

REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 4173, WALL STREET REFORM AND CONSUMER PROTECTION ACT OF 2009

Mr. ARCURI, from the Committee on Rules, submitted a privileged report (Rept. No. 111-370) on the resolution (H. Res. 964) providing for further consideration of the bill (H.R. 4173) to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes, which was referred to the House Calendar and ordered to be printed.

CONFERENCE REPORT ON H.R. 3288, CONSOLIDATED APPROPRIATIONS ACT, 2010

Mr. OLVER. Mr. Speaker, pursuant to House Resolution 961, I call up the conference report on the bill (H.R. 3288) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. WEINER). Pursuant to House Resolution 961, the conference report is considered read.

(For conference report and statement, see proceedings of the House of December 8, 2009, in Book II at page H13631.)

The SPEAKER pro tempore. The gentleman from Massachusetts (Mr. OLVER) and the gentleman from Iowa (Mr. LATHAM) each will control 30 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. OLVER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include tabular and extraneous material on the conference report to accompany H.R. 3288.

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

There was no objection.

Mr. OLVER. Mr. Speaker, I yield myself 3 minutes.

It is my privilege and pleasure to present the Consolidated Appropriations Act for fiscal year 2010 to the House.

This conference report is the product of many hours of hearings and briefings across six subcommittees, always with bipartisan input and excellent Member participation, and culminated by extensive negotiations with our Senate colleagues. I especially would like to recognize the important contributions of our ranking member, TOM LATHAM of Iowa, in putting together the Transpor-

tation and Housing portions of this bill. While we may not always agree, I always appreciate his partnership, and his input has made the bill better.

I am particularly proud of the Transportation and Housing portion of the report because it demonstrates our mutual commitment to investing in our Nation's housing and transportation infrastructure; our mutual commitment to maintaining critical services in urban and rural communities; our mutual commitment to vulnerable populations such as the elderly and disabled; our mutual commitment to building sustainable communities for our Nation's families; and our mutual commitment to maintaining an efficient and safe transportation system that contributes to America's place in a global economy.

Notably, the conference agreement provides funding to improve and repair roughly 1 million miles of Federal aid highways; to support and expand a public transit system that carried more than 10 billion riders last year; to meet demand for 21st century intercity passenger rail systems, demonstrated by Amtrak's 11 percent growth in annual ridership; and modernizing the air traffic control system that is outdated and manages over 10.5 million flights annually.

Within the Housing and Urban Development programs, the conference agreement fully funds the section 8 rental housing assistance program, thereby ensuring affordable housing for 3½ million families and individuals; the agreement provides 10,000 new vouchers to homeless veterans; the agreement keeps a roof over the heads of 1.2 million households living in public housing; and the agreement helps communities improve local economies and create jobs through the Community Development Block Grant program.

In conclusion, we worked hard to balance many competing demands to produce a bill that reflects the bipartisan needs for transportation and housing, and strengthens the foundation upon which our economic turnaround is being built. This is a good product, and I urge Members to support it.

I reserve the balance of my time.

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

Mr. Speaker, I first want to thank Chairman OLVER for his kind words and his leadership this year. The gentleman from Massachusetts truly is a gentleman. And I appreciate very much the work that he has done. He has very artfully negotiated a good conference report for the House. Those of you who know JOHN OLVER know that he puts a great deal of effort and thought into this bill and to the issues in the transportation and housing worlds. In fact, sometimes you feel like he has gone a little bit too far into the weeds, but his dedication is to be admired.

It is all the more unfortunate that we are here today under these cir-

cumstances. Instead of presenting a Transportation-HUD conference report, Chairman OLVER is forced to carry five other bills with him, bills that should be considered on their own as conference reports.

The Transportation-HUD bill, like all appropriations bills, was considered under a closed rule in the name of expediency. The Transportation-HUD bill passed the floor of the House in July. The Senate even passed the bill. That was on September 17. The Senate, apparently the body that can't get their work done on time, managed to do it at that time under an open amendment process. They even actually got to offer amendments on the bill, which is something we didn't get to do here in the House.

□ 1230

Realistically, we could have and should have been able to bring the Transportation-HUD conference report to the floor by the end of the fiscal year. Instead, here we are today 3 months into the fiscal year, 3 months after the Senate passed its bill in an omnibus today.

The Transportation-HUD is not alone in this situation. The MilCon-Veterans bill was also considered and passed by both bodies. MilCon-VA should be a stand-alone conference report. Commerce, Justice, Science actually had a conference meeting noticed up, but that got yanked. The CJS should be a stand-alone bill. Instead, it also got stuck in this omnibus. Three other bills—the Foreign Operations bill, the Financial Services bill, and even the Labor-HHS bill, Mr. OBEY's own bill—weren't considered in the Senate and are buried in this package.

Members of this House should be aware you voted against this type of a package on Tuesday. The House voted to adopt a motion to instruct that said no extraneous matters may be added to the Transportation-HUD conference report. Instead, against the wishes of the House, we've added five bills to this conference report.

I regret very much that I am unable to support this bill. It's my first year on this bill and I have enjoyed, obviously, working with the chairman. The issues are interesting and our subcommittee members are really engaged and bring a variety of experiences to the table. However, the price tag on this bill is simply too high.

Mr. LEWIS offered an amendment, very reasonable, to have the spending levels proposed by Congress at the 2010 level, everything but Defense and Veterans, at 2 percent over last year. We spent a lot of money last year, so a 2 percent increase over last year would really be quite generous.

However, when we finish the 2010 bills, the Democrats will have increased government spending by 85 percent, 85 percent over the last 2 years. You tell me one American family that has 85 percent more in 2009. I can tell you none of my constituents have an

additional 85 percent to spend this year. And they sure don't have the funds to pay for the tax increases that will be needed to pay for this or the debt that the other party is dumping on our taxpayers.

Another issue I think the Members need to be aware of in this package, despite our earlier efforts, the Justice Department has issued an opinion that the government will still give funds to ACORN. Let me say that again. We will still be funding ACORN under this bill and their existing contracts. Federal funds will still flow. I had an amendment in conference to substitute new language to get at this issue, as I think all of us were under the impression that ACORN was cut off for good. That's what we were told. However, the Justice Department has another view, and the agencies at least in the HUD area will still cut checks to ACORN.

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

Mr. LATHAM. I yield myself another 30 seconds.

I told the Rules Committee yesterday this is a bittersweet time. The THUD conference is completed, and that in itself is an accomplishment. There's a lot of good policy in the Transportation-HUD conference bill, but this package with all of the six bills piled together is about \$390 billion and five appropriations bills too large.

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

Mr. OLVER. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. LOWEY). NITA LOWEY is the chairwoman of the State and Foreign Operations Subcommittee of Appropriations, one of the bills which is included in this package.

Mrs. LOWEY. I thank the chairman for his important work on this bill.

I am very pleased to present Division F of the fiscal year 2010 omnibus, which includes \$48.764 billion in appropriations for the Department of State, foreign operations, and related programs. At \$1.235 billion, or 2 percent below fiscal year 2009 enacted levels including supplemental appropriations, and \$3.28 billion below the President's fiscal year 2010 request, these funds support the U.S. diplomatic and development priorities, a cornerstone of U.S. national security.

To address security imperatives, it includes \$4.5 billion to help stabilize, strengthen, and rebuild Afghanistan, Pakistan, and Iraq; in conjunction with funding in the 2009 supplemental, full funding for our commitments to allies and partners in the Middle East, including a total of \$2.775 billion in FMF for Israel, \$1.3 billion for Egypt, \$300 billion for Jordan; a provision to prevent the Export-Import Bank from entering into any deals with foreign companies that significantly contribute to Iran's refined petroleum industry and gives the Secretary of State authority to exempt countries cooperating closely with the United States to stop Iran from acquiring nuclear weapons; \$873.6

million for counternarcotics and alternate development programs in Latin America.

This bill continues the congressional commitment to increase diplomatic and development capacity with resources to hire, train, support, and protect 700 new Department of State personnel and 300 new USAID personnel.

The bill increases funding for key long-term development priorities, including \$7.7 billion for global health activities including \$5.7 billion for global HIV/AIDS; \$1.1 billion to improve access to quality basic and higher education; \$1.1 billion for food security and agricultural development; over \$1.25 billion in bilateral and multilateral assistance for clean energy, biodiversity, and climate change initiatives; and \$315 million to expand access to safe water and sanitation; and \$2.57 billion for refugee and disaster assistance.

Finally, to improve accountability and oversight, the bill provides \$149 million for the Inspectors General of the Department of State and USAID and the Special Inspectors General for Iraq and Afghanistan Reconstruction.

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

Mr. OLVER. Mr. Speaker, I yield 2 additional minutes to the gentlewoman.

Mrs. LOWEY. Mr. Speaker, the bipartisan foreign assistance package before you preserves our Nation's interests. I'm also pleased this appropriations package invests in worthy initiatives in our communities that will improve health, education, law enforcement, environment, and infrastructure in New York and around the Nation.

So I urge my colleagues to give this bill our bipartisan support.

Mr. LATHAM. Mr. Speaker, it's my pleasure to yield 5 minutes to the distinguished gentleman from California (Mr. LEWIS), ranking member of the full committee.

Mr. LEWIS of California. I appreciate very much my colleague's yielding.

As I open my remarks, I know I want to join my chairman to express our appreciation for the fine work of our staff. They worked long hours and should be very much appreciated by all of us. So as we break for the Christmas recess, I hope you all take some time to really enjoy yourselves. You deserve it.

Once again, interestingly enough, Mr. Speaker, we find ourselves approaching the holiday season with our appropriations work largely unfinished. Here we are 2 weeks before Christmas and 10 weeks after the end of the fiscal year demonstrating to the world that Congress remains incapable of getting its work done.

It's ironic that some in the House are quick to find fault in the lack of efficiency of governments such as Iraq and Afghanistan. Perhaps if we did a better job of meeting our own milestones, like finishing our spending bills by October 1 of each year, we would be in a better position to suggest milestones for others.

It's laughable to this Member that some in the Democrat majority are pointing fingers at the Republican minority for this failure of leadership. After all, it's the Democrat majority that controls both the House and the Senate and the White House. As much as it may pain my friends on the other side of the aisle, they can no longer blame George Bush or the Republican Party for their own failure to lead.

Still left unfinished is the Defense Appropriations bill, which many believe will be used by the majority leadership to pass unpopular legislation that has little chance of passing on its own. On this point let me be very clear: The House Republicans will not support passage of a Defense Appropriations measure if it is used as a vehicle to raise the debt limit and if it contains other controversial legislative items.

The reckless record of spending by the Congress has caused our national debt to more than triple over the last year. In this \$450 billion package that's before us today, spending on domestic programs has increased by an astonishing 14 percent, while Military Construction and Veterans funding, for example, is held to only 5 percent.

Sadly, the misplaced priorities of this Congress have resulted in too much spending, fewer jobs, and bigger government that the public doesn't want and certainly cannot afford. Some in Washington refer to this unrestrained spending as a "change we can believe in." Most people in our country call it "business as usual."

There is no question that the era of Big Government has returned to Washington. One need only look at the so-called Recovery Act or double-digit unemployment, a job-killing cap-and-trade bill, and an unpopular government takeover of health care as evidence. It's no wonder that the public confidence in the Congress is at an all-time low.

Mr. Speaker, I cannot and will not support this package of spending bills because it simply spends too much money and makes a mockery of our legislative process.

Mr. OLVER. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY). Mr. OBEY is the chairman of the full Appropriations Committee but also serves as the chairman of the Labor, Health, and Education Subcommittee.

Mr. OBEY. Mr. Speaker, I have a question. Is the gentleman from California (Mr. LEWIS) the same Mr. LEWIS who chaired the Appropriations Committee the last year that the Republicans were in control? It's my impression that he is. As I recall, in that year the Republicans passed exactly two appropriation bills through the Congress and had them signed into law. The other nine appropriation bills were not passed in October. They were not passed in November. They were not passed in December. They were never passed. And so the incoming Congress

under our control was forced to pass their bills at the beginning of the next session before we could even get to our own. Yet the gentleman with that record is now complaining because, with the passage of this bill, we will only have sent to the President 11 of the 12 appropriation bills needed for the year. And I would point out that by next week, we intend to send the last bill to him. If that happens, the only difference between our friends on that side of the aisle and us is that we will have gotten our work done. Despite the fact that we had to deal with the greatest economic collapse in 75 years, we will have finished every appropriation bill.

□ 1245

In contrast to our friends on the other side of the aisle who in the last year they controlled this place were not able to complete action on a single domestic appropriation bill, under those circumstances, for the gentleman on that side of the aisle to squawk about the fact that we are a few days late is truly a case of the pot calling the kettle black. It is very interesting logic.

With respect to the spending amount in this bill, I would simply point out, as the gentleman from Massachusetts did earlier, that we are in the process of trying to deal with years of neglect and we are in the process of trying to deal with an economic emergency and catastrophe.

The gentleman complains that this bill is 14 percent above last year for comparable bills. The fact is, let's look at what those differences are. We added \$3 billion more than last year so we could clean up the disability backlog for veterans' claims. Anybody on that side of the aisle want to take that money out? We have an additional \$4.2 billion for the census because we are required by law to conduct that census so we can redirect huge amounts of Federal money to all of the localities in this country in an accurate fashion. Anybody think we ought to forgo that for the next 10 years?

We've also put \$14.8 billion above the previous year in this bill to cover war costs. We put it in the regular bill so it would show up rather than hiding it in the supplemental as previous Congresses did. Would you really rather go back to the old practice of hiding that \$14.8 billion?

Infrastructure investments. We have a 28 percent unemployment rate in the construction industry in 14 States in this country, so we are trying to respond to that by putting an extra \$11 billion into infrastructure construction programs. Anybody think we ought to take that money out?

Health care. We are about to pass the most momentous health care reform bill in the history of the country. That is going to put 31 million more people under our health care system. This bill provides \$6 billion in order to expand the capacity of our health care system to deal with those people. Anybody think we shouldn't do that?

And then on education, I plead fully guilty. We've got \$5.6 billion more than last year, so that people who are losing

their jobs and need retraining or need some additional education in community colleges can get it.

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

Mr. OLIVER. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. OBEY. Does anybody really think we should abandon those students and those workers? We don't think we should.

So I would simply say, this country is struggling to overcome the longest and deepest economic downturn since the Great Depression. This bill before us today is a key measure to help address the problems and provide relief for millions of hardworking Americans caught in the struggle for economic survival. And for the minority to complain about the fact that we are 90 days or 70 days late in getting the job done when they never got the job done when they were in control of this place is, to me, strange, if not laughable.

With that, I thank the gentleman for the time.

Mr. LATHAM. Mr. Speaker, I would like to yield 3 minutes to the gentleman from Virginia (Mr. WOLF).

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

Mr. WOLF. I want to thank Chairman MOLLOHAN and Senator SHELBY and Senator MIKULSKI for their efforts. I will not be supporting the bill for the reasons that are in my submitted statement.

But I want to raise another issue that somebody ought to focus on in this Congress. This bill will allow people like Khalid Sheikh Mohammed to be sent from Guantanamo Bay to New York City and I believe personally it will endanger the citizens of New York City. And they're now going to come in and ask for up to \$75 or \$100 million to do that. That's money that you could put in food pantries or education.

Secondly, we have asked that this information be nonclassified so people can know where these people from Guantanamo Bay are going. Twenty-six of them—and it's classified and I can't say any more—are being sent to Yemen. Yemen. That's where the sheikh who had the impact on Major Hasan Nidal, who killed 13 people at Fort Hood, that's where he operates. And al Qaeda in the Arabian Peninsula is all over Yemen. So you are going to release people from Guantanamo Bay, who served with Khalid Sheikh Mohammed, who was the mastermind of 9/11 that killed 3,000 people, 30 from my congressional district. Khalid Sheikh Mohammed beheaded Daniel Pearl. Think of Daniel Pearl's family. Think of Debra Burlingame and the family of others; and they're going to send them to Yemen. And then they're also going to send two others to a place that no one would believe that they're really going to send them.

By not adopting the amendments that we offered in conference, one, I believe this bill will endanger people in New York City; two, it will put pressure on New York City. You will see stories in the paper. As you vote for this bill, know that you will see stories in the paper of snipers on the rooftops, and tanks moving.

Khalid Sheikh Mohammed will be in New York City for 4 years, 4 years or more—Moussaoui was in northern Virginia for over 4 years—and Khalid Sheikh Mohammed will say things and do things that will be unconscionable. So as you vote for this bill, you are, in essence, allowing that to take place. It's crazy, absolutely crazy, to think that you can try Khalid Sheikh Mohammed in Guantanamo Bay with no cost and no danger to the American citizens, but then they're going to bring him and others into the U.S.

So Khalid Sheikh Mohammed gets a civilian trial when a young 19-year-old person in the Army, man or woman, who does something wrong has to go through a military court system.

The bill spends too much. I believe that by bringing Khalid Sheikh Mohammed and the others here, we may very well endanger people and bring about another attack. And secondly, to spend all that money to protect Khalid Sheikh Mohammed when he could have been tried down at Guantanamo Bay just doesn't make any sense. No one believes that that makes sense. And lastly, to send people to Yemen and other places I think will endanger this country.

Mr. Speaker, I would like to speak briefly on the Commerce Justice Science division of this conference report, as I serve as the Ranking Member on that Subcommittee.

First, I want to thank Chairman MOLLOHAN, Chairman MIKULSKI and Senator SHELBY for their hard work on the CJS portion of the bill, and for their spirit of collaboration and cooperation on this conference agreement.

However, I believe the subcommittee was given an overly generous conference allocation. At \$64.4 billion, the bill is almost a 12 percent increase above last year's level. In my view, this level of funding was well in excess of the amount necessary to produce a good bill.

The bill contains important funding to support NASA, fight terrorism and gangs, and to give our federal law enforcement critical resources.

The CJS division of this package places important limitations and reporting requirements related to the closure of Guantanamo and the movement of detainees.

However, I believe stronger language is necessary, and I regret that amendments I offered at conference to prohibit the transfer and release of detainees into the United States and to require unclassified reports were defeated on party line votes.

There were press reports just yesterday that a former Guantanamo detainee transferred to Saudi Arabia is now a kingpin for al Qaeda in the Arabian Peninsula and at large in Yemen. There are already 10 ex-Gitmo detainees on Saudi Arabia's list of most-wanted terrorists. The current transfer policies will likely result in many more similar stories.

Because my amendments were defeated, this bill will allow dangerous detainees to be transferred to the United States and to unstable countries abroad.

It will allow 26 Yemeni detainees to be returned to Yemen—the emerging al Qaeda stronghold in the Arabian Peninsula where radical cleric Anwar al Aulahi—the advisor of Ft. Hood terrorist Maj. Hasan Nidal—operates freely. I submit for the RECORD an article on al Aulahi that appeared in today's Washington Post.

It will allow 2 other detainees to be released to a country worse than Yemen. I cannot share

the location because my amendment to declassify this information for the American people was defeated on a party-line vote.

It will allow Khalid Sheik Mohammed to be transferred to New York City and provide him a platform to spread his hateful message—endangering our country.

I am disappointed that the CJS conference report was not brought to the floor as a stand-alone bill, as we were prepared to do weeks ago. Instead we are once again faced with a bloated, half a trillion dollar omnibus.

[From the Washington Post, Dec. 10, 2009]

CLERIC LINKED TO FORT HOOD ATTACK GREW MORE RADICALIZED IN YEMEN

(By Sudarsan Raghavan)

SANAA, YEMEN.—The Yemeni American cleric at the center of investigations into last month's massacre of 13 people at Fort Hood, Tex., became more openly radical in Yemen, following a path taken by other extremists in this failing Middle East nation with a growing al-Qaeda presence, according to relatives, friends and associates in Yemen.

In interviews, they said Anwar al-Aulaqi, 38, blamed the United States for 18 months he spent in a Yemeni jail, a little-known chapter in the cleric's life that some described as a key path in his radicalization.

Aulaqi, who was born in the United States and spent time in Yemen as a child, left for Britain in early 2002 after he drew scrutiny from U.S. authorities. The United States alleges that Aulaqi was a spiritual adviser to three of the Sept. 11, 2001, hijackers while he was a prayer leader at the Dar al-Hijrah mosque in Falls Church and at a mosque in San Diego.

An examination of some of Aulaqi's sermons and lectures, as well as interviews conducted here, shows that he increasingly began to publicly endorse violence as a religious duty after he returned to Yemen in early 2004, completing his transformation from an imam who condemned the Sept. 11 attacks to an Internet preacher who views Americans as legitimate targets.

Maj. Nidal M. Hasan, who has been charged in the Fort Hood shootings, first contacted Aulaqi by e-mail last December. U.S. authorities intercepted some of the e-mails, but no threat was perceived. The FBI has declined to comment on Aulaqi, citing an ongoing investigation.

After the Fort Hood attack, Aulaqi issued a statement calling Hasan a "hero." In an interview later with a Yemeni journalist, Aulaqi denied that he had ordered or incited Hasan to carry out the attack but said Hasan considered him a confidant.

Aulaqi's path to radicalization, at first, appeared unlikely. The Aulaqi's descendants were sultans who once ruled what is now Yemen's southern province of Shabwa, home to the ancestral village where Aulaqi now lives with his wife and five children. Aulaqi's father, Nasser al-Aulaqi, is a former president of Sanaa University and agriculture minister.

While in Yemen during his childhood, Aulaqi studied in a secular high school in the capital, Sanaa, along with children from other elite families, before returning to Colorado in 1991 to attend college, said a close relative in an hour-long interview. The relative spoke on the condition of anonymity to avoid harming his family's efforts to persuade Aulaqi to become moderate.

He said Aulaqi was an avid swimmer who enjoyed deep-sea fishing. His ambition was to become college professor, focusing on finding ways to address water shortages in Yemen, the relative said. Like many Arabs, the relative said, Aulaqi was angered by the U.S. assault on Iraq in the first Persian Gulf

War but didn't show signs of radicalization afterward.

"He was very moderate. He was always against al-Qaeda ideology," said the relative, adding that Aulaqi's contact with the hijackers was a "coincidence."

After Sept. 11, Aulaqi grew frustrated and felt targeted by U.S. authorities, the relative said.

"Sept. 11 changed a lot of Muslims," the relative said. "And the invasion in Iraq in 2003 made him even stronger in his beliefs."

U.S. authorities have alleged that Aulaqi had become radicalized while still in the United States, before the Sept. 11 attacks, but they never found evidence to detain him.

Beginning in 2002, when he left the United States for Britain, Aulaqi lauded Palestinian suicide bombers on a Web site and in lectures attended by ultraconservative Muslims. He spoke at fundraising events hosted by Cage Prisoners, a rights group in Britain, but did not incite violence or express support for al-Qaeda, said Moazzam Begg, a former Guantanamo Bay, Cuba, detainee who heads the group. "He wouldn't have been so popular if his message was not moderate and across the board," Begg said in a phone interview from London.

In early 2004, Aulaqi returned to Yemen. At a lecture at Sanaa University, he spoke eloquently about Islam's role in the world. He railed against U.S. policies in Iraq. He denounced Israel, according to those present at the lecture. But he stopped short of calling for violent jihad.

"He was not inciting us to use arms," recalled Adil al-Howlari, who now works as a journalist for the United Nations. "He was talking about how to use English to spread Islamic values."

Aulaqi eventually took classes and lectured at Iman University in Sanaa. The university is led by Sheikh Abdul Majeed al-Zindani, an influential religious figure whom U.S. officials have described as Osama bin Laden's spiritual leader and placed on a list of global terrorists.

The university has a reputation as an incubator of radicalism. John Walker Lindh, an American who fought with the Taliban, is a former student. Other students allegedly took part in numerous attacks.

Aulaqi's relative said the cleric had given four lectures at the university about Islam's role in medieval Spain.

By 2006, Aulaqi's influence had widened into the world of terrorism through his Web site and Facebook page, even though most Yemenis had never heard of him. Starting that year, investigators have found Aulaqi's sermons downloaded on the computers of suspects in nearly a dozen terrorism cases in Britain and Canada.

In mid-2006, Yemeni authorities arrested him. Aulaqi was accused of inciting attacks against a man over a tribal matter involving a woman. Aulaqi denied the allegations in an interview with Begg last year and accused the U.S. government of pressuring Yemen to keep him locked up.

In that interview, Aulaqi said he spent the first nine months in solitary confinement in an underground cell. Around September 2007, FBI agents interrogated him about the Sept. 11 attacks and other issues, Aulaqi told Begg. Although he wasn't physically abused, Aulaqi said, a U.S. Embassy legal attache swore at him. He was never charged and was released in December 2007.

Yemeni officials have declined to comment.

After his release, Aulaqi's stance on using violence for jihad grew more forceful. Last December, he penned a letter calling for fighters and financing for al-Shabab, the Somali Islamist movement with ties to al-Qaeda. And this January, he published an

essay titled "44 Ways to Support Jihad." It called, among other things, for Muslims to stay fit and train in weapons to fight on the battlefield.

Mr. OLVER. Mr. Speaker, at this time, I yield 3 minutes to the gentleman from Texas (Mr. EDWARDS), chairman of the Veterans Administration and Military Construction Subcommittee of the Appropriations Committee.

Mr. EDWARDS of Texas. Mr. Speaker, this bill supports America's veterans, our troops, and their families in a meaningful way by improving their health care, their benefits, and their quality of life. Those who defend our Nation have earned and deserve this support.

For the first time ever, we provide 2-year funding for VA medical programs. This is an historic achievement and has been one of the highest priorities of our Nation's most respected veterans organizations. The advance funding is a win for veterans and for taxpayers. It will allow the VA to plan its spending more efficiently, which will improve health care for veterans and save taxpayers dollars.

This bill funds President Obama's VA request, a \$5.4 billion increase, the largest Presidential request for increased veterans' funding in over 30 years. Other major initiatives in this bill include new training barracks for military recruits, homeowners assistance for troops being re-stationed, additional funding for the modernization of National Guard and Reserve facilities, and a robust energy conservation program for Department of Defense facilities.

When the gentlewoman from California (Ms. PELOSI) became Speaker in 2007, she promised that supporting veterans would be one of Congress' highest priorities. Speaker PELOSI, with the strong leadership of Chairmen SPRATT and Obey and FILNER, has kept that promise. Here are some of the significant results in just 3 years: A 60 percent increase in VA funding; 145 new VA community-based outpatient clinics; 70 new vet centers, 3,384 new VA doctors, 14,426 new VA nurses, 8,300 new VA claims processors, an expansion of middle-income veterans' eligibility for VA health care, more than a doubling of mental health care funding for vets, and a historic new GI college education bill.

Ultimately, this is about more than even the importance of better health care and benefits for our troops and vets, it is about respect, respect for the service and sacrifice of those who defend our Nation and their families.

I especially want to thank our ranking member on our subcommittee, Mr. WAMP of Tennessee, who was a critical partner in our work on this portion of this bill, and who would once again demonstrate his deep commitment to our troops and our veterans.

Finally, but certainly not least, I want to thank and salute our subcommittee staff whose professionalism

and tireless work has made possible our unprecedented achievements for our veterans and troops: Carol Murphey, the committee clerk; Mary Arnold, Tim Peterson, Walter Hearne, Donna Shabaz, Martin Delgado, Kelly Shea, and Liz Dawson. In my book, they personify the best ideals of public service.

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

Mr. OLVER. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. EDWARDS of Texas. Mr. Speaker, with this bill, we keep our promises to those magnificent Americans who have kept their promise to serve our Nation and the American family.

The fiscal year 2010 Military Construction and Veterans Affairs and Related Agencies Appropriations bill provides \$134.6 billion for projects and programs of critical importance to America's veterans and military troops and their families, including veterans benefits and healthcare, and military family housing, barracks and mission critical facilities.

The bill provides \$53 billion in discretionary funding for the Department of Veterans Affairs (VA) and \$56.6 billion for mandatory VA programs, \$23.3 billion for military construction and family housing, and \$1.4 billion for military construction projects in support of the war in Afghanistan.

In a major victory for America's veterans, the bill for the first time includes advance appropriations for the VA to ensure a stable and uninterrupted source of funding for medical care for veterans. For fiscal year 2011, the bill includes \$48.2 billion for VA medical programs.

The bill provides funding to address several significant priorities, including:

Renovating surplus building on VA medical campuses to use as housing for homeless veterans;

Increasing the number of VA outpatient clinics in rural communities where veterans do not have ready access to VA hospitals;

Accelerating the Army's program to modernize troop housing for trainees;

Addressing critical unfunded construction requirements of the Guard and reserve;

Providing mortgage relief to military families required to relocate during the current mortgage crisis;

Expediting environmental cleanup on closed military bases; and

Investing in renewable and alternative energy initiatives on military installations.

For Military Construction and Family Housing, the bill includes \$23.3 billion to support American's military forces and their families at home and overseas, \$333.9 million above the request. The bill includes \$11.8 billion for such items as barracks, child care centers, installation chapels, and mission critical operational facilities. Of this amount, \$350 million is provided to accelerate the Army's program to modernize troop housing facilities for trainees. The Army has a need for \$2.2 billion to bring all 115,413 trainee barracks spaces up to standard and the program currently is not scheduled to finish until 2017.

Also includes \$174 million for the Energy Conservation Investment Program (ECIP), \$84 million above the request, to increase the level of investment in renewable and alternative energy resources and to promote energy con-

servation, green building initiatives, and energy security programs on U.S. military installations.

For the Guard and Reserve component, the bill includes \$1.6 billion, \$601.7 million above the request, to provide readiness centers and operational facilities for the Army National Guard, Air Guard, and Army, Navy, Marine Corps, and Air Force reserve forces. Within this amount, the bill includes \$200 million in additional construction funding to address critical unfunded requirements.

For military and family housing programs, the bill includes \$2.59 billion for family housing, \$300 million above the request, to further eliminate inadequate military housing, including \$323 million for the Homeowners Assistance Program, \$300 million above the request, to provide additional funding for the expanded mortgage relief program for military families who are required to relocate during the current mortgage crisis and must sell their home at a loss, as well as to wounded warriors who must relocate for medical reasons and to the spouses of fallen warriors similarly affected by the mortgage crisis.

The bill includes funding for base realignment and closure (BRAC) at the level of \$496.8 million for the 1990 BRAC round, \$100 million above the request, to address the large unfunded backlog of environmental cleanup for bases that were closed during the four previous BRAC rounds, and \$7.5 billion for the 2005 BRAC program, the full authorized amount.

Finally, for overseas contingency operations the bill includes \$1.4 billion, matching the request, to support additional military construction requirements to support operations and previously scheduled troop deployments to Afghanistan.

For the Department of Veterans Affairs, the bill includes \$109.6 billion, \$15.3 billion above 2009 and \$747 million above the request. The funding includes \$56.6 billion for mandatory veterans benefit programs and \$53 billion for discretionary funding. Total discretionary funding is \$5.4 billion above 2009, an increase of 11 percent. In addition, the bill provides \$48.2 billion in advance appropriations for veterans medical care programs for fiscal year 2011.

For the Veterans Health Administration, the bill includes \$45.1 billion, matching the request and \$4.1 billion above 2009, for veterans' medical care. The Veterans Health Administration estimates that it will treat more than 6.1 million patients in 2010, including more than 419,000 veterans of Iraq and Afghanistan (56,000 more than 2009).

A major initiative in the VHA includes \$250 million as requested to continue the Rural Health Initiative to which the Congress added \$30 million to increase the number of Community Based Outpatient Clinics (CBOCs) in rural areas for veterans who do not have ready access to VA hospitals. More than 3.2 million (41%) of enrolled veterans live in rural or highly rural areas.

In the area of mental health funding, we have included \$4.6 billion, matching the request and \$300 million above 2009, to treat the psychological wounds of returning combat veterans, including post-traumatic stress disorder. Also included is an additional \$1 million to provide education debt relief as a hiring incentive for mental health professionals.

Funding to treat Operation Enduring Freedom and Operation Iraqi Freedom (OEF/OIF)

Veterans is at \$2.1 billion, matching the request and \$463 million above 2009, to meet the healthcare needs of veterans who have served in Iraq and Afghanistan. The VA estimates that the number of OEF/OIF veterans in the VA healthcare system in 2010 will have increased by 61 percent since 2008.

One of the areas of increasing concern is the assistance for homeless veterans, where we have provided \$3.2 billion, matching the request and \$421 million above 2009, for healthcare and support services for homeless veterans; including \$26 million for a Presidential Initiative to combat homelessness, \$150 million for the homeless grants and per diem program, \$20 million for supportive services for low income veterans and families, and \$21 million to hire additional personnel for the HUD-Veterans Affairs Supportive Housing Program.

The program for medical and prosthetic research is funded at \$581 million, \$71 million above 2009, for research in a number of areas including mental health, traumatic brain injury, spinal cord injury, burn injury, polytrauma injuries, and sensory loss; including a \$48 million increase for research to address the critical needs of Operation Enduring Freedom and Operation Iraqi Freedom veterans.

The effort to improve the condition of medical facilities of the Department of Veteran Affairs continues with a construction program of \$1.9 billion, \$103 million above the request and \$232 million above 2009, including major construction of \$1.2 billion for major medical facilities, including hospitals and clinics, to enable the Department to implement the recommendations made by the Capitol Asset Realignment for Enhanced Services (CARES) Commission, which was established to look at facilities and determine their construction needs. In addition, the bill includes \$703 million, \$103 million above the President's budget request, including \$50 million for the renovation of vacant buildings on VA campuses to be used as housing with supportive services for homeless veterans. The VA estimates that on any given night, 131,000 veterans are homeless. This program will strengthen the VA's goal of eliminating homelessness among veterans by providing housing and counseling services in settings that are in close proximity for VA hospitals.

Funding for grants to states for the construction of extended care facilities is set at \$100 million, an increase of \$15 million above the request. And \$42 million in grant funding for state veterans' cemeteries is provided in this bill.

Finally, for the Department of Veterans Affairs, we have included \$1.7 billion for benefits claims processors, \$223 million above 2009, to enable the Department to hire roughly 1,200 additional claims processors to continue to address the backlog of benefits claims and to reduce the time to process new claims. The most recent VA quarterly status report estimates that nearly 397,000 claims are pending. When added to funding and hiring provided in prior years, this will result in a total of 8,300 new claims processors being hired since January of 2007.

With passage of this bill, Congress has provided a 60 percent increase in funding for veterans health care and benefits since January

2007. This funding has resulted in a total increase of 8,300 claims processors as mentioned, 145 community-based outpatient clinics, 70 Vet Centers, and more than 47,000 additional Veterans Health Administration em-

ployees. These additional resources will provide our veterans with their benefits more quickly and improve access to health care and other services.

Congress has also funded several initiatives to improve the quality of life for our military

and their families to include: \$3.2 billion for new military hospitals, \$1 billion for new child care centers to serve 20,000 military children, and \$920 million in additional funding for barracks.

MILITARY CONSTRUCTION - VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS BILL - 2010  
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted	Conference vs. Request
TITLE I - DEPARTMENT OF DEFENSE							
Military construction, Army.....	4,692,648	3,660,779	3,630,422	3,477,673	3,719,419	-973,229	+58,640
Rescission.....	-51,320	---	-59,500	---	---	+51,320	---
Emergency appropriations (P.L. 111-5).....	180,000	---	---	---	---	-180,000	---
Overseas contingency operations /1.....	---	923,884	924,484	---	---	---	-923,884
Overseas contingency operations (P.L. 111-32).....	1,182,989	---	---	---	---	-1,182,989	---
Overseas contingency operations (P.L. 111-32) (emergency).....	143,242	---	---	---	---	-143,242	---
Overseas contingency operations (P.L. 111-32) (rescission) (emergency).....	-143,242	---	---	---	---	+143,242	---
Total.....	6,004,317	4,584,663	4,495,406	3,477,673	3,719,419	-2,284,898	-865,244
Military construction, Navy and Marine Corps.....	3,333,369	3,763,264	3,757,330	3,548,771	3,769,003	+435,634	+5,739
Emergency appropriations (P.L. 111-5).....	280,000	---	---	---	---	-280,000	---
Overseas contingency operations (P.L. 111-32).....	235,881	---	---	---	---	-235,881	---
Total.....	3,849,250	3,763,264	3,757,330	3,548,771	3,769,003	-80,247	+5,739
Military construction, Air Force.....	1,117,746	1,145,434	1,359,171	1,251,039	1,450,426	+332,680	+304,992
Rescission.....	-20,821	---	---	-38,500	-37,500	-16,679	-37,500
Emergency appropriations (P.L. 111-5).....	180,000	---	---	---	---	-180,000	---
Overseas contingency operations /1.....	---	474,500	474,500	---	---	---	-474,500
Overseas contingency operations (P.L. 111-32).....	281,620	---	---	---	---	-281,620	---
Total.....	1,558,545	1,619,934	1,833,671	1,212,539	1,412,926	-145,619	-207,008
Military construction, Defense-Wide.....	1,695,204	3,097,526	2,743,526	3,137,614	3,093,679	+1,398,475	-3,847
Rescission.....	-3,589	---	-25,800	-69,500	-151,160	-147,571	-151,160
Emergency appropriations (P.L. 111-5).....	1,450,000	---	---	---	---	-1,450,000	---
Overseas contingency operations.....	---	6,600	---	---	---	---	-6,600
Overseas contingency operations (P.L. 111-32).....	661,552	---	---	---	---	-661,552	---
Total.....	3,803,167	3,104,126	2,717,726	3,068,114	2,942,519	-860,648	-161,607
Total, Active components.....	15,215,279	13,071,987	12,804,133	11,307,097	11,843,867	-3,371,412	-1,228,120
Military construction, Army National Guard.....	736,317	426,491	529,129	497,210	582,056	-154,261	+155,565
Rescission.....	-1,400	---	---	---	---	+1,400	---
Emergency appropriations (P.L. 111-5).....	50,000	---	---	---	---	-50,000	---
Total.....	784,917	426,491	529,129	497,210	582,056	-202,861	+155,565
Military construction, Air National Guard.....	242,924	128,261	226,126	297,661	371,226	+128,302	+242,965
Emergency appropriations (111-5).....	50,000	---	---	---	---	-50,000	---
Total.....	292,924	128,261	226,126	297,661	371,226	+78,302	+242,965
Military construction, Army Reserve.....	282,607	374,862	432,516	379,012	431,566	+148,959	+56,704
Military construction, Navy Reserve.....	57,045	64,124	125,874	64,124	125,874	+68,829	+61,750
Military construction, Air Force Reserve.....	36,958	27,476	103,169	47,376	112,269	+75,311	+84,793
Total, Reserve components.....	1,454,451	1,021,214	1,416,814	1,285,383	1,622,991	+168,540	+601,777
Total, Military construction.....	16,669,730	14,093,201	14,220,947	12,592,480	13,466,858	-3,202,872	-626,343
Appropriations.....	(12,194,818)	(12,688,217)	(12,907,263)	(12,700,480)	(13,655,518)	(+1,460,700)	(+967,301)
Rescissions.....	(-77,130)	---	(-85,300)	(-108,000)	(-188,660)	(-111,530)	(-188,660)
Emergency appropriations.....	(2,190,000)	---	---	---	---	(-2,190,000)	---
Overseas contingency operations.....	(2,362,042)	(1,404,984)	(1,398,984)	---	---	(-2,362,042)	(-1,404,984)
1/ The Senate bill and conference agreement provide funding at the same level in title IV							
North Atlantic Treaty Organization Security Investment Program.....	230,867	276,314	234,914	276,314	197,414	-33,453	-78,900
Overseas contingency operations (P.L. 111-32).....	100,000	---	---	---	---	-100,000	---
Total.....	330,867	276,314	234,914	276,314	197,414	-133,453	-78,900

MILITARY CONSTRUCTION - VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS BILL - 2010  
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted	Conference vs. Request
Family housing construction, Army.....	646,580	273,236	273,236	273,236	273,236	-373,344	---
Emergency appropriations (111-5).....	34,507	---	---	---	---	-34,507	---
Total.....	681,087	273,236	273,236	273,236	273,236	-407,851	---
Family housing operation and maintenance, Army.....	716,110	523,418	523,418	523,418	523,418	-192,692	---
Emergency appropriations (P.L. 111-5).....	3,932	---	---	---	---	-3,932	---
Total.....	720,042	523,418	523,418	523,418	523,418	-196,624	---
Family housing construction, Navy and Marine Corps....	380,123	146,569	146,569	146,569	146,569	-233,554	---
Family housing operation and maintenance, Navy and Marine Corps.....	376,062	368,540	368,540	368,540	368,540	-7,522	---
Family housing construction, Air Force.....	395,879	66,101	66,101	66,101	66,101	-329,778	---
Emergency appropriations (P.L. 111-5).....	80,100	---	---	---	---	-80,100	---
Total.....	475,979	66,101	66,101	66,101	66,101	-409,878	---
Family housing operation and maintenance, Air Force...	594,465	502,936	502,936	502,936	502,936	-91,529	---
Emergency appropriations (P.L. 111-5).....	16,461	---	---	---	---	-16,461	---
Total.....	610,926	502,936	502,936	502,936	502,936	-107,990	---
Family housing construction, Defense-Wide.....	---	2,859	2,859	2,859	2,859	+2,859	---
Rescission.....	-6,040	---	---	---	---	+6,040	---
Total.....	-6,040	2,859	2,859	2,859	2,859	+8,899	---
Family housing operation and maintenance, Defense-Wide	49,231	49,214	49,214	49,214	49,214	-17	---
Department of Defense Family Housing Improvement Fund.....	850	2,600	2,600	2,600	2,600	+1,750	---
Homeowners assistance fund.....	4,500	23,225	23,225	323,225	323,225	+318,725	+300,000
Emergency appropriations (P.L. 111-5).....	555,000	---	---	---	---	-555,000	---
Total.....	559,500	23,225	23,225	323,225	323,225	-236,275	+300,000
Total, Family housing.....	3,847,760	1,958,698	1,958,698	2,258,698	2,258,698	-1,589,062	+300,000
Appropriations.....	(3,163,800)	(1,958,698)	(1,958,698)	(2,258,698)	(2,258,698)	(-905,102)	(+300,000)
Rescissions.....	(-6,040)	---	---	---	---	(+6,040)	---
Emergency appropriations.....	(690,000)	---	---	---	---	(-690,000)	---
Chemical demilitarization construction, Defense-Wide..	144,278	146,541	146,541	151,541	151,541	+7,263	+5,000
Base realignment and closure:							
Base realignment and closure account, 1990.....	458,377	396,768	536,768	421,768	496,768	+38,391	+100,000
Base realignment and closure account, 2005.....	8,765,613	7,479,498	7,479,498	7,479,498	7,455,498	-1,310,115	-24,000
Overseas contingency operations (P.L. 111-32).....	263,300	---	---	---	---	-263,300	---
Total.....	9,028,913	7,479,498	7,479,498	7,479,498	7,455,498	-1,573,415	-24,000
Total, Base realignment and closure.....	9,487,290	7,876,266	8,016,266	7,901,266	7,952,266	-1,535,024	+76,000
General Reductions (Sec. 129)							
Military Construction, Army.....	---	---	---	---	-230,000	-230,000	-230,000
Military Construction, Navy and Marine Corps.....	---	---	---	---	-235,000	-235,000	-235,000
Military Construction, Air Force.....	---	---	---	---	-64,091	-64,091	-64,091
General Rescissions (Sec. 130)							
Military Construction, Army.....	---	---	---	---	-33,000	-33,000	-33,000
Military Construction, Navy and Marine Corps.....	---	---	---	---	-51,468	-51,468	-51,468
Military Construction, Defense-Wide.....	---	---	---	---	-93,268	-93,268	-93,268
Military Construction, Army National Guard.....	---	---	---	---	-33,000	-33,000	-33,000
Military Construction, Air National Guard.....	---	---	---	---	-7,000	-7,000	-7,000
Air National Guard Fire Stations (Sec. 131).....	28,000	---	---	---	---	-28,000	---
Army National Guard Aviation and Training (Sec. 132)...	147,000	---	---	---	---	-147,000	---
Total, title I.....	30,654,925	24,351,020	24,577,366	23,180,299	23,279,950	-7,374,975	-1,071,070
Appropriations.....	(25,132,753)	(22,946,036)	(23,263,682)	(23,288,299)	(23,686,346)	(-1,446,407)	(+740,310)
Rescissions.....	(-83,170)	---	(-85,300)	(-108,000)	(-406,396)	(-323,226)	(-406,396)
Emergency appropriations.....	(2,880,000)	---	---	---	---	(-2,880,000)	---
Overseas contingency operations.....	(2,725,342)	(1,404,984)	(1,398,984)	---	---	(-2,725,342)	(-1,404,984)



MILITARY CONSTRUCTION - VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS BILL - 2010  
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted	Conference vs. Request
<b>TITLE II - DEPARTMENT OF VETERANS AFFAIRS</b>							
<b>Veterans Benefits Administration</b>							
Compensation and pensions.....	43,111,681	47,218,207	47,218,207	47,218,207	47,396,106	+4,284,425	+177,899
Readjustment benefits.....	3,832,944	8,663,624	8,663,624	8,663,624	9,232,369	+5,399,425	+568,745
Veterans insurance and indemnities.....	42,300	49,288	49,288	49,288	49,288	+6,988	---
Veterans housing benefit program fund (indefinite).....	2,000	23,553	23,553	23,553	23,553	+21,553	---
(Limitation on direct loans).....	(500)	(500)	(500)	(500)	(500)	---	---
Credit subsidy.....	-246,000	-133,000	-133,000	-133,000	-133,000	+113,000	---
Administrative expenses.....	157,210	165,082	165,082	165,082	165,082	+7,872	---
Guaranteed Transitional Housing Loans for Homeless Veterans.....	(750)	(750)	(750)	(750)	(750)	---	---
Vocational rehabilitation loans program account.....	61	29	29	29	29	-32	---
(Limitation on direct loans).....	(3,180)	(2,298)	(2,298)	(2,298)	(2,298)	(-882)	---
Administrative expenses.....	320	328	328	328	328	+8	---
Native American veteran housing loan program account..	646	664	664	664	664	+18	---
<b>Total, Veterans Benefits Administration.....</b>	<b>46,901,162</b>	<b>55,987,775</b>	<b>55,987,775</b>	<b>55,987,775</b>	<b>56,734,419</b>	<b>+9,833,257</b>	<b>+746,644</b>
<b>Veterans Health Administration</b>							
Medical services.....	30,969,903	34,704,500	34,705,500	34,705,250	34,707,500	+3,737,597	+3,000
Advance appropriation, FY 2011.....	---	---	37,136,000	37,136,000	37,136,000	+37,136,000	+37,136,000
<b>Subtotal.....</b>	<b>30,969,903</b>	<b>34,704,500</b>	<b>71,841,500</b>	<b>71,841,250</b>	<b>71,843,500</b>	<b>+40,873,597</b>	<b>+37,139,000</b>
Medical support and compliance.....	4,450,000	5,100,000	4,896,500	5,100,000	4,930,000	+480,000	-170,000
Advance appropriation, FY 2011.....	---	---	5,307,000	5,307,000	5,307,000	+5,307,000	+5,307,000
<b>Subtotal.....</b>	<b>4,450,000</b>	<b>5,100,000</b>	<b>10,203,500</b>	<b>10,407,000</b>	<b>10,237,000</b>	<b>+5,787,000</b>	<b>+5,137,000</b>
Medical facilities.....	5,029,000	4,693,000	4,893,000	4,849,883	4,859,000	-170,000	+166,000
Emergency appropriations (P.L. 111-5).....	1,000,000	---	---	---	---	-1,000,000	---
Advance appropriation, FY 2011.....	---	---	5,740,000	5,740,000	5,740,000	+5,740,000	+5,740,000
<b>Subtotal.....</b>	<b>6,029,000</b>	<b>4,693,000</b>	<b>10,633,000</b>	<b>10,589,883</b>	<b>10,599,000</b>	<b>+4,570,000</b>	<b>+5,906,000</b>
Medical and prosthetic research.....	510,000	580,000	580,000	580,000	581,000	+71,000	+1,000
Medical care cost recovery collections:							
Offsetting collections.....	-2,544,000	-2,954,000	-2,954,000	-2,954,000	-2,954,000	-410,000	---
Appropriations (indefinite).....	2,544,000	2,954,000	2,954,000	2,954,000	2,954,000	+410,000	---
<b>Total, Veterans Health Administration.....</b>	<b>41,958,903</b>	<b>45,077,500</b>	<b>93,258,000</b>	<b>93,418,133</b>	<b>93,260,500</b>	<b>+51,301,597</b>	<b>+48,183,000</b>
Appropriations.....	(40,958,903)	(45,077,500)	(45,075,000)	(45,235,133)	(45,077,500)	(+4,118,597)	---
Emergency appropriations.....	(1,000,000)	---	---	---	---	(-1,000,000)	---
Advance appropriations, FY 2011.....	---	---	(48,183,000)	(48,183,000)	(48,183,000)	(+48,183,000)	(+48,183,000)
<b>National Cemetery Administration</b>							
National Cemetery Administration.....	230,000	242,000	250,000	250,000	250,000	+20,000	+8,000
Emergency appropriations (P.L. 111-5).....	50,000	---	---	---	---	-50,000	---
<b>Total, National Cemetery Administration.....</b>	<b>280,000</b>	<b>242,000</b>	<b>250,000</b>	<b>250,000</b>	<b>250,000</b>	<b>-30,000</b>	<b>+8,000</b>
Emergency appropriations.....	(50,000)	---	---	---	---	(-50,000)	---
<b>Departmental Administration</b>							
General operating expenses.....	1,801,867	2,218,500	2,086,200	2,081,501	2,086,707	+284,840	-131,793
Emergency appropriations (P.L. 111-5).....	150,000	---	---	---	---	-150,000	---
<b>Subtotal.....</b>	<b>1,951,867</b>	<b>2,218,500</b>	<b>2,086,200</b>	<b>2,081,501</b>	<b>2,086,707</b>	<b>+134,840</b>	<b>-131,793</b>
Information technology systems.....	2,489,391	3,307,000	3,307,000	3,307,000	3,307,000	+817,609	---
Emergency appropriations (P.L. 111-5).....	50,000	---	---	---	---	-50,000	---
<b>Subtotal.....</b>	<b>2,539,391</b>	<b>3,307,000</b>	<b>3,307,000</b>	<b>3,307,000</b>	<b>3,307,000</b>	<b>+767,609</b>	<b>---</b>
Office of Inspector General.....	87,818	107,000	106,000	109,000	109,000	+21,182	+2,000
Emergency appropriations (P.L. 111-5).....	1,000	---	---	---	---	-1,000	---
<b>Subtotal.....</b>	<b>88,818</b>	<b>107,000</b>	<b>106,000</b>	<b>109,000</b>	<b>109,000</b>	<b>+20,182</b>	<b>+2,000</b>

MILITARY CONSTRUCTION - VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS BILL - 2010  
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted	Conference vs. Request
Construction, major projects.....	923,382	1,194,000	1,194,000	1,194,000	1,194,000	+270,618	---
Construction, minor projects.....	741,534	600,000	722,800	735,000	703,000	-38,534	+103,000
Grants for construction of State extended care facilities.....	175,000	85,000	85,000	115,000	100,000	-75,000	+15,000
Emergency appropriations (P.L. 111-5).....	150,000	---	---	---	---	-150,000	---
Subtotal.....	325,000	85,000	85,000	115,000	100,000	-225,000	+15,000
Grants for the construction of State veterans cemeteries.....	42,000	42,000	46,000	46,000	46,000	+4,000	+4,000
Total, Departmental Administration.....	6,611,992	7,553,500	7,547,000	7,587,501	7,545,707	+933,715	-7,793
Appropriations.....	(6,260,992)	(7,553,500)	(7,547,000)	(7,587,501)	(7,545,707)	(+1,284,715)	(-7,793)
Emergency appropriations.....	(351,000)	---	---	---	---	(-351,000)	---
Administrative Provisions							
IRS income verification.....	-2,000	---	---	---	---	+2,000	---
Sec. 160 Filipino Veterans Compensation Fund (P.L. 110-329) (emergency).....	198,000	---	---	---	---	-198,000	---
=====							
Total, title II.....	95,948,057	108,860,775	157,042,775	157,243,409	157,790,626	+61,842,569	+48,929,851
Appropriations.....	(94,349,057)	(108,860,775)	(108,859,775)	(109,060,409)	(109,607,626)	(+15,258,569)	(+746,851)
Emergency appropriations.....	(1,599,000)	---	---	---	---	(-1,599,000)	---
Rescissions (emergency appropriations).....	---	---	---	---	---	---	---
Advance appropriations, FY 2011.....	---	---	(48,183,000)	(48,183,000)	(48,183,000)	(+48,183,000)	(+48,183,000)
(Limitation on direct loans).....	(3,680)	(2,798)	(2,798)	(2,798)	(2,798)	(-882)	---
Discretionary.....	(49,205,132)	(53,039,103)	(101,221,103)	(101,421,737)	(101,222,310)	(+52,017,178)	(+48,183,207)
Mandatory.....	(46,742,925)	(55,821,672)	(55,821,672)	(55,821,672)	(56,568,316)	(+9,825,391)	(+746,644)
=====							
TITLE III - RELATED AGENCIES							
American Battle Monuments Commission							
Salaries and expenses.....	59,470	60,300	61,800	63,549	62,675	+3,205	+2,375
(By transfer).....	(500)	---	---	---	---	(-500)	---
Foreign currency fluctuations account.....	17,100	17,100	17,100	17,100	17,100	---	---
Total, American Battle Monuments Commission.....	76,570	77,400	78,900	80,649	79,775	+3,205	+2,375
U.S. Court of Appeals for Veterans Claims							
Salaries and expenses.....	30,975	27,115	28,115	27,115	27,115	-3,860	---
Department of Defense - Civil							
Cemeterial Expenses, Army							
Salaries and expenses.....	36,730	37,200	42,500	37,200	39,850	+3,120	+2,650

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted	Conference vs. Request
<b>Armed Forces Retirement Home</b>							
Operation and maintenance.....	54,985	62,000	62,000	62,000	62,000	+7,015	---
Capital program.....	8,025	72,000	72,000	72,000	72,000	+63,975	---
<b>Total, Armed Forces Retirement Home.....</b>	<b>63,010</b>	<b>134,000</b>	<b>134,000</b>	<b>134,000</b>	<b>134,000</b>	<b>+70,990</b>	<b>---</b>
<b>=====</b>							
<b>Total, title III.....</b>	<b>207,285</b>	<b>275,715</b>	<b>283,515</b>	<b>278,964</b>	<b>280,740</b>	<b>+73,455</b>	<b>+5,025</b>
(By transfer).....	(500)	---	---	---	---	(-500)	---
<b>TITLE IV - OVERSEAS CONTINGENCY OPERATIONS</b>							
Military Construction, Army /1.....	---	---	---	924,484	924,484	+924,484	+924,484
Military Construction, Air Force /1.....	---	---	---	474,500	474,500	+474,500	+474,500
<b>=====</b>							
<b>Total, title IV.....</b>	<b>---</b>	<b>---</b>	<b>---</b>	<b>1,398,984</b>	<b>1,398,984</b>	<b>+1,398,984</b>	<b>+1,398,984</b>
<b>1/ The House bill provides funding at the same level in title I</b>							
<b>=====</b>							
<b>Grand total.....</b>	<b>126,810,267</b>	<b>133,487,510</b>	<b>181,903,656</b>	<b>182,101,656</b>	<b>182,750,300</b>	<b>+55,940,033</b>	<b>+49,262,790</b>
Appropriations.....	(119,689,095)	(132,082,526)	(132,406,972)	(132,627,672)	(133,574,712)	(+13,885,617)	(+1,492,186)
Rescissions.....	(-83,170)	---	(-85,300)	(-108,000)	(-323,226)	(-323,226)	(-406,396)
Emergency appropriations.....	(4,479,000)	---	---	---	---	(-4,479,000)	---
Advance appropriations, FY 2011.....	---	---	(48,183,000)	(48,183,000)	(48,183,000)	(+48,183,000)	(+48,183,000)
Overseas contingency operations.....	(2,725,342)	(1,404,984)	(1,398,984)	(1,398,984)	(1,398,984)	(-1,326,358)	(-6,000)
(By transfer).....	(500)	---	---	---	---	(-500)	---
(Limitation on direct loans).....	(3,680)	(2,798)	(2,798)	(2,798)	(2,798)	(-882)	---

Mr. LATHAM. Mr. Speaker, may I inquire as to how much time is available on each side?

The SPEAKER pro tempore. The gentleman from Iowa has 18 minutes remaining. The gentleman from Massachusetts has 17½ minutes remaining.

Mr. LATHAM. At this point, I would be proud to give 3 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. I thank the gentleman from Iowa. I also want to thank Chairman OBEY for working with me on Labor, Health and Human Services. But Mr. Speaker, this bill is a classic example of a dysfunctional appropriation process.

My principal opposition to this bill is the excessive amount of spending. We are spending more and more money each year and we don't know where we are going to get it. The American people don't have it; in fact, this past fiscal year, fiscal year 2009, we overspent by \$1.4 trillion. That's \$5,000 per person, approximately that we didn't have. And for those of us that pay Federal taxes, that's about \$14,000 per taxpayer overspent last year. This year, we have already overspent \$259 billion and we're on course to overspend by \$1.6 trillion. That will be an increase in the deficit of about \$16,000 per taxpayer, money we don't have that we have to go out and borrow.

So where is the money going to come from? We're going to borrow it from the Chinese. Well, maybe the Chinese don't want to loan it to us. Then we'll just have to print it. Well, if we print it, that drives inflation. If the Chinese don't loan it to us, we're in trouble. We will be headed for a round of inflation based on the current projections.

The excuse that we get for borrowing and spending all this money is we've got to get the economy to recover. Borrowing money to fund big government doesn't grow our economy, it only grows big government. But we go out and hire all these people in big government. They've got to do something, so they write regulations. Regulations slow down our economy. If you want to speed up the economy, freeze the regulations; put them on a benefit-cost analysis. We forget that for every one of these government workers, it takes five private sector employees to pay for that one Federal Government job. So we have the idea of how we are going to create private sector jobs instead of growing the size of government.

This bill spends so much money they have had trouble finding out where to spend more money. They decided that they were going to fund free needles to dope addicts and junkies—I'm just glad that we're not buying kegs for Alcoholics Anonymous meetings. They pay for abortions in the District of Columbia and they can't prove that it's not Federal tax dollars by their Federal funds provision because it all gets commingled. And then we're borrowing about \$350 million we think, from the Chinese to give to the World Bank so

that we can give it to some third-world countries to fight global warming. So we have a questionable source of funds sent to questionable countries to fight a program based on questionable science.

Mr. Speaker, this bill is out of the question. I would ask all my colleagues to vote "no."

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Mr. OLVER. I yield 2 minutes to the gentlewoman from Michigan (Ms. KILPATRICK), who is a member of the Transportation, Housing and Urban Development Subcommittee.

Ms. KILPATRICK of Michigan. I thank the chairman for yielding.

Mr. Speaker, as a member of the House Appropriations Committee and as an honored member serving on the conferee committee, this is a good bill. As you know, in the House of Representatives, we passed all 12 of our appropriations bills. The Senate passed nine of their 12 bills. Unfortunately, they were not able to do them all. Yet we met many hours a night and passed what is considered, I believe, a good bill for all of the reasons that you have mentioned—health care, veterans, education, transportation, helping our military men and women who are on active duty and those who are not. This is a bill that wraps up our 2009 appropriations process, less one bill, and we will take that up next week.

I commend Chairman DAVID OBEY as well as our ranking member, JERRY LEWIS. I commend JOHN OLVER and all of the Chair people who have brought the bills together and who have worked many long hours to see that we get the work of the people done.

Our Appropriations Committee handles over \$1 trillion for various programs of the Federal Government. We take our work very strongly. We work long hours. We spend many hours on it. All of the bills before us today have been reviewed. All 12 which have passed the House are pretty much the same bills we had in conference the other evening. I am proud of our work.

As an appropriator and in working with our colleagues on both sides of the aisle, but specifically with the Democrats and under the leadership of Chairman OBEY, I want the American citizens to rest assured you have a good product before you. We will continue to do what is necessary to fund our children's programs, our health programs, transportation, veterans—you name it. This completes, bar one bill, the 2009 appropriations process.

I am honored to be a part of that, and I look forward to the new year.

Mr. LATHAM. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. WAMP).

Mr. WAMP. I thank the gentleman for yielding.

Mr. Speaker, I want to thank all of our chairmen and ranking members of the 12 Appropriations subcommittees for their work this year because it is important work. It is the only "must

do" work that the Congress has every year, which is part of the power of the Appropriations Committee. I do think that just blaming each other for our shortcomings is not particularly helpful, but I want to point out a couple of things.

Chairman EDWARDS is our chairman of the Military Construction, Veterans Affairs Appropriations Subcommittee, and I am the ranking member. It is an incredible privilege for both of us to carry out those functions. Chairman EDWARDS is a true patriot and does an excellent job. We have got a great staff. Our bill is certainly not the controversial part of this omnibus bill at all. As a matter of fact, our bill passed the House 415-3, and it passed the Senate unanimously.

So there is huge consensus here, and we deserve bipartisan praise for doing right by our Nation's veterans and by the men and women and their families who are in uniform today. That is what we are supposed to do. But I have to say this:

We had hearings every week through the spring, and we always asked, What is the most important thing we can do for you? We heard virtually every week, The most important thing you can do for us is to get our bill passed and enacted into law on time—by October 1.

As a matter of fact, that is the battle cry for why we need advance funding, which is that they have to rely on the funding flow in veterans affairs and in military construction, and here we are more than 10 weeks later just now passing our bill. Last year, we got our bill done on time. That's not Mr. EDWARDS, and it's not me. It's somebody else on the scheduling of when these bills come up. This bill had such consensus, it could have just flown through in late September, and everyone under the \$78 billion funding profile would have had their money on time.

That is a problem. I don't care whether you are Republican or Democrat. That is a problem especially when you come and say, Let's start funding them in the future, 2 years out, so that they have the knowledge that the money is going to be there. Yet you don't get the bill done on time, and you're 10 weeks late or more. That makes no sense. It's not only ironic; it's unfortunate.

Maybe they were holding this bill in case they needed a vehicle for all of the other bills that they couldn't pass. I hope not. I hope you're not doing that to our men and women in uniform and to their families and to our veterans. We can do better than that, I know.

I was a conferee. I was there on Monday night as we negotiated this bill. I tried to take the TARP money, of which now there is \$200 billion left, and put it back against the debt. I would put it in the Treasury because now there is a plan to go spend that money on things that may or may not work. Why not pay our debt down? The Chinese are worried about whether we will

ever pay our debt. We are sinking as a Nation under a mountain of government debt, and we've got to do something about it. Neither party has got a lot to brag about, but you all are in charge. We can do better.

Mr. OLVER. I yield myself 2 minutes, Mr. Speaker.

I fully recognize the argument that is being made by the other side on this issue of the level of expenditure. There has been an increase in the discretionary expenditure that we are providing for the needs of this country.

The fact is that, through the 6 previous years before we came into the majority, there was constraint in discretionary expenditures for programs that do things for people in this country and which provided money for our education system, for our health care system, for our transportation systems, and for our infrastructure in general—not just the transportation infrastructure but whatever source of infrastructure—and for our housing, just to name a few, and even for our veterans affairs.

Even with regard to our veterans programs, which provided services while we had two different wars going on around the world—all of them over in Asia—our discretionary expenditures were under very severe constraint, and the level of discretionary expenditure during that 6-year period before fiscal year 2007 was under constraint.

So the budgets that we have passed in the last three sessions when we have been in the majority have had an increase in discretionary expenditure to provide a catch-up expenditure for things going on in this country. We hear among our constituents all the time, Why are we spending so much money in other places around the world when we should be spending it here?

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

Mr. OLVER. I yield myself 1 additional minute.

Why are we spending so much money there if we cannot find a way of expending for those things that I've mentioned—the housing, the transportation, the health services, and education? Why can't we spend some of that here?

So, yes, our expenditure has been up, but we make no apology for that kind of expenditure given the very reason for why it has occurred. So I will leave it at that. We make no apology for increasing discretionary expenditures on our own people and on the needs of our own people, and that should continue in fact.

I reserve the balance of my time.

Mr. LATHAM. Mr. Speaker, first of all, I want to thank the gentleman for recognizing the fact that we were fiscally responsible before and that to catch up in 2 years by spending 85 percent more, by increasing spending by 85 percent, is truly more than catching up, I would say.

I yield 3 minutes to the distinguished gentlewoman from Missouri (Mrs. EMERSON).

Mrs. EMERSON. Thank you.

Mr. Speaker, I would like to address the Financial Services and General Government division of the omnibus.

I first want to commend Chairman SERRANO for his efforts in crafting the bill. It has been a pleasure to work with him, and while we don't always agree, he has at least been open to listening to the minority's ideas.

While I appreciate Chairman SERRANO's efforts, I have got a lot of concern with the Financial Services division insofar as it is a 7 percent increase over fiscal year 2009, or \$24.2 billion. This is very, very generous, and I believe that the resource requirements of the agencies funded in this bill can be met with a smaller allocation, particularly given the government's financial situation.

However, with the allocation provided to Mr. SERRANO, he has done a good job of allocating funding in the bill, and I am grateful for efforts to provide increases to critical programs such as the Financial Crimes Enforcement Network, Treasury Terrorism and Financial Intelligence programs, Drug Free Communities, and High Intensity Drug Trafficking Areas.

I am also pleased that the bill provides \$75 million for D.C. education programs, including \$42 million to D.C. public schools. I am happy, to some extent, that the bill doesn't totally eliminate the Opportunity Scholarships program, but I must say I am very disappointed that the program is limited to students currently enrolled in the program.

My own daughter teaches in the D.C. public schools, so I know firsthand how these schools are failing the city's children. I ask how we can possibly limit educational opportunities for low-income students when we know the public school system is underperforming?

Another area of the bill that deeply concerns me are the controversial changes to long-standing general provisions regarding abortion and medical marijuana in the District of Columbia. We heard Mr. TIAHRT address that a little while ago.

Let me then lastly discuss an issue that is not directly related to this bill but that is related to the Department of the Treasury, which is part of our bill, and it is the administration of TARP.

The TARP has greatly expanded the Federal Government's reach into the private sector, not by purchasing troubled assets, as was its original purpose, but by purchasing common shares of banks, by owning large auto companies, and by subsidizing home mortgages.

Today, many Democrats, including the President and the Secretary of the Treasury, are discussing using TARP funds to pay for yet another stimulus bill when the first stimulus bill has already been a failure. Unemployment is at 10 percent. Only 12 percent of the discretionary funding in the stimulus bill has been spent. Yet our friends on

the other side of the aisle plan to shove through more government spending under the guise of job creation, which is going to do more harm than good, and we are going to offset it with surplus TARP funding.

Well, the TARP funding was never supposed to be used again and again and again. Our national debt is \$12 trillion, and the fiscal year 2010 deficit is projected to be over \$1 trillion. Members are going to be asked to increase the debt limit. We cannot sustain this level of spending. TARP savings must be used for debt reduction.

Mr. OLVER. How much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Massachusetts has 13 minutes remaining. The gentleman from Iowa has 9 minutes remaining.

Mr. OLVER. I yield 3 minutes to the gentleman from North Carolina (Mr. PRICE), who is also a member of the Transportation, Housing and Urban Development Subcommittee.

Mr. PRICE of North Carolina. Mr. Speaker, our Republican colleagues this afternoon have once again raised the issue of Guantanamo Bay, so I would like to take just a moment to clarify the treatment of Guantanamo Bay detainees in this bill and in previous bills.

As our colleagues surely know, this is an issue that was debated and addressed by Congress in mid-October in the Homeland Security bill, the bill produced by the subcommittee that I Chair. This has already been signed into law. The language in our bill restricts the movement of detainees from Guantanamo Bay. It requires greater transparency on the part of the administration as it disposes of each detainee's case. It allows the transfer of detainees to the U.S. only for prosecution and with requirements that the administration provide a risk mitigation plan for each transfer and advance notice to Congress and to the destination State.

That same exact language was carried in the Interior appropriations bill, which was also signed into law. The conference report before us restates this language yet again, exactly the same language. There shouldn't be any confusion at all as to where Congress stands on this issue.

Now, in conference, our Republican friends attempted, once again, to play "gotcha" with this Gitmo issue. They attempted to overturn these provisions included in previous bills and to bar the administration from prosecuting detainees in U.S. criminal courts. We ought to strongly oppose any such effort to stand in the way of bringing terrorists to justice. That's exactly what this is all about. We must not tie the hands of the Departments of Justice and Defense as they seek to prosecute, where appropriate in U.S. courts, terrorism suspects housed at Guantanamo Bay.

Our Republican colleagues would rather keep Guantanamo open, apparently, and would exclusively use military tribunals for prosecutions. They

seem to think that three convictions by military tribunals in the entire period of their existence is an impressive record. One of those was by a guilty plea. This isn't an impressive record; it's a dismal record. By contrast, recent analysis of the 119 terrorism cases involving 289 defendants tried over the last 20 years in U.S. courts shows a 91 percent conviction rate for the cases that had been resolved as of June 2.

I can't tell you whether one option or the other is better for any given case, but that's not the call we have to make in an appropriations bill. With current law, we can leave that decision to the experts in the administration who can best decide on a case-by-case basis who should be prosecuted in the U.S. and what mitigation plans are necessary to address any risks that may result from these trials.

The purpose of the Republican amendment, which was rightly rejected in the conference committee, was to shut off access to U.S. courts for terrorism prosecution. That is a proposition that is patently absurd and that, I dare say, our Republican colleagues would not be putting forward if there were a Republican President.

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

Mr. OLVER. I yield the gentleman 1 additional minute.

Mr. PRICE of North Carolina. Is criminal prosecution an option we simply summarily want to close off? Of course, the answer is "no."

□ 1315

We should be using these carefully selected prosecutions to send a message to the world that we will not be intimidated by the prospect of bringing terrorists to justice or allow terrorism to undermine the rule of law in our country.

Mr. LATHAM. At this time, it is my privilege to yield 3 minutes to the gentlewoman from Texas (Ms. GRANGER).

Ms. GRANGER. Mr. Speaker, I rise to speak briefly about the State/Foreign Operations division of this omnibus package.

As the ranking member of the subcommittee, I am pleased that I have been able to work closely with Chairwoman LOWEY this year. She and her staff have worked to address concerns by committee Republicans and by me, and I thank her for her commitment to bipartisanship.

I also thank our Senate colleagues and our staff for working together to achieve common ground in the conference agreement. In the end, many priorities were preserved: funding a new compact for the Millennium Challenge Corporation; fighting drug trafficking in Mexico, Central America, and Colombia; and continuing security assistance to key allies like Israel, Egypt, and Jordan.

Funds provided in this bill will allow State and USAID to hire more than 1,000 new staff, which will help balance the three D's of smart power, the ap-

proach to national security. The increase for development and diplomacy will, in turn, support our Nation's defense and allow our military men and women to refocus on their core mission.

As the Congress provides additional staff and increases foreign assistance funding, the level of commitment to reform must be equal to funding commitment made. Oversight must be a priority. For that reason, the bill provides \$149 million for inspectors general, and many oversight provisions and reporting requirements are also included.

The conference agreement retains language that prevents U.S. tax dollars from going to organizations that support or participate in involuntary or coercive methods of family planning. There are legitimate plans about family planning funding that goes abroad, and legislative safeguards will remain in place the next fiscal year.

I regret that this package lumps six bills together in a package of close to half a trillion dollars and does not allow this body to address appropriations bills individually and fully vet them so that I could support them. I support the many programs in this bill. However, we must be aware of the tremendous debt held by this country and work competently, being aware of this issue.

Again, I thank Chairman LOWEY, our excellent committee staff, and our Senate colleagues for working together to address shared priorities.

Mr. OLVER. I yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I would like to comment very briefly on the comments of the gentleman from Tennessee, who a few moments ago criticized us because we were some 70 days late in passing the Military Construction-VA appropriation bill.

Let me simply point out that we may be 70 days late, but we are getting the job done. In addition to passing the basic bill, we are, for the first time in history, providing advance funding for VA activities. That is something that the veterans community has wanted for years and years, and it has been this Congress that delivered.

That stands in contrast to the performance of the minority party when they chaired this institution with respect to what they produced on the Military Construction-VA bill. They complain about the fact that we were 70 days late. They never passed that bill at all. They didn't pass it in October. They didn't pass it in November, which would have been 30 days late. They didn't pass it in December, which would have been 60 days late. They never passed it. When a new Congress took over, we had to pass all of those domestic appropriation bills and the Military Construction bill. I think it is quaint, indeed, when they attack us on the question of performance on, of all bills, the Military Construction bill. I think they need to go back and take a

look at the record when they chaired this place.

With respect to the funding overall levels in this overall bill, let me simply repeat what I said earlier. When you take into account the necessary increases for veterans disability, for the census, for the war costs which are not being hidden in a supplemental as they were under the stewardship of our friends on the other side of the aisle, when you take into account the infrastructure change in funding and the \$6 billion that we needed to prepare the health care system for the legislation which is about to pass, the rest of the increases in the bill before us amount to 1 percent. I hardly think that that's excessive, given the economic crisis that we face.

Mr. LATHAM. Mr. Speaker, just one comment. I think it's interesting to note the gentleman talked about that we are finally getting the Military Construction bill done, VA funding. The last two bills that we are funding are Defense, which will be 80 days out from the start of the new fiscal year, the Military Construction-VA bill.

But if you remember back with the schedule, the very first bill that was passed and signed into law was to fund Congress itself. We took care of ourselves here first and the military was the very, very last. I think that is very unfortunate.

I am now pleased to yield 2 minutes to the gentleman from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. I thank the gentleman for yielding. I am going to break the mold here and say something nice about five pages of the bill, this bill in front of me—I think those pages are right here—and say something nice about Mr. OBEY as well, and Mr. SERRANO is waving in the back.

By way of history, people know that the auto industry in this country got into trouble, and this administration made a decision to use leftover TARP funds to bail out Chrysler and General Motors. Both car companies submitted reorganization plans in February of this year and both were rejected by the auto task force.

The auto task force was kind of a strange collection of people that didn't have any experience in the auto industry at all. Most of them didn't own cars. Those that did own cars owned foreign cars, but they determined that the car companies had to be more aggressive when it came to dealerships. As a result, about 800 Chrysler dealers were closed and about 2,000 GM dealers. The problem with that is, with rampant unemployment, about 60 people work at each car dealership across this country. Car dealerships don't cost the car companies any money, and it was a strange way to do business and potentially take 200,000 people and put them on the street.

A couple of young, fresh-faced Democrats, Mr. MAFFEI of New York and Mr. KRATOVIL of Maryland, launched a legislative effort. But as a grizzled veteran, having been here for the last 15

years, I know that the one piece of legislation or pieces of legislation that have to leave town are the appropriations bills. We drafted some language and put it in Mr. SERRANO's bill, and Mr. OBEY took it. They didn't have to—they probably got in trouble for taking it—but that became the 800-pound gorilla that had to be dealt with as General Motors and Chrysler have moved forward on how to deal with this dealer situation.

I also want to say something nice about the majority leader, Mr. HOYER. He took up the mantle and said we are going to solve this problem. As a result, the five pages that are here in the bill indicate that those aggrieved dealers now have the opportunity for binding arbitration, and the facts need to be brought forward, and hopefully fairness will prevail. But that wouldn't happen without something good and bipartisan happening in the United States Congress.

Mr. LATHAM. Mr. Speaker, it is my honor to yield 1 minute to the minority leader of the House, the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. We're broke. We're broke. America is broke. All year long our friends across the aisle have been on this massive spending spree that our Nation can't afford.

We had a trillion dollar stimulus bill that was supposed to create jobs immediately, and yet unemployment is now 10 percent in America. Three million people have lost their jobs since the bill was signed into law.

We passed a budget that's going to double the national debt in 5 years, triple it in 10 years. We have got a \$12 trillion national debt.

We brought a national energy tax bill to the floor that's going to cost a trillion dollars, passed it. We had a health care bill here several weeks ago, another trillion dollars, passed it.

When are we going to say enough is enough? Here we are today. We are wrapping six appropriation bills together. We are going to spend a half a trillion dollars, and it has got over 5,000 earmarks in the bill, you know, things like \$292,000 for the elimination of slum and blight in Scranton, Pennsylvania; \$300,000 for music and education programs at New York City's Carnegie Hall, where they pay the employee who runs this program \$530,000 a year in salary and benefits. There is plenty in here for Washington as well: \$150,000 for the National Building Museum; \$250,000 for the Wolf Trap Foundation for the Performing Arts, a concert venue.

Listen, I don't know how worthy any of these projects are, but I do have to ask the question, are they more important than our kids and our grandkids who have to pay the debt, because we don't have the money to spend on this. It's our kids and grandkids who are going to pay for it. Yet we can't find ways to cut spending.

Before the President took office, he said that he must go through the budg-

et and these bills line by line and page by page. Well, after Congress passed the \$410 billion omnibus spending bill earlier this year, with 9,000 earmarks, the President signed it and he said, well, that was last year's business. Now the President says reducing the deficit is next year's business and that we need to spend our way out of this economic recession that we are in.

Well, I think the President ought to go through this bill line by line and page by page, all 2,500 pages of it, then maybe he will figure out that we don't need to be spending this money that we don't have and piling more and more debt on the backs of our kids and grandkids. Instead, our bond rating, our AAA bond rating is in jeopardy and our Democrat friends want to raise the debt limit next week by \$1.8 trillion.

Let's stop the madness and vote "no."

□ 1330

Mr. OLVER. Mr. Speaker, how much time does each side now have?

The SPEAKER pro tempore. The gentleman from Massachusetts has 7 minutes remaining, and the gentleman from Iowa has 3 minutes remaining.

Mr. OLVER. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I regret that this has become another typical "Who Shot John" debate, but since it has, let me respond to the distinguished minority leader. Let's compare what President Obama inherited with what President Bush inherited. When President Bush walked into the White House, he inherited \$6 trillion in projected surpluses. He inherited 3 years in a row of budget surpluses under President Clinton. And he inherited an economy in which all income groups saw their income rise by roughly the same percentage.

In contrast, when Mr. Obama walked into the White House, he inherited a \$1 trillion deficit, he inherited two wars that were paid for on the cuff, with borrowed money. He inherited \$6 trillion in projected deficits. And he inherited an economy in which, for six straight years, 94 percent of the income growth went to the wealthiest 10 percent of people, and everybody else got table scraps. In addition, he inherited an economy that was projected to have a \$2.5 trillion hole because of the biggest collapse of the economy in 75 years.

And so, indeed, Mr. Obama and the majority party in this Congress spent money to try to prime the pump, to keep the economy going, because we were losing 700,000 jobs a month the last 3 months of the Bush administration. We have now got that down to an 11,000 job loss last month. That's not good enough, but it's certainly a lot better than the situation was when we inherited it.

The gentleman squawks about the debt ceiling. The debt has already been rung up, and now the question is, when

the bill comes in the mail, is it going to be paid or not. The fact is, out of that \$1.8 trillion debt increase, \$1.4 trillion of that is directly traceable to policy actions that were taken by the previous administration and the previous Republican Congress. And \$400 billion of it are directly traceable to the actions we've had to take to try to bail the economy out of the mess that you folks got us into.

So if you want to start comparing records, I'd be happy to. I'd much prefer to talk about the contents of this bill and the individual programs of this bill. But since some the gentlemen on that side of the aisle prefer to politicize everything, I guess we're going to have to have the debate at that level. That's too bad, but I've come to expect very little but that from the other side, I regret to say.

I do want to thank the gentleman from Ohio for trying insert a bit of bipartisanship into the debate.

Mr. LATHAM. Mr. Speaker, I yield myself as much times as I may consume.

I don't know if the gentleman has more speakers, but I'm planning on closing. I just want to thank the staff, on both sides. Our subcommittee does an outstanding job working together, and I'm just very, very proud of the work that they've done and the kind of commitment they've shown, and just want to say thank you for the professionalism that they have exhibited throughout this whole process.

Mr. Speaker, I'm going to oppose this for various reasons. Number one, the fact that this \$450 billion bill is a 14 percent increase in spending over last year. At a time when people are hurting, we cannot afford this kind of additional debt that's being put on the taxpayers, on the families at home. Realizing that in the last 2 years, discretionary spending in this House of Representatives has increased now, 85 percent; 85 percent more money, discretionary money, being spent today than just 2 years ago. Does anybody at home have 85 percent more money today than what they had 2 years ago? Is it responsible in any way, shape or form to have that kind of an increase?

The gentleman from Massachusetts—and I appreciate his professionalism—made the case, basically, for me before. We held down spending previously. And this explosion that we've seen just throughout the budget is simply wrong. We cannot sustain it, and it is about the next generations. I've got four grandchildren. They're going to pay this bill, and their children are going to pay this bill, and it simply is not fair. It's generational theft, and we've got to finally hold the line as far as spending in this Congress and find some kind of sanity around here.

With that, again, I would hope that everyone would vote "no." We could get some reality. We could separate these bills, have them done correctly and in a responsible way. And just one other thing in closing. I want to, again,

thank Chairman OLVER for being a very good friend, his professionalism, and someone that I really admire.

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

Mr. OLVER. I yield myself the remainder of the time.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 4 minutes.

Mr. OLVER. Mr. Speaker, my counterpart, the ranking member from Iowa, has graciously thanked the people on both sides who have done all of the work that our subcommittee dealt with. Actually, since there's six different bills here, I would like to extend that thanks to the people on the staffs of each of the six subcommittees on each side of the aisle who put countless hours into the work that has brought this bill to the floor at this time.

But particularly, let me just personalize it one more step. On our side, my clerk, Kate Hallahan, and on the Republican side, their clerk, Dena Baron, and the people who work under them, for them and with them, and for us and for the people of the country. They have done an exemplary job in the THUD committee, as I think each of the other groups have done for their own particular subcommittee. We should all be very grateful for that.

With the passage of this bill—and I'm going to urge passage as I close—we will on our side have completed the work on 11 of the 12 bills, and thereby we will be a very large step closer to the finish of the budgetary process necessary to provide for the year 2010. And so I am very optimistic today, in fact, a great load rises from the shoulders of all the chairs and ranking members of the subcommittees.

With that, let me just urge a "yes" vote on this budget bill in order to be able to reach that point very close to the completion of our work.

Mr. VAN HOLLEN. Mr. Speaker, I rise in support of the Consolidated Appropriations Act of 2010 and urge its swift consideration by our colleagues in the Senate.

This legislation includes final conference reports for the FY 2010 Transportation-HUD, Commerce-Justice-Science, Financial Services, Labor-HHS-Education, Military Construction-VA and State-Foreign Operations bills. Its total funding of \$446.8 billion makes priority investments in infrastructure, health care, and education, while supporting our veterans, funding the upcoming census and honestly accounting for war costs previously left to supplementals. Remaining items in the bill are limited to a 1% funding increase.

The \$50 billion in infrastructure spending in this bill—including \$150 million for the Washington Metropolitan Area Transit Authority—will enable us to modernize our aging infrastructure, ease congestion, facilitate commerce and create good-paying, homegrown American jobs. To further bolster our economic recovery, HR 3288 provides \$824 million to the Small Business Administration for its work helping our job-generating small businesses succeed. This investment will help facilitate an additional \$28 billion in new lending to small businesses. I am delighted that the

National Institutes of Health is funded at \$31 billion so that it can continue driving scientific innovation and health system reform. Finally, I am especially pleased that the Financial Services division of this consolidated legislation sets up a fair and reasonable process by which profitable auto dealers can have an opportunity to get back into business so that they and their employees can play their part in supporting our ongoing economic recovery. In that regard, I ask that the full text of the attached statement be entered into the legislative RECORD.

Mr. Speaker, I rise today to express my appreciation that language has been included in the Financial Services Appropriations Conference Report that will give automobile dealers around the nation a fair and reasonable shot at getting back into business. For the past several months, I have been pleased to join with Majority Leader HOYER, Congressmen KRATOVL and MAFFEI, and others to ensure that profitable car dealers have every opportunity to contribute to our economic recovery and put their employees back to work.

Profitable and viable dealers should have never been terminated in the first place, and I was proud to join the fight to have these short-sighted decisions reversed. Automobile manufacturers won't be able to get back on their feet without a strong dealer network, and Congress is committed to ensuring that such a network exists. I salute the tenacity and determination of these small business owners, many of whom have been selling cars and supporting the American auto industry for decades. Under the provision we are approving today, these terminated dealers will have an opportunity, once again, to do what they do best—sell and service cars. And that is good for our economy, for job creation and for the American car industry.

It would have been my preference that we would not need to legislate on this matter. We convened talks with the auto dealer groups and the manufacturers and while both sides offered significant concessions, efforts to achieve a non-legislative solution failed when auto manufacturers offered plans that fell short of what was needed to add dealers to their dealer networks and put their employees back to work.

As 2009 comes to a close, the federal government still maintains a substantial financial stake in Chrysler and General Motors and therefore in the United States automobile industry. Clearly, it is in the national interest to have the domestic automobile industry regain profitability and maintain sufficient dealerships to meet consumer demand.

Section 747 of the Financial Services Appropriations division of this bill recognizes the valuable role that dealers play in the auto industry and our local economies. Automobile dealers are essential to the success of automobile manufacturers because at no material cost to the manufacturers, they facilitate distribution, sales, and servicing of hundreds of millions of vehicles annually. This legislation is premised on the notion that it is in the best interest of automobile manufacturers, the automotive industry, dealers and the public to have an extensive and competitive automobile distribution network throughout the country, including in urban, suburban and rural areas.

Section 747 mandates that manufacturers promptly provide covered auto dealers in writing the specific criteria and supporting data re-

lied upon by a manufacturer in its decision to end or wind down the dealership relationship. In the spirit of cooperation and to ensure an efficient process as this legislation is implemented, we expect that the manufacturers will provide the information in a format that is user friendly, clearly identifies facts, readily accessible, and understandable by the dealer and that the data may be transmitted either by mail or electronically. We intend that this process provide transparency and avoid the excessive costs and delays of litigation and discovery disputes. The manufacturers should provide their respective covered dealers with each and every detail and criterion related to the evaluations of the dealership and the decisions to terminate, not assign, not renew or discontinue. It is anticipated that the manufacturers will be cooperative and forthcoming and that all relevant information will be provided promptly.

It further provides such dealers with the opportunity to participate in a neutral arbitration process designed for the dealer to make the case for being added to the manufacturer's dealer network. Congress has included specific timeliness for this process and we expect both parties to the arbitration to act in good faith and expeditiously so that added dealers can return to full-fledged operations quickly.

Section 747 expressly permits the manufacturer and dealer to present any kind of relevant information during the arbitration and provides that the arbitrator shall decide whether the dealer should be added to the manufacturer's dealer network based on a balancing of the interests of the dealer, the manufacturer, and the general public. The public interest includes reasonably convenient access for consumers to a dealer who can service their vehicles, which is of particular concern in rural areas where many dealers were terminated in 2009. It has been well-reported that more and more individuals have to drive substantial distances to obtain service from an authorized dealer of a specific brand because of a dealer termination.

Congress has provided seven enumerated factors for the arbitrator to consider, but this list is not exhaustive because the legislation provides that the parties can introduce "any relevant information." For example, we expect that arbitrators should consider relevant State laws, which provide a context for analyzing franchise agreements and the obligations of dealers and manufacturers.

A couple of these enumerated criteria merit additional explanation. For example, Congress has directed that the demographic and geographic characteristics of the market are taken into account. This reflects our intention that the arbitrator should pay special attention to the concerns expressed by some terminated dealers that there are factors in their market areas or States that affect their performance and render some measurements, such as State averages, less than accurate in portraying the true picture of a dealer's operations.

Another one of the factors involves the dealer's performance under the franchise agreement terminated in 2009. In considering this factor and related factors, it is important for arbitrators to recognize that state law is part and parcel of and modifies auto dealer franchise agreements. To look only at a franchise agreement, in other words, misses an important contextual element. Accordingly, it is anticipated that the arbitrators will consider State



law elements of good faith and fair dealing in this process and that, for example, the franchise agreement's performance standards and a dealer's performance under the original agreement will be evaluated in accordance with State law.

Another factor is the historic profitability of the dealership. During the legislative process, Congress learned that some dealers, for tax planning reasons or other reasons use a variety of legitimate, widely recognized accounting conventions, such as LIFO, that could, depending on the date a snapshot is taken, affect materially whether the dealership appears profitable. It is important that arbitrators recognize such accounting conventions when considering the profitability of a dealership so a fair and accurate picture is obtained.

With respect to being added back to a dealer network, it is the intent of Congress that notwithstanding the preference of a manufacturer to have several brands in the same dealership, in the case of a dealer seeking to be added to a dealer network but with fewer than all of the preferred brands, the dealer nonetheless will be eligible to be added.

It is worth noting that pursuant to subsection (f), manufacturers and dealers may, of their own volition, decide to enter into legally binding agreements with one another instead of going through the arbitration process. It is the intent of Congress that for this subsection to apply, the legally binding agreements shall be consensual, non-coercive resolutions of the issue between the dealer and the manufacturer entered into or ratified after the date of enactment. Coercive agreements should not be upheld.

In conclusion, I want to recognize the tireless efforts of dealers from around the Nation who worked to develop and implement a truly historic grassroots effort over the past seven months. Groups such as the Committee to Restore Dealer Rights, the Automobile Trade Association Executives, National Automobile Dealers Association and the National Association of Minority Auto Dealers, were instrumental in bringing about the legislation we are approving today.

Mrs. BACHMANN. Mr. Speaker, today, the House of Representatives once again sidestepped its constitutional obligation to fund our Nation's Federal priorities in a responsible manner and railroaded a massive spending bill through the House without allowing an open and honest debate that American taxpayers deserve. While I believe this legislation contains important funding for many programs administered by Federal agencies, spending bills and the projects they fund must be considered individually on their merits, and not obscured by being tucked into a giant "omnibus" spending package.

Right now, the national debt has already ballooned to a whopping \$12.1 trillion and Democrats are ready to increase the debt limit by another \$1.8 billion to accommodate their rabid spending habits. But at a time when American families are struggling to make ends meet and Federal deficits are skyrocketing at a record pace, it is absolutely necessary for Congress to fully commit to fiscal responsibility and scrutinize how every tax dollar is spent. While I understand the difficulty associated with such a large task, I, like so many of my colleagues, believed the Democrat majority when they pledged to "create the most honest, most open, and most ethical Congress in

history." I was hopeful that their stated commitment to open government would entail the individual consideration of each of the 12 annual appropriations bills, setting a path towards restoring the confidence and trust of the American people.

Unfortunately, the actions taken today indicate that our leadership is content with the status quo, and will avoid difficult decisions that should be made in order to prevent saddling future generations with debilitating debt. By combining half of the total appropriations bills into one measure, this majority has shown that it has no interest in real transparency and is more focused on growing government to accommodate their tax-and-spend agenda than being good stewards of the taxpayers' money.

Congress should show the American people that it is serious about making the same tough choices American families make every month. But this bill's 24 percent increase in government spending ignores the realities of our limited budget and assumes the taxpayers will just pick up the tab in future years. While the bill includes some of Minnesota's local priorities, it strays far from representing anything but a big government spending bill that lacks any consideration of our massive budget deficit.

Indeed, in the same manner as households across America set a budget, Washington needs to set a budget, and stick to it. However, the tax and spend approach to government being exhibited this year serves as a haunting indication that no amount of spending or government control is too much for the Democrats. That said, it is my sincere hope that as Congress moves forward with next year's budget and spending priorities, strict attention will be paid to protecting the American taxpayer and fostering an atmosphere of bipartisan cooperation and fiscal responsibility.

Mr. CONYERS. Mr. Speaker, I would like to thank the Conferees for including section 747, which regulates the relationship between automobile manufacturers and automobile dealerships. I, along with Majority Leader STENY HOYER, and Representatives CHRIS VAN HOLLEN, DANIEL MAFFEI, FRANK KRATOVIL, STEVEN LATOURETTE, JACKIE SPEIER, ROBERT BRADY, BETTY SUTTON, and BOB ETHERIDGE have worked together to create legislation that will best serve the interests of the automobile industry, including manufacturers and dealerships, and the citizens who have a significant portion of their tax dollars invested in the success of this critical industry. The following is a description of the legislation.

Section 747 of the Conference Agreement includes language establishing an arbitration process to determine whether previously terminated, non-assigned, non-renewed, or non-continued auto dealerships should be added to dealership networks of automobile manufacturers that received federal assistance under the TARP program, or that are partially owned by the Federal Government. This provision replaces Section 745 of the House bill, which also addressed concerns regarding terminated auto dealerships.

It is in the national interest to protect the substantial federal investment in automobile manufacturers by assuring the viability of such companies through the maintenance of sufficiently sized dealership networks to meet consumer demand for sales and servicing nationally. In addition to facilitating the maintenance

and growth of industry market share among manufacturers that benefitted from TARP funds, and in which the taxpayers have a significant financial investment, it is in the national interest to ensure that dealerships and manufacturers are each treated fairly in their business relationships based on their respective economic interests.

Evidence obtained over the course of numerous Congressional hearings in 2009 demonstrates that the automobile industry is integral to the health of the United States economy as a whole. Automobile manufacturers have been among the largest and most successful corporations in the United States, providing significant numbers of jobs and producing valuable goods for consumers. Automobile dealerships are also essential businesses in most communities nationally, providing many jobs to local residents and facilitating the distribution, sales, and servicing of millions of vehicles annually. Our investigations have made clear that it is in the best interest of the automobile industry, automobile manufacturers, dealerships and the public to have a competitive and economically viable domestic automobile distribution network throughout the country, including urban, suburban, and rural areas.

This provision was included because we also believe that by providing a process for working out the relationship between automobile manufacturers and dealerships that ensures transparency and review by a neutral arbitrator according to an equitable and balanced standard, taking into account the interests of all affected parties, the property and due process rights of manufacturers and dealerships will be safeguarded.

Section 747 establishes a procedure by which an automobile dealership that had a franchise agreement for a vehicle brand that was not assigned to a covered manufacturer, or that was terminated in a manner not consistent with applicable state law, on or before April 29, 2009, may seek continuation or reinstatement of the franchise agreement, or seek to be added as a franchisee to a dealership network of the covered manufacturer who manufactures the vehicle brand of the covered dealership, with such franchisee being located in the geographic area where the covered dealership was located when its franchise agreement was terminated, not assigned, not renewed, or not continued. Absent such election by the covered dealership, no such binding arbitration would occur.

In order to provide a covered automobile dealership with the information useful to determine whether to elect to enter into binding arbitration, the dealership will receive in writing notice from the covered manufacturer detailing the specific criteria pursuant to which such dealership's franchise agreement was terminated, was not renewed, or was not assumed and assigned to a covered manufacturer. This notice must be provided within the 30-day period beginning on the date of the enactment of this Section. This transparency is a vital step in giving dealerships the opportunity to understand why their franchise agreements were terminated, not renewed, or were not assumed and assigned to a covered manufacturer. It is our expectation that this transparency will obviate the need for unnecessary arbitration. It is also our expectation that this transparency will encourage informal agreements between covered dealerships and manufacturers without

recourse to the more formal procedures provided in this Section. We expect that the written transmittal letter will also provide appropriate contact information, including an e-mail address, to enable the dealership to contact the manufacturer should the dealership have specific questions about the dealership's information and individual criteria contained in such letter.

The Conference Agreement provides such dealerships with the opportunity to elect to participate in a neutral arbitration process designed to permit the dealership to present information in support of its addition to the manufacturer's dealership network, and for the manufacturer to present information against such addition based on its business plan and future economic viability. The arbitrator in each case shall balance the interests of the covered dealership, the covered manufacturer, and the public and will decide based on that balancing whether or not the covered dealership should be added to the dealership network of the covered manufacturer. These are the only remedies the arbitrator may provide. The Conference Agreement specifically prohibits the awarding of compensatory, punitive, or exemplary damages to any party.

The Conference Agreement sets out seven specific factors that the arbitrator should consider in ruling on each case. The list is not exclusive, and the arbitrator would have the discretion to consider all the relevant facts on a case-by-case basis. In considering whether adding the covered dealership to the covered manufacturer's dealership network is in the public interest, the arbitrator should consider, among other factors, the need for reasonable access for consumers to a dealership that can service their vehicles, which is of particular concern in rural areas. The arbitrator should also consider the impact on the viability of the manufacturer of adding the dealership to the manufacturer's network, the length of experience of the dealership, the dealership's historical profitability and current economic viability, and demographic and geographic characteristics of the market.

It is our understanding that the General Commercial Rules of the American Arbitration Association shall apply to the arbitration proceeding, except to the extent that a rule is inconsistent with any provision of this Section.

Subsection (f) addresses negotiations between a covered manufacturer and a covered dealership, whether acting individually, as a group, or through an organization acting on behalf of one or more covered dealerships. The provision is intended to ensure that any legally binding agreement, such as a memorandum of understanding, resulting from a voluntary negotiation between a covered manufacturer and a covered dealership, a group of covered dealerships, or an organization acting on behalf of one or more covered dealerships will not be disturbed by this section. It also makes clear that once a covered dealership is party to such an agreement, such covered dealership would not be eligible for the arbitration remedy in this section.

It is not the intent of Congress to bar a covered dealership from the provisions of this section if the covered dealership accepted a standard form contract prepared by the covered manufacturer and offered on a "take-it-or-leave-it" basis, even if the agreement was entered into voluntarily. As a consequence, a covered dealership that accepted a "wind-

down" agreement drafted by a covered manufacturer would be able to avail itself of the provisions of this section. An agreement between a covered manufacturer and a covered dealership, whether acting individually, as a group, or as part of a group of dealerships acting through an organization, will be considered voluntarily negotiated if the agreement between the parties reflects a compromise based on written or oral discussions, even if one party to the negotiation is the principal or primary drafter of the agreement.

We chose this approach because binding arbitration by a neutral arbitrator is the most appropriate means of resolving the differences between covered dealerships and manufacturers, and to protect the taxpayers, and the broader economy. For this reason, the Conference Agreement sets out a procedure for ensuring that a neutral arbitrator conducts the arbitration according to a clear standard with factors the arbitrator must weigh.

Due to the time sensitive nature of this situation, the Conference Agreement provides that a covered dealership must elect to pursue arbitration no later than 40 days of the date of enactment of this section, that such arbitration must commence as soon as practicable and must be submitted to the arbitrator for deliberation not later than 180 days of such date. The arbitrator is given the flexibility to extend that period for up to 30 days for good cause. The arbitrator then has seven business days after the arbitrator determines that the case has been fully submitted to issue a written opinion.

Section 747 expressly permits the manufacturer and dealership to present any kind of relevant information during the arbitration. As an additional means of ensuring efficiency and economy in the arbitration process, the provision prohibits depositions and limits discovery to documents specific to the covered dealership.

Section 747 also makes clear that a manufacturer may terminate a covered dealership in accordance with applicable state law.

I yield back the balance of my time. The SPEAKER pro tempore. All time for debate has expired.

Under the rule, the previous question is ordered.

The question is on the conference report.

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

Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of the conference report will be followed by a 5-minute vote on suspending the rules and passing H.R. 4017.

The vote was taken by electronic device, and there were—yeas 221, nays 202, answered "present" 1, not voting 10, as follows:

[Roll No. 949]  
YEAS—221

Abercrombie  
Ackerman  
Altmire  
Andrews  
Arcuri  
Baca  
Barrow  
Bean  
Becerra  
Berkley  
Berman  
Berry

Bishop (GA)  
Bishop (NY)  
Blumenauer  
Bocchieri  
Boswell  
Boucher  
Boyd  
Brady (PA)  
Braley (IA)  
Butterfield  
Capps  
Capuano

Cardoza  
Carnahan  
Carson (IN)  
Castor (FL)  
Chandler  
Chu  
Clarke  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly (VA)

Conyers  
Costa  
Courtney  
Crowley  
Cuellar  
Cummings  
Davis (AL)  
Davis (CA)  
Davis (IL)  
Davis (TN)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Dicks  
Dingell  
Doggett  
Doyle  
Edwards (MD)  
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Ellison  
Engel  
Eshoo  
Etheridge  
Farr  
Fattah  
Filner  
Foster  
Fudge  
Garamendi  
Giffords  
Gonzalez  
Grayson  
Green, Al  
Green, Gene  
Griffith  
Grijalva  
Gutierrez  
Hall (NY)  
Halvorson  
Hare  
Harman  
Hastings (FL)  
Heinrich  
Herseth Sandlin  
Higgins  
Hill  
Himes  
Hinchey  
Hinojosa  
Hirono  
Hodes  
Holden  
Holt  
Honda  
Hoyer  
Inslee  
Israel  
Jackson (IL)  
Jackson-Lee  
(TX)  
Johnson (GA)  
Johnson, E. B.

Kagen  
Kanjorski  
Kaptur  
Kennedy  
Kildee  
Kilpatrick (MI)  
Kilroy  
Kirkpatrick (AZ)  
Kissell  
Klein (FL)  
Kosmas  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lewis (GA)  
Loebach  
Lofgren, Zoe  
Lowey  
Lujan  
Lynch  
Maffei  
Maloney  
Markey (CO)  
Markey (MA)  
Massa  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McIntyre  
McMahon  
McNerney  
Meek (FL)  
Meeks (NY)  
Michaud  
Miller (NC)  
Miller, George  
Mollohan  
Moore (KS)  
Moore (WI)  
Murphy (CT)  
Murphy (NY)  
Murphy, Patrick  
Nadler (NY)  
Napolitano  
Neal (MA)  
Nye  
Oberstar  
Obey  
Oliver  
Ortiz  
Pallone  
Pascarella  
Pastor (AZ)  
Payne  
Perlmutter  
Perriello  
Peters  
Pingree (ME)  
Pomeroy

NAYS—202

Cantor  
Cao  
Capito  
Carney  
Carter  
Cassidy  
Castle  
Chaffetz  
Childers  
Coble  
Coffman (CO)  
Cole  
Conaway  
Costello  
Crenshaw  
Culberson  
Dahlkemper  
Davis (KY)  
Deal (GA)  
Dent  
Diaz-Balart, L.  
Diaz-Balart, M.  
Donnelly (IN)  
Dreier  
Driehaus  
Duncan  
Ehlers  
Ellsworth  
Emerson  
Fallin  
Flake  
Fleming  
Forbes  
Fortenberry

Price (NC)  
Quigley  
Rahall  
Rangel  
Reyes  
Richardson  
Rodriguez  
Ross  
Rothman (NJ)  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Salazar  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schauer  
Schiff  
Schradner  
Schwartz  
Scott (GA)  
Scott (VA)  
Serrano  
Sestak  
Shea-Porter  
Sherman  
Sires  
Slaughter  
Smith (WA)  
Snyder  
Space  
Spratt  
Stark  
Sutton  
Teague  
Thompson (CA)  
Thompson (MS)  
Tierney  
Titus  
Tonko  
Towns  
Tsongas  
Van Hollen  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Welch  
Wexler  
Wilson (OH)  
Woolsey  
Wu  
Yarmuth

Foxx  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Garrett (NJ)  
Gerlach  
Gingrey (GA)  
Gohmert  
Goodlatte  
Gordon (TN)  
Granger  
Graves  
Guthrie  
Hall (TX)  
Harper  
Hastings (WA)  
Heller  
Hensarling  
Herger  
Hoekstra  
Hunter  
Inglis  
Issa  
Jenkins  
Johnson (IL)  
Johnson, Sam  
Jones  
Jordan (OH)  
Kind  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kline (MN)

Kratovil  
Kucinich  
Lamborn  
Lance  
Latham  
LaTourette  
Latta  
Lee (NY)  
Lewis (CA)  
Linder  
Lipinski  
LoBiondo  
Lucas  
Luetkemeyer  
Lummis  
Lungren, Daniel E.  
Mack  
Manzullo  
Marchant  
Marshall  
Matheson  
McCarthy (CA)  
McCaul  
McClintock  
McCotter  
McHenry  
McKeon  
McMorris  
Rodgers  
Melancon  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Minnick

Mitchell  
Moran (KS)  
Murphy, Tim  
Myrick  
Neugebauer  
Nunes  
Olson  
Owens  
Paul  
Paulsen  
Pence  
Peterson  
Petri  
Pitts  
Platts  
Poe (TX)  
Posey  
Price (GA)  
Putnam  
Radanovich  
Rehberg  
Reichert  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rooney  
Ros-Lehtinen  
Roskam  
Royce  
Ryan (WI)  
Scalise  
Schmidt  
Schock

Sensenbrenner  
Sessions  
Shadegg  
Shimkus  
Shuler  
Shuster  
Simpson  
Skelton  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Souder  
Stearns  
Stupak  
Sullivan  
Tanner  
Taylor  
Terry  
Thompson (PA)  
Thornberry  
Tiahrt  
Tiberi  
Turner  
Upton  
Walden  
Wamp  
Westmoreland  
Whitfield  
Wilson (SC)  
Wittman  
Wolf  
Young (AK)  
Young (FL)

## ANSWERED "PRESENT"—1

Brown, Corrine

## NOT VOTING—10

Baldwin  
Barrett (SC)  
Buyer  
Cooper

Frank (MA)  
Mica  
Moran (VA)  
Murtha

Polis (CO)  
Speier

□ 1403

Messrs. CAMPBELL, CARTER and MELANCON changed their vote from "yea" to "nay."

Messrs. MILLER of North Carolina and SCHRADER changed their vote from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. OWENS. Madam Speaker, on Thursday, December 10, 2009, I recorded an incorrect vote on Passage of the Consolidated Appropriations Act of 2010.

I intended to vote "yea" on rollcall vote No. 949, in support of the overall bill which contained funding that would go towards an All Weather Marksmanship Facility for Fort Drum in my Congressional District.

Stated against:

Mr. COOPER. Mr. Speaker, earlier today I was in a meeting with a senior administration official and inadvertently missed rollcall vote 949 on Agreeing to the Conference Report for H.R. 3288, the Consolidated Appropriations Act for Fiscal Year 2010. Had I been present, I would have voted "nay."

## ANN MARIE BLUTE POST OFFICE

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 4017.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts

(Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 4017.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

## RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 419, noes 0, not voting 15, as follows:

[Roll No. 950]

## AYES—419

Abercrombie  
Ackerman  
Aderholt  
Adler (NJ)  
Akin  
Alexander  
Altmire  
Andrews  
Arcuri  
Austria  
Baca  
Bachmann  
Bachus  
Baird  
Barrow  
Bartlett  
Barton (TX)  
Bean  
Berkley  
Berman  
Berry  
Biggert  
Bilbray  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Blackburn  
Blumenauer  
Blunt  
Boccieri  
Boehner  
Bonner  
Bono Mack  
Boozman  
Boren  
Boswell  
Boucher  
Boustany  
Boyd  
Brady (PA)  
Brady (TX)  
Braley (IA)  
Bright  
Broun (GA)  
Brown (SC)  
Brown, Corrine  
Brown-Waite,  
Ginny  
Buchanan  
Burgess  
Burton (IN)  
Butterfield  
Calvert  
Camp  
Campbell  
Cantor  
Cao  
Capito  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson (IN)  
Carter  
Cassidy  
Castle  
Castor (FL)  
Chaffetz  
Chandler  
Childers  
Chu  
Clarke  
Clay  
Cleaver

Clyburn  
Coble  
Coffman (CO)  
Cohen  
Cole  
Conaway  
Connolly (VA)  
Conyers  
Cooper  
Costa  
Costello  
Courtney  
Crenshaw  
Crowley  
Cuellar  
Culberson  
Cummings  
Dahlkemper  
Davis (AL)  
Davis (CA)  
Davis (IL)  
Davis (TN)  
Deal (GA)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Dent  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Doyle  
Dreier  
Driehaus  
Duncan  
Edwards (MD)  
Ehlers  
Ellison  
Ellsworth  
Emerson  
Engel  
Eshoo  
Etheridge  
Fallin  
Farr  
Fattah  
Filner  
Flake  
Fleming  
Forbes  
Fortenberry  
Foster  
Foxy  
Frank (MA)  
Franks (AZ)  
Frelinghuysen  
Fudge  
Gallegly  
Garamendi  
Garrett (NJ)  
Gerlach  
Giffords  
Gingrey (GA)  
Gohmert  
Gonzalez  
Goodlatte  
Gordon (TN)  
Granger  
Graves  
Grayson  
Green, Al  
Green, Gene  
Griffith

Grijalva  
Guthrie  
Gutierrez  
Hall (NY)  
Hall (TX)  
Halvorson  
Hare  
Harman  
Harper  
Hastings (FL)  
Hastings (WA)  
Heinrich  
Heller  
Hensarling  
Herger  
Hersth Sandlin  
Higgins  
Hill  
Himes  
Hinchey  
Hinojosa  
Hirono  
Hodes  
Hoekstra  
Holden  
Holt  
Honda  
Hoyer  
Hunter  
Inglis  
Inslee  
Israel  
Issa  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jenkins  
Johnson (GA)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Jordan (OH)  
Kagen  
Kanjorski  
Kaptur  
Kennedy  
Kildee  
Kilpatrick (MI)  
Kilroy  
Kind  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kirkpatrick (AZ)  
Kissell  
Klein (FL)  
Kline (MN)  
Kosmas  
Kratovil  
Kucinich  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Latta  
Lee (CA)  
Lee (NY)  
Levin  
Lewis (CA)  
Lewis (GA)  
Lipinski

LoBiondo  
Loeback  
Lofgren, Zoe  
Lowey  
Lucas  
Luetkemeyer  
Lujan  
Lummis  
Lungren, Daniel E.  
Lynch  
Mack  
Maffei  
Maloney  
Manzullo  
Marchant  
Markey (CO)  
Markey (MA)  
Marshall  
Massa  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McClintock  
McCollum  
McCotter  
McDermott  
McGovern  
McHenry  
McIntyre  
McKeon  
McMahon  
McMorris  
Rodgers  
McNerney  
Meek (FL)  
Melancon  
Michaud  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Minnick  
Mitchell  
Mollohan  
Molloy  
Moore (KS)  
Moore (WI)  
Moran (KS)  
Murphy (CT)  
Murphy (NY)  
Murphy, Patrick  
Murphy, Tim  
Myrick  
Nadler (NY)  
Napolitano  
Neal (MA)  
Neugebauer  
Nunes  
Nye  
Oberstar  
Olson  
Oliver  
Ortiz

Owens  
Pallone  
Pascrell  
Pastor (AZ)  
Paul  
Paulsen  
Payne  
Pence  
Perlmutter  
Perriello  
Peters  
Peterson  
Petri  
Pingree (ME)  
Pitts  
Platts  
Poe (TX)  
Polis (CO)  
Pomeroy  
Posey  
Price (GA)  
Price (NC)  
Putnam  
Quigley  
Radanovich  
Rahall  
Rangel  
Rehberg  
Reichert  
Reyes  
Richardson  
Rodriguez  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothman (NJ)  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Salazar  
Sanchez, Linda T.  
Sanchez, Loretta  
Sarbanes  
Scalise  
Schakowsky  
Schauer  
Schiff  
Schmidt  
Schock  
Schwartz  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Sessions  
Sestak

## NOT VOTING—15

Baldwin  
Barrett (SC)  
Becerra  
Buyer  
Davis (KY)

Edwards (TX)  
Linder  
Meeks (NY)  
Mica  
Moran (VA)

Murtha  
Obey  
Schrader  
Stark  
Van Hollen

□ 1411

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. HASTINGS of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 962 and ask for its immediate consideration.