

Jackson (IL)	Michaud	Scalise
Jackson-Lee (TX)	Miller (FL)	Schakowsky
Jefferson	Miller (MI)	Schiff
Johnson (GA)	Miller (NC)	Schmidt
Johnson (IL)	Miller, Gary	Schwartz
Johnson, E. B.	Miller, George	Scott (GA)
Johnson, Sam	Mitchell	Scott (VA)
Jones (NC)	Mollohan	Sensenbrenner
Jordan	Moore (KS)	Serrano
Kagen	Moore (WI)	Sessions
Kanjorski	Moran (KS)	Sestak
Kaptur	Moran (VA)	Shadegg
Keller	Murphy (CT)	Shays
Kennedy	Murphy, Patrick	Shea-Porter
Kildee	Murphy, Tim	Sherman
Kilpatrick	Murtha	Shimkus
Kind	Musgrave	Shuler
King (IA)	Myrick	Shuster
King (NY)	Nadler	Simpson
Kingston	Napolitano	Sires
Kirk	Neal (MA)	Skelton
Klein (FL)	Neugebauer	Slaughter
Kline (MN)	Nunes	Smith (NE)
Knollenberg	Oberstar	Smith (NJ)
Kucinich	Obey	Smith (TX)
Kuhl (NY)	Olver	Smith (WA)
LaHood	Ortiz	Snyder
Lamborn	Pallone	Solis
Lampson	Pascarell	Souder
Langevin	Pastor	Space
Larsen (WA)	Payne	Speier
Larson (CT)	Pearce	Spratt
Latham	Pence	Stark
LaTourette	Perlmutter	Stearns
Latta	Peterson (MN)	Stupak
Lee	Petri	Sullivan
Levin	Pitts	Sutton
Lewis (CA)	Platts	Tancredo
Lewis (GA)	Poe	Tanner
Lewis (KY)	Pomeroy	Tauscher
Linder	Porter	Taylor
Lipinski	Price (GA)	Terry
LoBiondo	Price (NC)	Thompson (CA)
Loeback	Pryce (OH)	Thornberry
Lofgren, Zoe	Putnam	Tiahrt
Lowey	Radanovich	Tiberi
Lucas	Rahall	Towns
Lungren, Daniel E.	Ramstad	Tsongas
Lynch	Rangel	Turner
Mack	Regula	Udall (NM)
Mahoney (FL)	Rehberg	Upton
Maloney (NY)	Reichert	Van Hollen
Manzullo	Renzi	Velázquez
Marchant	Reyes	Visclosky
Markey	Reynolds	Walberg
Marshall	Richardson	Walden (OR)
Matheson	Rodriguez	Walsh (NY)
Matsui	Rogers (AL)	Walz (MN)
McCarthy (CA)	Rogers (KY)	Wamp
McCarthy (NY)	Rogers (MI)	Wasserman
McCauley (TX)	Rohrabacher	Schultz
McCollum (MN)	Ros-Lehtinen	Waters
McCotter	Roskam	Watson
McDermott	Ross	Watt
McGovern	Rothman	Weiner
McHenry	Roybal-Allard	Welch (VT)
McHugh	Royce	Westmoreland
McIntyre	Ruppersberger	Whitfield (KY)
McKeon	Rush	Wilson (NM)
McMorris	Ryan (OH)	Wilson (OH)
Rodgers	Ryan (WI)	Wilson (SC)
McNerney	Salazar	Wittman (VA)
McNulty	Sali	Wolf
Meek (FL)	Sánchez, Linda T.	Woolsey
Meeke (NY)	Sánchez, Loretta	Wu
Melancon	Sarbanes	Yarmuth
Mica	Saxton	Young (AK)
		Young (FL)

NOT VOTING—14

Boyda (KS)	Peterson (PA)	Waxman
Costa	Pickering	Weldon (FL)
Cubin	Thompson (MS)	Weller
Gingrey	Tierney	Wexler
McCready	Udall (CO)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1729

Mr. PERLMUTTER changed his vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GINGREY. Madam Speaker, on rollcall No. 654 on ordering the previous question on H. Res. 1503, I am not recorded because I was unavoidably detained. Had I been present, I would have voted “nay.”

On rollcall No. 655 on H. Res. 1503, had I been present, I would have voted “nay.”

On rollcall No. 656 on H.R. 4120, the Effective Child Pornography Prosecution Act, had I been present, I would have voted “yea.”

On rollcall No. 657 on ordering the previous question on H. Res. 1507, had I been present, I would have voted “nay.”

On rollcall No. 658 on H. Res. 1507, had I been present, I would have voted “nay.”

On rollcall No. 659 on S. 1046, the Senior Professional Performance Act, I would have voted “yea.”

HOOR OF MEETING ON TOMORROW

Mrs. TAUSCHER. Mr. Speaker, I ask unanimous consent that when the House adjourns on this legislative day, it adjourn to meet at 10 a.m. tomorrow; and further, that when the House adjourns on that legislative day, it adjourn to meet at 1 p.m. on Sunday, September 28.

The SPEAKER pro tempore (Mr. ALTMIRE). Is there objection to the request of the gentlewoman from California?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 5975. An act to designate the facility of the United States Postal Service located at 101 West Main Street in Waterville, New York, as the “Cpl. John P. Sigsbee Post Office”.

H.R. 6092. An act to designate the facility of the United States Postal Service located at 101 Tallapoosa Street in Bremen, Georgia, as the “Sergeant Paul Saylor Post Office Building”.

H.R. 6437. An act to designate the facility of the United States Postal Service located at 200 North Texas Avenue in Odessa, Texas, as the “Corporal Alfred Mac Wilson Post Office”.

The message also announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 5265. An act to amend the Public Health Service Act to provide for research with respect to various forms of muscular dystrophy, including Becker, congenital, distal, Duchenne, Emery-Dreifuss facioscapulohumeral, limb-girdle, myotonic, and oculopharyngeal, muscular dystrophies.

The message also announced that the Senate has passed bills and a concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 2382. An act to require the Administrator of the Federal Emergency Management Agency to quickly and fairly address the abundance of surplus manufactured housing units stored by the Federal Government around the country at taxpayer expense.

S. 3166. An act to amend the Immigration and Nationality Act to impose criminal penalties on individuals who assist aliens who have engaged in genocide, torture, or extrajudicial killings to enter the United States.

S. 3309. An act to designate the facility of the United States Postal Service located at 2523 7th Avenue East in North Saint Paul, Minnesota, as the Mayor William “Bill” Sandberg Post Office Building.

S. Con. Res. 104. Concurrent resolution supporting “Lights On Afterschool!”, a national celebration of afterschool programs.

JOB CREATION AND UNEMPLOYMENT RELIEF ACT OF 2008

Mr. OBEY. Mr. Speaker, pursuant to House Resolution 1507, I call up the bill (H.R. 7110) making supplemental appropriations for job creation and preservation, infrastructure investment, and economic and energy assistance for the fiscal year ending September 30, 2009, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7110

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2009, and for other purposes, namely:

TITLE I—INFRASTRUCTURE INVESTMENTS

CHAPTER 1—TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

GRANTS-IN-AID FOR AIRPORTS

(AIRPORT AND AIRWAY TRUST FUND)

For an additional amount for “Grants-in-Aid for Airports”, to enable the Secretary of Transportation to make discretionary grants as authorized by subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, \$600,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2009: *Provided*, That in selecting projects to be funded, priority shall be given to airport projects that can award contracts based on bids within 120 days of enactment of this Act.

FEDERAL HIGHWAY ADMINISTRATION

HIGHWAY INFRASTRUCTURE INVESTMENT

For projects and activities eligible under section 133 of title 23, United States Code (without regard to subsection (d)), section 144 of such title (without regard to subsection (g)), and sections 103, 119, 148, and 149 of such title, \$12,800,000,000, to remain available until September 30, 2009: *Provided*, That funds made available under this heading shall be distributed among the States, including Puerto Rico, American Samoa, Guam, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands, in

the same ratio as the obligation limitation for fiscal year 2008 was distributed among the States in accordance with the formula specified in section 120(a)(6) of division K of Public Law 110-161, but, in the case of the Puerto Rico Highway Program and the Territorial Highway Program, under section 120(a)(5) of such division: *Provided further*, That in selecting projects to be funded, priority shall be given to ready-to-go projects that can award bids within 120 days of enactment of this Act: *Provided further*, That funds made available under this heading shall be administered as if apportioned under chapter 1 of title 23, United States Code: *Provided further*, That the Federal share payable on account of any project or activity carried out with funds made available under this heading shall be 100 percent of the total cost thereof: *Provided further*, That amounts made available under this heading that are not obligated within 180 days after the date of enactment of this Act shall be redistributed, in the manner described in section 120(c) of division K of Public Law 110-161, to those States able to obligate amounts in addition to those previously distributed: *Provided further*, That the amount made available under this heading shall not be subject to any limitation on obligations for Federal-aid highways or highway safety construction programs set forth in any Act.

FEDERAL RAILROAD ADMINISTRATION

FEDERAL AND DEBT SERVICE GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

For an additional amount for "Capital and Debt Service Grants to the National Railroad Passenger Corporation", \$500,000,000, to remain available until September 30, 2009: *Provided*, That the Secretary of Transportation may retain up to one-quarter of 1 percent of the funds made available under this heading to fund the oversight by the Federal Railroad Administration of the design and implementation of capital projects funded by grants made under this heading: *Provided further*, That none of the funds made available under this heading may be used to subsidize operating losses of Amtrak: *Provided further*, That none of the funds made available under this heading shall be for debt service obligations: *Provided further*, That in selecting projects to be funded, priority shall be given to Amtrak capital projects that can award contracts based on bids within 120 days of enactment of this Act.

FEDERAL TRANSIT ADMINISTRATION

TRANSIT CAPITAL ASSISTANCE

For transit capital assistance grants, \$3,600,000,000, to remain available until September 30, 2009, of which \$3,240,000,000 shall be for grants under section 5307 of title 49, United States Code and shall be apportioned in accordance with section 5336 of such title (other than subsections (i)(1) and (j)) but may not be combined or commingled with any other funds apportioned under such section 5336, and of which \$360,000,000 shall be for grants under section 5311 of such title and shall be apportioned in accordance with such section 5311 but may not be combined or commingled with any other funds apportioned under that section: *Provided*, That in selecting projects to be funded, priority shall be given to projects that can award contracts based on bids within 120 days of enactment of this Act: *Provided further*, That the Federal share of the costs for which a grant is made under this heading shall be 100 percent.

TRANSIT ENERGY ASSISTANCE GRANTS

For transit energy assistance grants, \$1,000,000,000, to remain available until September 30, 2009, of which \$800,000,000 shall be for grants under section 5307 of title 49, United States Code and shall be apportioned

in accordance with section 5336 of such title (other than subsections (i)(1) and (j)) but may not be combined or commingled with any other funds apportioned under such section 5336, and of which \$200,000,000 shall be for grants under section 5311 of such title and shall be apportioned in accordance with such section 5311 but may not be combined or commingled with any other funds apportioned under that section: *Provided*, That the Federal share of the costs for which a grant is made under this heading shall be 100 percent: *Provided further*, That notwithstanding such sections 5307 and 5311, funds appropriated under this heading are available for only one or more of the following purposes:

(1) If the recipient of the grant is reducing, or certifies to the Secretary of Transportation within the time the Secretary prescribes that, during the term of the grant, the recipient will reduce, one or more fares the recipient charges for public transportation, or in the case of subsection (f) of such section 5311, intercity bus service, those operating costs of equipment and facilities being used to provide the public transportation, or in the case of subsection (f) of such section 5311, intercity bus service, that the recipient is no longer able to pay from the revenues derived from such fare or fares as a result of such reduction.

(2) If the recipient of the grant is expanding, or certifies to the Secretary within the time the Secretary prescribes that, during the term of the grant, the recipient will expand, public transportation service, or in the case of subsection (f) of such section 5311, intercity bus service, those operating and capital costs of equipment and facilities being used to provide the public transportation service, or in the case of subsection (f) of such section 5311, intercity bus service, that the recipient incurs as a result of the expansion of such service.

(3) To avoid increases in fares for public transportation, or in the case of subsection (f) of such section 5311, intercity bus service, or decreases in current public transportation service, or in the case of subsection (f) of such section 5311, intercity bus service, that would otherwise result from an increase in costs to the public transportation or intercity bus agency for transportation-related fuel or meeting additional transportation-related equipment or facility maintenance needs, if the recipient of the grant certifies to the Secretary within the time the Secretary prescribes that, during the term of the grant, the recipient will not increase the fares that the recipient charges for public transportation, or in the case of subsection (f) of such section 5311, intercity bus service, or, will not decrease the public transportation service, or in the case of subsection (f) of such section 5311, intercity bus service, that the recipient provides.

(4) If the recipient of the grant is acquiring, or certifies to the Secretary within the time the Secretary prescribes that, during the term of the grant, the recipient will acquire, clean fuel or alternative fuel vehicle-related equipment or facilities for the purpose of improving fuel efficiency, the costs of acquiring the equipment or facilities.

(5) If the recipient of the grant is establishing or expanding, or certifies to the Secretary within the time the Secretary prescribes that, during the term of the grant, the recipient will establish or expand, commuter matching services to provide commuters with information and assistance about alternatives to single occupancy vehicle use, those administrative costs in establishing or expanding such services.

CHAPTER 2—CLEAN WATER

ENVIRONMENTAL PROTECTION AGENCY

STATE AND TRIBAL ASSISTANCE GRANTS

For an additional amount for "State and Tribal Assistance Grants", \$7,500,000,000, to remain available until September 30, 2009, for capitalization grants for State revolving funds, which shall be used as follows:

(1) \$6,500,000,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, except that the funds shall not be subject to the state matching requirements in paragraphs (2) and (3) of section 602(b) of such Act.

(2) \$1,000,000,000 shall be for capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act, except that the funds shall not be subject to the state matching requirements of section 1452(e) of such Act: *Provided*, That a State shall agree to enter into binding commitments with the funds appropriated under this heading no later than 120 days after the date on which the State receives the funds: *Provided further*, That, notwithstanding the limitation on amounts specified in section 518(c) of the Federal Water Pollution Control Act, up to a total of 1.5 percent of the funds made available under paragraph (1) of this heading may be reserved by the Administrator of the Environmental Protection Agency for grants under section 518(c) of such Act: *Provided further*, That section 1452(k) of the Safe Drinking Water Act shall not apply to amounts made available under this heading.

CHAPTER 3—FLOOD CONTROL AND

WATER RESOURCES

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

CONSTRUCTION

For an additional amount for "Construction", \$2,500,000,000, to remain available until September 30, 2010: *Provided*, That funds appropriated under this heading shall not be derived from the Inland Waterways Trust Fund: *Provided further*, That the Corps of Engineers is directed to prioritize funding for activities based on the ability to accelerate existing contracts or fully fund project elements and contracts for such elements in a time period of 2 years after the date of enactment of this Act and to give preference to those activities that are labor intensive.

MISSISSIPPI RIVER AND TRIBUTARIES

For an additional amount for "Mississippi River and Tributaries", \$500,000,000, to remain available until September 30, 2010: *Provided*, That the Corps of Engineers is directed to prioritize funding for activities based on the ability to accelerate existing contracts or fully fund project elements and contracts for such elements in a time period of 2 years after the date of enactment of this Act and to give preference to those activities that are labor intensive.

OPERATION AND MAINTENANCE

For an additional amount for "Operation and Maintenance", \$2,000,000,000, to remain available until September 30, 2010: *Provided*, That the Corps of Engineers is directed to prioritize funding for activities based on the ability to accelerate existing contracts or fully fund project elements and contracts for such elements in a time period of 2 years after the date of enactment of this Act and to give preference to those activities that are labor intensive.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

For an additional amount for "Water and Related Resources", \$300,000,000, to remain

available until September 30, 2010: *Provided*, That such sums shall be used for capital improvement projects, including authorized rural water projects: *Provided further*, That of the amount appropriated under this heading, \$126,000,000 shall be used for water reclamation and reuse projects authorized under title XVI of Public Law 102-575.

CHAPTER 4—21ST CENTURY GREEN HIGH-PERFORMING PUBLIC SCHOOL FACILITIES

DEPARTMENT OF EDUCATION

SCHOOL MODERNIZATION, RENOVATION, AND REPAIR

For carrying out section 1401, \$3,000,000,000, to remain available through September 30, 2009.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 1401. (a) DEFINITIONS.—In this section:

(1) The term “Bureau-funded school” has the meaning given to such term in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021).

(2) The term “charter school” has the meaning given such term in section 5210 of the Elementary and Secondary Education Act of 1965.

(3) The term “local educational agency”—

(A) has the meaning given to that term in section 9101 of the Elementary and Secondary Education Act of 1965, and shall also include the Recovery School District of Louisiana and the New Orleans Public Schools; and

(B) includes any public charter school that constitutes a local educational agency under State law.

(4) The term “outlying area”—

(A) means the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands; and

(B) includes the freely associated states of the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

(5) The term “public school facilities” includes charter schools.

(6) The term “State” means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

(7) The term “LEED Green Building Rating System” means the United States Green Building Council Leadership in Energy and Environmental Design green building rating standard referred to as the LEED Green Building Rating System.

(8) The term “Energy Star” means the Energy Star program of the United States Department of Energy and the United States Environmental Protection Agency.

(9) The term “CHPS Criteria” means the green building rating program developed by the Collaborative for High Performance Schools.

(10) The term “Green Globes” means the Green Building Initiative environmental design and rating system referred to as Green Globes.

(b) PURPOSE.—Grants under this section shall be for the purpose of modernizing, renovating, or repairing public school facilities, based on their need for such improvements, to be safe, healthy, high-performing, and up-to-date technologically.

(c) ALLOCATION OF FUNDS.—

(1) RESERVATION.—From the amount appropriated to carry out this section, the Secretary of Education shall reserve 1 percent of such amount, consistent with the purpose described in subsection (b)—

(A) to provide assistance to the outlying areas; and

(B) for payments to the Secretary of the Interior to provide assistance to Bureau-funded schools.

(2) ALLOCATION TO STATES.—

(A) STATE-BY-STATE ALLOCATION.—Of the amount appropriated to carry out this section, and not reserved under paragraph (1), each State shall be allocated an amount in proportion to the amount received by all local educational agencies in the State under part A of title I of the Elementary and Secondary Education Act of 1965 for fiscal year 2008 relative to the total amount received by all local educational agencies in every State under such part for such fiscal year.

(B) STATE ADMINISTRATION.—A State may reserve up to 1 percent of its allocation under subparagraph (A) to carry out its responsibilities under this section, including—

(i) providing technical assistance to local educational agencies;

(ii) developing, within 6 months of receiving its allocation under subparagraph (A), a plan to develop a database that includes an inventory of public school facilities in the State and the modernization, renovation, and repair needs of, energy use by, and the carbon footprint of such schools; and

(iii) developing a school energy efficiency quality plan.

(C) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—From the amount allocated to a State under subparagraph (A), each local educational agency in the State that meets the requirements of section 1112(a) of the Elementary and Secondary Education Act of 1965 shall receive an amount in proportion to the amount received by such local educational agency under part A of title I of that Act for fiscal year 2008 relative to the total amount received by all local educational agencies in the State under such part for such fiscal year, except that no local educational agency that received funds under part A of title I of that Act for such fiscal year shall receive a grant of less than \$5,000.

(D) SPECIAL RULE.—Section 1122(c)(3) of the Elementary and Secondary Education Act of 1965 shall not apply to subparagraph (A) or (C).

(3) SPECIAL RULES.—

(A) DISTRIBUTIONS BY SECRETARY.—The Secretary of Education shall make and distribute the reservations and allocations described in paragraphs (1) and (2) not later than 30 days after the date of the enactment of this Act.

(B) DISTRIBUTIONS BY STATES.—A State shall make and distribute the allocations described in paragraph (2)(C) within 30 days of receiving such funds from the Secretary.

(d) ALLOWABLE USES OF FUNDS.—A local educational agency receiving a grant under this section shall use the grant for modernization, renovation, or repair of public school facilities, including—

(1) repairing, replacing, or installing roofs, including extensive, intensive or semi-intensive green roofs, electrical wiring, plumbing systems, sewage systems, lighting systems, or components of such systems, windows, or doors, including security doors;

(2) repairing, replacing, or installing heating, ventilation, air conditioning systems, or components of such systems (including insulation), including indoor air quality assessments;

(3) bringing public schools into compliance with fire, health, and safety codes, including professional installation of fire/life safety alarms, including modernizations, renovations, and repairs that ensure that schools are prepared for emergencies, such as improving building infrastructure to accommodate security measures;

(4) modifications necessary to make public school facilities accessible to comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), ex-

cept that such modifications shall not be the primary use of the grant;

(5) asbestos or polychlorinated biphenyls abatement or removal from public school facilities;

(6) implementation of measures designed to reduce or eliminate human exposure to lead-based paint hazards through methods including interim controls, abatement, or a combination of each;

(7) implementation of measures designed to reduce or eliminate human exposure to mold or mildew;

(8) upgrading or installing educational technology infrastructure to ensure that students have access to up-to-date educational technology;

(9) modernization, renovation, or repair of science and engineering laboratory facilities, libraries, and career and technical education facilities, including those related to energy efficiency and renewable energy, and improvements to building infrastructure to accommodate bicycle and pedestrian access;

(10) renewable energy generation and heating systems, including solar, photovoltaic, wind, geothermal, or biomass, including wood pellet, systems or components of such systems;

(11) other modernization, renovation, or repair of public school facilities to—

(A) improve teachers’ ability to teach and students’ ability to learn;

(B) ensure the health and safety of students and staff;

(C) make them more energy efficient; or

(D) reduce class size; and

(12) required environmental remediation related to public school modernization, renovation, or repair described in paragraphs (1) through (11).

(e) IMPERMISSIBLE USES OF FUNDS.—No funds received under this section may be used for—

(1) payment of maintenance costs; or

(2) stadiums or other facilities primarily used for athletic contests or exhibitions or other events for which admission is charged to the general public.

(f) SUPPLEMENT, NOT SUPPLANT.—A local educational agency receiving a grant under this section shall use such Federal funds only to supplement and not supplant the amount of funds that would, in the absence of such Federal funds, be available for modernization, renovation, or repair of public school facilities.

(g) PROHIBITION REGARDING STATE AID.—A State shall not take into consideration payments under this section in determining the eligibility of any local educational agency in that State for State aid, or the amount of State aid, with respect to free public education of children.

(h) SPECIAL RULE ON CONTRACTING.—Each local educational agency receiving a grant under this section shall ensure that, if the agency carries out modernization, renovation, or repair through a contract, the process for any such contract ensures the maximum number of qualified bidders, including local, small, minority, and women- and veteran-owned businesses, through full and open competition.

(i) SPECIAL RULE ON USE OF IRON AND STEEL PRODUCED IN THE UNITED STATES.—

(1) IN GENERAL.—A local educational agency shall not obligate or expend funds received under this section for a project for the modernization, renovation, or repair of a public school facility unless all of the iron and steel used in such project is produced in the United States.

(2) EXCEPTIONS.—The provisions of paragraph (1) shall not apply in any case in which the local educational agency finds that—

(A) their application would be inconsistent with the public interest;

(B) iron and steel are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(C) inclusion of iron and steel produced in the United States will increase the cost of the overall project contract by more than 25 percent.

(j) APPLICATION OF GEPA.—The grant program under this section is an applicable program (as that term is defined in section 400 of the General Education Provisions Act (20 U.S.C. 1221) subject to section 439 of such Act (20 U.S.C. 1232b).

(k) GREEN SCHOOLS.—

(1) IN GENERAL.—A local educational agency shall use not less than 25 percent of the funds received under this section for public school modernization, renovation, or repairs that are certified, verified, or consistent with any applicable provisions of—

(A) the LEED Green Building Rating System;

(B) Energy Star;

(C) the CHPS Criteria;

(D) Green Globes; or

(E) an equivalent program adopted by the State or another jurisdiction with authority over the local educational agency.

(2) TECHNICAL ASSISTANCE.—The Secretary, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, shall provide outreach and technical assistance to States and school districts concerning the best practices in school modernization, renovation, and repair, including those related to student academic achievement and student and staff health, energy efficiency, and environmental protection.

(l) REPORTING.—

(1) REPORTS BY LOCAL EDUCATIONAL AGENCIES.—Local educational agencies receiving a grant under this section shall compile, and submit to the State educational agency (which shall compile and submit such reports to the Secretary), a report describing the projects for which such funds were used, including—

(A) the number of public schools in the agency, including the number of charter schools;

(B) the total amount of funds received by the local educational agency under this section and the amount of such funds expended, including the amount expended for modernization, renovation, and repair of charter schools;

(C) the number of public schools in the agency with a metro-centric locale code of 41, 42, or 43 as determined by the National Center for Education Statistics and the percentage of funds received by the agency under this section that were used for projects at such schools;

(D) the number of public schools in the agency that are eligible for schoolwide programs under section 1114 of the Elementary and Secondary Education Act of 1965 and the percentage of funds received by the agency under this section that were used for projects at such schools;

(E) the cost of each project, which, if any, of the standards described in subsection (k)(1) the project met, and any demonstrable or expected academic, energy, or environmental benefits as a result of the project;

(F) if flooring was installed, whether—

(i) it was low- or no-VOC (Volatile Organic Compounds) flooring;

(ii) it was made from sustainable materials; and

(iii) use of flooring described in clause (i) or (ii) was cost effective; and

(G) the total number and amount of contracts awarded, and the number and amount of contracts awarded to local, small, minor-

ity-owned, women-owned, and veteran-owned businesses.

(2) REPORTS BY SECRETARY.—Not later than December 31, 2010, the Secretary of Education shall submit to the Committees on Education and Labor and Appropriations of the House of Representatives and the Committees on Health, Education, Labor, and Pensions and Appropriations of the Senate a report on grants made under this section, including the information described in paragraph (1), the types of modernization, renovation, and repair funded, and the number of students impacted, including the number of students counted under section 1113(a)(5) of the Elementary and Secondary Education Act of 1965.

CHAPTER 5—HOUSING

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

PUBLIC HOUSING CAPITAL FUND

For an additional amount for the “Public Housing Capital Fund” to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g), \$1,000,000,000, to remain available until September 30, 2009: *Provided*, That this additional amount shall be allocated to public housing agencies according to the same funding formula used for other amounts already made available in fiscal year 2008, and not later than 120 days after enactment of this Act: *Provided further*, That in selecting projects to be funded, public housing agencies shall give priority to capital projects for which contract awards based on competitive bids can be executed within 120 days of enactment of this Act.

CHAPTER 6—ENERGY DEVELOPMENT

DEPARTMENT OF ENERGY

ENERGY EFFICIENCY AND RENEWABLE ENERGY

For an additional amount for “Energy Efficiency and Renewable Energy”, \$500,000,000, to remain available until September 30, 2009: *Provided*, That funds shall be available for expenses necessary for energy efficiency and renewable energy research and development and demonstration activities to accelerate the development of technologies that will diversify the nation’s energy portfolio and contribute to a reliable, domestic energy supply.

ELECTRICITY DELIVERY AND ENERGY

RELIABILITY

For an additional amount for “Electricity Delivery and Energy Reliability”, \$100,000,000, to remain available until September 30, 2009: *Provided*, That funds shall be available for expenses necessary for electricity delivery and energy reliability activities to modernize the electric grid, enhance security and reliability of the energy infrastructure, and facilitate recovery from disruptions to the energy supply.

ADVANCED BATTERY LOAN GUARANTEE PROGRAM ACCOUNT

For the cost of guaranteed loans as authorized by section 135 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17012), \$1,000,000,000 to remain available until expended: *Provided*, That of such amount, \$5,000,000 shall be used for administrative expenses in carrying out the guaranteed loan program: *Provided further*, That commitments for guaranteed loans using such amount shall not exceed \$3,333,000,000 in total loan principal: *Provided further*, That the cost of such loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

TITLE II—UNEMPLOYMENT COMPENSATION AND JOB TRAINING

CHAPTER 1—EXTENSION OF UNEMPLOYMENT COMPENSATION

ADDITIONAL FIRST-TIER BENEFITS

SEC. 2101. Section 4002(b)(1) of the Supplemental Appropriations Act, 2008 (26 U.S.C. 3304 note) is amended—

(1) in subparagraph (A), by striking “50” and inserting “80”; and

(2) in subparagraph (B), by striking “13” and inserting “20”.

SECOND-TIER BENEFITS

SEC. 2102. Section 4002 of the Supplemental Appropriations Act, 2008 (26 U.S.C. 3304 note) is amended by adding at the end the following:

“(c) SPECIAL RULE.—

“(1) IN GENERAL.—If, at the time that the amount established in an individual’s account under subsection (b)(1) is exhausted or at any time thereafter, such individual’s State is in an extended benefit period (as determined under paragraph (2)), such account shall be augmented by an amount equal to the lesser of—

“(A) 50 percent of the total amount of regular compensation (including dependents’ allowances) payable to the individual during the individual’s benefit year under the State law, or

“(B) 13 times the individual’s average weekly benefit amount (as determined under subsection (b)(2)) for the benefit year.

“(2) EXTENDED BENEFIT PERIOD.—For purposes of paragraph (1), a State shall be considered to be in an extended benefit period, as of any given time, if—

“(A) such a period is then in effect for such State under the Federal-State Extended Unemployment Compensation Act of 1970;

“(B) such a period would then be in effect for such State under such Act if section 203(d) of such Act—

“(i) were applied by substituting ‘4’ for ‘5’ each place it appears; and

“(ii) did not include the requirement under paragraph (1)(A) thereof; or

“(C) such a period would then be in effect for such State under such Act if—

“(i) section 203(f) of such Act were applied to such State (regardless of whether the State by law had provided for such application); and

“(ii) such section 203(f)—

“(I) were applied by substituting ‘6.0’ for ‘6.5’ in paragraph (1)(A)(i) thereof; and

“(II) did not include the requirement under paragraph (1)(A)(ii) thereof.

“(3) LIMITATION.—The account of an individual may be augmented not more than once under this subsection.”.

PHASEOUT PROVISIONS

SEC. 2103. Section 4007(b) of the Supplemental Appropriations Act, 2008 (26 U.S.C. 3304 note) is amended—

(1) in paragraph (1), by striking “paragraph (2),” and inserting “paragraphs (2) and (3),”; and

(2) by striking paragraph (2) and inserting the following:

“(2) NO AUGMENTATION AFTER MARCH 31, 2009.—If the amount established in an individual’s account under subsection (b)(1) is exhausted after March 31, 2009, then section 4002(c) shall not apply and such account shall not be augmented under such section, regardless of whether such individual’s State is in an extended benefit period (as determined under paragraph (2) of such section).

“(3) TERMINATION.—No compensation under this title shall be payable for any week beginning after August 27, 2009.”.

EFFECTIVE DATE

SEC. 2104. (a) IN GENERAL.—The amendments made by this chapter shall apply as if

included in the enactment of the Supplemental Appropriations Act, 2008, subject to subsection (b).

(b) **ADDITIONAL BENEFITS.**—In applying the amendments made by sections 2101 and 2102, any additional emergency unemployment compensation made payable by such amendments (which would not otherwise have been payable if such amendments had not been enacted) shall be payable only with respect to any week of unemployment beginning on or after the date of the enactment of this Act.

**CHAPTER 2—JOB TRAINING
DEPARTMENT OF LABOR**

**EMPLOYMENT AND TRAINING ADMINISTRATION
TRAINING AND EMPLOYMENT SERVICES**

For an additional amount for “Training and Employment Services” for activities under the Workforce Investment Act of 1998, \$400,000,000, to remain available through June 30, 2009, of which \$200,000,000 is for grants to the States for dislocated worker employment and training activities and \$200,000,000 is for grants to the States for youth activities: *Provided*, That no portion of such funds shall be reserved to carry out section 127(b)(1)(A) or section 128(a) of such Act: *Provided further*, That the work readiness performance indicator described in section 136(b)(2)(A)(ii)(I) of such Act shall be the only measure of performance used to assess the effectiveness of youth activities provided with such funds: *Provided further*, That, with respect to the youth activities provided with such funds, section 101(13)(A) of such Act shall be applied by substituting “age 24” for “age 21”.

**STATE UNEMPLOYMENT INSURANCE AND
EMPLOYMENT SERVICE OPERATIONS**

For an additional amount for “State Unemployment Insurance and Employment Service Operations” for grants to the States for reemployment services in accordance with section 6 of the Wagner-Peyser Act, \$100,000,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund, and which shall remain available through September 30, 2009: *Provided*, That, with respect to such funds, section 6(b)(1) of such Act shall be applied by substituting “one-third” for “two-thirds” in subparagraph (A), with the remaining one-third of the sums to be allotted in accordance with section 132(b)(2)(B)(ii)(III) of the Workforce Investment Act of 1998.

**TITLE III—TEMPORARY INCREASE IN
MEDICAID MATCHING RATE**

**TEMPORARY INCREASE OF MEDICAID FMAP FOR
14 MONTHS**

SEC. 3001. (a) **PERMITTING MAINTENANCE OF FISCAL YEAR 2008 OR 2009 FMAP.**—Subject to subsections (d), (e), and (f), if the FMAP determined without regard to this section for a State for—

(1) fiscal year 2009 is less than the FMAP as so determined for fiscal year 2008, the FMAP for the State for fiscal year 2008 shall be substituted for the State’s FMAP for fiscal year 2009, before the application of this section; or

(2) fiscal year 2010 is less than the FMAP as so determined for fiscal year 2009, the FMAP for the State for fiscal year 2009 shall be substituted for the State’s FMAP for fiscal year 2010, before the application of this section, but only for the portion of the first calendar quarter in fiscal year 2010 before December 1, 2009.

(b) **GENERAL 1 PERCENTAGE POINT INCREASE.**—

(1) **IN GENERAL.**—Subject to subsections (d), (e), and (f), for each State for fiscal year 2009 and the portion of the first calendar quarter in fiscal year 2010 before December 1, 2009,

the FMAP (taking into account the application of subsection (a) and before the application of subsection (c)) shall be increased by 1 percentage point.

(2) **INCREASE IN CAP ON MEDICAID PAYMENTS TO TERRITORIES.**—Subject to subsections (e) and (f), with respect to fiscal year 2009 and with respect to fiscal year 2010 in proportion to the portion of the fiscal year that occurs during the first calendar quarter before December 1, 2009, the amounts otherwise determined for Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa under subsections (f) and (g) of section 1108 of the Social Security Act (42 U.S.C. 1308) shall each be increased by 4 percent.

(c) **ADDITIONAL PERCENTAGE POINTS INCREASE FOR QUALIFYING STATES.**—

(1) **IN GENERAL.**—Subject to subsections (d), (e), and (f), in the case of a State that is 1 of the 50 States or the District of Columbia, if the State is awarded a total of—

(A) 3 or more points under paragraph (2) for a calendar quarter in fiscal year 2009 or for the first calendar quarter in fiscal year 2010, then for that calendar quarter or, in the case the State is awarded such points for the calendar quarter in fiscal year 2010, for the portion of such quarter before December 1, 2009, (and each succeeding calendar quarter, if any, in fiscal year 2009 and the portion of the first calendar quarter in fiscal year 2010 before December 1, 2009) the FMAP (taking into account the application of subsections (a) and (b)(1)) shall be further increased by 3 percentage points; or

(B) 2 points under paragraph (2) for a calendar quarter in fiscal year 2009 or in the first calendar quarter in fiscal year 2010 and has not been awarded 3 or more points under such paragraph for a previous calendar quarter in fiscal year 2009, then for that calendar quarter or, in the case the State is awarded such points for the calendar quarter in fiscal year 2010, for the portion of such quarter before December 1, 2009, (and each succeeding calendar quarter, if any, in fiscal year 2009 and the portion of the first calendar quarter in fiscal year 2010 before December 1, 2009) the FMAP (taking into account the application of subsections (a) and (b)(1)) shall be further increased by 1 percentage point.

(2) **AWARDING OF POINTS BASED ON QUALIFYING CRITERIA.**—For purposes of paragraph (1), each State shall be awarded points for a calendar quarter equal to the total of the points awarded under each of the following subparagraphs:

(A) **REDUCTION IN EMPLOYMENT.**—

(i) **IN GENERAL.**—A State shall be awarded under this subparagraph—

(I) 2 points if the State’s employment for the quarter decreased or if such employment for the quarter increased but by not more than 0.25 percent; or

(II) 1 point if the State’s employment for the quarter increased by more than 0.25 percent but by less than 2.0 percent.

(ii) **MEASUREMENT OF EMPLOYMENT.**—For purposes of clause (i), an increase or decrease in a State’s employment for a quarter shall be measured by comparing—

(I) the average total nonfarm employment for the State in the 3 most recent months, as determined based on the most recent monthly publications of the Current Employer Statistics Survey of the Bureau of Labor Statistics available as of the first day of the quarter; to

(II) the average total nonfarm employment for the State in the same months two years earlier, as so determined.

(B) **INCREASE IN FOOD STAMPS OR SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM PARTICIPATION.**—

(i) **IN GENERAL.**—A State shall be awarded under this subparagraph 1 point if the

State’s food stamp or Supplemental Nutrition Assistance Program participation for the quarter increased by more than 4 percent.

(ii) **FOOD STAMP OR SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM PARTICIPATION.**—For purposes of clause (i), an increase in a State’s food stamp or Supplemental Nutrition Assistance Program participation for a quarter shall be measured by comparing—

(I) the average monthly participation by persons in food stamps or the Supplemental Nutrition Assistance Program under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) for the State in the 3 most recent months, as determined based on the most recent monthly publications of Food and Nutrition Service Data of the Department of Agriculture available as of the first day of the quarter, adjusted for participation in disaster programs under section 5(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(h)); to

(II) the average monthly participation by persons in food stamps or the Supplemental Nutrition Assistance Program for the State in the same months two years earlier, as so determined.

(C) **INCREASE IN FORECLOSURES.**—

(i) **IN GENERAL.**—A State shall be awarded under this subparagraph—

(I) 2 points if the State’s foreclosure rate for the quarter increased by greater than 200 percent; or

(II) 1 point if the State’s foreclosure rate increased by greater than 60 percent, but not more than 200 percent.

(ii) **FORECLOSURE RATE.**—For purposes of clause (i), an increase in a State’s foreclosure rate for a quarter shall be measured by comparing—

(I) the percentage of total mortgages in foreclosure for the State for the most recent quarter, as determined by the Board of Governors of the Federal Reserve System based on the most recent satisfactory data available to such Board available as of the first day of the quarter; to

(II) such percentage for the State for the same quarter two years earlier, as so determined.

(d) **SCOPE OF APPLICATION.**—The increases in the FMAP for a State under this section shall apply only for purposes of title XIX of the Social Security Act and shall not apply with respect to—

(1) disproportionate share hospital payments described in section 1923 of such Act (42 U.S.C. 1396r-4);

(2) payments under title IV or XXI of such Act (42 U.S.C. 601 et seq. and 1397aa et seq.); or

(3) any payments under title XIX of such Act that are based on the enhanced FMAP described in section 2105(b) of such Act (42 U.S.C. 1397ee(b)).

(e) **STATE INELIGIBILITY.**—

(1) **IN GENERAL.**—Subject to paragraph (2), a State is not eligible for an increase in its FMAP under subsection (b)(1) or (c), or an increase in a cap amount under subsection (b)(2), if eligibility standards, methodologies, or procedures under its State plan under title XIX of the Social Security Act (including any waiver under such title or under section 1115 of such Act (42 U.S.C. 1315)) are more restrictive than the eligibility standards, methodologies, or procedures, respectively, under such plan (or waiver) as in effect on July 1, 2008.

(2) **STATE REINSTATEMENT OF ELIGIBILITY PERMITTED.**—A State that has restricted eligibility standards, methodologies, or procedures under its State plan under title XIX of the Social Security Act (including any waiver under such title or under section 1115 of such Act (42 U.S.C. 1315)) after July 1, 2008, is

no longer ineligible under paragraph (1) beginning with the first calendar quarter in which the State has reinstated eligibility standards, methodologies, or procedures that are no more restrictive than the eligibility standards, methodologies, or procedures, respectively, under such plan (or waiver) as in effect on July 1, 2008.

(3) **RULE OF CONSTRUCTION.**—Nothing in paragraph (1) or (2) shall be construed as affecting a State's flexibility with respect to benefits offered under the State Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) (including any waiver under such title or under section 1115 of such Act (42 U.S.C. 1315)).

(f) **REQUIREMENT FOR CERTAIN STATES.**—In the case of a State that requires political subdivisions within the State to contribute toward the non-Federal share of expenditures under the State Medicaid plan required under section 1902(a)(2) of the Social Security Act (42 U.S.C. 1396a(a)(2)), the State is not eligible for an increase in its FMAP under subsection (b)(1) or (c), or an increase in a cap amount under subsection (b)(2), if it requires that such political subdivisions pay a greater percentage of the non-Federal share of such expenditures for fiscal year 2009, than the percentage that would have been required by the State under such plan on September 30, 2008, prior to application of this section.

(g) **DEFINITIONS.**—In this section:

(1) **FMAP.**—The term "FMAP" means the Federal medical assistance percentage, as defined in section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)).

(2) **STATE.**—The term "State" has the meaning given such term for purposes of title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

(h) **REPEAL.**—Effective as of October 1, 2010, this section is repealed.

ADJUSTMENT IN COMPUTATION OF MEDICAID FMAP TO DISREGARD AN EXTRAORDINARY EMPLOYER PENSION CONTRIBUTION

SEC. 3002. (a) IN GENERAL.—Only for purposes of computing the FMAP (as defined in subsection (e)) for a State for a fiscal year (beginning with fiscal year 2006) and applying the FMAP under title XIX of the Social Security Act, any significantly disproportionate employer pension or insurance fund contribution described in subsection (b) shall be disregarded in computing the per capita income of such State, but shall not be disregarded in computing the per capita income for the continental United States (and Alaska) and Hawaii.

(b) **SIGNIFICANTLY DISPROPORTIONATE EMPLOYER PENSION AND INSURANCE FUND CONTRIBUTION.**—

(1) **IN GENERAL.**—For purposes of this section, a significantly disproportionate employer pension and insurance fund contribution described in this subsection with respect to a State is any identifiable employer contribution towards pension or other employee insurance funds that is estimated to accrue to residents of such State for a calendar year (beginning with calendar year 2003) if the increase in the amount so estimated exceeds 25 percent of the total increase in personal income in that State for the year involved.

(2) **DATA TO BE USED.**—For estimating and adjusting a FMAP already calculated as of the date of the enactment of this Act for a State with a significantly disproportionate employer pension and insurance fund contribution, the Secretary of Health and Human Services shall use the personal income data set originally used in calculating such FMAP.

(3) **SPECIAL ADJUSTMENT FOR NEGATIVE GROWTH.**—If in any calendar year the total personal income growth in a State is nega-

tive, an employer pension and insurance fund contribution for the purposes of calculating the State's FMAP for a calendar year shall not exceed 125 percent of the amount of such contribution for the previous calendar year for the State.

(c) **HOLD HARMLESS.**—No State shall have its FMAP for a fiscal year reduced as a result of the application of this section.

(d) **REPORT.**—Not later than 3 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report on the problems presented by the current treatment of pension and insurance fund contributions in the use of Bureau of Economic Affairs calculations for the FMAP and for Medicaid and on possible alternative methodologies to mitigate such problems.

(e) **FMAP DEFINED.**—For purposes of this section, the term "FMAP" means the Federal medical assistance percentage, as defined in section 1905(b) of the Social Security Act (42 U.S.C. 1396(d)).

TITLE IV—TEMPORARY INCREASE IN FOOD ASSISTANCE

TEMPORARY INCREASE IN BENEFITS UNDER THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

SEC. 4001. (a) MAXIMUM BENEFIT INCREASE.—

(1) **IN GENERAL.**—Beginning the first month that begins not less than 25 days after the date of enactment of this Act, the value of benefits determined under section 8(a) of the Food and Nutrition Act of 2008 and consolidated block grants for Puerto Rico and American Samoa determined under section 19(a) of such Act shall be calculated using 105 percent of the June 2008 value of the thrifty food plan as specified under section 3(o) of such Act.

(2) **TERMINATION.**—The authority provided by this subsection shall terminate after September 30, 2009.

(b) **REQUIREMENTS FOR THE SECRETARY.**—In carrying out this section, the Secretary shall—

(1) consider the benefit increases described in subsection (a) to be a "mass change";

(2) require a simple process for States to notify households of the increase in benefits;

(3) consider section 16(c)(3)(A) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(c)(3)(A)) to apply to any errors in the implementation of this section, without regard to the 120-day limit described in that section; and

(4) have the authority to take such measures as necessary to ensure the efficient administration of the benefits provided in this section.

(c) **STATE ADMINISTRATIVE EXPENSES.**—

(1) **IN GENERAL.**—For the costs of State administrative expenses associated with carrying out this section, the Secretary shall make available \$50,000,000.

(2) **AVAILABILITY OF FUNDS.**—Funds described in paragraph (1) shall be made available as grants to State agencies based on each State's share of households that participate in the Supplemental Nutrition Assistance Program as reported to the Department of Agriculture for the 12-month period ending with June, 2008.

(d) **FUNDING.**—There is appropriated to the Secretary of Agriculture such sums as are necessary to carry out this section.

TITLE V—GENERAL PROVISIONS

SHORT TITLE

SEC. 5001. This Act may be cited as the "Job Creation and Unemployment Relief Act of 2008".

PROHIBITION

SEC. 5002. Notwithstanding any other provision of this Act, none of the funds made

available in this Act may be used to employ workers in violation of section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a).

EMERGENCY DESIGNATION

SEC. 5003. Each amount in each title of this Act is designated as an emergency requirement and necessary to meet emergency needs pursuant to section 204(a) of S. Con. Res. 21 (110th Congress) and section 301(b)(2) of S. Con. Res. 70 (110th Congress), the concurrent resolutions on the budget for fiscal years 2008 and 2009.

SUPPLEMENTAL APPROPRIATIONS

SEC. 5004. Unless otherwise expressly provided, each amount in this Act is made available in addition to amounts otherwise available for fiscal year 2009.

The **SPEAKER pro tempore**. Pursuant to House Resolution 1507, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from California (Mr. LEWIS) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. OBEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 7110, and that I may include tabular material on the same.

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

There was no objection.

PERMISSION TO OFFER AMENDMENT

Mr. OBEY. Mr. Speaker, I would like to propound a unanimous consent request in response to the comments that we had during consideration of the rule on this bill. We've had some of our friends on the minority side of the aisle indicate that they are disappointed that the Appropriations Committee did not provide funding for the western schools program, which is expired, and which is not under the jurisdiction of our committee.

In the interest of comity, I would like to respond to that concern by simply asking unanimous consent that the amendment that I have placed at the desk be considered as adopted. It would have the effect of resurrecting that western schools program for 1 year in the same manner in which it was being operated before it expired.

The **SPEAKER pro tempore**. The Clerk will report the amendment.

The Clerk read as follows:

Amendment to H.R. 7110 offered by Mr. OBEY:

Page 27, after line 9, insert the following new chapter:

CHAPTER 7—SECURE RURAL SCHOOLS AND COMMUNITIES

SEC. 1701. (a) PAYMENTS.—For fiscal year 2008, payments shall be made from any revenues, fees, penalties, or miscellaneous receipts described in sections 102(b)(3) and 103(b)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106-393; 16 U.S.C. 500 note), not to exceed \$100,000,000, and the payments shall be made, to the maximum extent practicable, in the same amounts, for the same purposes, and in the same manner as payments were made to States and counties in 2006 under that Act.

(b) ADDITIONAL APPROPRIATION.—There is appropriated \$400,000,000 from funds not otherwise appropriated, to remain available until December 31, 2008, to be used to cover any shortfall for payments made under this section.

(c) CONFORMING AMENDMENTS.—Titles II and III of secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106-393; 16 U.S.C. 500 note) are amended, effective as of September 30, 2007, by striking “2007” and “2008” each place they appear and inserting “2009” and “2010”, respectively.

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

Mr. LEWIS of California. Mr. Speaker, reserving the right to object, I would guess there is nobody in the House that has more rural territory than this Member, and the program that my chairman is suggesting we put in the bill is one that is very important to my constituency. I do have serious reservations, however, about the way we got to having to present this in the first place.

This Member just received this bill very early this morning. I would guess there may be dozens of Members who have issues that they would hope would be in the bill if they had the time or the flexibility in the approach we handled this bill to have their items considered. So in that sense, I have serious reservations, but it is not my intention to object.

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

Mr. WESTMORELAND. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

Mr. OBEY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, first of all, I would simply like to have the RECORD show that we have tried to respond to concerns expressed on the minority side of the aisle, that the objection to allowing us to do that came from the minority side of the aisle. I regret that, but I guess there's not as much interest in comity as I had hoped today. Having said that, let me explain the bill before us.

I think both political parties are seriously misdescribing the economic crisis that we now find ourselves in. I do not believe that this crisis began on Wall Street. I think this crisis began right here in this Chamber. I think it began right here in this town, in the White House. And I think what is happening today is a logical extension of what has happened since the Reagan administration over 20 years ago.

The fact is that this Congress and previous and present Presidents have followed economic policies through the years which have resulted in the middle class—and what's called the underclass by some—being squeezed to the wall. Since 1980, the top 10 percent of American families has absorbed 80 percent of the increase in the national income. And in the last 8 years, the richest 10 percent of American families have absorbed 96 percent of all of the

income growth in this country. That means the other 90 percent of American families have been struggling for table scraps, struggling to keep their head above water. And one of the ways that they've been doing that has been by borrowing.

There is a lot of talk about the increase in the Federal debt over the past decade, which has been over \$1 trillion. But the fact is that mortgage debt alone in the private sector in this country has increased by almost \$7 trillion at that same time. And at the same time that that huge increase in borrowing was occurring by families trying to stay above the water line, we also had a simultaneous, ill-advised deregulation of the financial sector of the economy. The umpire was, in fact, taken off the field, and as a result, Wall Street took advantage of that, invented all kinds of interesting and complicated instruments, and at the same time, there was very little regulation to protect little people who didn't know what they were getting into. And so, as a result, we've had trickle down economics being followed for 25 years, and now we are experiencing the trickle down consequences. We have, I think, a serious choice to make in this Chamber and in the other body over the next few days. And I hope we make the right choice.

All through this year this Congress has tried to do a number of things that would alleviate the squeeze on the middle class. To cite just some of our efforts, we passed the largest expansion of the GI Bill, education benefits, since that program started in 1945. We provided the largest veterans health care funding increase in modern history. We blocked the President's efforts to eliminate all student aid programs except Pell grant and work study. And we, instead, provided an increase in the Pell Grants of \$750. And we passed legislation cutting the loan costs of student loans by 50 percent over the next 5 years, all to help middle class families send their kids to school.

We increased the minimum wage for the first time in a decade. We extended unemployment insurance benefits to help people who had run out of unemployment benefits and have still not been able to find a job. We provided additional funding to save the SCHIP program, to help keep needy kids on the health care payrolls of our various States.

We've provided funding to help States establish high-risk insurance pools—

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

Mr. OBEY. I yield myself another 5 minutes.

To increase access for almost 200,000 people who did not have access to health care. We extended dental care programs for the poor by 50 percent. We passed all kinds of efforts to improve the lot of middle-income Americans. And we had a large dispute with the President of the United States over

budget levels for programs in the health, education, science and social services area. The President objected to a number of those programs. He wanted to require Congress to impose \$14 billion in cuts in those crucial programs, and he said we simply could not afford that money. But now we are being confronted with a Presidential request to deal with the Wall Street bailout, and that cost will be about 50 times as large as the cost of funding the programs that we've been trying to fund for a year.

Meanwhile, this economy is sagging. Jobs, income, sales, and industrial production have all gone down. We have lost 600,000 jobs. Twenty-seven percent more people are unemployed today than was the case just 6 months ago. And so we are bringing before the House today an effort to counter some of those problems.

We are trying to provide a major increase in investments in highways, bridges and airports to modernize our infrastructure and to provide well-paying construction jobs at the same time.

We are providing a significant increase in funding for construction jobs by helping local communities and States construct sewer and water systems. There is a \$600 billion national backlog on that.

We are providing additional help to create jobs by moving ahead with flood control projects.

As far as schools are concerned, the GAO tells us we have a \$112 billion backlog in maintenance, building safety, and technology upgrades for our schools. We're trying to provide a small amount of funding to help begin to take care of that.

On the energy front, we've had a theological debate about energy between the parties for the last several months. We are trying to provide some funding here for energy research programs which will create jobs in that area, and at the same time, we are trying to invest a significant amount of money in order to assure that our auto industry, as it converts to battery-driven, dual-technology automobiles, we're trying to make certain that those batteries are developed and produced in the United States. If we can accomplish that, it will be a large number of jobs that we keep here in the United States.

We also are trying to extend unemployment compensation benefits for an additional 7 weeks. And we are trying to help State budgets to make sure that States don't have to knock low-income children and low-income families off the health care rolls.

□ 1745

This is the main thrust of this legislation. We think it is long overdue.

And I would urge passage in the House.

I reserve the balance of my time.

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, it was just 2 days ago that we were debating an \$800 billion continuing resolution to fund our troops and veterans, protect our homeland, respond to natural disasters and put our country on a pathway towards energy independence. Many Members, including this Member, reluctantly agreed to support the CR to keep the essential business of our government running through March 6 of next year.

Now in addition to being asked to pay for a bailout for Wall Street, taxpayers are being asked by House Democrats to swallow an additional 60, that is \$60 billion in spending on a laundry list of items I saw for the first time just a few hours ago. This would be laughable if it were not so serious.

I was reluctant to support the CR the other day because virtually every dollar was approved without the consideration of the House Appropriations Committee, without floor consideration in the House and Senate, without any amendments or input from any House Member or Senator and without formal House and Senate conference committee work.

During our debate we all agreed on the importance of getting the appropriations process back on track. Just 2 days ago we found ourselves back on the House floor making the very same mistakes again, debating an additional \$60 billion—\$60 billion is a lot of money—in spending legislation that very few have yet seen. There was no committee consideration, no amendments and no debate. One more time, we are presented with a take-it-or-leave-it proposition. So much for getting the appropriations process back on track.

The majority is describing this legislation as a “stimulus package” to help our national economy. But let’s be clear about that. Let’s not fool ourselves. This is a political document pure and simple. If these priorities are so important, why hasn’t this bill gone through the normal legislative process? We could have, and should have, debated many of the items included in this package, hearing full committee and House floor consideration when we are considering each of the 12 individual bills. But as we know, the majority is unwilling to move individual spending bills and derailed the appropriations process for this entire year.

Before you make a decision on this legislation, I ask you to consider three sobering facts: First, of the projected \$247 billion increase in the budget deficit in 2008, \$226 billion results from additional spending, and \$21 billion results from decreased revenues. Second, in 2009, spending is projected to reach 21.4 percent of the GDP for the first time since 1993. Third, balancing the Federal budget by 2013 would require either limiting annual spending growth to 1.4 percent or raising annual revenue growth at 8 percent or a combination of both.

So to balance the budget, we either need to raise taxes or we need to spend

less. Now I didn’t fall off the turnip truck this morning. It doesn’t take an economist to tell you that the economy needs our help. And what does this Congress do? It proposes to spend billions and billions and billions more without any offsets in spending. The failure to adhere to pay-as-you-go, or what we call PAYGO, means that this new spending will be financed through additional borrowing, which will increase interest rates and prove a further drag on our struggling economy.

In recent days, government has taken steps to bail out the auto industry to the tune of some \$25 billion. It has proposed a bailout for Fannie Mae and Freddie Mac to the tune of another \$25 billion. It has committed as much as \$70 billion to rescue AIG. In the last few weeks, this Congress hasn’t found a cause that doesn’t need a handout or a bailout. Where does the spending end, Mr. Speaker? Where does it end?

In this time of financial instability and national anxiety over the state of our financial market, the first goal of the Congress should be to do no harm. But this legislation does just the opposite. Is it any wonder that the approval rating of Congress is now at 13 percent? If Congress were a business, its CEO would have been fired long ago.

Mr. Speaker, there’s an old saying: “No bill is better than a bad bill.” That is especially true in this case. We would be doing our constituents, our shareholders, the American taxpayer, a tremendous favor if we took our foot off the gas pedal for a while. We ought to be focused on more oversight rather than more spending. Indeed, spending money is not the answer to every problem.

Mr. Speaker, I have got a feeling that I have seen this movie before. And believe me, the sequel is always worse than the original. We must display more discipline and demonstrate better judgment in spending taxpayers’ money. There is no better time or place to begin than right here now.

I strongly urge my colleagues to reject this unfettered spending spree.

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

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Oregon.

Mr. DEFAZIO. I thank the chairman, and I thank him for his earlier unanimous consent request.

After 2 days of regular order and much noise on that side of the aisle about wanting to waive the rules of the House and have the Rules Committee waive the rules of the House to consider county schools, the chairman of the committee gave everybody in the House, including the minority who has been so loud in the last few days, a chance to waive the rules of the House and accept 1 year’s funding for county and school payments. The end of those payments means 8,000 teachers have been laid off in rural counties across America, and thousands of deputy sheriffs, police and public safety officers.

People will die because these payments aren’t being extended.

The authorization expired when the Republicans controlled the House, the White House and the Senate. And now, today, because Republicans have yet again chosen to stonewall county payments by objecting to a unanimous consent request by the chairman of the full committee to waive the rules of the House and insert those payments, I am shocked, I am saddened, and I am absolutely stunned.

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

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Massachusetts, the chairman of the Transportation appropriations subcommittee.

Mr. OLVER. Mr. Speaker, I rise in strong support of this important legislation to put America back to work. The financial crisis on Wall Street will soon be addressed by this Congress, and we must not adjourn for the year without also throwing a lifeline to the millions of people that are struggling to find work and support their families.

In the last year alone, the unemployment rate has risen from 4.3 percent to 6.1 percent. Furthermore, we currently need about 125,000 new jobs each month just to keep pace with population growth. Instead, we have lost over 600,000 jobs since January, yielding a deficit of 1,600,000 jobs so far this year.

The jobs bill before us is needed for two reasons. It will create thousands of new good-paying jobs, and it will help close the investment gap in our transportation and housing infrastructure. The transportation and housing infrastructure parts of this bill will create nearly 500,000 jobs.

In addition to the jobs created, the infrastructure investments we fund will make a lasting and tangible impact on this country. This bill provides funding only for projects that will have an immediate economic impact and can be bid within 90 days. The bill includes almost \$13 billion to create safer and less congested roads and bridges, over \$5 billion to improve and expand transit and intercity passenger rail, \$600 million for safety and capacity improvements at our Nation’s airports, and \$1 billion in infrastructure funding for the public housing capital fund, which will help repair our Nation’s public housing.

Let’s put America back to work and improve our transportation and housing infrastructure by passing the Job Creation and Unemployment Relief Act.

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

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Connecticut, the chairman of the Agriculture appropriations subcommittee.

Ms. DELAURO. Mr. Speaker, as we try to prevent our financial markets from breaking down, we can never forget the middle class families across

this Nation who bear the brunt and continue struggling every day just to get by.

I believe our government has a responsibility to help get our economy back on track and make opportunity real in our communities and for our families. But with soaring energy prices, rising foreclosures and a Republican economy that continues to shed more jobs and produce less income, middle class families are at great risk.

There were more than 490,000 new filings for State jobless benefits last week, the highest number of weekly claims since shortly after 9/11. In Connecticut, unemployment climbed to 6.9 percent in August, topping the national average. That is why I support this economic recovery package, targeted investment to jump-start this economy and create quality jobs.

This bill makes a serious commitment to our national infrastructure. According to State transportation departments, there are \$18 billion in ready-to-go infrastructure projects across the country. This bill provides \$12.8 billion for those projects that can start right away, begin creating quality jobs and rebuild our Nation's aging highways, roads and bridges; \$6.5 billion for the Clean Water State Revolving Fund and \$1 billion for the Drinking Water State Revolving Fund to repair, rehabilitate and expand water systems, many of which are over 50 years old; \$3 billion for the States to immediately fund much-needed school maintenance, and still more innovative green infrastructure, Amtrak maintenance and public housing construction projects.

This is about making a direct and an immediate impact, creating jobs, jobs that cannot be outsourced, spurring economic growth and putting our Nation on a better path, not just for today but for the future.

I urge my colleagues to support this economic recovery package.

Mr. LEWIS of California. Mr. Speaker, I continue to reserve my time.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished chairman of the public works and infrastructure authorizing committee, the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. I thank the gentleman for yielding.

Should all this be enacted, we will have to rename the chairman "Obey the Builder" because this legislation will build America, rebuild America, create jobs, \$30 billion to invest in America, the roads, the bridges and the transit and passenger rail systems, the airports, the locks, dams, waterways and environmental infrastructure that enhance mobility, that improve productivity, reduce the cost of logistics, the cost of moving people and goods in our economy and make America productive again.

This investment will create jobs here in America, jobs that will not be outsourced to Bangalore or anyplace else in the world, the real jobs in

America that pay the mortgage, send the kids to school, buy the fishing boats and the snowmobiles and put food on the table. These are the real jobs of this economy. Over 800,000 construction workers are now out of work. The construction industry has the highest unemployment of any sector in this economy, 8.2 percent. This bill will create and sustain more than 1 million family wage jobs, jobs and projects that will be underway in 90 days, as we require in the legislation, that we proposed from our Committee on Transportation and Infrastructure, for highways and bridges, \$12.8 billion, on projects that are ready to go within 90 days. We have a list already—I will submit that for the Record—that will provide funding for transit and capital investment and \$1 billion relief for high energy costs; \$500 million for Amtrak, a bill we just passed yesterday in this body; the Airport Improvement Program of aviation, to reduce congestion on our airways, create more capacity on the ground side of airports; and funding for environmental infrastructure under the Clean Water State Revolving Loan Fund, in fact a bill this House passed over a year ago; as well as \$5 billion for the Corps of Engineers to invest in the locks and dams and waterways and improve our ability to resist hurricanes and storms in this country.

We need to make this investment in America for our future, for these jobs in this economy.

I rise in strong support of H.R. 7110, the "Job Creation and Unemployment Relief Act of 2008."

This bill invests in America—in the roads, bridges, transit and passenger rail systems, airports, locks, dams, waterways, and environmental infrastructure that enable our economy to work and keep our citizens safe. This is the infrastructure that, too often, we take for granted, until it fails.

This bill recognizes the critical importance of meeting our Nation's transportation and environmental infrastructure investment needs, and provides \$30 billion toward that end. This \$30 billion investment will yield lasting benefits in terms of reduced travel times, higher productivity, increased competitiveness in the world marketplace, and cleaner water.

With more than 800,000 construction workers out of work, and the construction industry suffering the highest unemployment rate, 8.2 percent, of any industrial sector, this bill puts America back to work. It will create or sustain more than one million good, family-wage jobs—jobs that cannot be outsourced to another country, because the work must be done here in the United States on our roads, bridges, transit and rail systems, airports, waterways, and wastewater treatment facilities.

For highways and bridges, the bill provides \$12.8 billion. State Departments of Transportation, "DOTs", have a tremendous backlog of highway projects that could be implemented quickly if these additional funds are made available. For example, State DOTs often have open-ended contracts in place for resurfacing projects, which means that work could begin immediately upon receipt of additional funds. In addition, many State DOTs have

projects already in process that could be accelerated if additional funding were provided. According to an Association of State Highway and Transportation Officials, "AASHTO", survey of State DOTs, States have more than 3,000 projects totaling \$17.9 billion which are ready-to-go and can be out to bid and under contract within 90 days.

Although I have heard the administration's economists discount the stimulative effects of infrastructure investment, they may want to check with the State DOTs. In August, State DOTs informed the Federal Highway Administration, "FHWA", that they had \$8 billion of highway projects that could advance before next week, September 30, if funding were available. Regrettably, FHWA only had \$1 billion available to distribute to the States through its August redistribution process.

Not only will these additional funds be put to use quickly, they will be put to good use, to meet urgent highway and bridge investment needs. For instance, consider the ready-to-go projects of just one State DOT, Missouri. With funding provided by this bill, Missouri could accelerate repair work on the Brownville, Nebraska bridge over the Missouri River. The 1,903-foot bridge is 70 years old and is structurally deficient. The bridge has a sufficiency rating of 3, which is even lower than the rating of the I-35W Bridge which collapsed in Minnesota. This rating reflects such a serious condition that if its rating drops to 2, the bridge will be closed. If the bridge has to be closed, residents will have to make a 123-mile detour. Missouri could also accelerate the replacement of a structurally deficient and obsolete bridge with the construction of a new bridge over the Osage River at Tuscumbia, Missouri. The current bridge is a two-lane, 1,083-foot structure that is 75 years old and is also rated a 3, serious condition. If this bridge has to be closed, residents will have to make a 40-mile detour.

For transit, the bill provides \$3.6 billion for capital investments, and \$1 billion for relief from high energy costs. Due to high gas prices, transit agencies across the country are experiencing increased demand for transit services, yet they are struggling to meet this demand due to the impact high fuel costs have had on their own operating budgets. In 2007, 10.3 billion trips were taken on public transportation—the highest number of trips taken in 50 years. Ridership has continued to climb in 2008, with a 4.4-percent increase in trips taken during the first half of 2008 compared to the same period last year, putting 2008 on track to beat last year's modern record ridership numbers. Additional funds could be put to immediate use by transit agencies to meet this demand while at the same time creating much-needed jobs and economic activity.

For Amtrak, the bill provides \$500 million. Similar to transit, Amtrak is experiencing record ridership and revenues in fiscal year 2008, and demand is growing across Amtrak's entire system for intercity passenger rail service. With this additional funding, Amtrak will be able to refurbish rail cars that are currently in storage and return them to service, and fund other urgently needed repair and maintenance of its facilities.

For the Airport Improvement Program, "AIP", the bill provides \$600 million. This funding will allow the AIP program to keep pace with inflationary cost increases, and begin to

address the investment gap in airport safety and capacity needs. Ready-to-go AIP projects that would be funded by this bill include runway and taxiway rehabilitations, extensions, and widening; obstruction removal; apron construction, expansion and rehabilitation; Airport Rescue and Firefighting equipment and facilities; and airside service or public access roads.

For environmental infrastructure, this bill provides \$6.5 billion for Clean Water State Revolving Funds, "SRFs". Under this administration, funding for the Clean Water SRF program has been cut repeatedly and funding is now one-half of it what it was a decade ago, despite the fact that the needs continue to grow. These cuts have created pent-up demand in the States for project funding. In addition, wastewater treatment facilities must meet new treatment requirements, including requirements to control nutrients, sewer overflows, stormwater, and nonpoint sources. Aging infrastructure must be replaced or repaired. Additional funds could be put to immediate use in many States, creating family-wage construction jobs and economic activity. A recent survey by the Council of Infrastructure Financing Authorities and the Association of State and Interstate Water Pollution Control Administrators identified more than \$9 billion in ready-to-go Clean Water SRF projects that cannot be funded within existing appropriation levels.

For the U.S. Army Corps of Engineers, the bill provides \$5 billion to invest in the Nation's water resource infrastructure. This investment will provide jobs, help American products compete on the world market, reduce the risk that larger sums for disaster relief will be needed in the future, and restore precious ecosystems. For example, the infusion of additional construction capital could be used for the construction of the second 1,200-foot lock at Saulte Ste. Marie. If the second lock were completed, then the incident that occurred earlier this week would not shut down traffic between the Upper and Lower Great Lakes because there would be a second point of transit. The existing Poe lock, that failed, is the only 1,200-foot lock between the Upper and Lower Lakes.

Finally, I thank Speaker PELOSI, Chairman OBEY, Chairman of the Committee on Appropriations, and Chairman OLVER, Chairman of the Subcommittee on Transportation, Housing and Urban Development, and Independent Agencies, for working with me throughout the development of this job creation package.

Throughout our Nation's history, economic growth, prosperity, and opportunity have followed investments in the Nation's infrastructure. From the "internal improvements" of the early 1800s—canals, locks, and roads—to the Interstate Highway System of today, infrastructure investment has been our foundation for economic growth. The investments funded by H.R. 7110 will not only create jobs today, they will provide long-term economic, safety, health, and environmental benefits.

I strongly urge my colleagues to join me in supporting H.R. 7110, a true investment in America's future.

I insert in the RECORD the results of a survey conducted by the American Association of State Highway and Transportation officials of ready-to-go highway and bridge projects in each State.

RESULTS OF AASHTO SURVEY OF READY-TO-GO HIGHWAY & BRIDGE PROJECTS
[With 47 State DOTs Reporting]

State	Number of Projects	Dollar Value (in millions)
Alabama	128	\$671.1
Alaska	7	92.6
Arizona	39	790.0
Arkansas	107	728.3
California	28	800.0
Colorado	52	395.1
Connecticut	20	728.5
DC	1	50.0
Delaware		
Florida	5	675.0
Georgia	32	397.3
Hawaii	6	42.0
Idaho	11	174.8
Illinois	212	831.4
Indiana		
Iowa	40	152.0
Kansas	126	68.0
Kentucky	4	200.0
Louisiana	208	351.4
Maine	15	94.1
Maryland	32	94.6
Massachusetts	59	181.5
Michigan	43	257.0
Minnesota	30	217.8
Mississippi	33	176.2
Missouri	127	546.6
Montana	70	116.0
Nebraska	5	20.0
Nevada	4	120.0
New Hampshire	11	81.3
New Jersey	7	50.8
New Mexico	77	1,400.0
New York	40	200.0
North Carolina	44	231.4
North Dakota	90	71.0
Ohio	114	299.3
Oklahoma	73	146.4
Oregon	50	251.2
Pennsylvania	524	1,300.0
Rhode Island	41	102.0
South Carolina	58	510.0
South Dakota	142	181.0
Tennessee	74	184.1
Texas	44	1,800.0
Utah	84	425.1
Vermont	11	62.6
Virginia	1	101.9
Washington		
West Virginia	67	1,200.0
Wisconsin	20	35.0
Wyoming	55	287.2
Total	3071	17,891.6

□ 1800

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

Mr. Speaker, I do not intend to take very much time, but I do want to take just a moment to express to the Members that which I have expressed to my chairman in many a forum.

This Member has been very, very concerned about the way the appropriations process has been working during this Congress, concerned enough to think that we could very well be on the pathway to destroy the Appropriations Committee, which has historically been the rock of this place in terms of accomplishing real work.

I certainly don't point to my chairman in terms of these concerns directly. We have very, very fine members with great experience and talent on each of our subcommittees. On both sides we have fabulous staff people who make a great contribution to this entire arena. But over this last year or year-and-a-half, those people have been heard all too seldom. Indeed, while our staffs do work together weekend after weekend, in turn they know full well we are not producing the product we could if we had a fully-developed bipartisan discussion in every one of these very important subcommittees.

It is with that concern that I rise to suggest to the Members, it is long past

due that we change the pattern by way of which we are carrying forward our appropriations business.

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

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

Mr. Speaker, I hate to keep going over old ground, but in light of the gentleman's comments, I would like to present a slightly different interpretation of where we are.

The fact is that we have passed out of this body and we expect to have sent to the President this weekend the three foreign policy appropriation bills for the year, representing well over 60 percent of the discretionary funding in the budget. We have not sent him any of the domestic appropriations bills for one simple reason, because the White House declared them dead on arrival before they had ever been written.

The White House simply made quite clear that if we did not submit to their budget wishes and cut \$14 billion out of education, out of health care, out of science, out of energy research and the like, if we didn't do that they would veto the bills. When we asked if they would sit down and talk about it and consider compromise, they indicated they had no interest.

It is clear to us that the President means what he says. He often does. So under those circumstances, we had a choice. We could either capitulate to the President's requirements that we cut everything from medical research at NIH to vocational education and the like, or we could say no, we are not going to accept those reductions; we will try to appeal to the public and let them choose.

So the public will choose by their selection of either Mr. OBAMA or Mr. MCCAIN. I am sorry, it has been a long day. The fellow from Arizona. Anyway, the public will choose one or the other. And if they choose Mr. MCCAIN, then they will get President Bush's domestic budget, and if they choose Mr. OBAMA, they will get something quite different.

So I think there is a very rational reason for our making this choice. The only other option would have been for us to scream at each other and argue with each other for 6 months, knowing that the bills were going nowhere because of the President's intent to veto the bills.

That, in essence, is why we find ourselves where we are on those domestic appropriation bills.

But this bill is a different issue. This bill relates not to yesterday's arguments, but to today's problems and tomorrow's solutions. What this bill represents is an effort to respond to the economic chaos that we have seen in this country for the past 8 months or more. It represents an effort. At a time when people are talking about doing a huge bailout for the financial system, we are trying to find discrete ways of making life a little less miserable for people who have been hit hard by the

consequences of the economic chaos that has swept over the country.

So we make no apology. In a year when we have lost 600,000 jobs, we make no apology for trying to help resurrect the possibility for some more good-paying jobs by adding to construction, to our infrastructure by way of airport and highway and transit development, by doing additional energy research, by doing additional cleanup of sewer and water, again, construction jobs that will mean a good many families will be seeing decent income again where they were not before. That is what this bill tries to do.

It is in fact a very modest proposal in terms of what most economists think will be necessary, but it is a whole lot better than doing nothing.

FDR warned a long time ago, he said, "Better the occasional mistake of a government that cares than the constant omission of a government frozen in the ice of its own indifference." And that I think is the choice that faces us today.

As Franklin Roosevelt said a long time ago in his inaugural address, "This country needs action; it needs action now." We are trying in a small way to provide that, along with the two other pieces that are now before this Congress, one being the continuing resolution, and the second being the disposition of the huge economy rescue project that the President has proposed. This is a key element in those efforts.

Mr. INSLEE. Mr. Speaker, I rise today to support an economic stimulus package that will create American jobs in a growing clean energy economy. Thanks to the advocacy of Majority Leader STENY HOYER and Chairman JOHN DINGELL, Congress authorized an advanced battery loan guarantee program for advanced vehicle batteries and systems—key components to fuel efficient cars—in the United States. I also want to thank my good friends Representatives STEVE ISRAEL and TIM RYAN for engaging in the effort to push this program and others like Speaker NANCY PELOSI, Chairman DAVE OBEY and RAHM EMANUEL for their support in moving forward. Also integral in this achievement are hard-working staff.

As many Americans know, a healthy automobile industry is as American as apple pie. In the transition to a clean energy economy, batteries and advanced electric systems are the key to our future success in this area. Once cars are electrified, batteries will be equivalent to up to 50 percent the total cost of the car. At this time, all of the domestic auto manufacturers plan to purchase batteries that have been produced offshore for their new efficient electric vehicles. However, today, the House will provide funding for a \$3.3 billion in loan guarantee program for the domestic construction of facilities that will manufacture advanced vehicle batteries and battery systems. This will enable an American industry to remain competitive in producing advanced lithium ion batteries, hybrid electrical systems, components and software designs.

Loan guarantees provided in this bill will enable several domestic advanced battery manufacturers and advanced vehicle systems com-

panies to grow in a global marketplace. Such companies could include AFS Trinity, of Medina, WA, Enerdel of Indianapolis, IN, Altairano Battery of Reno, NV, Firefly of Peoria, IL and International Battery of Allentown, PA. There are others that have also developed technology here and we hope that this provision will encourage those companies to open facilities in the United States.

Absent this program, we risk losing the advanced battery industry to Asia when there is no technological reason that America cannot compete in this technology. With this program, we will ensure that America retains green collar jobs in an important industry. We also ensure our companies grow in a global marketplace. I urge my colleagues to support this bill and fund this program.

Mr. HOYER. Mr. Speaker, you only need to open a newspaper or turn on a TV to see the case for this economic recovery package made far more eloquently than I can make it.

The financial crisis we are facing would have repercussions far beyond Wall Street—it could endanger the economic security of millions. Crisis or not, we are facing an economic downturn that is very real, one that speaks poorly of the President's economic stewardship. This year, America has lost jobs every single month—a total of 605,000 this year. More than a million American families have been foreclosed on, and the housing market has taken its worst dive since the Great Depression. Household income is down under President Bush. 5.7 million more Americans are living in poverty since he took office. And today, 46 million of our fellow Americans are without health insurance.

All of those facts call out, urgently, for this recovery package.

This bill provides immediate assistance to those who are suffering through an economic storm not of their making. And, just as importantly, it gives that assistance in a way that stimulates the economy as a whole. It has five key provisions.

First, it supports efforts to renew America's outdated, worn-down infrastructure—the roads, bridges, pipes, and tracks that are the foundation of our economy. Infrastructure projects are surefire job-creators. And we cannot expect to be a prosperous nation when more than 150,000 of our bridges are in as dangerous a shape as the bridge that collapsed in Minneapolis last year, and when some of our cities depend on century-old water systems. Past infrastructure investments—from canals to electrification to interstate highways—have brought significant economic growth in their wake.

Second, this bill makes a serious investment in several renewable energy and energy independence programs. I am particularly glad that it includes funding for the advanced battery loan guarantee program authorized by last year's energy bill. The program will provide assistance in the construction of domestic facilities to manufacture advanced lithium-ion battery systems, one of the energy innovations we are counting on to break our dependence on foreign oil and revitalize American industry. I was proud to write that provision with Mr. DINGELL, and Mr. INSLEE's support has been instrumental in making it a priority.

Third, this bill adds resources to the Federal Medical Assistance Program, sending aid to states forced to cut back vital services in this time of shortfall. Surely, even in these hard

times, we can set aside money to care for the poor and the sick.

Fourth, this bill includes a temporary increase in food stamp benefits. Food stamps can barely buy a month's food for families in normal times. With the recent spike in food prices, we need an increase in assistance to match. Moreover, economists find that food stamps are one of the best kinds of economic stimulus, injecting money right back into local communities.

Fifth and finally, the recovery package will extend unemployment benefits for seven weeks, or 13 weeks in the hardest-hit states. Like food stamps, unemployment benefits assist families while directly stimulating local economies. And if we do not act, nearly 800,000 workers who had their unemployment benefits extended in July will find themselves out of luck in a week and a half—dumped into the midst of a brewing economic crisis.

Mr. Speaker, the state of our economy demands a comprehensive response. It should include a 21st-century energy policy, sound regulations to protect investors and taxpayers, and the financial rescue we hope to bring to the floor soon. But right now, for the people of our districts, this bill is the single most meaningful thing we can do. I urge my colleagues to pass it.

Mr. VAN HOLLEN. Mr. Speaker, I rise in strong support of this economic recovery package as a \$63 billion shot in the arm for an economy that clearly needs it. As we debate the President's \$700 billion bailout plan for Wall Street, we must never forget the struggle on Main Street caused by eight years of failed economic policies.

This legislation will grow our economy and create jobs by investing \$34 billion in needed infrastructure improvements for our roads, bridges, water resources, schools, public transit, airports and housing. It provides \$1.6 billion to accelerate advanced battery, renewable energy and energy efficiency technologies. And it offers a helping hand to our neighbors in need by extending unemployment benefits for an additional seven weeks, increasing food stamp support by \$2.6 billion, bolstering our job training efforts by \$500 million, and temporarily enhancing the federal match to state Medicaid programs in order to protect health care for our most vulnerable citizens.

Mr. Speaker, with the President warning of "financial panic" and 605,000 American jobs already lost this year, this proactive effort to support our struggling economy is a modest, but important step. I urge my colleagues' support.

Mr. KENNEDY. Mr. Speaker, while Wall street teeters on the edge of collapse families have been in free-fall for months. As a nation, our economy is in trouble.

For the people of Rhode Island, who currently face 8.5 percent unemployment, this crisis demands immediate action. Over the past year, unemployment in the state has risen by three and a half percent.

Mr. Speaker, the economic recovery package before us today will help stem the slide of our economy into a deep recession while simultaneously making important investments in our future. My constituents in Rhode Island cannot afford another day without this critical legislation.

This bill will help get more Americans back to work right away by investing in our crumbling bridges and highways.

This bill will help local transit agencies, like those in my state, which currently face cost overruns and drastic reductions in service because of aging fleets and escalating gas prices.

This bill will make essential investments in our schools by providing funding to repair dilapidated buildings and make energy-saving renovations up front, so that less of our future education budget literally goes up in smoke.

Mr. Speaker, this legislation makes a number of other important investments, but I would like to call my colleagues attention to the help it offers to the most vulnerable among us. For Rhode Islanders and those across this country who are out of work, this bill extends unemployment benefits to keep families in their houses and to keep food on their tables.

Certainly, these are trying economic times for our country which require fundamental change. This legislation represents an important step toward policies which couple sound investment with true compassion.

For all American families struggling in these trying times, I urge my colleagues to support this legislation.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today in strong support of H.R. 7110, the "Job Creation Unemployment Relief Act of 2008." This important legislation will help families struggling in these difficult economic times, provide critical investments in our infrastructure, and create jobs for Americans.

Right now, families in Connecticut and all across the country are facing rising energy costs, rising food prices, rising health care costs and an uncertain economic future. They are working hard but finding it increasingly difficult to make ends meet.

This bill will put Americans back to work and provide needed relief for families. It invests \$500 million in job training programs and invests billions to rebuild roads, bridges, schools, and public transportation. To protect our energy future, this bill invests crucial funds in the development of renewable energy sources and energy efficient vehicles.

To address the turbulent economic times, this bill provides key investments to assist families. With 11,000 Connecticut residents facing exhaustion of their unemployment benefits in October, H.R. 7110 will provide an extension of up to 13 weeks to help those workers get back on their feet. Finally, this bill will give crucial funding to increase food assistance and will also provide a substantial increase in Medicaid funding to the states.

At this time of great economic uncertainty, the American people need to know that their representatives are looking out for the interests of Main Street, not Wall Street. This bill is an investment in our greatest resource: the American people. I again want to express my strong support for this legislation and urge its passage.

Mr. DINGELL. Mr. Speaker, I am pleased to rise today in support of a second economic stimulus package. This package comes at a time when the number of unemployed continues to rise, gas and fuel prices are continuing to fluctuate, and our financial markets are in crisis.

For many months now, Congress has witnessed our economy continue on its economic downturn. I was happy to join with my colleagues to support rebate checks for 117 million American families in the first stimulus package that Congress passed at the begin-

ning of this year. However, I believe now, as I did then, that a one-time check does little for families who have been struggling paycheck to paycheck for months. Bolder action is needed, and I think Congress is taking an important step today to help our working families and to bolster our economy.

In my home state of Michigan we have been struggling with the highest unemployment rate in the Nation, now at 8.9 percent. Since 2000 wages have fallen in Michigan at a rate of 0.5 percent per year, healthcare premiums have risen over 42 percent, and we have lost thousands of jobs. Despite all of this tragedy, Michigan's economic plight has not received much attention. I am here today to warn my colleagues that without today's stimulus package, many other States may be joining Michigan's struggles.

Today's proposal includes a number of measures that my colleagues in the Michigan delegation have been urging our House and Senate leadership to consider.

First it includes language from my colleague Congressman JIM McDERMOTT's legislation H.R. 6867, which extends unemployment benefits by 7 weeks in all States to a total of 20 weeks and will extend these benefits by an additional 13 weeks for States with high unemployment, like Michigan. I cosponsored this legislation because Michigan workers need these extra benefits now more than ever, and I know that this will provide them with the extra time they need to get back on their feet.

Second, this economic stimulus package provides \$15 billion in relief to all States and territories through a temporary increase in Federal Medicaid funding. This money will ensure States can continue to provide healthcare to their low-income populations including children, pregnant women, individuals with disabilities, and the elderly, without cutting important benefits. It will also help prepare Medicaid for the health services it may provide to the additional workers who lose their jobs, access to private health insurance, or both.

In Michigan we have witnessed firsthand how rising healthcare costs have hamstrung our manufacturers and employers. We know now that healthcare costs more than steel in a domestic automobile, and Starbucks spends more on healthcare than coffee beans. Further, as unemployment has increased, more and more families are relying on Medicaid to receive the healthcare they so desperately need. The injection of new Federal dollars through Medicaid has a measurable effect on State economies, including generating new jobs and wages. In fact, \$1 million in additional Medicaid dollars creates \$3.4 million in new business activity.

As an author of legislation with a similar one-time increase in FMAP, I know very well that an increase of this nature is one of the simplest, fastest, and best ways to provide stimulus to States and I applaud our leadership for including it in today's bill.

Third, this legislation includes a temporary increase in Food Stamp benefits. We know that millions of households rely on these benefits to purchase their groceries, however, when food prices have increased by 7.5 percent, Food Stamps do not stretch as far as they once did. Today's proposal will provide \$2.6 billion toward increasing Food Stamp benefits, helping thousands of families put food in the pantry and dinner on the table.

Mr. Speaker, thank you for your leadership on this issue and for standing up to this ad-

ministration once again. I know that putting together today's legislation was no easy task. However, our families desperately need the Federal Government to help provide them with relief and reassurance that we hear and understand their struggles. I am pleased that I will be able to return home to the 15th Congressional District and tell my constituents about the \$25 billion in loans to auto makers the Michigan delegation was able to secure and a second economic stimulus package that Congress was hopefully able to pass and the President signed into law. I know that these actions will not go unnoticed, and as their Federal representative it is my duty to do whatever I can to help them through this tough time. I urge my colleagues to rise in support of today's package, a "no" vote on this legislation or a veto by the President's pen is no way to help our families in need.

Ms. BORDALLO. Mr. Speaker, I rise in support of H.R. 7110, the Job Creation and Unemployment Relief Act of 2008. Within this legislation are several provisions relating to Federal funding for Guam. As a result of the current economic situation, this is much needed legislation for all Americans.

Of particular note, H.R. 7110 would temporarily increase the cap on Medicaid payments to the territories by 4 percent for fiscal years 2009 and 2010. Although this increase represents progress toward addressing the inequity in Federal health care financing between the States and territories, I continue to work with the leadership of the House of Representatives and the Senate to also adjust the statutory-set Federal medical assistance percentages (FMAPs) for the territories which are currently set at 50 percent. Unlike the States, territories pay more to care for the medically indigent in their jurisdictions, creating a larger issue of health inequity in the country. Our local government is burdened with budget shortfalls, and in tough economic times like these we need to ensure that families under economic stress have access to health care.

Secondly are the provisions contained within this bill providing increases in food stamps and territorial highway program funding. This additional highway funding should stimulate the economies of the territories and help us to meet urgent road infrastructure projects.

I support this economic stimulus and jobs package, and I thank our leadership for their efforts on this legislation.

Mr. LANGEVIN. Mr. Speaker, I rise in strong support of H.R. 7110, the Job Creation and Unemployment Relief Act, which will provide funding for job creation and preservation initiatives, infrastructure investments, and economic and energy assistance. This important measure represents our commitment to help hard-working Americans weather these turbulent economic times.

In February, Congress passed the Recovery Rebates and Economic Stimulus for the American People Act, which aimed to inject \$150 billion into our economy to revitalize our markets, increase consumer confidence, and protect against recession. This legislation provided rebates to Americans that put money directly into their pockets. While this short-term recovery plan was helpful to American families, our country's economic crisis has since worsened, and additional action by Congress is necessary. In August, 84,000 Americans lost their jobs, making it the eighth straight month that our economy has seen reductions in the workforce. The number of unemployed

Americans is the highest it has been since 1992, and unemployment claims have increased by more than 38 percent this year. Sadly, in my home State of Rhode Island, the unemployment rate has risen to 8.5 percent—the second highest in the Nation. My constituents have reached out to me and the Federal Government because they need help in this struggling economy to refinance their mortgages, pay their home heating bills, secure good-paying jobs, and find affordable health care.

H.R. 7110 begins to answer their call by providing a critical and immediate boost to the many Rhode Islanders, and Americans across the Nation, who are struggling to find work. It provides 7 weeks of extended benefits for those who have exhausted regular unemployment compensation. This is in addition to the 13-week extension passed in June of this year. Residents in high unemployment States, like Rhode Island, may also be eligible for an additional 13 weeks of benefits. In addition this measure provides \$500 million for job training, including assistance for dislocated workers programs, youth employment activities, and customized help to those receiving unemployment benefits. This bill will give hard-working Americans another chance to continue their job search and provide for their families.

This bill also includes investments in infrastructure and renewable energy technologies that will have an immediate impact on the economy by creating jobs and meeting existing needs in our country. While Rhode Island's coastline is one of the most beautiful in the Nation, it presents our State with unique infrastructure challenges. H.R. 7110 provides \$12.8 billion for highway infrastructure, which is critical to the hundreds of thousands of Rhode Islanders who rely on the safety of our State's highways and bridges. I am pleased that the bill also provides an increase in funding for the Nation's drinking water infrastructure, which has been underfunded by the Bush Administration for the past several years. Three billion dollars is also included to repair and upgrade our schools, \$1 billion for repair and construction projects for public housing, and \$4.6 billion to upgrade and expand public transportation.

Also included within the stimulus package is a temporary increase in the Federal Medical Assistance Percentage (FMAP) to assist State Medicaid programs. This is particularly important for Rhode Island, which is currently faced with a \$400 million budgetary deficit fueled in part by unsustainable increases in Medicaid expenditures. These funds are designed to prevent cuts to health insurance and health care services for low-income children and families, as well as generate business activities, jobs, and wages that Rhode Island would otherwise not see.

Our country has faced economic hardships and recessions before, and I have no doubt we will weather this current downturn. However, we must provide Americans with the necessary tools to turn this economy around. I encourage my colleagues to pass this bill and give a hand up to those who are most vulnerable during these trying times.

Mr. ETHERIDGE. Mr. Speaker, I rise in support of H.R. 7110, the Job Creation and Unemployment Relief Act of 2008. This bill will give economic support to Main Streets across the Nation, providing \$60.8 billion to help fami-

lies who are struggling and creating jobs that can put our economy back on track.

H.R. 7110 makes strategic investments to repair our Nation's aging infrastructure, improving our communities while also creating jobs and stimulating local economies. This bill provides \$12.8 billion for bridge and highway improvements that will address longstanding needs, improving safety and reducing traffic congestion. H.R. 7110 includes a \$5 billion investment in the Nation's water resource infrastructure to improve flood protection and hydropower capability. In addition, this stimulus package provides \$3.6 billion to expand public transportation and meet growing demand as Americans face rising fuel costs. H.R. 7110 also includes \$1 billion for repair and construction of public housing projects. This kind of funding produces \$2.12 in economic return for every dollar invested.

I am particularly pleased that this bill includes \$3 billion for school construction and modernization funding to repair aging and unsafe schools, provide students with better technology in the classrooms, and improve energy efficiency. As the only former school superintendent serving in Congress, I am very concerned about the dire need for school infrastructure improvements, as quality education cannot take place in crumbling schools. Nearly every school district in this country has a list of repair projects that need funding, so investments in school construction and renovation can quickly make their way to the local economy, providing jobs and stimulating economic activity. Given the desperate need for school modernization and construction across the Nation, I am disappointed that H.R. 7110 does not leverage this funding through tax credits to support more activity, as in the bill that I have introduced with my friend Ways and Means Chairman CHARLIE RANGEL. I am hopeful that the House of Representatives will consider H.R. 2470, the America's Better Classrooms Act, at some future date. However, I am pleased that H.R. 7110 provides a starting point with this \$3 billion investment.

As our Nation faces a struggling economy and we face the highest rate of unemployment since 1992, this bill will provide relief to struggling families across our country. This bill provides an additional 7 weeks of extended benefits for workers who have exhausted regular unemployment compensation, and an additional 13 weeks for workers in certain high-unemployment states. These are benefits that are directed to the folks who need them the most, and this funding will boost the overall economy because the dollars awarded will be spent quickly. H.R. 7110 also provides Medicaid increases that will prevent cuts to health insurance and health care services for low-income children and families; \$2.6 billion to address rising food costs for seniors, people with disabilities, and low-income families; and \$500 million for job training programs that will help Americans find and prepare for good jobs.

I support H.R. 7110, Job Creation and Unemployment Relief Act of 2008, and I urge my colleagues to join me in voting for its passage.

Mr. OBEY. I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1507, the bill is considered read and the previous question is ordered.

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

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 264, nays 158, not voting 12, as follows:

[Roll No. 660]

YEAS—264

Abercrombie	Frank (MA)	Miller (MI)
Ackerman	Gerlach	Miller (NC)
Allen	Giffords	Miller, George
Altmire	Gilchrest	Mitchell
Andrews	Gillibrand	Mollohan
Arcuri	Gonzalez	Moore (KS)
Baca	Gordon	Moore (WI)
Baird	Graves	Moran (VA)
Baldwin	Green, Al	Murphy (CT)
Barrow	Green, Gene	Murphy, Patrick
Bean	Grijalva	Murphy, Tim
Becerra	Gutierrez	Murtha
Berkley	Hall (NY)	Musgrave
Berman	Hall (TX)	Nadler
Bishop (GA)	Hare	Napolitano
Bishop (NY)	Harman	Neal (MA)
Blumenauer	Hastings (FL)	Oberstar
Bono Mack	Hayes	Obey
Boren	Heller	Olver
Boswell	Higgins	Ortiz
Boucher	Hill	Pallone
Boyda (KS)	Hinchee	Pascarell
Brady (PA)	Hinojosa	Pastor
Braley (IA)	Hirono	Payne
Brown, Corrine	Hodes	Pelosi
Brown-Waite,	Holden	Perlmutter
Ginny	Holt	Platts
Buchanan	Honda	Pomeroy
Butterfield	Hooley	Porter
Capito	Hoyer	Price (NC)
Capps	Hulshof	Rahall
Capuano	Insee	Rangel
Cardoza	Israel	Reichert
Carnahan	Jackson (IL)	Renzi
Carney	Jackson-Lee	Reyes
Carson	(TX)	Richardson
Castle	Jefferson	Rodriguez
Castor	Johnson (GA)	Rogers (AL)
Cazayoux	Johnson, E. B.	Rogers (MI)
Chandler	Jones (NC)	Ros-Lehtinen
Childers	Kagen	Ross
Clarke	Kanjorski	Rothman
Clay	Kaptur	Roybal-Allard
Cleaver	Kennedy	Ruppersberger
Clyburn	Kildee	Rush
Cohen	Kilpatrick	Ryan (OH)
Conyers	Kind	Salazar
Costello	King (NY)	Sanchez, Linda
Courtney	Klein (FL)	T.
Cramer	Knollenberg	Sanchez, Loretta
Crowley	Kucinich	Sarbanes
Cuellar	Kuhl (NY)	Schakowsky
Cummings	Langevin	Schiff
Davis (AL)	Larsen (WA)	Schwartz
Davis (CA)	Larson (CT)	Scott (GA)
Davis (IL)	LaTourette	Scott (VA)
Davis, Lincoln	Lee	Serrano
DeFazio	Levin	Sestak
DeGette	Lewis (GA)	Shays
Delahunt	Lipinski	Shea-Porter
DeLauro	LoBiondo	Sherman
Dent	Loeback	Shuler
Diaz-Balart, L.	Lofgren, Zoe	Sires
Diaz-Balart, M.	Lowey	Skelton
Dicks	Lynch	Slaughter
Dingell	Mahoney (FL)	Smith (NJ)
Doggett	Maloney (NY)	Smith (WA)
Donnelly	Markey	Snyder
Doyle	Marshall	Solis
Edwards (MD)	Matsui	Space
Edwards (TX)	McCarthy (NY)	Speier
Ellison	McCollum (MN)	Spratt
Ellsworth	McCotter	Stark
Emanuel	McDermott	Stupak
Emerson	McGovern	Sutton
Engel	McHugh	Tanner
English (PA)	McIntyre	Tauscher
Eshoo	McNerney	Thompson (CA)
Etheridge	McNulty	Towns
Farr	Meek (FL)	Tsongas
Fattah	Meeks (NY)	Turner
Filner	Melancon	Udall (CO)
Foster	Michaud	Udall (NM)

Upton	Wasserman	Welch (VT)
Van Hollen	Schultz	Wilson (OH)
Velázquez	Waters	Woolsey
Visclosky	Watson	Wu
Walsh (NY)	Watt	Yarmuth
Walz (MN)	Waxman	Young (AK)
	Weiner	

NAYS—158

Aderholt	Fossella	Neugebauer
Akin	Fox	Nunes
Alexander	Franks (AZ)	Paul
Bachmann	Frelinghuysen	Pearce
Bachus	Gallegly	Pence
Barrett (SC)	Garrett (NJ)	Peterson (MN)
Bartlett (MD)	Gingrey	Petri
Barton (TX)	Gohmert	Pitts
Berry	Goode	Poe
Biggart	Goodlatte	Price (GA)
Billbray	Granger	Pryce (OH)
Bilirakis	Hastings (WA)	Putnam
Bishop (UT)	Hensarling	Radanovich
Blackburn	Herger	Ramstad
Blunt	Herseth Sandlin	Regula
Boehner	Hobson	Rehberg
Bonner	Hoekstra	Reynolds
Boozman	Hunter	Rogers (KY)
Boustany	Inglis (SC)	Rohrabacher
Boyd (FL)	Issa	Roskam
Brady (TX)	Johnson (IL)	Royce
Broun (GA)	Johnson, Sam	Jordan
Brown (SC)	Jordan	Keller
Burgess	Keller	King (IA)
Burton (IN)	King (IA)	Kingston
Buyer	Kingston	Kirk
Calvert	Kirk	Kline (MN)
Camp (MI)	Kline (MN)	Lamborn
Campbell (CA)	Lamborn	Lampson
Cannon	Lampson	Latham
Cantor	Latham	Latta
Carter	Latta	Lewis (CA)
Chabot	Lewis (CA)	Lewis (KY)
Coble	Lewis (KY)	Linder
Cole (OK)	Linder	Lucas
Conaway	Lucas	Lungren, Daniel
Cooper	Lungren, Daniel	E.
Crenshaw	E.	Mack
Culberson	Mack	Manzullo
Davis (KY)	Manzullo	Marchant
Davis, David	Marchant	Matheson
Davis, Tom	Matheson	McCarthy (CA)
Deal (GA)	McCarthy (CA)	McCaul (TX)
Doolittle	McCaul (TX)	McCrery
Drake	McCrery	McHenry
Dreier	McHenry	McKeon
Duncan	McKeon	McMorris
Ehlers	McMorris	Rodgers
Everett	Rodgers	Mica
Fallin	Mica	Miller (FL)
Ferguson	Miller (FL)	Miller, Gary
Flake	Miller, Gary	Moran (KS)
Forbes	Moran (KS)	Myrick
Fortenberry	Myrick	

NOT VOTING—12

Costa	Peterson (PA)	Tierney
Cubin	Pickering	Weller
Feeney	Saxton	Wexler
LaHood	Thompson (MS)	Whitfield (KY)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members should be aware that the display is inoperative. The Chair would encourage all Members to verify their votes at any of the 46 electronic voting stations.

□ 1841

Mr. EHLERS changed his vote from “yea” to “nay.”

Messrs. SPRATT, HALL of Texas, BOREN, and Mrs. BONO MACK changed their vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken tomorrow.

COMMUNICATION FROM THE HONORABLE JOHN A. BOEHNER, REPUBLICAN LEADER

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

HOUSE OF REPRESENTATIVES,
Washington DC, September 25, 2008.

Hon. NANCY PELOSI,
Speaker, U.S. Capitol,
Washington, DC.

DEAR SPEAKER PELOSI: Pursuant to Section 333(a)(2) of the Consolidated Natural Resources Act of 2008 (P.L. 110-229), I am pleased to appoint Dr. Aida Levitan, Ph.D. of Key Biscayne, Florida to the Commission to Study the Potential Creation of a National Museum of the American Latino.

Dr. Levitan has expressed interest in serving in this capacity and I am pleased to fulfill the request.

Sincerely,

JOHN A. BOEHNER,
Republican Leader.

□ 1845

COMMUNICATION FROM THE HONORABLE JOHN A. BOEHNER, REPUBLICAN LEADER

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

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
SEPTEMBER 25, 2008.

Hon. NANCY PELOSI,
Speaker,
Washington, DC.

DEAR SPEAKER PELOSI: Pursuant to Section 4(a) of the Commission on the Abolition of the Transatlantic Slave Trade Act (P.L. 110-183), I am pleased to appoint Mr. Eric Sheppard of Carrollton, Virginia to the Commission on the Abolition of the Transatlantic Slave Trade.

Mr. Sheppard has expressed interest in serving in this capacity and I am pleased to fulfill his request.

Sincerely,

JOHN A. BOEMER,
Republican Leader.

COMMUNICATION FROM CONSTITUENT LIAISON, THE HONORABLE STENY HOYER, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Jamie Grove, Constituent Liaison, the Honorable Steny Hoyer, Member of Congress:

SEPTEMBER 15, 2008.

Hon. NANCY PELOSI,
Speaker, U.S. House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued in the District Court of Charles County Maryland, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

JAMIE GROVE,
Constituent Liaison.

UNITED STATES-INDIA NUCLEAR COOPERATION APPROVAL AND NONPROLIFERATION ENHANCEMENT ACT

Mr. BERMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7081) to approve the United States-India Agreement for Cooperation on Peaceful Uses of Nuclear Energy, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7081

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “United States-India Nuclear Cooperation Approval and Nonproliferation Enhancement Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. Definitions.

TITLE I—APPROVAL OF UNITED STATES-INDIA AGREEMENT FOR COOPERATION ON PEACEFUL USES OF NUCLEAR ENERGY

- Sec. 101. Approval of Agreement.
- Sec. 102. Declarations of policy; certification requirement; rule of construction.
- Sec. 103. Additional Protocol between India and the IAEA.
- Sec. 104. Implementation of Safeguards Agreement between India and the IAEA.
- Sec. 105. Modified reporting to Congress.

TITLE II—STRENGTHENING UNITED STATES NONPROLIFERATION LAW RELATING TO PEACEFUL NUCLEAR COOPERATION

- Sec. 201. Procedures regarding a subsequent arrangement on reprocessing.
- Sec. 202. Initiatives and negotiations relating to agreements for peaceful nuclear cooperation.
- Sec. 203. Actions required for resumption of peaceful nuclear cooperation.
- Sec. 204. United States Government policy at the Nuclear Suppliers Group to strengthen the international nuclear nonproliferation regime.
- Sec. 205. Conforming amendments.

SEC. 2. DEFINITIONS.

In this Act:

(1) AGREEMENT.—The term “United States-India Agreement for Cooperation on Peaceful Uses of Nuclear Energy” or “Agreement” means the Agreement for Cooperation Between the Government of the United States of America and the Government of India