

votes: Nos. 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 770, and 771, and "nay" on rollcall vote No. 769.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mrs. Wanda Evans, one of his secretaries.

□ 1530

CERTIFICATION OF APPLICABLE WAIVER WITHIN THE MEANING OF THE CLEAN DIAMOND TRADE ACT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 111-67)

The SPEAKER pro tempore (Mr. POLIS) laid before the House the following message from the President of the United States; which was read and referred to the Committee on Ways and Means and the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

The Clean Diamond Trade Act (Public Law 108-19) (the "Act") authorizes the President to "prohibit the importation into, or exportation from, the United States of any rough diamond, from whatever source, that has not been controlled through the Kimberley Process Certification Scheme." The Act takes effect on the date that the President certifies to the Congress that (1) an applicable waiver that has been granted by the World Trade Organization (WTO) is in effect, or (2) an applicable decision in a resolution adopted by the United Nations Security Council pursuant to Chapter VII of the Charter of the United Nations is in effect. The Act remains in effect during those periods in which, as certified by the President to the Congress, such an applicable waiver or decision is in effect.

On July 29, 2003, the President certified that the WTO General Council had adopted a decision granting a waiver pursuant to Article IX of the Marrakesh Agreement Establishing the World Trade Organization concerning the Kimberley Process Certification Scheme for rough diamonds. The waiver applies to the United States and other WTO members that requested the waiver and to any WTO member that notifies the WTO of its desire to be covered by the waiver. The waiver was scheduled to have effect from January 1, 2003, through December 31, 2006. On December 19, 2006, the WTO General Council adopted a decision to extend the waiver through December 31, 2012.

I hereby certify that an applicable waiver, within the meaning of the Act, granted by the World Trade Organization has been in effect since January 1, 2003, and will remain in effect through December 31, 2012.

BARACK OBAMA.
THE WHITE HOUSE, October 8, 2009.

LEGISLATIVE PROGRAM

(Mr. CANTOR asked and was given permission to address the House for 1 minute.)

Mr. CANTOR. Mr. Speaker, I yield to the gentleman from Maryland, the majority leader, for the purpose of announcing next week's schedule.

Mr. HOYER. I thank the gentleman for yielding.

On Monday, the House will not be in session. On Tuesday, the House will meet at 12:30 p.m. for morning-hour debate and 2 p.m. for legislative business with votes postponed until 6:30 p.m. On Wednesday and Thursday, the House will meet at 10 a.m. for legislative business. On Friday, the House will meet at 9 a.m. for legislative business.

We will consider several bills under suspension of the rules. The complete list of suspension bills will be announced by the close of business tomorrow, as is the custom.

In addition, we will consider H.R. 2442, the Bay Area Regional Water Recycling Program Expansion Act of 2009; the conference report on H.R. 2892, the Department of Homeland Security Appropriations Act of 2010; and quite possibly, assuming the conference is completed, the conference report on H.R. 2996, the Department of the Interior, Environment, and Related Agencies Appropriations Act.

Mr. CANTOR. I thank the gentleman. I would also like to thank the gentleman for his courtesy and his time in meeting with me earlier today in the discussion of health care, and I'm hopeful that that discussion was fruitful and that we could see a dialogue continue towards some type of working relationship in the areas that we can agree on. So I do thank the gentleman.

At this time, Mr. Speaker, I would like to ask the gentleman some of the things we didn't cover in the meeting, and that is, first off, the timing of any kind of health care bill reaching the floor of this House and whether he could provide any clarity on that.

I yield.

Mr. HOYER. I thank the gentleman for yielding, and I thank him for coming by my office and spending time in discussion.

As the gentleman knows, health care has been the focus of this Congress for much of our present session; three committees have completed their work, ongoing discussions about how to put the work product of the three individual committees together. The Senate Finance Committee is, we think, going to vote on theirs next week. The Senate Health, Education, Labor, and Pensions Committee has reported out a bill. So we have five committees that have essentially completed their work. There will be, obviously, once the bills are put together and all the suggestions are incorporated, a necessity to get a score from CBO. We expect that to take at least a week, 7 days, maybe more.

In addition to that, the Speaker and I have both indicated that there will be

72 hours' notice of the bill and a manager's amendment. I want to clarify that. If they both come out at the same time, it will be one 72-hour period. If for any reason they come out separately, then we will make sure that the last issued will have 72 hours before we put the bill out on the floor.

In light of that, my expectation is certainly the bill will not be on the floor either the next week or early in the following week. The earliest, in my opinion, the bill could be on the floor would be the latter part of the second week from now.

Mr. CANTOR. I thank the gentleman.

So if I hear correctly, we're talking about the final week of this month at the earliest.

Mr. HOYER. I think that would be the earliest, as a practical matter, that we could put the bill on the floor with the notice that we have indicated we're going to give and, of course, with the CBO score.

Mr. CANTOR. I thank the gentleman for that.

I would ask the gentleman, Mr. Speaker, about some statement that the Speaker made indicating how the reimbursement rates would work and whether there is clarity on that or not yet. I think the Speaker had asked the question rhetorically whether Medicare rates would be the reimbursement rates in the bill, and any kind of enlightenment that he can shed on that, I'd appreciate it.

I yield.

Mr. HOYER. At this point in time, these are still under discussion, and, therefore, I don't have a specific answer for the gentleman. But the Speaker's comments, I think, spoke to the fact that they are still under discussion.

Mr. CANTOR. Mr. Speaker, I would say, again, the gentleman and I had discussed in general the opposition to the public option that we have on this side, and I would just like to ask the gentleman again, given the Speaker's comments about reimbursement rates, Medicare rates, whether the public option is still where the Speaker and he are in terms of what a House bill would look like given where the Senate is.

I yield.

Mr. HOYER. I thank the gentleman for yielding.

In terms of where the Speaker and I are, we have been consistently for, as you know, a public option. The Speaker and I continue to be for a public option, as is the President, and we believe the majority of the House is for that.

I will tell the gentleman that I think that in terms of the reimbursement rates, as I said, that's still under discussion, but I think there is consensus that a public option is something, as the President has indicated, as we have indicated, that will provide a competitive model to both bring prices down and to protect consumers. So I think the answer is that that's certainly still part of our plan.

Mr. CANTOR. I thank the gentleman for that. And again, he and I have discussed the differences that the sides

have philosophically and about Medicare rates being the prevailing rate in terms of required coverage, which would essentially mean, in our opinion, that we will be on a path to a single-payer system, something that certainly our Members would not want to see.

But I thank the gentleman for sharing, and we look forward to perhaps working on those parts or, if we could, just items that we can agree on, again, if the public option begins to have trouble. So, again, I thank the gentleman.

If I could, Mr. Speaker, turn to the question of foreign policy and where we are in terms of the bill coming from the Foreign Affairs and Financial Services Committees.

Last week, Mr. Speaker, the gentleman had said that the White House was engaging in discussions with China and Russia, that perhaps that was why the bill would not be moving forward. This, again, is the Iran Refined Petroleum Sanctions Act. And to paraphrase the gentleman, Mr. Speaker, I would say that the gentleman indicated that Mr. BERMAN will be talking to the White House about timing.

I yield to find out whether we have any clarity on that and when that bill will be coming to the floor.

Mr. HOYER. I thank the gentleman for yielding.

I have talked to Mr. BERMAN. He is in discussions with the White House. Both you and I are strong supporters of the legislation, as is Mr. BERMAN. My expectation is he has indicated that he wants to consider this bill and bring it to the floor, and I have told him that as soon as it's ready to come to the floor, I will schedule it for the floor.

In addition, I will tell the gentleman that it is possible that we will have the sanctions bill out of the Financial Services Committee. As you know, there are two different bills. The Berman bill is the stronger of the two. But we may well move next week, may move next week, on the Financial Services sanction bill, which deals with, obviously, financial transactions.

□ 1545

My expectation is Mr. BERMAN is looking at this and does hope and expect to bring this bill out either at the very latter part of a couple weeks from now or perhaps the first week in November. But I know he's very much engaged in this, and we very much support moving on this.

Mr. CANTOR. I thank the gentleman for that.

Mr. Speaker, the gentleman has noticed that the Homeland Security appropriations bill is coming to the floor next week. Reports have indicated that perhaps some of the trouble surrounding bringing that bill to the floor deals with the language of dealing with the detainees at Guantanamo Bay and their transfer. And as the gentleman knows, Republican-sponsored language that was adopted by the House is some-

thing that we would very much like to see included in the conference report.

I do know, Mr. Speaker, that the Senate just adopted in the Defense appropriations bill that they are deliberating upon that no funds would be allocated or appropriated for the transfer of those detainees, by an overwhelming vote.

So I would ask the gentleman, should we expect that language, the House-passed language, to be in the conference report that would come to the floor?

Mr. HOYER. Of course, the conference hasn't been held so I don't want to predict what's going to be in there or not. I will tell the gentleman, as the gentleman knows, the authorization bill, the conference report that we just passed does have within it, as you know, a prohibition on the release of Guantanamo detainees in the United States, territories, and possessions. In addition, it restricts detainee transfers to the United States or its territories or possessions until 45 days after the President has submitted a plan to Congress certifying that the detainees will pose little or no threat or risk to the United States if transferred. That language we just passed.

Now, I can't predict whether the appropriations conference will track that language or will have different language such as the language to which you just referred. But I expect there to be language on that issue.

Mr. CANTOR. I thank the gentleman.

I would just note as well that the House-passed language in the Homeland Security bill also had a provision lacking in the bill we just passed which had to do with States' ability to veto a decision to transfer detainees—something very much, I would say to the gentleman, our Members would like to see in the bill that comes to the floor next week on the Homeland Security appropriations bill.

I would just like to lastly turn to the issue of the remainder of the year and the calendar and what Members can expect as far as November is concerned.

Today is October 8. The House is scheduled to adjourn at the end of this month on October 30, and I was hoping that the gentleman could give us a better sense of the session that we will expect in November.

And I yield.

Mr. HOYER. I thank the gentleman for yielding.

As I have said before, my expectation is that Members ought to be planning on at least 4-day weeks in the first week in November and the third week in November. As the gentleman knows, Veterans Day falls in the middle of the second week of November, and my belief is it's going to be very difficult to get Members back for a day and a half—and very impractical and costly—then to have to go back for Veterans Day and then probably not come back doesn't seem to be a very useful use of time.

But I have caveated that with the issue of health care. Health care is, as

I said, the major issue that we're focused on. We think it's critically important for the American people to have access to affordable, quality health care, which is our objective. As a result, that second week we haven't given it away yet, but my expectation is that we probably will not be meeting that week. My expectation is also—and my plan will be—not to meet Thanksgiving week. I think people ought to be home during Thanksgiving week and, again, I make the caveat as to where we may be on health care.

Now of course if we can get unanimous consent to put it on a consent calendar and pass it, maybe we can shorten the time. But absent that, I want to make sure that we all understand that if health care, for instance, was being considered that third week and we had to move into Saturday or Monday to pass it, we might do that.

But again, I reiterate that for November, my expectation is first and third week probably here at least Tuesday through Friday of each week, and with respect to the second week, probably not here and the fourth week probably not here.

Having said that, you asked for the balance of the year.

Again, it will depend upon whether we can complete our work within those 2 months. If we can't, we will clearly be here in December. Again, as someone who has served here a long time and has seen us meet as late as December 23 or 24, I think that's not good for our families, it's not good for the Members, and I certainly am not one that looks forward to that, and I am going to do everything I can to make sure that we get our work done no later than the end of the second week of December.

Mr. CANTOR. Mr. Speaker, I thank the gentleman for his time, and I yield back the balance of my time.

—

HOOR OF MEETING ON TOMORROW

Mr. HOYER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow, and further, when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday next for morning-hour debate.

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

There was no objection.

—

HONORING CAPTAIN BENJAMIN A. SKLAVER

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

Ms. DELAURO. Mr. Speaker, I rise to commemorate the life and mourn together with his family the death of Captain Benjamin A. Sklaver of Hamden, Connecticut, who served his country and the neediest people of the world honorably.

Captain Sklaver was killed in an ambush last Friday while on patrol in Afghanistan. Struck down at the age of