that.

□ 1030

What I would say is that based on the fact that we have never before, in the 230-year history of this republic, we have never had the greatest body known to man come forward with five closed rules in an opening day package denying Members an opportunity to participate in any way.

So that is why I would argue this notion that we are beginning with a new tone, we are going to have an openness and all, is, in fact, not reflected in what we are facing in the next few days.

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

Ms. MATSUI. Mr. Speaker, I yield 30 seconds to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. I appreciate the gentleman's point. I would just echo the sentiments of the gentleman from New York earlier.

Mr. Speaker, the legislation before us in these early opening days of this session is legislation that has been debated extensively and been available extensively over the past couple of months, indeed, some of it was passed in the last Congress. I would suggest that we have had time to look at this.

I would concur, and I will say that in the future, when future measures come up, especially measures that are new to this body, I will work very vigorously to ensure that the minority has adequate time to study, to debate and offer amendments to that legislation.

Mr. DREIER. Let me just respond. I know his time has expired.

Mr. Speaker, I yield myself 10 seconds to respond.

We haven't seen any of the items. Maybe you all have those items, but we have not seen those items that we will be voting on. They haven't been submitted to us at all.

Mr. Speaker, I am happy to yield 2½ minutes to my very good friend from Iowa (Mr. KING).

Mr. KING of Iowa. I thank the gentleman for yielding. I do have to speak up for Iowa, although I wish Iowa was playing in the national championships coming up.

Mr. Speaker, not long ago, Members and leaders of the current majority party of the House spent countless hours attempting to draw the attention of the American people to what they defined as a culture of corruption here in Congress. Hoping to use this, they wanted to turn this phrase, usher in a new Democratic majority. That was their wish on election night that Members of the new majority stood in this Chamber prior to that, and on numerous soap boxes across the country and promised that if the American people gave them the chance to run things here on Capitol Hill, they would do things differently.

Mr. Speaker, I agree that things should be done differently here in this body. Last year in the 109th Congress, I introduced H.R. 4967, the Sunlight Act, and that was of 2006. This bill

would have, on a number of things, required that bills, conference reports, joint resolutions and amendments be available to the public on the Internet in a searchable format before a bill could be voted on.

It also would have required and will require, if passed, privately funded travel be approved in advance by the Rules Committee with the costs being fully disclosed in 5 days. It would require that Members report exact assets and liability values on their financial disclosures instead of vague ranges, vague ranges that allow a Member to report between \$5 million and \$25 million in assets. That is too broad a range.

A \$20 million range would require the subject of debate to be projected on the wall so it is visible to Members and people that are in the gallery. It would require that donations to political campaigns be reported in a searchable, sortable format on the Internet and have that within the last 30 days each day, within each 24 hours a report be filed.

I believe that passage of my Sunlight Act would do much to raise the levels of transparency in the affairs of this body, and it would also restore the public's confidence in our Members. It is disingenuous for the majority claim that they want to change things when they don't want to give a consideration of commonsense reforms like those outlined in this bill.

Yet this bill, as I worked it hard last year, could not earn one signature from a single Democrat as a co-sponsor. Now, I am refused the opportunity to even offer this as a bill. This is my only opportunity to even make the argument.

So I would make this argument, Mr. Speaker, that there were a lot of campaign promises that were made. It seems to me that the one that is the most obstructive to all of us is the promise to accomplish this series of things in the first 100 hours. The first 100 hours has been redefined. Many of these promises will be also given up on, and it will be difficult, and in many cases, impossible to keep those promises.

Mr. Speaker, why don't we just waive this promise of accomplishing all these things in the first 100 hours so the people of America can be heard on the floor of the Congress.

Ms. MATSUI. Mr. Speaker, for the purpose of debate only, I yield 1 minute to a new Member, the gentleman from Connecticut (Mr. COURTNEY).

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

Mr. COURTNEY. Mr. Speaker, I rise in full support of the civility provisions offered in part today as one of the new rules of the 110th Congress. I applaud the new Democratic leadership for offering this reform package, because our country needs a fair and functioning Congress if we are ever going to meet these huge challenges that we face as a Nation.

When my constituents in Connecticut's Second District voted for change, they knew to create that change. We need a legislative body that allows real debate and discussion, not a rush to judgment that deprives our democracy of good ideas. To achieve that goal, this rule will curb past abuses of this Chamber's processes.

This rule will prohibit votes being held open for the sole purpose of affecting the outcome, a practice that in the past damaged the public's confidence in laws passed by this institution. It will reform the conference committee process, a reform that will give all Members, the press and the American people, the opportunity to understand the content of legislation at its most critical moment, right before passage.

Mr. Speaker, the Gallup poll that came out recently December 19 ranked the Congress' performance that only 20 percent of the American people rated it good. It is time to fix the broken branch by adopting these rules.

Mr. DREIER. Mr. Speaker, may I inquire of the chair how much time is remaining on each side?

The SPEAKER pro tempore (Mr. DAVIS of Illinois). The gentleman from California has 3½ minutes remaining. The gentlewoman from California has 10 minutes remaining.

Mr. DREIER. Mr. Speaker, I reserve the balance of our time.

Ms. MATSUI. Mr. Speaker, for purposes of debate only, I yield 2 minutes to one of our new Members, the gentleman from Iowa (Mr. BRALEY).

Mr. BRALEY of Iowa. Mr. Speaker, I am privileged to be here today to talk about the need for more civility in this body. I would like to remind the House that the last Member to be sanctioned for being assaulted on the floor of this House was Lovell Rousseau, who was involved in an assault on a representative from Grinnell, Iowa, the city I was born in.

I think we can all think back to those days and be grateful that we now serve in a body where respect is a daily part of the operations. I think it is never too late to learn from the past and to make sure that we continue to express the importance of treating each other in a manner that provides respect to this body and also brings honor to it.

When I was out on the campaign trail, I often talked about growing up in my hometown of Brooklyn, Iowa. When people had a problem there, they never asked if you were Republican or a Democrat, they asked for your help, and they got it. I think that is the purpose this body, to solve problems and to do it in a way that brings respect and honor on this body.

I am very honored that this new rules package promotes greater civility and does it in a manner that is consistent with House rule XXIII, which requires us to conduct ourselves at all times in a manner that shall reflect credibly upon this House, and by promoting an atmosphere where we are required to

be on guard against abuses in voting time and reforms to the conference committee process. We will all do more to bring respect for the people who elected us to this body to serve.

Mr. DREIER. Mr. Speaker, I had no idea that we had used so much of our time, so I am going to continue to reserve our time.

I would ask my colleague from California how many speakers she has remaining.

Ms. MATSUI. Mr. Speaker, I have no further speakers, so if the gentleman from California would like to use his time.

Mr. DREIER. At this time I am happy to yield 2 minutes to a very hard-working Member, who will continue on the Rules Committee, my good friend from the Big D, Mr. SESSIONS.

Mr. SESSIONS. Mr. DREIER, I appreciate the opportunity for you to yield time to me.

Mr. Speaker, I am a little bit shocked and surprised with the reformers that have come to Congress, the brand-new Democrats who are talking about all these things that they are going to get done. Yet it seems to me that with the respect we would have for the voters who sent us here, that we would not be asked to approve and get ready to vote on things without even seeing the bills.

The new Democrat party, in their openness and trying to do things right, is asking Members of this body to vote for and approve getting rules to the floor without even knowing what the bills are about, the substance.

Mr. Speaker, I rise in opposition to this. I rise in opposition because I think it is a step backwards, not a step forwards. It represents less transparency and is a slap in the face for regular order to this House.

Section 503 of this flawed package rolls back the Sunlight reforms implemented by the Republican Party in 1995, and it creates a secret ballot in the Rules Committee for votes that are taken right upstairs, Mr. Speaker, where we would meet, where rules, as they are debated and brought before this House, Members always had to make sure that the votes that they were going to support would be recorded. That is not going to happen. There is no compelling reason for this bait-and-switch that has happened now by the new Democrats.

Mr. Speaker, I oppose this. I think it is a step backwards, and it is my hope that the newest Members of this body will listen to what is being said, that their rhetoric about the openness and change in this body is simply a step backwards. What a shame. They thought they were coming to Washington to change things, and what they are doing is to make it more like central government that we are told what to do by a few people in the Democrat leadership.

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

Mr. DREIER. Mr. Speaker, I yield myself the balance of the time. I do so

to say that I am supportive of this title called civility. We will be having a vote on that. Mr. SESSIONS was very appropriately raising concern over title V. We only had 5 minutes of debate on that. So he raised concern about the closed rules and shutting down operations of the Rules Committee that would record votes and make them public.

My concern about this measure we are going to have, which as I am going to support, because I am not going to oppose civility, is that when we look at the promises that were made by the then minority to do things like have a 24-hour waiting period before measures are brought up, it is denied in this rules package itself, because we got it about 19 hours before, so the spirit of that was denied there.

The whole notion of ensuring that we have consultation with the minority when it comes to keeping votes open, when it comes to the issue of ensuring that we will have minority participation conference in committees. As we go down the line and look at these items, Mr. Speaker, it does trouble me.

But there is a little bit of hope, and that hope was offered by the distinguished Chair of the Rules Committee, when she told me there has been such a short period of time between the election and opening day and consideration of this package, that we in the Rules Committee will have an opportunity to do more.

So I always hold out, where there is light, there is hope, you know. I will tell you, I would do everything I can to help her maintain that commitment, and we will continue to do that.

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

Ms. MATSUI. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, these 2 days of House floor debate will culminate in a reform of House Rules unlike any other in history. This reform is a response to the American people to their mandate. This past November, the people exercised a right to vote in order to send the message. It was a mandate for change to restore civility, decorum and ethical behavior to Congress.

As I said in my opening remarks, debate on House floor must reflect mutual respect, even when we disagree. I look forward to restoring decorum and civility to this House, restoring integrity to what is truly the people's House. I urge all Members to join us in that effort.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in strong support of Title III of H.R. 6, the Rules of the House of Representatives for the 110th Congress. With the adoption of this title, we begin to make good on our pledge to restore civility, open government, and honest leadership to the House of Representatives.

Mr. Speaker, it is critically important that we adopt the civility rules contained in Title III because Americans are paying for the cost of corruption in Washington with skyrocketing prices at the pump, spiraling drug costs, and the waste, fraud and no-bid contracts in the Gulf Coast and Iraq for Administration cronies.

But that is not all. Under the previous Republican leadership of the House, lobbyists were permitted to write legislation, 15-minute votes were held open for hours, and entirely new legislation was sneaked into signed conference reports in the dead of night.

The American people registered their disgust at this terrible way of considering and voting on legislation last November and voted for reform. House Democrats picked up 30 seats held by Republicans and won the majority. Restoring open government and honest leadership is one of the top priorities of the new majority of House Democrats. That is why we have included Title III in the Rules of the House of Representative for the 110th Congress. We seek to end the excesses we witnessed under the Republican leadership and to restore the public's trust in the Congress of the United States.

Mr. Speaker, I commend Chairman SLAUGHTER and the members of the Rules Committee for their excellent work in preparing the rules package. The reforms contained in the package are necessary to ensure that all Members of Congress, each of whom is elected to represent the interests of nearly 600,000 constituents, have sufficient time to consider important legislation before casting an informed vote. The reforms we are considering also will discourage manipulation of the voting rules to alter the outcome of roll call votes.

Mr. Speaker, I support the elements of the civility package, which (1) prohibits holding votes open for the sole purpose of affecting the outcome; and (2) reforms the conference committee process by requiring adequate notice of meetings, ensuring information is available to all conferees, and prohibiting changes to the text of signed conference reports.

Mr. Speaker, under the previous House Republican leadership, several votes were held open for hours in order to change the outcome. The most notable example was the November 2003 vote on the conference report on Medicare legislation (PL 108-173) that was held open for two hours and 53 minutes, the longest recorded vote since electronic voting began in 1973. After the expiration of the 15 minute time limit, the measure lost 216 to 218. But the vote was held open hours to afford House Republican leaders, the president, and the Health and Human Services Department, enough time to lobby enough Republican members to change their votes, or cast votes, in favor of the measure, eventually achieving a majority of 220 to 215. This kind of unfair manipulation of the rules would not take place under the voting rules package we are considering today.

With respect to Conference Reports, the rules package we consider today includes provisions intended to ensure that conferees have notice of conference meetings and the opportunity to participate, as well as to prevent the insertion of material into a conference agreement after the conferees have completed their work but before the House votes on the measure. These new rules also require House managers to ensure that conference meetings occur under circumstances that allow every House conferee to have notice of the meetings and reasonable opportunities to attend. Under the prior Republican leadership, Democratic conferees frequently were not invited to meetings of conferees, which prevented U.S. from having a meaningful role in crafting an agreement.

The rules also require conferees to ensure that all provisions on which the House and Senate have disagreed be considered open to discussion at any meeting of the conference committee. Additionally, House conferees will be required to ensure that papers reflecting a conference agreement are held "inviolable to change," unless there is a renewal of the opportunity of all House managers to reconsider their decision to sign or not to sign the agreement. This change is designed to prevent material from being inserted into a conference agreement after conferees have "closed" the measure. In this connection, the new reforms requires that House managers be provided with a single time and place, with access to at least one complete copy of the final conference agreement, for the purpose of recording their approval, or lack of approval, on the signature sheets that accompany the conference report and the joint statement of managers.

Last, the new reforms bar the House from considering a conference report if the text differs materially, except clerical changes, from the text that reflects the action of the conferees when they signed the conference agreement.

Mr. Speaker, to restore public confidence in this institution we must commit ourselves to being the most honest, most ethical, most responsive Congress in history. We can end the nightmare of the last six years by putting the needs of the American people ahead of partisan political advantage. To do that, we must start by adopting by Title III of H.R. 6, the civility reforms to the Rules of the House of Representatives for the 110th Congress.

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

The SPEAKER pro tempore. Pursuant to House Resolution 5, the previous question is ordered on the portion of the divided question comprising title III.

The question is on that portion of the divided question.

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

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

The yeas and nays were ordered.

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

The portion of the divided question comprising title IV is now debatable for 60 minutes.

The gentleman from Florida (Mr. HASTINGS) and the gentleman from California (Mr. DREIER) each will control 30 minutes.

The Chair recognizes the gentleman from Florida.

□ 1045

Mr. HASTINGS of Florida. Mr. Speaker, for the purposes of debate only, I yield 30 minutes to the minority leader, my friend, or his designee, pending which I yield myself such time as I may consume.

Title IV of our rules package is one of the ones of which I am most proud. Over the past 12 years, our colleagues on the other side of the aisle, while al-

legedly praying to the gods of fiscal responsibility, have nearly sunk our ship of state in red ink. Today we begin to right this ship and staunch the unmitigated gail of telling the American people that, on the one hand, they need to be more responsible with their money, but, on the other hand, Congress should face no such obstacle.

Today we will say "no more" to spending money that the government doesn't have, only to pass down to the young people of America, some of whom we saw here yesterday afternoon, passing it on to them before they even have a say in how their money is being spent.

Yes, today we say to the American people that Congress, like you at home, Jane and Joe Lunchbucket, will not spend money that we don't have. Our credit card is maxed out and we start to reduce it today.

My fellow Democratic colleagues will provide more details about this new set of House rules presently, but there is one more point I want to make perfectly clear. I am not going to, and I hope my colleagues aren't going to listen to my friends on the other side of the aisle lecture us about not doing enough here today.

I have read some of their "talking points" from the Budget Committee. And while I may not be a whiz kid, I know a little something about being lectured to.

And having this particular group of Republicans lecture us on fiscal responsibility is a little like having the horses on the farm complain to the ranch hand that he is not using a big enough shovel to clean up.

This analogy is not only appropriate, Mr. Speaker, it is perfect.

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

Mr. DREIER. Mr. Speaker, I yield 30 minutes of our time to the distinguished ranking minority member of the Committee on the Budget, Mr. RYAN.

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. RYAN) is recognized and will control 30 minutes.

Mr. RYAN of Wisconsin. Mr. Speaker, I would like to discuss this title IV part of the package. And I learned, when we were in the majority, watching the minority speak and criticize virtually every move we made, I thought it would be wrong if you thought there were good elements of a package to criticize it. There are good elements in this package, and I want to start off by talking about those good elements that are contained in this package before I start my criticism.

First, the earmark reforms. I am an earmark reformer. I was one of the parts of the team that reformed earmarks, that negotiated the earmark reforms we passed last fall. I think these earmark reforms in this package that the majority created are very good. They are very commendable. They work. So I want to compliment the majority for their serious earmark reform package that they have in here.

I think it is high time that when a Member of Congress requests an earmark, that that Member's name be associated with that earmark, that that Member's justification be associated with the earmark, and that we, as Members of this body, have the opportunity to vote on whether or not that earmark should be funded or not. We need more transparency and more accountability in the way we spend taxpayer dollars.

I am very pleased that in the last Congress, in the 109th Congress, we in the House passed those rules, and I am very excited that the majority has decided to continue those rules and build on that success by improving the package of earmark reforms we passed in the last Congress. So that part of this package, I want to compliment the gentleman from South Carolina and the others who put this together.

I want to direct my comments on the PAYGO part of this. I had high hopes for this part of the package. I had high hopes that the PAYGO rules that we are about to vote on would provide much needed fiscal discipline to Washington and to the way we spend taxpayer dollars. Unfortunately, this package just doesn't cut the mustard. I see this as a timid, weak, watered down, paper tiger PAYGO. What I mean when I say that, Mr. Speaker, is I believe this will have the practical effect of simply raising taxes.

Let me be very clear, Mr. Speaker. We don't have a tax revenue problem in Washington. We have a spending problem in Washington. Tax revenues have been coming into the Federal Treasury at double digit rates over the last 2 years. That is not the problem. We are getting plenty of money from workers' paychecks, from families in their taxes. It is leaving the Treasury too fast. That is our problem, and that is where the budget discipline ought to be placed, on spending.

The problem with this PAYGO is it will have the practical effect of simply having higher taxes to chase higher spending. It does absolutely nothing to address the deficit we have today. It does absolutely nothing to address today's level of spending. It does not address the uncontrollable and unsustainable rates of spending that we have with our entitlement programs today.

Now, I realize that the last majority wasn't perfect on spending. I will be the first to note that because many people saw me coming to the floor saying that in the last Congress. But when we enact spending discipline, and when we are telling the American people that we are now going to get tough on spending, we are going to be fiscally conservative, that is what we should do; and this does not do that.

More importantly, Mr. Speaker, I believe that this PAYGO regime, if it does actually work, will make it clear that the tax relief of 2001 and 2003, which got us out of a recession, which brought new revenues into the Federal

Government, which created seven million new jobs, will go away. This is putting the American taxpayer on a collision course with higher taxes. And why is it doing that? Because this system, this PAYGO system, will make the pressure toward raising taxes to pay for new entitlement spending. And so for that reason, I am opposed to this PAYGO regime, Mr. Speaker. There are many others I would like to speak about.

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

Mr. HASTINGS of Florida. Mr. Speaker, at this time, for purpose of debate only, I yield 1 minute to the distinguished gentleman from North Carolina, one of the true rising stars in Democratic politics today, HEATH SHULER.

Mr. SHULER. Mr. Speaker, the times of reckless and unchecked spending in Congress are over. With my fellow Blue Dogs, we are cutting our Nation's credit card. It is time to have a commonsense budget, just like our families, and just as we do in business, have a commonsense approach of budgeting.

Congress followed these rules in the 1990s. George H.W. Bush signed on, and in 2 years we saw a record budget surplus. Unfortunately, Congress has abandoned these rules and started financing spending increases with borrowing money from China.

China's share of the U.S. debt has grown faster than any other nation, from \$61.5 billion in 2001 to \$165 billion in 2004. We cannot borrow ourselves out of debt.

This is an important first step of implementation of a statutory PAYGO. Congress should be able to justify every line item of every spending bill to the American people. This should be supported by all Members for the future of our children and grandchildren.

This rules package also prevents inserting earmarks into bills in conference, and requires that all Members be given time to examine all bills before voting on them.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. Mr. Speaker, I thank my colleague from Wisconsin, the ranking member on the Budget Committee, on which I have had the pleasure of serving for the past 2 years.

And it is ironic that I follow another colleague from North Carolina who is in favor of the Pelosi PAYGO plan that we have before us here today on the House floor. It is unfortunate that it is being offered in a closed rule, in a setting whereupon Republicans cannot offer any constructive amendments or perfecting amendments to ensure that tax increases don't arise out of this Pelosi PAYGO plan.

According to the Wall Street Journal editorial today: "Under her," PELOSI's, "PAYGO plan, new entitlement programs and all new tax cuts would have to be offset by either cut-backs in

other entitlement programs or tax increases. This version of PAYGO is a budget trapdoor, designed not to control expenditures, but to make it easier to raise taxes while blocking future tax cuts."

Mr. Speaker, I ask to include the Wall Street Journal editorial from today, entitled "Tax As You Go," for the RECORD.

[From the Wall Street Journal, Jan. 5, 2007]

TAX AS YOU GO

Congressional Democrats are dashing out of the gates to establish their fiscal conservative credentials. And as early as today House Speaker Nancy Pelosi will push through so-called "pay-as-you-go" budget rules for Congress. Keep an eye on your wallet.

"Paygo," as Washington insiders call it, sounds like a fiscally prudent budget practice: If government spends more on program A, it has to spend less money on program B, and thus budget deficits will be restrained. We're all for that. But when Republicans proposed exactly that budget rule in recent years, House Democrats voted it down.

Ms. Pelosi has something different in mind. Under her paygo plan, new entitlement programs and all new tax cuts would have to be offset by either cutbacks in other entitlement programs or tax increases. This version of paygo is a budget trapdoor, designed not to control expenditures but to make it easier to raise taxes while blocking future tax cuts.

Supporters of paygo claim it will help restrain entitlement spending. It won't. Paygo doesn't apply to current entitlements that will grow automatically over the next several decades. Ms. Pelosi's version of paygo applies only to new entitlements or changes in law that expand current programs. And on present trajectory, Medicare, Medicaid, Social Security, food stamps and the like are scheduled to increase federal spending to almost 38 percent of GDP by 2050, up from 21 percent today. Paygo won't stop a dime of that increase. This may explain why one of the leading supporters of paygo is the Center on Budget and Policy Priorities, a liberal outfit that favors far more social spending.

Paygo enthusiasts also claim that when these rules were in effect in the 1990s the budget deficit disappeared and by 2001 the budget recorded a \$121 billion surplus. Sorry. The budget improvement in the late 1990s was a result of three events wholly unrelated to paygo: the initial spending restraint under the Republican Congress in 1995 and 1996 as part of their pledge to balance the budget; a huge reduction in military spending, totaling nearly 2 percent of GDP, over the decade; and rapid economic growth, which always causes a bounce in revenues. Paygo didn't expire until 2002, but by the late-1990s politicians in both parties were already re-stoking the domestic spending fires.

What paygo does restrain are tax cuts, by requiring that any tax cut be offset dollar-for-dollar with some entitlement reduction. Congressional budgeteers always overestimate the revenue losses from tax cuts, which under paygo would require onerous budget cuts to "pay for" the tax cuts. As a political matter, those spending cuts will never happen.

First on the chopping block, therefore, would be the investment tax cuts of 2003 that are set to expire in 2010. Last year Democrat David Obey of Wisconsin, the new Appropriations Committee chairman and a prodigious spender, gave this strategy away when he urged paygo rules so he could enact new social spending and pay for it by canceling the Bush tax cuts for those who make more than \$1 million.

Never mind that, in the wake of those capital gains and dividend tax-rate cuts, federal revenues climbed by a record \$550 billion over the past two fiscal years. Incidentally, thanks to the current economic expansion and the surge in tax revenues, the budget deficit has fallen by \$165 billion in just two years—without paygo.

Given all of this, it's especially puzzling that even some conservatives seem tempted by paygo's fiscal illusions. Our friends at the Heritage Foundation have of late become obsessed with future entitlement forecasts and have advised Ms. Pelosi to enact paygo rules to stop it. But Heritage notably did not insist that tax increases be excluded from any paygo rule. Had such logic prevailed in 1980 or 2003, it's possible that neither the Reagan nor Bush tax cuts would ever have become law. As a political matter, paygo is about returning Republicans to their historical minority role as tax collectors for the welfare state.

That's not to say that new budget rules aren't highly desirable. The line-item veto, a new Grace Commission to identify and eliminate the billions of dollars of waste and failed programs, and an automatic spending sequester if the budget rises above agreed baselines would all help to restore spending discipline. But it is precisely because these rules would restrain spending that they are not on the Democratic agenda.

Paygo, by contrast, gives the appearance of spending discipline while making it all but impossible to let taxpayers keep more of their money. It should really be called "spend and tax as you go."

The fundamental budget problem here is spending too much, not taxing too little. Federal revenues climbed by \$550 billion over the past two fiscal years because of the 2001 and 2003 tax relief packages. Now, this has led to a robust economic growth for our country; and as a result of that economic growth, we have had higher tax revenues to government. In fact, government revenue this year is the largest it has ever been in the history of man. Not just the history of the United States, but we have more revenue flowing into government.

So we have a spending problem, Mr. Speaker. And with this PAYGO trapdoor, the Pelosi PAYGO plan ignores the annual appropriations, and it only applies to new spending. So this is an absolute trapdoor that will lead to tax increases put forward by this new Democrat majority.

I urge us to vote this down and to actually have real constructive budget reform.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Pennsylvania (Mr. PATRICK MURPHY).

Mr. PATRICK MURPHY of Pennsylvania. Mr. Speaker, I rise today as an original cosponsor of this vital measure.

Mr. Speaker, this vote is about one of the most important issues facing America today, fiscal responsibility.

PAYGO is straightforward. If Congress is going to buy something, we need to figure out how we are going to pay for it. That is what the small business owners, farmers, and families in the Eighth Congressional District of Pennsylvania do every single day.

If the Mignonis in Bristol want to expand their store, they have to roll up their sleeves and figure out how they are going to pay for it. When the Russos of Fairless Hills started saving for their daughters' college tuition, they had to figure out how they were going to pay for that.

Mr. Speaker, this is exactly what we are voting on here today. If you or I have a good idea, we are going to have to roll up our sleeves, just like the Mignonis and the Russos, and figure out how we are going to pay for it first.

□ 1100

As most of you know, I have a 6-week-old daughter, Maggie. Maggie and every other newborn born in America are saddled with \$28,000 in debt. That is immoral. Voting "yes" to implementing PAYGO is the first step toward getting our fiscal house in order.

Mr. RYAN of Wisconsin. Mr. Speaker, may I inquire as to how much time remains between the two parties?

The SPEAKER pro tempore. The gentleman from Wisconsin has 24 minutes remaining.

Mr. RYAN of Wisconsin. And the gentleman from Florida?

The SPEAKER pro tempore. The gentleman from Florida has 26 minutes remaining.

Mr. RYAN of Wisconsin. I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, before yielding to the distinguished budget chairperson, I want to respond to Mr. RYAN by saying, we don't have a spending revenue problem. I would remind him, when he said that, that he and his colleagues, with this President, have run up a debt larger than the previous 42 Presidents combined.

No problem, Mr. RYAN? Please.

Mr. Speaker, I yield 5½ minutes to the distinguished budget chairman, who knows more about this process than all the rest of the Members in this body combined, Mr. SPRATT.

Mr. SPRATT. I thank the gentleman for the compliment and wish I could accept it, and I am glad to have the time to explain what is before us.

The budget summit in 1990 ended up with a 5-year deficit reduction plan and a kit of budget process rules known as the Budget Enforcement Act of 1991. Among these process changes was something that we have come to call the PAYGO rule, or pay-as-you-go.

Basically, the pay-as-you-go rule provides that any increase in entitlement benefits has to be paid for by a new revenue source, and that any cut in taxes has to be offset by equivalent cuts in entitlements or by equivalent increases elsewhere in the Tax Code. In other words, entitlement increases or tax cuts have to be deficit neutral. They cannot worsen the bottom line. This is the basic principle of PAYGO; a common-sense, truly conservative principle.

PAYGO was originated by Democrats, but it was embraced by the first

President Bush in 1991, in the Budget Enforcement Act. It was adopted by President Clinton in the Deficit Reduction Act of 1993. It was confirmed again by Clinton and by this Congress in a bipartisan way in the Balanced Budget Agreement of 1997. It was even endorsed by the second President Bush in his 2001 budget submission: Reinstate PAYGO. That is what the President requested.

But the Bush administration soon found that if we did that, it would get in the way of its huge tax cut agenda, and that was its driving force behind all the budget policy of this administration. So in 2002, even though it had worked, demonstrably worked, and brought the deficit down, in 2002, the Bush administration and this Congress, under Republican leadership, allowed the PAYGO rule to expire.

PAYGO had been renewed three times. From 1991 to 2001, it was the law of the budget. It worked. But it was allowed to expire. The result was a deficit that soared. President Clinton handed over to President Bush a budget that was in surplus, in surplus by \$236 billion the year before President Bush took office. By 2004, without the PAYGO rule, without the strictures of the Budget Enforcement Act of 1991, the surplus was gone, wiped out, replaced by a deficit of \$413 billion. That was a swing of more than \$600 billion in the wrong direction.

In an effort to diminish these debts and to rein in the deficit, Democrats tried repeatedly over the last 6 years to reinstate the PAYGO rule. And Republicans, just as repeatedly, rebuked us at every turn. Today, with a new majority, we want a new commitment to fiscal responsibility. We want to pay as you go. We want to quit stacking debt on top of debt.

The statutory debt, on the watch of this administration, has increased by 60 percent, 60 percent since President Bush took office, more than \$3 trillion in new debt. This is not a sustainable course. Nobody in this House would rise to support this course. So let us reverse course. Let us start today. Let us enact something that worked for 11 years, the PAYGO rule that was adopted first in 1991.

Today, we add two new rules to the rules of the House, section 402 and section 405 of title IV in the package before you. The original PAYGO rule was statutory. It set up a scorecard on which tax cuts and tax increases, entitlement cuts and entitlement increases were all entered. At the end of the fiscal year, the tally was taken by the Congressional Budget Office, and if there was an adverse balance, it had to be rectified. If it was not rectified and removed, then it would result in across-the-board abatement or sequestration cuts.

Why not just reenact the statutory rule, since that is the form that worked? I wish we could. But it is not at all clear we can pass a statutory change or reenactment of the PAYGO

rule in the Senate, where 60 votes are needed. And it is even less clear, and extremely doubtful, that the President would sign a statutory PAYGO rule if it reached his desk.

So what we propose today is the art of the possible. What we propose is a House rule, setting up a point of order to any PAYGO violation. We also correct here the practice of using the reconciliation process, an extraordinary process in order to do things, that would worsen the budget deficit. But I want to focus mainly on the PAYGO result.

The ranking member of the Budget Committee, Mr. RYAN, and I look forward to working with him, he is a good man who knows his stuff, and I look forward to a good relationship, but I have to take exception when he says this rule does not reduce the deficit. By itself, it may not. But it establishes in the rules of this House a commonsense, truly conservative principle that when the budget is in deficit, deep deficit, at the very least, we should avoid making it worse. We should avoid entitlement increases that are not paid for and we should avoid tax cuts that are not offset.

This rule is not immutable, it can be waived or modified, but it establishes a strong working presumption in favor of fiscal responsibility and it holds accountable every Member who votes otherwise.

Mr. RYAN claims this bill will set a double standard favoring higher spending. But in truth it is a double-edged sword. It applies to entitlement increases as well as tax cuts. So if you want to start the 110th Congress on the foot of fiscal responsibility, the right thing to do is to vote to reinstate PAYGO. Vote for this package and its fiscal responsibility provisions.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 1 minute.

First of all, I want to start off by saying I appreciate the gentleman from South Carolina. He is a good man, knows his stuff, and I very much look forward to working with him. I just want to respond to a couple of points.

In fact, we attempted to put PAYGO in place, PAYGO on spending. So if you try to increase spending somewhere else, you should cut spending elsewhere and not raise taxes. That went down in 2004, largely because of the minority opposing it.

Second point. The reason PAYGO worked well in the 1990s is because it was statutory. If you did not comply, an across-the-board sequestration would take place, and the threat of that was one of the reasons why PAYGO was successful.

The third point I simply want to make is, you are going to hear a lot of talk about we had a surplus, we handed it to the Republicans and they squandered it. What was the surplus? The surplus was projected. It was projected. And in those economic projections they did not foresee the Enron scandals, they did not foresee the dot-com bubble

bursting, and they did not foresee 9/11. Of course, they did not foresee that. They did not see the perfect storm of economic calamity, and that is what evaporated the surplus.

Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. REICHERT).

Mr. REICHERT. Mr. Speaker, last night, I came to the floor and joined my Democrat colleagues in supporting meaningful ethics reform. As a former law enforcement officer, I understand as well as anyone the need to abide by the strongest ethical guidelines, and I agree with and commend my Democrat colleagues for presenting a rules package that brings much-needed transparency to earmarking process.

In the last Congress, I consistently supported greater public disclosure of Federal spending. I will be the first Member of this body to stand up and attach my name to earmark requests and justify the need for the expenditure. The taxpayers in my district and across our Nation deserve to know how the government spends their hard-earned dollars.

But I rise against title IV because I cannot stand and support a reform package that irresponsibly attaches a rule known as PAYGO that will almost certainly lead to higher taxes on these same hard-working taxpaying Americans.

Tax cuts unequivocally spur economic growth and create jobs. The tax relief Congress enacted in 2003 produced tremendous growth and a record high stock market. These tax cuts created nearly 6 million jobs across the Nation and 88,000 jobs in Washington State alone.

Again, I agree with my colleagues on both sides of the aisle that we need more fiscal discipline. That is why I supported the balanced budget amendment in the last Congress and I hope to work to enact that in this Congress. But the way to reduce the deficit is to rein in spending and cut taxes, which has proven to increase revenue. It is not to raise taxes on families and small businesses, and I fear that this provision will do that.

I am deeply disappointed the earmark reform contained in this title was not attached to the ethics reforms that I enthusiastically joined my Democrat colleagues in supporting. While I support the earmark reforms that have been proposed here, I must urge my colleagues to oppose this measure so that we can work together to enact significant earmark reform.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 5¼ minutes to the distinguished chairman of the Appropriations Committee, my friend, the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, what I would like to do is to take some time on the floor today to separate fact from fiction with respect to earmarks.

Let me start by saying that I think my record is clear. I have tried as long as I have been in this Congress to re-

strain both the dollar amount spent on earmarks and the number of earmarks that we have had. But I want to make certain that if we are looking at earmarks we are asking ourselves the right questions.

I do not want anyone on this floor, or anyone else, including the White House, to suggest that if you eliminate funding for earmarks you save one dime. You do not. The right question to ask about earmarks is simply whether that money is put in the right place or not. And let me explain what I mean.

When the Appropriations Committee, for instance, brings out its appropriation bills, each subcommittee operates under a spending ceiling. And if that bill exceeds that spending ceiling, then a single Member can knock the entire bill off the floor. That means that earmarks, if they are provided, are provided within the predetermined ceiling for that bill. So, for instance, if the committee decides that it is going to earmark 50 after-school projects, those after-school projects are financed within the predetermined ceiling, not above that ceiling.

So if people want to pose for holy pictures on the issue of earmarks, be my guest. Just make sure you have your facts when you do so. That is all I ask.

A second thing I would point out. If we are going to talk about earmarks, then let us talk about the guy who does the most earmarking. That is the guy in the big White House at the other end of the Pennsylvania Avenue. He is called the President. And I want to give you an example of what happens with the President's budget.

The biggest earmarker in the land is the President of the United States of America. Let me give you one example. Last year, the administration provided 18,808 FIRE grants in districts represented by Republican Members of Congress. It provided 11,470 FIRE grants in districts represented by Democrats. Every single one of those FIRE grants is the functional equivalent of an earmark.

Now, does anybody believe that that ratio of FIRE grants in Republican versus Democratic districts was not political? If you do, I have got a lot of things I would like to sell you after the session is over.

□ 1115

Let me also make one additional point: What is an earmark? If the President sends down an Army Corps of Engineers' list of projects, let's say he suggests 800 projects for the Army Corps of Engineers. Let's say the Congress, after its hearings, determines that 16 of them don't make any sense and so they substitute other projects. Are the 16 which the Congress substituted the only earmarks in that bill? What about the original President's list? He has selected those. Doesn't that represent an earmark on the part of the executive as well?

So I would simply ask, if we are going to start talking earmarks, let's

not have the pot calling the kettle black. Let us remember that the Congress has a right to make policy judgments, indeed it has an obligation to make policy judgments, that direct money to one place or another.

When I was chairman of the Appropriations Committee 12 years ago, the Labor-Health-Education appropriation bill didn't contain a single earmark. Last year, our Republican friends on the other side of the aisle were planning to have 3,000 earmarks in the Labor-Health bill. I think that is a gross exaggeration of what our staffs have the ability to review.

I don't want a single earmark in any bill that the committee staff cannot review to make certain that the reputation of this House and the reputation of the committee is protected. That is why we have the provision in this language that says if any Member asks for an earmark, he also has to certify that that earmark will provide no financial advantage to him or his spouse. To me, that is the way you protect the integrity of the institution and still protect the power of the purse and still protect the prerogative of the Congress. That is the way you protect the prerogatives of the Congress, while also protecting the reputation of this institution.

So, please, keep your terms straight. Keep your facts straight. Let's not claim things that are not so about some of these changes. Let's recognize what the definitions are and the fact that this is a very complicated matter.

Mr. RYAN of Wisconsin. Mr. Speaker, I would like to yield 1 minute to a new Member, the gentleman from Ohio (Mr. JORDAN).

Mr. JORDAN of Ohio. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I rise today to offer a word of caution about the proposed PAYGO rules which will hurt this body's ability to keep our economy moving forward. By putting more money into the hands of families and taxpayers, the tax cuts of 2001 and 2003 have helped stimulate our economy, create jobs and cut our Federal deficit in half. The proposed PAYGO rules wrongly identify these types of tax cuts as "deficit spending" and will all but eliminate our ability to provide additional tax relief to the families and taxpayers we represent.

It will also set the framework for repealing the tax cuts that have already been enacted. This amounts to a two-pronged threat to the pocketbooks of the families and taxpayers across Ohio and across America.

Mr. Speaker, like many of my colleagues, I wholeheartedly support the earmark reform contained in this rule, and I strongly support the spending restraint at the heart of the PAYGO concept, but I believe these rules will, in effect, take money out of the hands of families and taxpayers, hurting our ability to grow our economy and cut our deficit in a fiscally responsible way.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 1 minute to my good friend the gentlewoman from Florida (Ms. CASTOR), a member of the Rules Committee.

Ms. CASTOR. Mr. Speaker, I thank my good friend and colleague.

Mr. Speaker, an important part of the honest leadership, open government rules package is the new commitment to more stringent fiscal responsibility under Democratic leadership and Speaker NANCY PELOSI.

Under the current administration and past Congresses, the Nation's debt has been climbing out of sight. Currently we are faced with a nearly \$3 trillion national budget deficit. The rising interest rates and a projected individual share of the national debt of more than \$28,000 per person is outrageous.

As a mother with two young daughters, I am concerned, like so many other parents today. You see, the personal cost of spiraling debt to the American public is overwhelming. Families are working to provide the best opportunities for their children, while juggling mortgages, credit card debt and student loans, as well as rising health care costs and housing costs.

How can our neighbors back home decrease their debt loads until the Federal Government begins to do its part? That is why the restoration of pay-as-you-go budgeting is the right step in a new direction. Pay-as-you-go is not entirely new, however.

Let me close by saying that these rules changes are essential to assure our neighbors that Congress is working earnestly to do our part to relieve the financial crunch on working families, while providing a transparent framework in which to do it.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL of California. Mr. Speaker, two plus two does not equal six, but if I were to assume that it did, I could take care of the budget. Easy.

PAYGO assumes that when you increase taxes, revenue goes up, and when you lower tax rates, revenue goes down. But history shows that that is not what happens, because there are economic factors, and people change behavior.

Since the tax cut-rate cuts of 2003, revenue has been up every year, and in 2 of the last 3 years has been up by double digits.

Two plus two does not equal six. PAYGO does not equal fiscal responsibility. What PAYGO does equal is tax increases that will hurt the economy and will not raise revenue and will not help the deficit.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 1 minute to my good friend, the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, PAYGO is a budget enforcement tool that has both a history of success and a history of bipartisan support. In its original form, PAYGO was part of an agreement between the first President Bush and a Democratic Congress. A Democratic President and Congress extended it in 1993, and a Democratic President and Republican Congress extended it in 1997. Unfortunately, it was allowed to expire in 2002 and the results have been a disaster. Deficits and debt have reached historic levels and the debt limit has been raised four times.

This rule takes the first step toward restoring fiscal responsibility in the Federal Government by requiring the House of Representatives to pay for the bills that we pass.

I urge all my colleagues on both sides of the aisle to support the passage of this rule.

Mr. RYAN of Wisconsin. Mr. Speaker, I would like to yield 3 minutes to the distinguished gentleman from Indiana (Mr. PENCE).

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

Mr. PENCE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in opposition to the element of the rules package that we will consider today, but I do so conflicted; conflicted, because as a long-time advocate of earmark reform and fiscal discipline, I am in large measure encouraged by the efforts of my colleagues in the new Democratic majority to step forward in good faith and open the process whereby we spend the people's money to greater transparency, particularly in the area of earmarks.

I say from the heart that I appreciate the substantive reforms and transparency and accountability that my Democratic colleagues will bring forward today on earmark reform. That being said, I will oppose this element of the rules package having to do with the pay-as-you-go provisions, which, while they sound in a common sense way attractive, this particular version I believe is lacking for three reasons:

Number one, I believe it is a weak and watered down version of PAYGO proposals of the past, including Democrat party PAYGO proposals of the past.

Number two, it doesn't reduce current spending levels or require a reduction of current spending levels.

Number three, it is, as so many of my colleagues have said, a means of justifying tax increases on working families, small businesses and family farms. In a very real sense, the American people ought to know that this proposal translates to you-pay-as-Congress-goes on spending.

In the category of a watered down provision, other PAYGO versions were enforced by across-the-board spending cuts. That is what created the incentive to control spending. But the Democrats PAYGO proposal is only enforced by a point of order, which can be waived fairly easily, as we all know.

Secondly, it only applies to new spending. Mr. Speaker, I say with some pain, having been a part of the former majority, but we currently don't pay for what goes out the door now. The 2007 budget right now is projected at \$286 billion in deficit. This does nothing to require us to address our current deficits.

Lastly, as others have argued, I truly believe that by assuming that the 2001 and 2003 tax relief will automatically expire, this Democrat PAYGO provision will cause a substantial tax increase for working families, small businesses and family farms.

The American people just simply need to know, however well-intentioned, and I assume good intentions by my colleagues in the newly-minted majority, however well intentioned, I believe this PAYGO provision comes up short. It is, in a very real sense, the American people pay, as Congress goes on spending.

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

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. Mr. Speaker, I thank the ranking member, and I appreciate the opportunity to talk. I was just trying to clarify a couple of things on the package to make sure that we understand what it is we are actually doing to ourselves.

I spent 2 years on the Budget Committee, and it was a very informative time. I sat through hours and hours of conversation by my colleagues on the other side of the aisle touting the virtues of PAYGO and that they thought this would solve the problems of the world, knowing all along that their version of PAYGO that they talked about was, in fact, a stealth tax increase, given the current Code that we have in place with respect to the taxes on capital gains and dividends, as an example, and the death tax that will come back in full force in 2011 unless we actually do something to it.

So as we consider this PAYGO concept, I would like for the American people to know that the devil is in the details, as with everything that we, in fact, do.

When I campaigned, when most of my colleagues campaigned, none of us campaigned on increasing deficits. We all campaigned, on both sides of the aisle, on reduced spending, on smaller government, all those kinds of things that both sides are saying during this debate today. But I am not sure this PAYGO version will, in fact, do that.

Also the point we were trying to check right now, I believe in addition to the rules included in this rule is a change in the Rules Committee itself to allow for votes in the Rules Committee to be not reported out in the rule. So the Democrat-controlled Rules Committee can waive this PAYGO rule and we won't know which of the members actually voted to do that because of the way this rule is.

It is interesting yesterday that the word "transparent" was used often by the folks on the other side of the aisle, and yet one of the areas in which transparency seems to have been reduced is with respect to the rule that is included in here with respect to the Rules Committee.

So with respect to PAYGO, I want my colleagues and others to know that this is a stealth tax increase that is being foisted upon our economy.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 1 minute to a gentleman that was a sheriff that had to pay as he went with reference to equipment for his department, BRAD ELLSWORTH from Indiana.

□ 1130

Mr. ELLSWORTH. Mr. Speaker, I thank the gentleman for yielding time.

I thought I was going to get to follow a fellow Hoosier, Mr. PENCE, until we changed the rules. But as a proud member of the Blue Dog Coalition, I am proud to stand today to voice my support for restoring the pay-as-you-go budgeting. Inclusion of the PAYGO provision in the new House rules will undoubtedly force us to make tough decisions, but quite frankly we have no choice. The total National debt is an astounding \$9 trillion, and tough decisions need to be made by Congress. By restoring PAYGO budgeting, we will take a positive step toward reducing and easing the Federal deficit. Hoosier families in my district make tough decisions every day about how to balance their budget, and it should be no different from the Congress of the United States.

Mr. Speaker, we have an obligation to be fiscally disciplined in implementing pay-as-you-go budgeting, and this is a great place to start.

Mr. RYAN of Wisconsin. Madam Speaker, I yield 2 minutes to the chairman of the Republican Study Committee, Mr. HENSARLING of Texas.

Mr. HENSARLING. Madam Speaker, I thank the gentleman for yielding, and I wish to join a number of my colleagues in congratulating the new Democrat majority for their work in the area of earmarks. We know that earmarks are perhaps a small portion of spending in this body, but they are a large portion of the culture of spending. And I certainly salute them for that work; but, Madam Speaker, I must reluctantly oppose this rule because of the so-called PAYGO provision which has been adequately pointed out is really a tax-go provision.

If PAYGO indeed lived up to its name, it would be worthy of support, but it is not. I fear that it is nothing more than false advertising. I listened very carefully to our new Speaker yesterday when I believe she said that there would be no new deficit spending under the watch of the Democrat majority. But as I look at this so-called PAYGO provision, I see nothing that deals with entitlement spending, which

threatens to bankrupt future generations, our children and our grandchildren, with either massive debt or a massive tax increase.

Over half of our budget deals with entitlement spending. There is nothing that deals with that. It doesn't deal with baseline budgeting. Now, most Americans don't know what that is, it is inside baseball, but it is an accounting concept that would make an Enron accountant blush. It puts in automatic inflation for government programs, yet we don't call it new spending. And yet there is nothing in this so-called PAYGO provision dealing with that. And we don't even have a statute.

It is also false advertising, Madam Speaker, because it doesn't live up to what the Democratic majority advocated when they were in the minority. We have a rule; we don't have a statute, the rule that will end up being waivable. We don't have the sequester mechanism of earlier PAYGO. We don't have the wedding with the discretionary caps that we had. And, indeed, what we have is a subterfuge here. What we have is a Trojan horse for more tax increases on small businesses and American families that threaten the jobs of Americans, and we must vote this down.

Mr. HASTINGS of Florida. Madam Speaker, I am very pleased to yield 1 minute to one of 13 members of the physicians in the House of Representatives, the distinguished colleague, my friend, Mr. KAGEN.

Mr. KAGEN. Madam Speaker, my good friend Mr. RYAN from Wisconsin, I was elected to send a message to Congress to balance its budgets and to be fiscally responsible. As PAUL RYAN notes, in Wisconsin thousands of hard-working people have lost their jobs; and when they lost their manufacturing jobs offshore, much of the wealth of this Nation was sent offshore along with those jobs.

We need a positive change in America, and it needs to start now, right here and right now in the people's House. Let's begin to build a better future for everyone by dedicating ourselves to becoming fiscally responsible today, not next week. And then when we do, let's ship our values overseas and not our jobs.

I rise before you today to urge you to support pay-as-you-go as a means to become fiscally responsible. We cannot realistically begin to solve the many problems we face until we completely reverse the misguided fiscal policy of borrow and spend, and borrow and spend, which has driven our country into more debt than our children can possibly repay. Let us agree to live within our means here in the House as we do in our own homes back in Wisconsin.

Mr. RYAN of Wisconsin. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Madam Speaker, I think everyone will agree, when it came to earmarks, the big concern

about the abuses of the past were two components: one is transparency or the lack of transparency in previous proceedings when it came to earmarks. The other was the issue of what is called air drops, those that could be in a conference and at the last minute add things into the budget without going through the review of the committee or subcommittee and a public review of that aspect.

I have to compliment both sides of the aisle when it comes to transparency. I think that both Republicans and Democrats are working together to make sure the public knows who has asked for earmarks to be included. But I ask that at the same time, and to say we are a little let down, I think the public is going to feel let down, because both sides, both Republicans and Democrats, have not addressed the air drop issue. In fact, let's face it, why put your earmark or your request through the review process of committee and subcommittee if you can get put on the conference committee at the last minute, and just before the votes are brought to the House floor add your item in without going through the review process?

So I would ask the majority and the minority to take a look at this aspect and not move this bill without having it specific that unless an item has been voted on in the House or the Senate before it got to conference, that it shouldn't be added in at the last minute. And I come from the 50th District of California, as you know, and we saw the crisis in credibility and government that was created by the Member that preceded me, and one of those crises was the fact that the game here was get on that conference committee so you could add your item in, in an air drop, at the last minute.

So I would ask the majority to go back and take a look at this item and bring back something that stops the abuse of air drops, the last-minute inclusion of earmarks that doesn't go through the review process, doesn't allow the public to know about it, and doesn't allow you and me as Members to be able to address this issue individually.

Madam Speaker, I appreciate the chance, and I ask you to reconsider that before we move this item.

Mr. HASTINGS of Florida. Madam Speaker, I am very pleased to yield 1 minute to one of the co-chairs of the Blue Dogs, my friend from California (Mr. CARDOZA).

Mr. CARDOZA. I thank my friend and gentleman from Florida.

Madam Speaker, as a fiscally conservative Blue Dog Democrat, I rise in strong support of reinstating pay-as-you-go budgeting and the rules that accompany it.

As Blue Dogs, we believe, as do the American people, that restoring fiscal responsibility in Washington is an urgent national priority. For far too long now under the previous leadership of this Congress and of the current White

House, we have seen reckless fiscal policies that have undermined the future of America's economy. Now the time has come to take our country in a new and responsible direction.

PAYGO rules are the centerpiece of the Blue Dog 12-point reform plan for putting an end to deficit spending. We know PAYGO rules work because they have in the past. During the 1990s, with PAYGO rules in place, the massive deficits that we were seeing at that time were converted into record surpluses. We saw the greatest period of economic growth and prosperity in American history. We can do that again, and we must. This will do, in fact, that.

Mr. RYAN of Wisconsin. At this time, I would like to yield 2 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Madam Speaker, I thank the gentleman for yielding. And first I want to compliment the Democrats for earmark reform that is stronger than the Republicans did. Democrats in this way had more guts than we did to tackle earmark reform in a meaningful way, and I compliment them for that. And let me just note, though, with regard to earmarks something that was said a little earlier. It was said that we can't save money by eliminating earmarks. That is simply not true. It was not true when it was said on this side of the aisle last year, and it is not true when it is said from that side of the aisle today.

It is like saying, and the best analogy that I think of is if you go to McDonald's and you order a combo meal and you are sitting there and you say, I am going to save money by not eating the French fries I just ordered, you are correct, you can't. That is the same analogy that is being made on that side. Once you get to the appropriation process, once the 302(a)s and 302(b)s are already set, that is right, you are not going to save money. But you can save money by not ordering the combo meal, by saying, We are going to be spending, we spent last year \$3 billion in earmarks in this bill, let's lower our allocation and let's spend less.

So this notion that we can't save money by deciding not to spend money on a teapot museum or the Wisconsin procurement initiative is simply not right.

But I appreciate, and again I want to compliment, the Democrats for doing stronger earmark reform than we did.

Let me make a few comments about PAYGO. If you are going to do PAYGO, I would argue do it whole hog. Let's apply it to mandatory spending; let's apply it to automatic adjustments that come up in the appropriation process every year. This PAYGO reform is incomplete, and it may simply lead to tax increases because you will say the only way we can make this mandatory adjustment is to increase taxes. So the PAYGO restrictions, it is disappointing that they aren't stronger. I would sup-

port PAYGO on spending. There is a difference between saying you can keep your own money or we are going to spend your money. And that ought to be made plain in PAYGO.

Mr. HASTINGS of Florida. Madam Speaker, I am very pleased to yield 1 minute to my friend from Utah (Mr. MATHESON). JIM came here fighting for fiscal responsibility and continues that effort.

Mr. MATHESON. Madam Speaker, I rise in support of this provision. This is a great first start. It is a great first start that this is in the rule; but I agree with my colleague from Wisconsin (Mr. RYAN), this ought to be done in a statutory way. And, quite frankly, if we want to replicate the success of the 1990s, you have got to include spending caps, too, and I hope that we work together in a bipartisan way to do that. Because that is really, if we want to have fiscal responsibility, you have got to put some teeth in this and you have got to make us all live under what are going to be some tough circumstances. But as a first step, I am pleased this is part of the rules package. I endorse it, I encourage people to support it, and I hope we recognize this as a first step and we are all going to work together to employ all of the 12 points of the Blue Dog plan that are really going to give fiscal responsibility back to this country.

Mr. RYAN of Wisconsin. Madam Speaker, I yield 2 minutes to the gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. I thank the gentleman for yielding.

Madam Speaker, I rise reluctantly in opposition to title IV. I am a fiscal conservative and I strongly support a balanced budget, fiscal discipline, and earmark reform; but I am afraid that this version of PAYGO means taxes will go up.

I think that the problem that we have had between the two sides of the aisle is over what is spending and what is tax relief. And I think that we see tax relief as tax relief and that it is the people's money and they know best how to spend it; and the other side of the aisle includes tax relief as spending. So I think until we can iron out that difference, I think we are going to have problems.

Madam Speaker, the Wall Street Journal today in an editorial called "Tax As You Go," that is January 5, puts it best and much better than I can say it and I would just like to quote a couple of lines from there. It says: "PAYGO, by contrast, gives the appearance of spending discipline while making it all but impossible to let the taxpayers keep more of their money. It really should be called spend and tax as you go." I would urge everyone to look at this Wall Street Journal, and I submit it for inclusion into the RECORD.

[From the Wall Street Journal, Jan. 5, 2007]

TAX AS YOU GO

Congressional Democrats are dashing out of the gates to establish their fiscal conservative credentials. And as early as today

House Speaker Nancy Pelosi will push through so-called "pay-as-you-go" budget rules for Congress. Keep an eye on your wallet.

"Paygo," as Washington insiders call it, sounds like a fiscally prudent budget practice: If government spends more on program A, it has to spend less money on program B, and thus budget deficits will be restrained. We're all for that. But when Republicans proposed exactly that budget rule in recent years, House Democrats voted it down.

Ms. Pelosi has something different in mind. Under her paygo plan, new entitlement programs and all new tax cuts would have to be offset by either cutbacks in other entitlement programs or tax increases. This version of paygo is a budget trapdoor, designed not to control expenditures but to make it easier to raise taxes while blocking future tax cuts.

Supporters of paygo claim it will help restrain entitlement spending. It won't. Paygo doesn't apply to current entitlements that will grow automatically over the next several decades. Ms. Pelosi's version of paygo applies only to new entitlements or changes in law that expand current programs.

And on present trajectory, Medicare, Medicaid, Social Security, food stamps and the like are scheduled to increase federal spending to almost 38% of GDP by 2050, up from 21% today. Paygo won't stop a dime of that increase. This may explain why one of the leading supporters of paygo is the Center on Budget and Policy Priorities, a liberal outfit that favors far more social spending.

Paygo enthusiasts also claim that when these rules were in effect in the 1990s the budget deficit disappeared and by 2001 the budget recorded a \$121 billion surplus. Sorry. The budget improvement in the late 1990s was a result of three events wholly unrelated to paygo: the initial spending restraint under the Republican Congress in 1995 and 1996 as part of their pledge to balance the budget; a huge reduction in military spending, totaling nearly 2% of GDP, over the decade; and rapid economic growth, which always causes a bounce in revenues. Paygo didn't expire until 2002, but by the late 1990s politicians in both parties were already restocking the domestic spending fires.

What paygo does restrain are tax cuts, by requiring that any tax cut be offset dollar-for-dollar with some entitlement reduction. Congressional budgeteers always overestimate the revenue losses from tax cuts, which under paygo would require onerous budget cuts to "pay for" the tax cuts. As a political matter, those spending cuts will never happen.

First on the chopping block, therefore, would be the investment tax cuts of 2003 that are set to expire in 2010. Last year Democrat David Obey of Wisconsin, the new Appropriations Committee chairman and a prodigious spender, gave this strategy away when he urged paygo rules so he could enact new social spending and pay for it by canceling the Bush tax cuts for those who make more than \$1 million.

Never mind that, in the wake of those capital gains and dividend tax-rate cuts, federal revenues climbed by a record \$550 billion over the past two fiscal years. Incidentally, thanks to the current economic expansion and the surge in tax revenues, the budget deficit has fallen by \$165 billion in just two years—without paygo.

Given all of this, it's especially puzzling that even some conservatives seem tempted by paygo's fiscal illusions. Our friends at the Heritage Foundation have of late become obsessed with future entitlement forecasts and have advised Ms. Pelosi to enact paygo rules to stop it. But Heritage notably did not insist that tax increases be excluded from any

paygo rule. Had such logic prevailed in 1980 or 2003, it's possible that neither the Reagan nor Bush tax cuts would ever have become law. As a political matter, paygo is about returning Republicans to their historical minority role as tax collectors for the welfare state.

That's not to say that new budget rules aren't highly desirable. The line-item veto, a new Grace Commission to identify and eliminate the billions of dollars of waste and failed programs, and an automatic spending sequester if the budget rises above agreed baselines would all help to restore spending discipline. But it is precisely because these rules would restrain spending that they are not on the Democratic agenda.

Paygo, by contrast, gives the appearance of spending discipline while making it all but impossible to let taxpayers keep more of their money. It should really be called "spend and tax as you go."

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

The Bush administration has turned a projected 10-year \$5.6 billion surplus into a nearly \$3 trillion deficit, and my colleagues on the other side of the aisle would come here and complain that we are cleaning up their mess.

Madam Speaker, I yield 1 minute to my good friend from California, the distinguished gentleman, Mr. SCHIFF.

Mr. SCHIFF. I thank the gentleman for yielding, and I rise to speak very strongly in favor of these PAYGO rules as a very strong step to restoring fiscal responsibility to this House.

Over the last 6 years, the President and the Republican-controlled Congress essentially had a policy of borrow and spend. We didn't have the discipline to turn down new spending requests; we didn't have the discipline to pay for additional tax cuts. We even had, in the most ironic of weeks, a situation where we voted to increase the national debt by \$800 billion in the same week we voted to cut taxes by \$800 billion, and we made it very clear that we were borrowing the money to fund these additional tax cuts.

□ 1145

This is not the way to restore fiscal responsibility to this House. PAYGO is. The first rule of PAYGO is when you are in a hole, as we are in, when you are in a budgetary hole, stop digging. If we want new spending, we need to find a way to pay for it. If we want new tax cuts, that is great, too, we need to find a way to pay for it. And we cannot pay for it by asking these young men and women fighting for us in Iraq and Afghanistan and elsewhere to come home and pay for it later and have their children pay for it. Because right now all we are doing is shifting this obligation onto our children and grandchildren. That has got to stop.

Mr. HASTINGS of Florida. Madam Speaker, I am very pleased to yield 1 minute to a gentleman from Indiana whose committee was called, "Bring back Baron" and I am very glad we brought back Baron.

Mr. HILL. Madam Speaker, I thank the gentleman, and I thank you for

waiting for 12 years to sit in the Speaker's chair. I also thank you for the opportunity to speak on an issue that I think is one of the most important actions we can take for the American people.

I am a proud member of the Blue Dog Coalition. I have been advocating, along with my colleagues in the Blue Dogs for years that the House implement rules that ensure that the Federal Government's expenditures equal its revenues, otherwise known as PAYGO.

PAYGO rules will not only help us rein in out-of-control spending that has led to record deficits, but they will also help us clearly outline our country's priorities.

Including PAYGO rules as part of the House rules package is a great first step. And I, along with my Blue Dog colleagues, will work with leadership to ensure that they are followed. However, it is a first step. We must also work together to enact statutory rules for PAYGO as well as discretionary spending limits.

Madam Speaker, thank you again for this opportunity for the House and the country to get its spending in check.

Mr. RYAN of Wisconsin. Madam Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Madam Speaker, I am glad to be here, and I am glad that the Democrats are interested in fiscal discipline. That is a good thing. It is a good bipartisan debate. But there are three flaws in the Democrat PAYGO approach that I think are very important.

Number one, this tax issue that just won't go away. You know, based on scoring and based on reality and based on fact, when Kennedy cut taxes, when Reagan cut taxes and when Bush cut taxes, revenues went up.

Now we all know that scoring in this town counts a tax cut as a spending increase. How silly in the face of economic reality over the past 40 years.

Maybe the Democrat Party could look at scoring and change that. I think that is something we were unable to do as the majority. It would be a good idea for you to pursue it. But you and I both know that revenues went up in 2005 14 percent, in 2006 11 percent, and it was because of the economic growth brought about by the 2003 Bush tax cuts. PAYGO ignores that. How silly. How disingenuous.

Number two, I want to talk about entitlement reform. The big money, while I think we do need earmark reform and have supported it, but the big money, as we know, are in entitlements: 53 percent of the budget.

The Democrats were getting a lot of good credit for what I would say is kind of a golden oldies agenda, bringing out no original ideas, minimum wage, stem cell and student loans. And I understand those are safe things. But it is kind of like starting out the World Series by bunting instead of trying to get on base with real serious hits.

The reason why I submit that criticism is there is nothing in your agenda about immigration reform, Social Security reform, Medicare reform, the heavy-lifting ideas of entitlement, and PAYGO completely ignores those as well.

Number three, the real world, where is the Senate on PAYGO? My friend from Florida may know, but isn't it possible that unless they are going to do PAYGO, it is a silly exercise. It is boilerplate. It looks good, but the truth is if the Senate is not on board, which they are not, we are wasting time.

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

I say to my friend from Georgia that what I do know is he is not proud of the \$3 trillion deficit that his party ran up in this country that we have the responsibility of cleaning up. I hope he is not proud of that.

Madam Speaker, I yield 1 minute to the distinguished gentleman from Florida, a new Member, whose district abuts mine, Mr. MAHONEY.

Mr. MAHONEY of Florida. Madam Speaker, I rise today representing Florida's 16th District in support of title IV of the House rules package to return fiscal responsibility to Congress.

As a former businessman, as of a couple of days ago, I cannot overstress the importance of restoring fiscal discipline and accountability to our government. Over the past 6 years, this House has allowed record surpluses to be turned into record deficits that have increased our national debt to a nearly staggering \$9 trillion.

Earmarks, an important prerogative of this great body, have been abused for the purposes of greed and as a tool to hold onto power, costing Americans billions of their hard-earned money. Make no mistake, our debt is a tax on America's future as it threatens both the security and prosperity of our country.

Today we have the opportunity to demonstrate to the American people that we have heard their voices this past November and we are prepared to make our government live within its means, just like every American family. For this reason, I urge my colleagues to support title IV.

Mr. RYAN of Wisconsin. Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Speaker, at this time, I am very pleased to yield 1 minute to the gentlewoman from Illinois (Ms. BEAN).

(Ms. BEAN asked and was given permission to revise and extend her remarks.)

Ms. BEAN. Madam Speaker, I thank my colleague for yielding.

Madam Speaker, I rise today in strong support of the House rules package, and especially title IV which re-installs PAYGO budget rules.

One of the reasons I came to Congress was to bring real world business

perspective to government. In the business world, accountability and results matter. To get our fiscal house in order, Congress must do what every business does: Balance its books. If it is worth doing, it is worth paying for. We must pay as we go. It is a simple concept with a proven track record.

I am pleased Congress is returning from the recent borrow-and-spend irresponsibility to fiscal soundness and the accountability our constituents expect.

I want to thank the Blue Dog Coalition and my colleagues for their leadership on this issue. Today's vote is a result of their steadfast guidance of our Democratic Caucus and Congress on the importance of fiscal responsibility.

I urge my colleagues to follow the Blue Dog's lead and support re-instituting pay-as-you-go budget rules. Now accountability in government will be more than just a catch phrase.

Mr. HASTINGS of Florida. Madam Speaker, I am very pleased to yield 1 minute to the distinguished gentleman from Ohio (Mr. WILSON).

Mr. WILSON of Ohio. Madam Speaker, I thank the gentleman from Florida.

I rise basically to support my colleagues for introducing this important and long overdue rules package. This sets the tone for a more open and ethical Congress. In addition to other changes, the resolution creates important pay-as-you-go rules to clean up our fiscal house.

As a successful business owner, I learned the importance of balancing the books. If I hadn't, I would not have been successful in business. Our government needs to live by the same rule, and I join my fellow Blue Dogs to push PAYGO as part of the solution to the problems we are experiencing today.

We know it works. When PAYGO was on the books in the 1990s, we saw the deficits disappear. Now with an out-of-control national debt, we need PAYGO more than ever. We need fiscal responsibility in America.

Mr. RYAN of Wisconsin. Madam Speaker, I yield myself the balance of my time.

First off, I want to start off by congratulating the majority on the very commendable earmark reform legislation that is contained in this title. I just want to emphasize that. But this PAYGO package is woefully inadequate. It is a paper tiger.

Three quick points. Number one, this protects all current spending, even the programs that are scheduled to expire. However, it assumes that expiring tax relief will lapse; and, thus, require offsets to continue. This is a double standard that reflects their preference, protect higher spending but not lower taxes. It is a recipe for tax increases.

Number two, it contains a huge loophole. Spend now, save later. You can enact new spending now and come up with savings down the road, which we know never really happens. Big loophole.

Number three, this is a weaker version of PAYGO than what the majority was proposing just last year. They were not allowing points of order to be waived when you violated a PAYGO rule in their earlier version. But now when they are in the majority, you can simply waive it with a majority vote upstairs in the Rules Committee.

This is a much weaker version of PAYGO. But I want to address a few other things.

Number one, you are going to hear this all year: They gave us a surplus. We inherited a surplus; we squandered the surplus.

Madam Speaker, what was the surplus? The surplus was a projection. It was a projection by economists at OMB and CBO that said we are going to have all of this money coming in.

You know what they didn't project, they didn't project 9/11. They didn't project war. They didn't project the dot-com bubble bursting or the recession or the Enron scandals. What did that do? It was a fiscal train wreck for America, and our numbers went down and we had to spend more money when we went to Afghanistan and Iraq.

Where are we today? The budget deficit went down 40 percent. In 1 year, the budget deficit went down 40 percent off projections. Why, Madam Speaker? It went down that much because revenues increased. Why did revenues increase, because we let the American people keep more of their own hard-earned dollars. They were able to keep more of their tax dollars.

There is a very deep difference between our two parties on principle and on philosophy. We believe that the money in America in the Federal Government is the people's money. That the money we spend is not our money, it is the money of our constituents. It is their money.

When you see rules like this, which I want to quote from the Wall Street Journal: PAYGO, by contrast, gives the appearance of spending discipline while making it all but impossible to let taxpayers keep more of their own money. It should really be called spend and tax as you go.

This bill does nothing to control current spending. It does nothing to reduce the current deficit, and it puts us on a path to raise taxes.

We believe the priorities ought to be different: That we ought to control spending and reduce spending to balance the budget, not raise taxes because after all, the money that comes to the Federal Government is not our money. It is the people's money. It comes from the paychecks of working Americans, men and women, small businesses, farmers and businesses. By letting people keep more of their own hard-earned dollar, our economy grows, revenues grow. We have to watch spending. That is where the priorities ought to be placed. This does not deliver that.

Hopefully we can work together in the future to have a real spending

mechanism that actually controls spending rather than puts us on a path-way to higher taxes.

Madam Speaker, I reluctantly oppose this legislation because of the honorable earmark reforms.

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

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

Madam Speaker, I would say to Mr. RYAN that the Democrats are 2 days in the majority. The Republicans were 12 years in the majority with the purse strings, and this deficit ran up on your watch.

On the second day that we are here talking about what we are going to do as a first step to clean up your mess, you would complain? Cut me some slack.

Madam Speaker, I yield to the gentleman from Illinois (Mr. EMANUEL) such time as he may consume.

□ 1200

Mr. EMANUEL. Six years, \$3 trillion in new debt. The largest accumulation of debt in the shortest period of time in American history. That is the legacy. And the one thing you can say about George Bush and this economy is we will be forever in your debt. That is the one thing that is clear.

Now, folks, I am glad that you have the sentiment to be for this, but you had the inability to do it. We are going to do something you talked about, but we actually are going to walk the walk and not just talk the talk. We are going to put this fiscal house in order.

And you did get handed a surplus prior to total Republican control. You got handed a surplus. It wasn't illusory. Nobody could not find it. We knew exactly where it was. And you spent it. You did something no American President and no Congress had ever tried in American history. Three wars, three tax cuts, \$3 trillion in new debt. I don't know what your fixation is about that. You have got a fixation for the number three. I have no idea why. But that is what you did. You had a war in Iraq, a war on terror, a war in Afghanistan. You tried three major tax cuts, and you got \$3 trillion in new debt. And on day number two, the Democrats have said enough is enough with running up the debt and the deficit of this country. We are going to begin to take steps to put our fiscal house in order.

And let's start with number one, and that is earmark reform. When the Republican Congress took over in 1995, throughout the entire Federal budget, 1,400 earmarks. At the end of the Republican Congress, there were 13,997 earmarks. Now, I know your kids know the explosion on those numbers from 1,400 to nearly 14,000 earmarks. And we are going to use the disinfectant of sunlight. And everybody is going to know everything they need to know about these earmarks.

Now let me use one quote over the years when we were dealing with ear-

marks. A famous lobbyist called earmarks "an ATM for lobbyists." Well, folks, that is part of ethics and lobbying reform, and we are going to change that. It is not going to be an ATM machine for the special interests anymore because this Congress, that gavel, is going to open up the people's House, not the auction house. And that is what has happened here over the years.

Number two, pay-as-you-go rules. I worked for an administration that had pay-as-you-go rules. It created discipline not just for Republicans, not just for Democrats. For the government. For the American people's money. And we created a surplus through hard work and discipline. These two steps, pay-as-you-go rules, no new spending without the revenue to pay for them; and earmark reform, will actually change our fiscal house and also the attitude in which we deal with things, and there won't be this insidious relationship between lobbyists and the American people's money. We will do what we need to do. And step one is lobbying and ethics reform, to change how Washington does the people's business; and step two is to put their government's fiscal house in order. That is what we are doing, and I know in your heart of hearts because I know you as individuals, and I see a number of Members here who are nodding their heads "yes," you would like to be for this, but you just can't seem to find that little green button. So this is a chance to vote for it.

Remember all the rhetoric and all the speeches you gave on earmark reform, fiscal discipline. You believe what is going on here is the right thing to do. You know it is the right thing to do. But because of party loyalties, you won't do that. That is exactly what we applauded yesterday was to put partisanship aside and join us in the act of patriotism. I know you would like to vote "yes." In your heart of hearts you would like to vote "yes." And I am proud that we are doing what you have only talked about because we will not just talk the talk. We will walk the walk.

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

Pay-as-you-go was the law of the land from 1990 until 2002, paving the way for a balanced budget in the late 1990s, 4 years of budget surpluses, and bringing down the national debt by \$453 billion. The Bush administration has turned a projected 10-year \$5.6 billion surplus into a nearly \$3 trillion deficit. America's debt has already climbed 50 percent to more than \$28,000 per person, and President Bush has borrowed more from foreign nations than the previous 42 United States Presidents combined.

Something has to change and that change is coming now. The pay-as-you-go budgeting with no new deficit spending is just a first step, a key first step, in reversing record budget deficits.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise in strong support of Title IV of H.R. 6, the Rules of the House of Representatives for the 110th Congress. With the adoption of this title, we begin to make good on our pledge to restore fiscal responsibility, open government, and honest leadership to the House of Representatives.

Madam Speaker, it is critically important that we adopt the "pay as you go" or "paygo" rules contained in Title IV. We must restore budget discipline with no new deficit spending as the first step to reversing record budget deficits that are passing trillions in debt on to our children and grandchildren. We must also amend House rules to require full transparency in order to begin to end the abuse of special interest earmarks.

Madam Speaker, the Bush Administration has turned a projected 10-year \$5.6 billion surplus into a nearly \$3 trillion deficit. Under this Administration, America's debt has climbed 50 percent to more than \$28,000 per person, and the United States has borrowed more from foreign nations than the previous 42 U.S. presidents combined. Rising interest rates caused by Bush deficits cost middle-class families as much as \$1,700 a year on credit card and mortgage payments, with interest payments on the debt becoming one of the fastest growing categories of spending in the federal budget.

Madam Speaker, pay-as-you-go was the law of the land from 1990 until 2002, paving the way for a balanced budget in the late 1990s, four years of budget surpluses, and bringing down the national debt by \$453 billion.

Forty-two percent of the American public says reducing the deficit should be a top priority. On November 5, 1990, President George H.W. Bush signed a deficit reduction bill imposing pay-as-you-go discipline in a bipartisan deal supported by 47 House Republicans and 19 Senate Republicans. Republicans such as former Federal Reserve Chairman Alan Greenspan and Senator JOHN MCCAIN support pay-as-you-go budgeting. It is supported by the Concord Coalition, the Center on Budget and Policy Priorities, Committee for a Responsible Federal Budget, and the Committee for Economic Development.

Madam Speaker, earmark reform is needed to bring transparency and accountability for special projects. The status quo has permitted some Members of Congress, with no transparency and accountability, to provide favors to special friends through earmarked special projects—putting special interests ahead of the public interest. The American people deserve to know who is sponsoring earmarks to begin to stop the cases of flagrant abuse of earmarks.

The number of earmarks has exploded under the Republicans, climbing from 3,023 in FY 1996 to 13,012 in FY 2006, and the lack of transparency and accountability has led to problems—of which Rep. Cunningham is an example. Former Representative Duke Cunningham pleaded guilty to accepting bribes from defense contractors in return for his help in securing defense contracts.

The Democratic reform package will amend House rules to clearly define what constitutes an earmark, along with its proper use. Specifically, the package will prohibit earmarks that personally benefit Members and their spouses.

Earmark reform under Democrats will ban earmarks that benefit lobbyists who chair a Member's Political Action Committee.

Madam Speaker, to restore public confidence in this institution, we must commit ourselves to being the most honest, most ethical, most responsive, most fiscally responsible Congress in history. We can end the nightmare of the last six years by putting the needs of the American people ahead of partisan political advantage. To do that, we must start by adopting Title III of H.R. 6, the fiscal responsibility reforms to the Rules of the House of Representatives for the 110th Congress.

Mr. MORAN of Virginia. Madam Speaker, I rise in support of this rule change and real Pay-As-You-Go or "Pay-Go" budget requirements.

Madam Speaker, the 109th Session of Congress left behind a legacy that is certain to go down in the annals of history as the height of fiscal irresponsibility. Unless you consider an additional \$781 billion extension of the debt limit, the fourth of a series approved since 2003 that added an additional \$3 trillion in new debt, the 109th Session can boast of no budgetary accomplishment.

In fact, it failed in its most basic responsibility: passing a budget for the Federal Government and failing to enact 9 of the 11 regular spending bills that fund the government's operations.

But, it simply didn't just fail pass a budget, it actually made the Nation's fiscal problems worse. It took what it already knew were large projected deficits and passed legislation that makes them even larger in future years. According to the Congressional Budget Office, legislation enacted last session actually increases the projected budget deficits by \$452 billion above what they would have been between 2005 and 2011 had they never been in session.

Over the course of the past 5 years, with full control of the White House and both chambers of Congress, the Republican leadership inherited an estimated 10-year budget surplus of \$5.6 trillion and after 5 years has turned the same 10-year period (2002–2011) into a projected budget deficit of \$3 trillion—a disastrous \$8.6 trillion turnabout.

This explosion of budget deficits is largely the result of 2 irresponsible budget policies of the former Republican majority:

First, was its decision to waive all budget rules and not to pay for the current war in Iraq and Afghanistan, letting emergency spending bills be enacted within the discipline and restraints on the regular budget process; and

Second, was to make tax cuts its highest priority, enacting a series of tax cuts, targeted primarily at the wealthiest Americans and corporations that need them the least, with no offsets.

According to the Joint Committee on Taxation, the 3 major tax cuts enacted over the past 5 years cost \$1.5 trillion between 2001 and 2014. The actual number is somewhat higher once you tack on the additional costs of debt-servicing.

I don't pretend to have all the answers to solve our fiscal problems. But, one thing we should not do is more harm. We should not increase the amount of debt our children will inherit.

Adopting a real Pay-Go requirement as part of the Rules for the 110th Congress will keep this institution and the White House from digging an even larger budget deficit hole.

The pay-go rule we are considering today is not unlike the original one adopted as part of the 1993 budget agreement that required any spending or revenue measure we consider before the full House be fully offset and not increase the budget deficit.

The first Pay-Go requirements were adopted in 1993 as part of the largest deficit reduction package that Congress ever approved; a package that passed both chambers with a single Republican vote. It included both real spending cuts and real tax increases and placed us on a course toward balanced budgets.

The Pay-Go requirements were subsequently extended as part of the 1995 bipartisan budget agreement and closed the final gap in deficit spending that in 1999 produced the first balanced budget in more than 30 years.

We would be in a much better situation today had the original "Pay-Go" rule remained in effect.

Instead, a Republican-controlled Congress allowed the Pay-Go requirements to expire, enabling them to adopt irresponsible tax cuts that are largely responsible for the deficits we face today.

Adopting a true Pay-Go rule today gets us back on track toward responsible fiscal policy. I encourage my colleagues to support its inclusion in the Rules of the 110th Congress.

Mr. KING of Iowa. Madam Speaker, I rise to express concerns about the budget items in the Democrat Rules package.

I believe that we can do better and this proposal does not go far enough. I am committed to curtailing special-interest, pork-barrel spending and reforming earmarks.

While on the face it appears Democrats are concerned about reducing the deficit because they mention Reconciliation. This is only smoke and mirrors. Simply put, the language in their rules package makes it easy to raise taxes and difficult to reduce them. The language allows the use of expedited procedures (budget reconciliation) to raise taxes. At the same time, the language prohibits using reconciliation for tax relief.

We need transparency, accountability, and better control for the federal spending process. Earmark Reform and Reconciliation are baseless without a Rescission process for cutting spending.

Businesses and families often review their planned budget with actual spending on a monthly basis to spot and eliminate unnecessary spending. While common sense would lead taxpayers to believe that similar oversight exists for our federal budget, this would be wrong. Congress has no formal process that allows members to force votes to trim wasteful spending at any time after federal spending gets signed into law.

Soon I plan to introduce my legislation, the Cut the Unnecessary Tab (CUT) resolution, that would make any unspent federal funding vulnerable to a recorded vote for cuts at the beginning of each fiscal quarter. Any Member of the House could offer an amendment to these quarterly bills to cut spending.

Under my bill, Members of Congress will have four opportunities every year to propose elimination of programs that are superfluous or incompetent. This gives Congress a tool that individual Members can use to bring the chamber into commonsense spending cuts. No longer would any Member of Congress

have the excuse that one individual acting alone would not have a way to reform the Federal Government's spending.

It is my hope that the Democrats live up to their promise for no new deficit spending. However, I fear that it's a plan to raise taxes. The resolution allows Democrats to increase spending as much as they like—as long as they "pay for" it by cutting other spending or—more likely—by chasing that spending with ever-higher taxes. This watered down PAYGO proposal does not reduce current spending—it stops tax cuts. This PAYGO applies only to NEW spending. All previous PAYGO versions were enforced by across-the-board spending cuts—that's what created the incentive to control spending. But the Democrats' PAYGO is enforced only by a point of order—which they can easily waive for their pet spending increases.

Congress can and must do better. The easiest and best way to stop the growth of federal spending and let American families keep more of their hard earned taxpayer dollars is to make these tough decisions now.

Mr. KUCINICH. Madam Speaker, I rise in support of the Title IV Sec. 405 Pay-As-You-Go rules before the House today. I support these rules that will enable us to patch a sinking ship. The Republican tax cuts for the wealthiest Americans have driven us into permanent deficit spending. These rules will stop the sacrifice of the nation's well being for the benefit of the few.

I continue to be concerned about our weakened economy and the shrinking industrial base. I believe Congress should be enacting measures that will expand the economy, revitalize the rust belt, expand our manufacturing base, prime the pump when needed in recession, and invest in infrastructure improvements. I believe Congress should enact universal healthcare for all and universal pre-kindergarten. Unlike the irresponsible tax cuts in the past 4 years, I am prepared to ensure these programs do not run up deficits over the long term. This can all be accomplished under these rules.

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

The SPEAKER pro tempore (Ms. ZOE LOFGREN of California). Pursuant to House Resolution 5, the previous question is ordered on the portion of the divided question comprising title IV.

The question is on that portion of the divided question.

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

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

The yeas and nays were ordered.

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

The portion of the divided question comprising title V is now debatable for 10 minutes.

The gentleman from Massachusetts (Mr. MCGOVERN) and the gentleman from Florida (Mr. LINCOLN DIAZ-BALART) each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

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

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, since the title of the rules package that we are seeking to debate now includes five closed rules for legislation that we haven't seen and we only have 10 minutes to debate this title, I ask unanimous consent for 1 hour of debate, at least 1 hour of debate, for these, in effect, five closed rules.

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

Mr. MCGOVERN. Madam Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I yield myself such time as I may consume.

"The disinfectant of sunlight," Madam Speaker. I just heard that term.

The alternation of power can sometimes be healthy, often be healthy in democracy. Progress is made by the cumulative efforts and reforms of succeeding generations in this Congress, often from both parties. But retrogression, Madam Speaker, from progress is neither healthy nor certainly commendable.

As I mentioned before, in this section of the rules package brought forth by the new majority, first of all, the Rules Committee will no longer be required to disclose roll call votes on rules brought forth or amendments in committee. I believe, and I haven't heard it from the other side because no pretext has even been brought forth here in the House, but I believe that the pretext is for closing out sunshine completely in the Rules Committee, that some mistakes were made reporting in the past roll calls. In the last 12 years, there were over 1,300 recorded votes in the Committee on Rules, and not once, Madam Speaker, did the committee file a report with incorrect vote totals.

And then, as I made reference before, this title of the rules package that the majority brings forth includes five closed rules for legislation that we still haven't seen. And we have received a lot of criticism. I have heard a lot of criticism over the last years when we have come to the floor from the Rules Committee with closed rules, but at least we have had Rules Committees meetings and there has been an opportunity for Members to go to the Rules Committee and present amendments.

Well, now we are, in this rules package, in a totally unprecedented manner, seeing that the majority is bringing forth five closed rules for bills that we haven't seen. And in addition, they are waiving all points of order, all points of order, against all of those five bills that we haven't even seen. So that is most unfortunate, Madam Speaker.

Madam Speaker, I reserve the balance of my time.

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

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I would ask how much time is remaining.

The SPEAKER pro tempore. The gentleman from Florida has 1½ minutes remaining.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I yield 1 minute to my distinguished friend from Texas (Mr. BRADY).

Mr. BRADY of Texas. Madam Speaker, I rise in opposition to this proposal. For the first time in more than a decade and in recent memory, the new House leadership, and this is hard to believe, is attempting to keep secret the votes of one of our most important committees, the Rules Committee. It determines which bills are sent to the House floor, for how long they may be debated, and what amendments the people's House will consider. It is a critical part of our democratic process. Hiding these votes from the public, cloaking this committee in secrecy where backroom deals are shielded from the American voter, is an outrageous and arrogant step backward from open and honest government. This is abuse of power that must be stopped. And, sadly, I will file a Freedom of Information Act request on every Rules Committee vote so that the American public can see what this committee is trying to hide.

We ought to defeat this proposal.

Mr. MCGOVERN. Madam Speaker, let me respond to my colleagues from Florida and Texas by simply saying you are wrong.

Let me ask, has the gentleman yielded back all his time.

Mr. LINCOLN DIAZ-BALART of Florida. No, I have not.

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

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I yield myself the balance of my time.

So not only can we not have an hour, but now we have to finish our debate before hearing our opponents.

No, again, we heard "the disinfectant of sunlight" has arrived. An interesting definition for what has arrived, Madam Speaker.

Madam Speaker, what we are voting on today, this rules package, this provision, this title V, constitutes serious retrogression from progress made in this Congress throughout generations of work, of reform, from both parties, that has brought openness and transparency. The Rules Committee now is closed off from the public, and closed rules are brought to this floor in this rules package before we have even seen legislation. Most unfortunate, Madam Speaker.

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

I appreciate the words of my colleagues from Texas and Florida. And I should remind my colleague from Florida when you are in the majority, you get to close debates. And he should have known that since he was in the majority for 12 years.

And I think for anybody to talk about abuse of power, it takes a lot ofchutzpah. I would suggest to the gentleman from Texas to look at what happened over the last 12 years in this Congress.

Madam Speaker, this is the final title of the rules package. It consists of basic technical changes to the House rules.

First, this title gives the Committee on Oversight and Government Reform authority to adopt a rule, allowing committee members and staff to conduct depositions in the course of committee investigations.

□ 1215

Second, it shields the Rules Committee reports from a point of order if they are filed without a complete list of record votes taken during the consideration of a special rule. This provision allows the Rules Committee to publish recorded votes taken during committee hearings and committee reports and/or through other means, such as the Internet.

Third, it allows for the consideration of several pieces of legislation that are part of the first 100 hours agenda, if special rules for those provisions are not separately reported.

Fourth, this title continues the budget deeming resolution for the second session of the 109th Congress until such time as a conference report establishing a budget for the fiscal year 2008 is adopted.

Fifth and finally, this title renews the standing order approved during the 109th Congress that prohibits registered lobbyists from using Members' exercise facilities, which is something I know is very important to the Members on the other side of the aisle.

Now, my friends on the other side of the aisle have focused a lot of attention incorrectly on the second provision regarding the publishing of votes taken in the Rules Committee.

Let me explain in detail what this provision actually accomplishes and why we have included it in this package. Section 503 is a straightforward clerical change to clause 3(b), rule XIII, that will make it a little easier for the Rules Committee to transmit its work product to the House in a timely manner.

Despite what you may hear from the other side of the aisle, this section will not reduce the amount of information available to the public about what we do in the Rules Committee, and it will not stop us from taking public votes in the committee.

Let me make something else clear. The House rules already require committees to keep a record of all recorded votes and to make those votes available publicly.

That requirement has been in the permanent rules since 1953. The Rules Committee has always and will always comply with that rule. In fact, it is our goal to make Rules Committee votes available to the public more quickly

than they do under the current practices. Our committee often meets on short notice and under severe time restrictions.

Unlike other committees, which usually have several days to put together reports, our committee is often required to assemble large, complex reports in a matter of hours. The proper reporting and filing of these reports in the House is essential to the efficient operation of the House.

Mr. BRADY of Texas. Will the gentleman yield?

Mr. MCGOVERN. No, I will not. We sometimes report and file a special rule late one night, and the next morning the rule and the bill are on the House floor. There is just not much room for even minor clerical errors when you are under such tight deadlines. This rules change does not mean that the public will have any less access to what happens in the Rules Committee, Madam Speaker.

We plan to include record votes in the Rules Committee reports and, even better, we intend to post committee votes on the Rules Committee Web site as soon as they have them, so that the American people will know what is going on.

Even better than that, we plan to have more meetings during the daylight hours so that the public and the press know what we are doing in the Rules Committee.

Well, let me say to my friends on the other side of the aisle, if you feel that the votes taken in the Rules Committee are not being made public fast enough, or are clear enough, you have my word that we will work to fix it, and we will work with you. You have my word on that.

More importantly, Madam Speaker, after our business here in the House concludes today, we will have made historic progress. We will have ended the culture of corruption that has plagued this House for the past dozen years. We will have paved the way to accomplishing what the American people voted for, to give minimum wage workers a raise.

Right now the average CEO of a Fortune 500 Company earns \$10,712 in 1 hour 16 minutes. It takes an average minimum wage worker 52, 40-hour weeks, an entire year, to earn the same \$10,712. It is wrong, and we are going to fix it.

We will have paved a way to make college tuition and prescription drugs more affordable, to make our homeland safer, by implementing the 9/11 Commission recommendations, and to invest in lifesaving stem cell research. All of these measures, Madam Speaker, have been the subject of hearings. Many of them have been voted on. But the majority on the other side has stalled and undermined these measure at every step. No more.

Finally, Madam Speaker, let me assure my friends, including the distinguished gentleman from Florida, that we will conduct the business of this

House in a much more fair, civil and open way than has been the norm of the last 12 years. Your views will be heard more than ours were. Your ideas will be given more consideration than ours were. Your voices will be more respected than ours were, because that is the right way to run the people's House.

Mr. GINGREY. Madam Speaker, I rise today in opposition to Title V of H. Res. 6 and encourage my colleagues to vote "no" on this measure.

Since the election we have heard promises of grandeur from the new Democrat majority. They have promised to usher in a new era of civility, bi-partisanship, and cooperation into the halls of Congress. They have repeatedly stated that the American people want a civilized tone in Washington. But it appears the Democrats are ignoring their own message.

In the opening hours of this Congress, with their very first piece of business, the Democrats have put forth a resolution that is the opposite of civility and transparency—indeed, a total contradiction of the way they pledged to conduct business. For the first time in the history of this body, Madam Speaker, the Democrats have included closed rules governing future debate in the House rules package, and have even gone so far as to prevent the Rules Committee from meeting to deliberate these rules or the larger rules package.

But they did not stop there, Madam Speaker. After promising an open and fair process, the Democrats have allowed just 10 minutes of debate—that's 5 minutes per side—on Title V of this resolution.

This is no small measure, Madam Speaker. Included in Title V are closed rules governing debate on stem-cell research, the recommendations of the 9/11 commission, the cost of prescription drugs, and the federal minimum wage. Certainly the American people expect a debate of ideas and the proper congressional process for some of the most important issues facing our Nation. Instead, the Democrats will deliver 10 minutes of debate.

Further Madam Speaker, Title V of this resolution will prevent the votes of the Rules Committee from being made public. A veil of secrecy will fall over this critical committee they now control. This is not the transparency and accountability in our political process the Democrats have promised.

So, Madam Speaker, it appears the new age of the Democrat majority will unfortunately not live up to its much-hyped billing. Instead of more openness, fairness, and transparency, the Democrats have revealed the hypocritical nature of their disingenuous promises with their very first piece of legislation. Reneging on their campaign promises in the opening hours of this session is no way to build the spirit of trust and cooperation across the aisle.

Madam Speaker, I hope for the sake of the American people that the Democrats start adhering to their pre-election rhetoric and conduct the business of this body in a civilized manner.

Ms. SCHAKOWSKY. Madam Speaker, I rise today in support of H. Res. 6, the House Rules Package for the 110th Congress. With the passage of this resolution, we are committing ourselves to restore honest leadership, civility, and fiscal responsibility to the U.S. House of Representatives. It is a commitment that we owe to our constituents and to our Nation.

Unfortunately, over the past several years, the House of Representatives was transformed from the people's House into a legislative body where those who could afford to make their influence felt far too often held sway. Legislation was enacted that benefited the wealthy few instead of the vast majority. Legislation was enacted—often in the middle of the night—without time for review or careful consideration. Legislation was enacted to benefit those who could afford to pay for fancy meals and golf vacations while legislation that would improve wages and the quality of life for working Americans was ignored. The process was abused, votes were held open, and amendments were prohibited from being offered. The losers have been the American public.

Perhaps the single best example of these abuses is the Medicare Modernization Act, a law which actually prohibits Medicare from negotiating for drug savings, as the VA and large employers do today, and by doing so guarantees that senior citizens and persons with disabilities will pay more than they should for the drugs that they need. This law would not have been enacted if pharmaceutical companies had not been allowed to use undue influence, if Democratic conferees had not been locked out of the negotiations, if Members had not been intimidated on the House floor, and if the final vote had not been held open for nearly 3 hours to change the outcome.

During the first 100 hours of the 110th Congress, we will eliminate this prohibition and require that Medicare use its bargaining clout on behalf of consumers. Today, we are taking steps to make sure that the procedural abuses that were used to enact that prohibition will become a relic of the past.

We also begin the 110th Congress by putting our financial house in order. The past 6 years of fiscal mismanagement has turned a \$5.6 trillion surplus into an over \$3 trillion deficit. The passage of H. Res. 6 will help us get our current debt and financial crisis under control while allowing us to make the investments needed for American families and our economic future.

With the restoration of pay-as-you-go budgeting, Congress will not be able to increase the deficit and make future generations of Americans carry a debt load so that today's wealthy can get tax cuts like the ones passed over the past few years. According to the non-partisan Congressional Budget Office, those tax cuts, which primarily benefit the very rich, are the main cause of our country's fiscal reversal. Reining in the spiraling debt will give us a chance to invest in our communities, create jobs, provide retirement security, and stimulate our economy.

Transparency requirements for earmarks will also help us make certain that taxpayers' dollars are put to good use while eliminating wasteful spending. I believe that district-specific earmarks on appropriations or other legislation should not be provided unless they directly improve our communities. Requiring better disclosure of sponsorship of earmarks and ensuring that Members have no personal financial interest in the request will help us guarantee that the funding is targeted to essential infrastructure improvements, community development, vital research, and other important programs. Congress has a long history of providing earmarks for such projects, and I support their continued funding and eliminating

the abuses of earmarks like the "Bridge to Nowhere."

H. Res. 6 is the first action of the 110th Congress. By its passage, we are demonstrating to the American public that we are going to return the House of Representatives to its rightful role as being the people's House—not just in procedures but also in policy.

Mr. HALL of New York. Madam Speaker, today the House of Representatives will consider an important package of reforms that, when adopted by this chamber, will take the first necessary steps toward restoring fiscal responsibility in our government. I am proud to be a cosponsor of these measures, which will allow us to undertake the critical tasks of balancing our budget and controlling our national debt.

For too long, our government has operated under a "buy now, pay later" philosophy that, if left unchanged, will force our children and grandchildren to foot the bill with increasingly dire consequences. The fiscal responsibility provisions put forward today will help us avoid this generational buck passing by imposing some much-needed discipline on the budgeting process. The package of reforms put forward today accomplishes that by preventing the House from considering budget measures that would increase the federal deficit.

One of the most important reforms we are advancing today is the reinstitution of "PAYGO" rules to govern the Congressional budgeting process. Although the overall budget process can be technical and complex, "PAYGO" simply means what it sounds like: you pay as you go. The "PAYGO" provision creates a barrier to passing legislation that would further inflate our huge national deficit and mortgage our country's future.

Congress operated under "PAYGO" rules from 1990 until 2002 with clear results. Under the "PAYGO" constraints on spending, our government was able to balance the budget, create budget surpluses, and reduce the national debt by \$453 billion. Since the mistaken move away from the "PAYGO" rules, deficit spending is back and our national debt has spiraled out of control. As of today, the total national debt is almost an astonishing \$8.7 trillion or almost \$29,000 for every person in the United States. Disturbingly, much of this debt is held by America's economic competitors, including China. Instead of demonstrating the leadership needed to turn this dangerous fiscal tide, our government has not taken steps to curtail earmarks, our President has never vetoed a spending bill, and we have yet to demonstrate the will to do what is necessary.

I am proud to say that with today's reform package we can begin to change that. It is in our vital interest to get spending under control to eliminate deficits and return to paying down our debt. It will require difficult choices and the will to change business as usual in Washington, but it is our responsibility to meet that challenge by passing these reforms.

Ms. ESHOO. Madam Speaker, I rise in strong support of the rules package before us. As we begin the important work of the 110th Congress, it is imperative that we set the tone for how the people's work will be conducted in this chamber, which is the people's House.

In the November elections, Democrats offered Americans a new direction and a more ethical Congress. The American people responded with great clarity. Exit polls revealed

that 74 percent of voters in November cited corruption as an important issue in determining their vote.

Now it is our turn to act. That's why we are taking immediate steps to fulfill the promise of a more ethical Congress by passing a comprehensive rules package that bans gifts and travel from lobbyists; requires adequate time to review legislation and bans the insertion of special interest provisions in the 'dead of the night' to ensure that Members have time to read the bills being considered and know exactly what is in them; mandates annual ethics training for all Members and staff; curbs abuses of voting time to ensure that votes are not held open to change the outcome; requires full disclosure of all earmarks, as well as requiring that a Member certify that earmarks do not financially benefit them or their spouses; and reinstates Pay-As-You-Go budget rules to prevent all new spending and tax cuts from adding to the federal debt.

Passage of this legislative package will begin the process of restoring integrity to the House of Representatives, assuring the people of our country that we are here on their behalf, not our own. I urge my colleagues to vote for this rules package.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. ZOE LOFGREN of California). Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Adoption of title III of House Resolution 6, by the yeas and nays;

Adoption of title IV of House Resolution 6, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

The pending business is the vote on adoption of title III of House Resolution 6, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on that portion of the divided question.

The vote was taken by electronic device, and there were—yeas 430, noes 0, not voting 5, as follows:

[Roll No. 8]

YEAS—430

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bean
Becerra
Berkley

Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)

Brady (PA)
Brady (TX)
Braley (IA)
Brown, Corrine
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney

Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Jo Ann
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Fox
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman

Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loeb
Loeb
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel
E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh

McIntyre
McKeon
McMorris
Rodgers
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Misch
Millender-
McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Muggrave
Myrick
Nadler
Napolitano
Neugebauer
Norwood
Nunes
Oberstar
Obey
Oliver
Ortiz
Pallone
Pascarelli
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)

Scott (VA) Stearns
Sensenbrenner Stupak
Serrano Sutton
Sessions Tancredo
Sestak Tanner
Shadegg Tauscher
Shays Taylor
Shea-Porter Terry
Sherman Thompson (CA)
Shimkus Thompson (MS)
Shuler Thornberry
Shuster Tiahrt
Simpson Tiberi
Sires Tierney
Skelton Towns
Slaughter Turner
Smith (NE) Udall (CO)
Smith (NJ) Udall (NM)
Smith (TX) Upton
Smith (WA) Van Hollen
Snyder Velázquez
Solis Visclosky
Souder Walberg
Space Walden (OR)
Spratt Walsh (NY)
Stark Walz (MN)

NOT VOTING—5

Barton (TX) Buyer
Brown (SC) Neal (MA)

□ 1246

Ms. WATERS changed her vote from “nay” to “yea.”

So that portion of the divided question was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The pending business is the vote on adoption of title IV of House Resolution 6, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on that portion of the divided question.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 280, nays 152, not voting 3, as follows:

[Roll No. 9]

YEAS—280

Abercrombie Carnahan
Ackerman Carney
Allen Carson
Altmire Castle
Andrews Castor
Arcuri Chandler
Baca Clarke
Baird Clay
Baldwin Cleaver
Barrow Clyburn
Bean Cohen
Becerra Conyers
Berkley Cooper
Berman Costa
Berry Costello
Bilirakis Courtney
Bishop (GA) Cramer
Bishop (NY) Crowley
Blumenauer Cuellar
Boozman Cummings
Boren Davis (AL)
Boswell Davis (CA)
Boucher Davis (IL)
Boyd (FL) Davis, Lincoln
Boyd (KS) DeFazio
Brady (PA) DeGette
Braley (IA) Delahunt
Brown, Corrine DeLauro
Brown-Waite, Dent
Ginny Dicks
Butterfield Dingell
Capito Doggett
Capps Donnelly
Capuano Doyle
Cardoza Edwards

Wamp
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

Sullivan

Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jindal
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meehan

Aderholt

Akin
Alexander
Achmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggart
Bilbray
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boustany
Brady (TX)
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David

Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-
McDonald
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Oberstar
Obey
Oliver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pelosi
Perlmutter
Peterson (MN)
Petri
Platts
Poe
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Rehberg
Reyes
Rodriguez
Rogers (MI)
Rohrabacher
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff

NAYS—152

Davis, Jo Ann
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fossella
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hoekstra
Hulshof
Hunter

Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

Nunes
Paul
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Price (GA)
Putnam
Radanovich
Regula
Reichert
Renzi
Reynolds
Rogers (AL)

NOT VOTING—3

Brown (SC) Buyer Neal (MA)

□ 1259

Mr. WELLER of Illinois and Mr. POE changed their vote from “nay” to “yea.”

So that portion of the divided question was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. BECERRA). Pursuant to House Resolution 5, the previous question is ordered on the portion of the divided question comprising title V.

The question is on that portion of the divided question.

MOTION TO COMMIT OFFERED BY MR. RYAN OF WISCONSIN

Mr. RYAN of Wisconsin. Mr. Speaker, I offer a motion to commit.

The SPEAKER pro tempore. The Clerk will report the motion to commit.

The Clerk read as follows:

Mr. Ryan of Wisconsin moves to commit the resolution (H. Res. 6) to a select committee composed of the Majority Leader and the Minority Leader with instructions to report back the same to the House forthwith with only the following amendment:

After section 510, insert the following new sections, and redesignate the following sections (and cross references thereto) accordingly:

SEC. 511. SPECIAL ORDER OF BUSINESS: SMALL BUSINESS HEALTH PLANS

On January 16, 2007, or, if the House is not in session on such day, the next day on which the House is in session thereafter, following the third daily order of business under clause 1 of rule XIV, the House shall immediately proceed to the consideration in the House of the bill (H.R. 241) to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees. All points of order against the bill and against its consideration are waived. The bill shall be considered as read. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except: (1) three hours of debate equally divided and controlled by the Majority Leader and the Minority Leader or their designees, and (2) one motion to recommit with or without instructions to be offered by the Majority Leader or his designee.

SEC. 512. CONGRESSIONAL EARMARK REFORM.

(a) POINT OF ORDER AGAINST CONGRESSIONAL EARMARKS.—Rule XXI is amended by adding at the end the following new clause: “9. (a) It shall not be in order to consider—“(1) a bill or joint resolution reported by a committee unless the report includes a list

of congressional earmarks, limited tax benefits, and limited tariff benefits in the bill or in the report (and the name of any Member, Delegate, or Resident Commissioner who submitted a request to the committee for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits;

“(2) a bill or joint resolution not reported by a committee unless the chairman of each committee of initial referral has caused a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the bill (and the name of any Member, Delegate, or Resident Commissioner who submitted a request to the committee for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits to be printed in the Congressional Record prior to its consideration;

“(3) an amendment to a bill or joint resolution to be offered at the outset of its consideration for amendment by a member of a committee of initial referral as designated in a report of the Committee on Rules to accompany a resolution prescribing a special order of business unless the proponent has caused a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the amendment (and the name of any Member, Delegate, or Resident Commissioner who submitted a request to the proponent for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits to be printed in the Congressional Record prior to its consideration; or

“(4) a conference report to accompany a bill or joint resolution unless the joint explanatory statement prepared by the managers on the part of the House and the managers on the part of the Senate includes a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the conference report or joint statement (and the name of any Member, Delegate, Resident Commissioner, or Senator who submitted a request to the House or Senate committees of jurisdiction for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits.

“(b) It shall not be in order to consider a rule or order that waives the application of paragraph (a). As disposition of a point of order under this paragraph, the Chair shall put the question of consideration with respect to the rule or order that waives the application of paragraph (a). The question of consideration shall be debatable for 10 minutes by the Member initiating the point of order and for 10 minutes by an opponent, but shall otherwise be decided without intervening motion except one that the House adjourn.

“(c) In order to be cognizable by the Chair, a point of order raised under paragraph (a) may be based only on the failure of a report, submission to the Congressional Record, or joint explanatory statement to include a list required by paragraph (a) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits.

“(d) For the purpose of this clause, the term ‘congressional earmark’ means a provision or report language included primarily at the request of a Member, Delegate, Resident Commissioner, or Senator providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an

entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process.

“(e) For the purpose of this clause, the term ‘limited tax benefit’ means—

“(1) any revenue-losing provision that—
“(A) provides a Federal tax deduction, credit, exclusion, or preference to 10 or fewer beneficiaries under the Internal Revenue Code of 1986, and

“(B) contains eligibility criteria that are not uniform in application with respect to potential beneficiaries of such provision; or

“(2) any Federal tax provision which provides one beneficiary temporary or permanent transition relief from a change to the Internal Revenue Code of 1986.

“(f) For the purpose of this clause, the term ‘limited tariff benefit’ means a provision modifying the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities.

(b) RELATED AMENDMENT TO CODE OF OFFICIAL CONDUCT.—Rule XXIII is amended—

(a) by redesignating clause 16 (as earlier redesignated) as clause 18; and

(b) by inserting after clause 15 the following new clauses:

“16. A Member, Delegate, or Resident Commissioner may not condition the inclusion of language to provide funding for a congressional earmark, a limited tax benefit, or a limited tariff benefit in any bill or joint resolution (or an accompanying report) or in any conference report on a bill or joint resolution (including an accompanying joint explanatory statement of managers) on any vote cast by another Member, Delegate, or Resident Commissioner. For purposes of this clause and clause 17, the terms ‘congressional earmark,’ ‘limited tax benefit,’ and ‘limited tariff benefit’ shall have the meanings given them in clause 9 of rule XXI.

“17. (a) A Member, Delegate, or Resident Commissioner who requests a congressional earmark, a limited tax benefit, or a limited tariff benefit in any bill or joint resolution (or an accompanying report) or in any conference report on a bill or joint resolution (or an accompanying joint statement of managers) shall provide a written statement to the chairman and ranking minority member of the committee of jurisdiction, including—

“(1) the name of the Member, Delegate, or Resident Commissioner;

“(2) in the case of a congressional earmark, the name and address of the intended recipient or, if there is no specifically intended recipient, the intended location of the activity;

“(3) in the case of a limited tax or tariff benefit, identification of the individual or entities reasonably anticipated to benefit, to the extent known to the Member, Delegate, or Resident Commissioner;

“(4) the purpose of such congressional earmark or limited tax or tariff benefit; and

“(5) a certification that the Member, Delegate, or Resident Commissioner or spouse has no financial interest in such congressional earmark or limited tax or tariff benefit.

“(b) Each committee shall maintain the information transmitted under paragraph (a), and the written disclosures for any congressional earmarks, limited tax benefits, or limited tariff benefits included in any measure reported by the committee or conference report filed by the chairman of the committee or any subcommittee thereof shall be open for public inspection.”

Mr. McGOVERN (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 5, the previous question is ordered on the motion to commit.

The question is on the motion to commit.

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

Mr. RYAN of Wisconsin. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This 15-minute vote on the motion to commit will be followed by a 5-minute vote on title V of House Resolution 6, if ordered.

The vote was taken by electronic device, and there were—yeas 200, nays 232, not voting 3, as follows:

[Roll No. 10]

YEAS—200

Aderholt	Franks (AZ)	Miller, Gary
Akin	Frelinghuysen	Moran (KS)
Alexander	Gallegly	Murphy, Tim
Bachmann	Garrett (NJ)	Musgrave
Bachus	Gerlach	Myrick
Baker	Gilchrest	Neugebauer
Barrett (SC)	Gillmor	Norwood
Bartlett (MD)	Gingrey	Nunes
Barton (TX)	Gohmert	Paul
Biggert	Goode	Pearce
Billbray	Goodlatte	Pence
Billirakis	Granger	Peterson (PA)
Bishop (UT)	Graves	Petri
Blackburn	Hall (TX)	Pickering
Blunt	Hastert	Pitts
Boehner	Hastings (WA)	Platts
Bonner	Hayes	Poe
Bono	Heller	Porter
Boozman	Hensarling	Price (GA)
Boustany	Herger	Pryce (OH)
Brady (TX)	Hobson	Putnam
Brown-Waite,	Hoekstra	Radanovich
Ginny	Hulshof	Ramstad
Buchanan	Hunter	Regula
Burgess	Inglis (SC)	Rehberg
Burton (IN)	Issa	Reichert
Calvert	Jindal	Renzi
Camp (MI)	Johnson (IL)	Reynolds
Campbell (CA)	Johnson, Sam	Rogers (AL)
Cannon	Jones (NC)	Rogers (KY)
Cantor	Jordan	Rogers (MI)
Capito	Keller	Rohrabacher
Carter	King (IA)	Ros-Lehtinen
Castle	King (NY)	Roskam
Chabot	Kingston	Royce
Coble	Kirk	Ryan (WI)
Cole (OK)	Kline (MN)	Sali
Conaway	Knollenberg	Saxton
Crenshaw	Kuhl (NY)	Schmidt
Cubin	LaHood	Sensenbrenner
Culberson	Lamborn	Sessions
Davis (KY)	Latham	Shadegg
Davis, David	LaTourette	Shays
Davis, Jo Ann	Lewis (CA)	Shimkus
Davis, Tom	Lewis (KY)	Shuster
Deal (GA)	Linder	Simpson
Dent	LoBiondo	Smith (NE)
Diaz-Balart, L.	Lucas	Smith (NJ)
Diaz-Balart, M.	Lungren, Daniel	Smith (TX)
Doolittle	E.	Souder
Drake	Mack	Stearns
Dreier	Manzullo	Sullivan
Duncan	Marchant	Tancred
Ehlers	McCarthy (CA)	Terry
Emerson	McCaul (TX)	Thornberry
English (PA)	McCotter	Tiahrt
Everett	McCrery	Tiberi
Fallin	McHenry	Turner
Feeney	McHugh	Upton
Ferguson	McKeon	Walberg
Flake	McMorris	Walden (OR)
Forbes	Rodgers	Walsh (NY)
Fortenberry	Mica	Wamp
Fossella	Miller (FL)	Weldon (FL)
Fox	Miller (MI)	Weller

Westmoreland
Whitfield
Wicker

Wilson (NM)
Wilson (SC)
Wolf

Young (AK)
Young (FL)

NAYS—232

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyd (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene

NOT VOTING—3

Brown (SC) Buyer Neal (MA)

□ 1320

So the motion to commit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. BECERRA). The question is on the portion of the divided question comprising title V.

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

RECORDED VOTE

Mr. CANTOR. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 232, noes 200, not voting 3, as follows:

[Roll No. 11]

YEAS—232

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyd (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene

Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inlee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Mahoney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-
McDonald
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxy
Franks (AZ)
Frelinghuysen
Gallegly

Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel
E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer

NOT VOTING—3

Brown (SC) Buyer Neal (MA)

□ 1328

So that portion of the divided question was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ROBERT T. STAFFORD WHITE ROCKS NATIONAL RECREATION AREA

Mr. WELCH of Vermont. Mr. Speaker, I ask unanimous consent that the Committee on Natural Resources be discharged from further consideration of the Senate bill (S. 159) to redesignate the White Rocks National Recreation Area in the State of Vermont as the “Robert T. Stafford White Rocks