

Polis (CO)	Schauer	Thompson (CA)
Pomeroy	Schiff	Thompson (MS)
Posey	Schmidt	Thompson (PA)
Price (GA)	Schock	Thornberry
Price (NC)	Schrader	Tiahrt
Putnam	Schwartz	Tiberi
Quigley	Scott (GA)	Tierney
Radanovich	Scott (VA)	Titus
Rahall	Sensenbrenner	Tonko
Rangel	Serrano	Towles
Rehberg	Sessions	Tsongas
Reichert	Sestak	Turner
Reyes	Shadegg	Upton
Richardson	Shea-Porter	Van Hollen
Rodriguez	Sherman	Velázquez
Roe (TN)	Shimkus	Visclosky
Rogers (AL)	Shuler	Walden
Rogers (KY)	Shuster	Walz
Rogers (MI)	Simpson	Wamp
Rohrabacher	Sires	Wasserman
Rooney	Skelton	Schultz
Ros-Lehtinen	Slaughter	Waters
Roskam	Smith (NE)	Watson
Ross	Smith (NJ)	Watt
Rothman (NJ)	Smith (WA)	Waxman
Roybal-Allard	Snyder	Weiner
Royce	Souder	Welch
Ruppersberger	Space	Westmoreland
Rush	Speier	Wexler
Ryan (OH)	Spratt	Whitfield
Ryan (WI)	Stearns	Wilson (OH)
Salazar	Stupak	Wilson (SC)
Sánchez, Linda	Sutton	Wittman
T.	Tanner	Wolf
Sanchez, Loretta	Tauscher	Woolsey
Sarbanes	Taylor	Wu
Scalise	Teague	Yarmuth
Schakowsky	Terry	Young (AK)

NOT VOTING—22

Alexander	Harman	Neal (MA)
Barton (TX)	Honda	Poe (TX)
Berkley	Kagen	Smith (TX)
Berman	Kennedy	Stark
Carter	Larson (CT)	Sullivan
Edwards (TX)	Lewis (GA)	Young (FL)
Frank (MA)	Maloney	
Grijalva	McHenry	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1835

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. LARSON of Connecticut. Mr. Speaker, on June 16, 2009, I missed rollcall votes 340, 341, 342, 343, 344, 345, 346, 347 and 349, due to illness. Had I been present, I would have voted "yea" on all.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. Pursuant to House Resolution 544 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2847.

□ 1835

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2847) making appropriations for the Depart-

ments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes, with Mr. ALTMIRE in the chair.

The Clerk read the title of the bill.

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

The gentleman from West Virginia (Mr. MOLLOHAN) and the gentleman from Virginia (Mr. WOLF) each will control 30 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, I rise in regard to H.R. 2847, the legislation appropriating funds for Commerce, Justice, Science, and Related Agencies for 2010.

Mr. Chairman, I yield myself such time as I may consume in general debate.

Mr. Chairman, if this is June, it must be appropriations season, and today I'm pleased to present to the House the first of the appropriations bills for fiscal year 2010, H.R. 2847, the Commerce, Justice, Science, and Related Agencies Appropriation bill.

While the summer may be hot and humid, as is typical in the Nation's Capital, with the assistance of this body, our days and nights need not be long for the House to fully consider this and the other 11 appropriations bills in regular order, or so we hope.

I want to thank the ranking member of this subcommittee with most sincerity for his assistance, help, counsel, and guidance in the development of this bill. Mr. FRANK Wolf of Virginia was chairman of this committee for a number of years, served on it for a great number of years. We served on it together. He brings to this bill a lot of experience and knowledge and that is really helpful as you work up an appropriation bill, and I appreciate, Frank, very much your assistance on the bill and the credibility and knowledge you bring to it.

I also want to thank publicly and personally the chairman of the full committee, Mr. OBEY, for his assistance in developing this bill. Mr. OBEY's courtesy and the assistance of the front office has been very much appreciated, and we also appreciate, Mr. Chairman, the allocation that you've given us for this bill that's allowed us to do what we are allowed to do, however short the allocation may be.

I would also like to sincerely recognize the staff: the excellent work of the clerk, John Blazey, and the leadership he's provided to the rest of the staff, and all of them have done excellent work, which I appreciate: Adrienne Simonson, Dixon Butler, Diana Simpson, Darek Newby, Tracey LaTurner, Scott Sammis, all with the subcommittee; Mike Ringler and John Martens on the minority staff. And then on my personal staff, Sally Moorhead and Julie Aaronson.

It's a lot of work putting together one of these appropriation bills, as anybody who's been involved with it or

close to it understands, and they have worked long hours diligently with great competence to move this bill forward, and I most sincerely thank them for the efforts. We couldn't do this without them.

Mr. Chairman, in brief summary, this bill totals \$64.4 billion, an increase of \$6.7 billion over last year, but it is \$200 million below the President's budget request. The bill provides \$30.6 billion for investments in science, technology, and innovation, an increase of \$1 billion over comparable levels from last year.

Within this level, the bill provides \$6.9 billion for the National Science Foundation and \$18.2 billion for NASA. For NIST, the bill provides \$781.1 million. For NOAA, it's recommended at \$4.6 billion. The committee's recommendation continues to provide resources consistent with the doubling path identified for NSF and NIST in the COMPETES Act. It also considers the science and research conducted at NOAA and at NASA as critical to the Nation's science enterprise just as that performed by NSF and NIST.

For law enforcement and other agencies of the Department of Justice, the bill provides a total of \$27.7 billion. Full funding of \$7.9 billion for the FBI, \$2 billion for the DEA, and \$1.1 billion for ATF.

For the Bureau of Prisons, the bill provides \$6.2 billion to address longstanding critical shortages in corrections' staffing and education, in addition to drug treatment. For State and local law enforcement activities, the bill provides a total of more than \$3.4 billion, restoring, in large part, reductions proposed by the administration.

For programs funded through the Office of Violence Against Women, the bill provides an increase of \$11 million, including a \$10 million increase for STOP Formula Grants, and a \$1 million increase for Sexual Assault Victims Services.

I want to be clear that while the funding table in the report for the Office of Violence Against Women may appear in the report to show a funding decrease, that is only because the bill moves a number of programs to the Office of Justice programs which actually administers those programs.

So, let me repeat, the bill increases funding for the Office of Violence Against Women by \$11 million.

The bill provides a full funding of \$298 million for the COPS hiring program. In other areas within the Justice Department, the bill provides \$325 million—an increase of \$41 million over the fiscal year 2009 level—for the Adam Walsh Act.

With respect to border security, the bill provides \$1.5 billion, a 30 percent increase over fiscal year 2009. These funds will be used to address firearms and narcotics trafficking between the United States and Mexico, an issue on which every Member of this body has concerns, and we're pleased to provide these increases.

□ 1845

For the Second Chance Act, the bill includes a total of \$114 million to develop and implement evidence-based strategies and programs at the Federal and State levels to reduce recidivism and the future costs of incarceration. I want to particularly compliment the authorizing committee for the good job that they have done with the Second Chance Act and other legislation they are considering. We are looking forward and appreciate the opportunity to cooperate with them on the funding side.

A significant initiative across the Department of Justice is increased investments in law enforcement and prosecution efforts in Indian Country, for which the bill provides approximately \$155 million, and that is an increase of \$65 million over fiscal 2009.

For SCAAP, which the President proposed to eliminate, Mr. Chairman, the bill includes \$300 million.

With respect to the Department of Commerce, \$4.6 billion is slated for the National Oceanic and Atmospheric Administration, an increase of \$129 million above the request.

The bill provides \$7.4 million for Census, the same level as the budget request.

For NASA, the bill provides a total of \$18.2 billion, an increase of \$420 million over last year's level. Investments have been made in Earth science to further the decadal surveys. The recommendation, however, acknowledges, and this is important for Members to consider and take note of, that the administration has established a blue ribbon panel, Mr. Chairman, led by Dr. Norm Augustine, to review the current vision for human spaceflight.

Funds are provided in this bill to continue investments in human spaceflight at the level of last year. Reductions from the budget request should not be viewed by this body as any diminution of certainly my support or the committee's support in NASA's human spaceflight activities. Rather, it is a deferral. It is a deferral taken without prejudice. It is a pause. It is a timeout.

Call it what you will, it is an opportunity for the President to establish his vision for human space exploration, looking at the Augustine report when it becomes available in August, and then for his administration to consider what their vision will be, and then, most importantly, certainly for our committee, Mr. Chairman, to come forward with a realistic future funding scheme for the human space exploration program.

We hope it is a vision worthy of the program, and we look forward to realistic funding levels, which we have never had, or haven't had for many, many years, for human spaceflight.

It is also important to note that the total funding contained in this bill for NASA is an increase of \$421 million over the fiscal year 2009 level, and, moreover, some \$1 billion was provided

in the Recovery Act for NASA activities.

Lastly, the bill provides \$440 million for the Legal Services Administration. Appropriations for Legal Services increased by almost \$90 million over the last couple of years, with which we are very pleased. It is still underfunded compared to base years in the nineties. This is indicative of the rising need for legal support for the poor, particularly because of mortgage fraud and the home crisis.

The bill continues the existing limitations, Mr. Chairman, on the use of these funds, except that it lifts the current restrictions on attorney's fees.

Mr. Chairman, that is a brief summary of the bill.

I reserve the balance of my time.

Mr. WOLF. Mr. Chairman, I yield myself such time as I may consume.

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

Mr. WOLF. Mr. Chairman, I am pleased to join our chairman, the gentleman from West Virginia, in beginning consideration of H.R. 2847, making appropriations for fiscal year 2010 for the Departments of Commerce, Justice, Science and related agencies. The bill provides funding for programs whose impact ranges from the safety of people in their homes and communities to the study and exploration of space.

The bill before the House today addresses a number of national needs and requirements, and I think it is important for the RECORD to show that I believe, and I think any fair-minded person would, to say that the chairman has done a commendable job in balancing the many competing interests and has put together a solid bill in a fair and evenhanded way.

At times I have felt the minority has not been treated very, very fair, and I will say with the gentleman, we have been treated very, very fair, and I think it is important to make sure everyone knows that. We have not been foreclosed from anything.

I also want to thank the members of the subcommittee for their help and assistance, including the ranking member of the full committee, Mr. LEWIS, and the Republican members of the subcommittee, Mr. CULBERSON, Mr. ADERHOLT and Mr. BONNER.

I also want to thank the staff on both sides of the aisle who spent long hours in putting this bill and report together. The majority staff: John Blazey, Tracey LaTurner, Dixon Butler, Adrienne Simonson, Diana Simpson, Darek Newby and Scott Sammis. And the minority staff: Mike Ringler and John Martens. And on my staff, Tom Culligan, and on the chairman's staff, Sally Moorhead and Julie Aaronson.

Overall, the bill, as I said, includes important increases to priority programs, including the need to address violent crime, particularly crime related to drug trafficking and gangs; and the need to boost our Nation's competitiveness through more invest-

ments in scientific research and improving science, math in education.

However, I believe we could have met the most pressing needs by prioritizing within the lower allocation. This allocation given to the subcommittee is \$64.8 billion, which is \$6.8 billion or 11.7 percent above 2009. This allocation allows virtually every agency, account and program to grow, and I believe it is more than a sufficient amount to address the highest priority needs.

The rate of increased spending in the bill corresponds with the majority's overall budget blueprint, which increases discretionary spending by \$77 billion over the current fiscal year. Since the other party took control of Congress, nondefense, nonveterans affairs discretionary spending has increased by 85 percent.

This rate of spending does not represent a step toward restoring fiscal balance. There was an article today I think in Reuters mentioning that our Nation, if we continue the current course, will lose our triple A bond rating, it is the earliest date I have ever seen, by 2010. It is 2009 now. That means next year. So how we deal with that is really a tough, but an important, issue.

Some highlights: for the Department of Commerce, the bill includes \$13.85 billion, including an increase of \$4 billion to conduct the 2010 Census.

The chairman has included strong funding for trade enforcement, which I appreciate, particularly with regard to China and the full request for Commerce Department programs to enforce dual-use export controls and respond to cyber-espionage threats.

For the Justice Department, the bill includes \$27.5 billion, \$672 million above the request. The FBI's operating level is funded at the President's request, which is necessary in order to continue current staffing operation levels, which also fund the urgent increases in counterterrorism programs.

Too often we fail to recognize the critical and often dangerous work that the FBI is doing at home and abroad in order to detect and prevent terrorist attacks. This is incredibly important work, and the bill strongly supports those efforts while also providing necessary funding for the FBI to fulfill its traditional roles and address emerging problems such as mortgage and financial fraud, child exploitation, and the spread of violent gangs.

On the gang issue, this bill includes a new \$35 million initiative to fund the FBI's Safe Streets Task Force and ATF Violent Crime Impact Teams. This will fund new task forces and new positions on existing task forces in the areas, which is pretty much the entire country, plagued by gang violence.

The bill increases State and local law enforcement accounts by \$197 million. Despite this increased funding for SCAAP, the State Criminal Alien Assistance Program, the program is reduced to \$300 million from the current level of \$400 million, and the chairman,

appropriately so I think, has drafted an amendment to increase SCAAP that I hope will pass with bipartisan support.

In the area of science, the bill includes important initiatives in science competitiveness. Our country is falling behind. We have about 95,000 engineers working for the space program, and China has about 200,000.

The previous administration launched the American Competitiveness Initiative, which included a commitment to double the funding for basic scientific research over 10 years and also to strengthen education and encourage entrepreneurship. I am pleased that the chairman has done this and also that the new administration embraced this goal.

For the National Science Foundation, the bill provides \$6.9 billion, a 6.9 percent increase above the current year for research that will set the groundwork for the development of new technologies and science education that will ensure we have a well-educated and skilled workforce to improve competitiveness.

For NASA, the bill includes \$18.2 billion. This includes the full request for aeronautics, the shuttle program and the International Space Station, as well as funding above the request for NASA science and education. However, the bill freezes funding at the current level for exploration activities pending the outcome of a blue ribbon panel review of future options.

The result of this cut is a funding level that will not be sufficient to sustain the current development scheduled for the next generation of space exploration vehicles and would result in severe disruption to the Nation's human spaceflight program.

I look forward to the recommendations, as the chairman does, of the review panel being led by Norm Augustine, and to working with the chairman and other Members to ensure that the final bill will include sufficient funds to continue the U.S. leadership role in human spaceflight.

Finally, I want to acknowledge the important language that is included in the bill regarding the release and transfer of Guantanamo detainees. This bill does not prevent the closure of Guantanamo. It seeks only to ensure in the process of carrying out the executive order that national security, the security of our communities and the security of our men and women in uniform overseas are the highest priority.

The bill prohibits the release of any detainees into the United States. It also prohibits transfer to the U.S. for prosecution as well as transfers or release to other countries unless and until the administration presents a comprehensive report to the Congress on the proposed disposition of each individual. This report will detail security risks and measures to mitigate those risks and will include a certification that affected State governments have been notified in advance.

Regarding transfers to other countries, the report must address the risk

of recidivism. Some are going to Saudi Arabia and Yemen. Saudi Arabia has funded many of these radical madrasas up on the Pakistan-Afghan border, and Yemen has been the center of a lot of terrorist activities. The report must address the risks of recidivism and detail the terms of any financial agreements related to the acceptance of the individuals transferred.

The language will ensure that detainees are not released into our communities, and it places important restrictions and conditions on future transfers and releases.

It has become clear in the last few days that the administration is rushing to release and transfer as many of these detainees as possible before the will of Congress to place restrictions can be enacted.

In closing, despite concerns about the overall levels of spending, the bill represents the chairman's best efforts to distribute the allocation he was given to the various competing requirements under the subcommittee's jurisdiction. I commend the chairman and I thank the chairman for his openness and his thoroughness to the minority.

I would say that the chairman held a week of hearings on prison reform. We, unfortunately, have the largest per capita prison population in the world. They were the best hearings that I have seen held in this Congress.

Based on that, and I want to commend Mr. MOLLOHAN, based on that, the Council of Governments and the Pew Foundation will be putting on a major conference this fall that I am sure the chairman will be very much involved in to establish the best practices, because you cannot just put a man or woman in prison and lock them up and throw away the key without any job training and things like that.

There was not a lot of coverage. I don't think The New York Times ever covered the story. I don't think many of the major papers did. But it was the best hearings in the time that I have been here, and I want to thank the chairman for his efforts and concerns. I think a lot of positive things will come out of that.

Lastly, I am pleased to operate under an open rule today, and look forward to the consideration of the many amendments that have been filed and will be urging my Members on this side at final passage to support the bill.

I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I thank the gentleman from Virginia (Mr. WOLF) for those kind comments about our Bureau of Prisons hearings. I would like to comment he was the leader with regard to prison reform and has been for a great number of years. Based upon those hearings, he is the one that contacted the State Council of Governments to encourage them to follow up with their proceedings in the fall. Thank you, Mr. WOLF.

Mr. Chairman, I yield 2 minutes to the distinguished chairman of the full committee, Mr. OBEY.

Mr. OBEY. Mr. Chairman, I yield to the gentlewoman from Ohio for the purpose of colloquy.

Ms. KAPTUR. Mr. Chairman, thank you for discussing with me a matter of great importance to the citizens of the United States.

At the heart of our financial crisis is the housing crisis and at the heart of the housing crisis is mortgage fraud. The FBI redeployed financial special agents in the last decade and have yet to allow the White Collar Crime Division to replace those agents even when it warned the public and the administration in 2004 of the potential for mortgage fraud to become an epidemic. The vast majority of mortgage fraud in fact goes unreported, and thus the depth of mortgage fraud is vastly underestimated.

In the savings and loan investigations of the late eighties and early nineties, approximately 500 FBI agents worked on cases. In February 2009, however, Deputy Director of the FBI John Pistole testified before the Senate stating: "However, today's financial crisis dwarfs the S&L crisis as financial institutions have reduced their assets by more than \$1 trillion related to the current global financial crisis, compared to the estimated \$160 million lost during the S&L crisis."

□ 1900

According to the Department of Justice budget documents, there are currently 175 FBI agents working mortgage fraud and corporate mortgage fraud. That is laughable, given the vast amount of taxpayer dollars still at risk. We know that the FBI Mortgage Fraud Division needs to have an increase in special agents and an increase in the necessary support personnel such as forensic accountants.

I look forward to working with the chairman as the bill moves forward to address this national need.

Mr. OBEY. Let me thank the gentlewoman for her comments on this issue and her steadfast advocacy on behalf of those who are suffering during this economic downturn.

The bill we're considering today continues the process of rebuilding the FBI's mortgage fraud capability by adding 50 new agents and \$25 million to the white-collar crime program. We look forward to working with the gentlewoman to monitor the FBI's progress on mortgage fraud investigations and to ensure as we move through the conference that the Bureau is appropriately resourced and staffed to address a problem of this magnitude.

Ms. KAPTUR. Thank you, Mr. Chairman, for your leadership on this issue and for your leadership on our full committee. I look forward to working with you to bolster the FBI's critical investigative capabilities and deliver justice to the American people through prosecution of those who have perpetrated systemic financial fraud and control fraud, which have brought our Republic to this dangerous juncture.

Mr. WOLF. I yield 5 minutes to the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. Mr. Chairman, I want to sincerely thank Chairman MOLLOHAN, Ranking Member WOLF for the bipartisan manner in which this bill was put together. Mr. MOLLOHAN truly has, and Mr. WOLF, opened up this process to all members of the committee to participate. Majority and minority views are included, and it is, truly, the bill was put together in an open, bipartisan way, which I'm very grateful for.

And I especially also want to thank Chairman OBEY, Mr. LEWIS, Chairman MOLLOHAN and Mr. WOLF for the strong commitment that they have made to invest in the sciences, the National Science Foundation, the scientific work that's being done at NASA and NOAA. The scientific advancement that this Nation makes, and throughout our history, has been one of the most important factors in the advance of America throughout our history. And I'm very, very pleased at the investment the committee is making in scientific research.

However, I do have some serious concerns about the bill's reduction in funding from the budget request for NASA's human spaceflight frame.

Mr. Chairman, if I could engage in a colloquy with you, sir, to ask about the manned spaceflight funding and what the committee, what the country and NASA can expect as this bill moves through the legislative process.

Mr. Chairman, I want to ask if you'd agree that the United States must maintain its world leadership in space exploration, and that, in order to lead the world, America must have a robust human spaceflight program; and also, that NASA's human spaceflight program must have a clearly defined mission, and that Congress and the Obama administration should fully fund that mission. And also, Mr. Chairman, that Congress and NASA should do everything possible to mitigate the 5-year gap between the retirement of the shuttle and the initial operating capability of the next generation of human spaceflight.

And then finally, Mr. Chairman, that the Appropriations Committee, we will all work together in an absolutely bipartisan and open way to fully fund the mission of NASA's manned space program as defined by the Augustine Commission, the Obama administration and this Congress.

Mr. MOLLOHAN. Mr. Chairman, let me thank my colleague, Congressman CULBERSON, who is a fine member of our subcommittee, and who brings particular expertise. As I often say, I aspire to know as much about the sciences as he does and he makes significant contributions to our committee. I thank him for his passion to our committee, and also to our Nation's space programs.

I share the sentiments the gentleman just expressed. I should note that the

bill before the House today does not cut human spaceflight programs in fiscal year 2010; rather, the bill level funds ongoing activities until such time as the Augustine Commission completes its review, and the Obama administration commits to the next generation of human spaceflight.

Mr. CULBERSON. Mr. Chairman, I'm very confident that under the leadership of Chairman MOLLOHAN and Ranking Member WOLF that these proposed reductions from the President's budget request will be reviewed once again after the Augustine report is completed in an announcement from the Obama administration on how to proceed in human spaceflight. We genuinely appreciate the chairman's commitment to fund that recommendation with, of course, the input of the authorizing committee and the Appropriations Committee, because for America to surrender the high ground of space exploration, Mr. Chairman, would be as dangerous today as it would have been for General Meade to surrender the high ground of Little Round Top and Cemetery Hill at the Battle of Gettysburg. If General Meade had surrendered the high ground, I don't think there's any doubt that the United States would have lost the Battle of Gettysburg. And just as certainly as America would be at the mercy of our enemies, in position to lose any future war, if America surrenders the high ground of outer space to other nations.

Mr. OLSON. Will the gentleman yield to me for the purposes of continuing this colloquy?

Mr. CULBERSON. I yield to the gentleman from Texas.

Mr. OLSON. Thank you, Mr. Chairman, for this opportunity to participate in this colloquy with you here today.

This Nation has been the leader in human spaceflight for 50 years, and the decisions we make today will determine whether we will continue to lead in the next 50. And I'm worried that as other nations look at the stars, we're staring at our feet.

The proposed cut in the exploration budget threatens our economic, military and technological standing, and would lead to a loss of up to 4,000 jobs, extend up to 2 years the time needed to fully design and develop the Constellation system, and result in additional cost of up to \$8 billion. Therefore, I have prepared an amendment to restore that funding.

Mr. Chairman, I appreciate your pledge to revisit the funding issues based on the outcome of the Augustine panel, and that if the panel agrees, we will work as a Congress to reassess appropriate funding levels. In light of that commitment, I will not offer my amendment, and look forward to working with you to meet the pressing needs of human spaceflight.

Mr. MOLLOHAN. I appreciate the work of both my colleagues from Texas. I appreciate and agree with the sentiments that they've expressed here

today. I just wish I could have expressed them as eloquently as my colleague and committee member, Mr. CULBERSON, particularly as he alludes to the Civil War. I can think of no comparison to match it. But the sentiment I agree with.

Mr. WOLF. Reclaiming my time, Mr. CULBERSON is definitely the science man. I mean, he is the science guy. It's not debatable, and if we have an amendment, and he also is a Civil War guy too, but he is the science guy.

I yield 2 minutes to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. I would point out, Mr. Chairman, those were Texans that were coming up on Little Round Top against Colonel Chamberlain that day, but I did want to point that out.

But I want to appreciate the subcommittee chairman, my good friend, Alan Mollohan, for the hard work him and his staff have done while drafting this bill. It's not an easy job being the committee chairman, but I know you've done a great job to balance these many priorities.

That being said, I just want to echo my comments, my colleague from Texas, JOHN CULBERSON, in regards to the current level of funding for NASA. And hopefully we can, as you said, we'll work with you to make sure that the \$700 million, which obviously would be devastating to NASA if that cut stayed in, to make sure that we get that money back in the 2010 Commerce, Justice spending as enacted.

As you know, as has been pointed out, the challenges that we have with other countries that are making major investments in space—China, India, Japan, Pakistan, Russia. And certainly we don't live in a world today where we're the only ones involved in outer space.

So I support the chairman and what he's trying to do with the Augustine panel to wait to find out what the report is. But I'm optimistic we'll work this out with our fellow NASA supporters in Congress to provide necessary funding and the rules and tools it needs to realize the agency's human space exploration under President Obama.

And so I would again thank the chairman for your hard work on that.

Mr. MOLLOHAN. I thank the gentleman for his comments, and look forward to working with him on this issue.

Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. CARNEY).

Mr. CARNEY. Mr. Chairman, I rise today to enter into a colloquy with the distinguished chairman of the Subcommittee of Justice-Science, Mr. MOLLOHAN. And I want to thank the chairman for the increased funding in the bill to hire more corrections officers in our Federal prison system, which will allow the Bureau of Prisons to hire an additional 1,000 corrections officers nationwide.

And while I fully support such an increase, I believe we must do more,

given that the director of the Federal prison system has asked for an additional 3,000 correctional officers to effectively run our Nation's prison system.

And by bringing this issue to the floor, I hope to raise the awareness of our colleagues in the House regarding staffing levels at the Federal correction facilities located not just in our districts but in our communities all across the country.

The district that I represent, Pennsylvania's 10th, contains three of the 15 high-security penitentiaries operated by the BOP, in addition to one minimum- and one medium-security facility. Also I represent correction officers from communities working at two minimum- and two medium-security Federal penitentiaries in neighboring districts.

Additionally, we have one of the federal penitentiaries in my district, USP Lewisburg, that is in the process of being converted to a "special management unit," the only one of its kind in the entire system. Lewisburg will house inmates from other penitentiaries who prove too troublesome to manage, but who do not qualify for the ADMAX facility at USP Florence in Colorado.

For various reasons, funding for our Nation's corrections officers has failed to keep pace with increased prison populations and increasingly dangerous prisoners over the last several years.

Mr. Chairman, I understand that you are making every effort to reverse the trend of underfunding the BOP and to assure that communities hosting Federal corrections sites, that they are safe, and the corrections staff working within the walls will be able to work together as this bill moves forward to ensure that the Bureau has the funding it needs to catch up with the staffing needs.

Mr. MOLLOHAN. I thank the gentleman. I appreciate his rising on this important issue, and I appreciate his leadership in supporting increased funding for the Bureau of Prisons.

BOP funding has simply not kept pace, Mr. Chairman, with the rising prison population and the aging BOP infrastructure. The Bureau of Prisons prisoner population is currently 37 percent above the rated capacity for BOP facilities, and the prisoner-to-staff ratio is an appalling 4.9-1. We must begin to turn that around, and this bill takes a big step in that direction. This committee has had this concern for a number of years and has been working diligently to increase this funding.

The bill provides an increase of \$481.5 million above the fiscal year 2009 level for the Bureau of Prisons salaries and expenses, which is \$97.4 million above the administration's request. We added that \$97.4 million to help restore the BOP's base budget, which has been progressively hollowed out in recent years by inadequate budget requests. These additional funds will enable the Bureau of Prisons to hire additional correc-

tional officers and activate two newly constructed prisons.

The CHAIR. The time of the gentleman has expired.

Mr. MOLLOHAN. I yield another 30 seconds to the gentleman.

Mr. CARNEY. Mr. Chairman, I understand that you are making every effort to reverse the trend of BOP funding to ensure that communities hosting correction sites are safe, as are the corrections staff working within the facility walls. I hope that we will be able to work together as the bill moves forward, to ensure that the Bureau has the funding it needs to catch up with staffing needs.

□ 1915

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. I thank the gentleman for yielding.

Mr. Chairman, I guess the biggest problem I have with this bill is that we've been talking about cutting spending and about controlling the budget. So far this year, in the Emergency Economic Stabilization Act, the TARP bill, we've spent \$700 billion. In the Children's Health Reauthorization Act, the State Children's Health Insurance, we've spent \$73.3 billion. In the America Recovery and Reinvestment Act, the stimulus, we've spent \$1.16 trillion. In the February '09 consolidated appropriation, the omnibus bill, we've spent \$625 billion. Now, I understand the necessity of this bill, but it's 11.6 percent higher than, I think, the same bill last year.

The thing that really bothers me is that, I think, you have 80-some pages of earmarks, of pork bill projects, whatever you want to call them, at a time when we're suffering severely economically and at a time when we're spending way, way more money than the American people can afford. We're spending so much money that they're actually, I think, running the printing presses over at Treasury day and night. I can't understand why we're allowing all of these earmarks, many of which have nothing to do with Commerce, Justice and Science.

So I would just like to say that I think this is something that we ought to take a hard look at when we get into the amendments. I wish that we didn't have this kind of a tremendous amount of additional expenses, and I sure wish we didn't have all of these earmarks.

If there is one thing the American people are very concerned about right now it is all of these additional projects, especially at a time when they're suffering at home. People can't afford their houses. They can't afford to take care of their kids' educational needs. There are so many problems the American people have. The unemployment rate is at—what?—9 percent nationally. Here we are with all of these earmarks, and we're spending all of this money that they don't have and that, certainly, the government doesn't have.

Mr. Chairman, I would like to submit for the RECORD a June 16, 2009, document on general funding levels.

To: Congressman Dan Burton
From: Legislative Staff
Date: June 16, 2009
Subject: Talking points

GENERAL FUNDING LEVELS:

The bill provides \$6.7 billion (11.6 percent more than FY 2009 for programs funded under the CJS Appropriations bill.

Agencies funded through the bill received approximately \$16 billion in supplemental appropriations outside the normal FY 2009 appropriations process, the vast majority of which came from the "stimulus" bill.

H.R. 2847 would provide \$13.85 billion for the Department of Commerce, which is an increase of \$4.57 billion, or 49 percent, over FY 2009. The majority of the increase for Commerce is due to a \$4.2 billion increase in spending for the Census Bureau.

The bill provides \$27.74 billion for the Department of Justice, DOJ, which is an increase of \$1.65 billion, or 6.3 percent, above FY 2009.

Funding for science agencies is \$25.1 billion, an increase of \$868 million, or 3.5 percent, above FY 2009.

Spending for other related agencies is \$956 million, which is \$83 million, or 9.5 percent, above FY 2009.

CONSERVATIVE CONCERNS ABOUT THE BILL:

Earmarks: The Report accompanying H.R. 2847 contains \$386 million in funding for approximately 1,100 earmarks, listed on 80, non-searchable pages.

Earmarks in the bill range from: \$180,000 for "Training the Next Generation Weather Forecasters" at San Jose State University; \$1 million for a forensics laboratory in South Carolina; \$100,000 for Tennis, Sports, Literacy and Education Program in New York City

Competitive Bidding Ban: The bill prohibits the Bureau of Prisons from using any funds to enter into a public/private contract under the OMB Circular A-76, which requires private contractors to compete for Federal money to ensure that the U.S. receives maximum value for tax dollars.

Matching Funds Waived: The appropriation grants the Attorney General, AG, authority to waive a legislatively mandated requirement that Federal grants for prisoner re-entry programs under the Second Chance Act be matched by State or local funds.

Mr. MOLLOHAN. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. KOSMAS).

Ms. KOSMAS. Mr. Chairman, I would now like to enter into a colloquy with Mr. MOLLOHAN.

Mr. MOLLOHAN. Mr. Chairman, I would be glad to enter into a colloquy with the gentlewoman from Florida.

Ms. KOSMAS. Mr. Chairman, I would like to clarify a point in the committee report related to the space shuttle program.

It is my understanding that the committee's position relative to the retirement of the space shuttle is consistent with NASA's testimony and the administration's position that there is no hard date on shuttle retirement. This position that the space shuttle will fly until it completes its current manifest, even if it runs beyond 2010, has also been supported by this Congress, as demonstrated by the inclusion in this year's congressional budget resolution of shuttle funding in fiscal year 2011.

We also expect the administration to fund the fly-out of the shuttle when it submits its fiscal year 2011 budget request.

I hope you can clarify whether this is the committee's position as well.

Mr. MOLLOHAN. The gentlewoman is correct. That is the committee's position.

Ms. KOSMAS. I thank you, Mr. Chairman, for this consideration.

Mr. Chairman, I also rise to express my concern with the level of funding for NASA contained in the bill.

The CHAIR. The time of the gentlewoman has expired.

Mr. MOLLOHAN. Mr. Chairman, I yield another 30 seconds to the gentlewoman from Florida.

Ms. KOSMAS. According to preliminary estimates, the funding included in the bill for exploration could cause additional delays of up to 2 years and could increase the cost up to \$8 billion. These levels will also mean a greater reliance on Russia, a loss of our highly skilled workforce, and it could create a situation that could be detrimental to over 1,500 businesses that supply NASA and commercialized spinoff technologies. This level would result in thousands of layoffs in 2010. This will only exacerbate the challenges related to retaining our uniquely skilled workforce, many of whom are already working on both shuttle and exploration.

So we must recognize that the investments in NASA have large multiplier effects, contributing \$100 billion to our economy last year and employing nearly 300,000 people in 41 States.

Thank you, Mr. Chairman, for your consideration.

Mr. MOLLOHAN. I thank the gentlewoman.

Mr. WOLF. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. HALL), the ranking member on the Science and Technology Committee.

Mr. HALL of Texas. Mr. Chairman, at this time of economic turmoil and of growing international technological competitiveness, it seems to me that America should be funding those things that advance our capabilities and that increase our standing in the world.

As ranking member of the House Science and Technology Committee, I've always felt that NASA has done more to advance America's technological leadership than any other Federal agency, and this bill presently reduces NASA's funding in human spaceflight at a very critical time.

The House Appropriations' reduction of \$670 million in exploration systems represents a reduction of 17 percent from the President's FY 2010 budget request. With NASA on a path to retire the space shuttle after only eight more flights, America needs to rapidly develop the next generation of spacecraft. The \$670 million reduction would have prevented NASA from completing the Constellation system before March 2015. In fact, because this reduction would occur in the peak design year when staffing is at its highest, NASA

estimates that the work stoppages, inefficiencies and loss of key skills and capabilities would delay the Constellation program by as much as 2 years from that time.

Moreover, the cut in exploration funding would increase costs by as much as \$8 billion to the program, and it would reduce the Constellation workforce by more than 20 percent in 2010, or by approximately 4,000 contractors, mostly from the existing workforce.

During this gap in human spaceflight capability, America must buy seats from the Russians to get to the International Space Station and fulfill our obligations to our international partners.

I am really encouraged that Chairman MOLLOHAN, though, and Ranking Member FRANK WOLF are working to mitigate this loss. I am grateful to them, and I thank them both for the colloquy.

Mr. MOLLOHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama (Mr. GRIFFITH).

Mr. GRIFFITH. Mr. Chairman, I rise to enter into a 2-minute colloquy with the chairman.

Thank you, Mr. Chairman, for allowing me.

I rise from Alabama's 5th District, the birthplace of NASA and of the space program. I, too, am concerned, but I appreciate very much the hard work the chairman and Ranking Member WOLF have entered into in trying to preserve the NASA budget. However, the decrease in funding is of some concern to us.

The Aries 1 and the Aries 5 will represent what the Saturn was to us 50 years ago with spaceflight and in putting a man on the Moon. This is not just a matter of jobs; it's a matter of international security and of national pride. I believe, after the Augustine Commission is done, we'll find that the NASA program is underfunded and that the funding will return to a level that will put us on the Moon in 2020 and that will return us to manned spaceflight in 2015.

Mr. MOLLOHAN. Let me just say that I appreciate my colleague's comments this afternoon.

Mr. Chairman, let me first note that the bill before the House today does not actually cut human spaceflight programs in fiscal year 2010. Rather, the bill level funds ongoing activities until such time as the Augustine Commission completes its review and the Obama administration commits to the next generation of human spaceflight. In fact, the total in the bill before the House today provides an increase of over \$420 million over the fiscal year 2009-enacted level across all NASA activities and programs.

We're talking only about the human spaceflight program here. I believe that the Augustine panel is well-positioned to make an informed review of planned U.S. human spaceflight activities and alternatives to ensure that the

Nation is undertaking efforts that are safe, innovative, affordable, and sustainable in the years following the completion of space shuttle manifests and its retirement.

When that panel provides its information, its informed judgment, to us and to our new President and when we have had an opportunity to embrace the Nation's next human spaceflight program and to budget accordingly, we look forward to moving forward.

The CHAIR. The gentleman's time has expired.

Mr. GRIFFITH. I appreciate those comments.

Mr. Chairman, we will certainly work hand in hand with the committee.

I will say one final thing, which is that the human spaceflight community—the scientists who are involved in that—is a culture, and that culture cannot be interrupted and put back together again as though it were a puzzle.

So I appreciate so much your efforts, and I appreciate the wording in this bill. Thank you for allowing me to enter into a colloquy with you.

Mr. MOLLOHAN. I thank the gentleman with those assurances, too.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. POSEY), who represents Cape Canaveral, who worked on the Apollo, who helped put the first man on the Moon, and who is a strong advocate for NASA and for the space program. He has advocated and has talked to me over and over about this.

Mr. POSEY. Thank you, Congressman WOLF, for that kind introduction.

Mr. Chairman, I just want to take a brief moment and thank Chairman MOLLOHAN and Ranking Member WOLF for their bipartisan commitment to fully fund America's manned space program.

Of course, I want to thank Chairman OBEY and Ranking Member LEWIS for bringing this bill to the floor and for allowing this process to work like it is supposed to.

The security of our great Nation and of the world will be enhanced because of their efforts to provide our country and the world with vehicles for our future Christopher Columbus, Magellans and Marco Polos.

Mr. MOLLOHAN. Mr. Chairman, I yield 2½ minutes to the gentlewoman from Arizona, Chairwoman GIFFORDS.

Ms. GIFFORDS. I rise for the purpose of a colloquy with the subcommittee chairman.

Mr. Chairman, I am deeply concerned about the reductions from the request recommended for the NASA Constellation program in this appropriations bill. As you know, this bill provides the same level of funding as in the year 2009, and it's almost \$600 million less than what the President requested for 2010.

As the Chair of the Space and Aeronautics Subcommittee, I strongly believe that NASA should be given the funding needed to carry out one of the

most important missions, which is exploration. I am very concerned that the levels obtained in this bill will be viewed by the Augustine Human Spaceflight Review Panel as a lack of support for Constellation and for NASA's other human spaceflight programs, programs that have been strongly endorsed, as we've heard by the colloquies here on the floor, on a bipartisan basis in last year's NASA Authorization Act of 2008.

So Chairman MOLLOHAN, is it your view that the Augustine panel should not interpret the House's action today as any weakening of congressional support for the Nation's human spaceflight and exploration programs?

Mr. MOLLOHAN. That is absolutely correct.

The funding deferral does not signify any weakening of the committee's support for human spaceflight and exploration. I would also direct the attention of my colleague to the bill's accompanying report that states this very fact.

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And if I could find it here quickly, I would read it for her.

Ms. GIFFORDS. Mr. Chairman, let me continue, and when you find that—

Mr. MOLLOHAN. And I did find it. At page 146 of that report, I would refer the gentlelady to read a pertinent part. "Accordingly, after the work of the panel is complete"—that's the Augustine Panel—"the committee expects the administration will amend its fiscal year 2010 budget request to fund fully the plan advocated by the panel, and that the administration's subsequent budget request shall similarly include resources that fund fully the Nation's Human Space Flight Program." That's in our report. And I am pleased to reaffirm that here tonight with the gentlelady with this colloquy and with the others that we've had colloquy.

Ms. GIFFORDS. Thank you, Mr. Chairman.

In addition, do you agree that it's imperative that the President—

The CHAIR. The time of the gentlewoman has expired.

Mr. MOLLOHAN. I yield the gentlelady 1 additional minute.

Ms. GIFFORDS.—and Congress provide the appropriate resources that we can avoid cost increases and further delays in the initial operating capabilities of our Nation's next generation of human space flight architecture?

Mr. MOLLOHAN. Yes, I do. And I stated as much at the subcommittee markup of this legislation. Again, I would turn my colleague's attention to the accompanying report where these sentiments are also expressed.

Ms. GIFFORDS. And finally, do you agree with me that the Augustine Panel should not be bound by arbitrary OMB budgetary projections as it develops its best advice to the President and Congress on the future conduct of the Nation's Human Space Flight Program?

Mr. MOLLOHAN. I believe that the Augustine Panel is well positioned to make an informed review of planned U.S. human space flight activities and alternatives to ensure that the Nation is undertaking efforts that are safe, innovative, affordable and sustainable in the years following the completion of the space station manifest and retirement. And when that panel provides its informed judgment to us and the President and we are able to evaluate it, our new President and our authorizers will have a chance to look at it and act on it, our new President—and we—will have an opportunity to move forward together on our Nation's future human space flight program and budget accordingly.

Ms. GIFFORDS. Thank you, Mr. Chairman. As we've heard tonight, not only is manned spaceflight strongly bipartisan, but it truly represents the best that our civilization has ever achieved.

Mr. MOLLOHAN. The gentlelady, among these other colleagues, is a champion of the program. Thank you.

The CHAIR. Both sides have 8½ minutes remaining.

Mr. MOLLOHAN. I yield 2 minutes to the gentlelady from Maryland (Ms. EDWARDS).

Ms. EDWARDS of Maryland. I rise to engage in a colloquy with you, Mr. Chairman, regarding the Commerce, Justice, Science and related agencies programs.

Mr. Chairman, as a long-time advocate for prevention of violence against women, I know that Federal funding is really essential to ensuring that victims of violence, especially in rural or underserved areas, have access to life-saving programs and resources. There are several programs that assist victims of domestic violence in need of funding, including programs aimed at curtailing abuse in public and assisted housing, establishing privacy for victims, and providing outreach to underserved populations.

According to the National Network to End Domestic Violence, poverty and lack of education contribute to the economic dependency that keeps many women dependent on their abusers for financial support. Especially in these challenging economic times, though, as you recognize, domestic violence doesn't discriminate on the basis of race, ethnicity, economic status, or party identification.

In 2005, Mr. Chairman, there were 34 domestic violence-related homicides in your home State of West Virginia. And in my State of Maryland, in my congressional district, in fact, in just 1 year, from July 1, 2007 until June 30, 2008, there were 11 domestic violence-related homicides just outside of the District of Columbia in Prince George's and Montgomery County, totaling 16 domestic violence homicides in my congressional district in that short time.

Our communities need this increased funding in order to save lives, and fi-

nancial support for the programs really is a matter of life and death. And so, Chairman MOLLOHAN, I appreciate the funding increase already provided in the bill, and I urge you to maintain this funding and to possibly increase it because of the need.

Ending domestic violence really requires, as you know, a collective commitment for law enforcement, prosecution, training, outreach, education, and of course shelters and programs as you have provided for in this legislation. And so I would appreciate increased funding for these programs as we work together in the future.

Mr. MOLLOHAN. Let me first commend the gentlelady for her good work in this area in the short time she has been in the United States Congress and for her input into our subcommittee, which has certainly influenced our markup of the bill in this important area.

I thank the gentlelady for her comments. And I appreciate her support and commitment to programs funded through the Office of Violence Against Women.

Ms. EDWARDS of Maryland. Thank you, Mr. Chairman.

Mr. WOLF. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. PRICE).

Mr. PRICE of Georgia. I want to thank my friend from Virginia for his leadership on this issue and his attempts to promote fiscal responsibility and raise some significant concerns just in general about this piece of legislation.

The fact of the matter is that the rule that was adopted by this House to consider this bill in fact waives rules that are supposed to keep us fiscally responsible. So it waives rules that say that you have to have appropriate information about earmarks, and it waives rules to say that the PAYGO rule, that things have to be paid for, that we're not going to drive the Nation further into debt and deficit with the adoption of this.

Now, waiving a rule means that you don't follow it. And we don't follow it to such a huge degree in the area of earmarks that I have here the list of earmarks. And they go on, Mr. Chairman, for page after page after page after page in what I think is probably about six font. So it's pretty small. And there are thousands of them, literally thousands.

The question becomes whether or not anybody in Washington is listening to the concerns of the American people. And their concern that I hear every weekend when I go home and every day when I talk to my constituents and folks from around this land is that they don't believe that Washington is being fiscally responsible. They see bailout after bailout, they see expenditure after expenditure, they see bill after bill of more money going out the door and not money coming in, more things being done to depress the economy than to improve the economy.

And so, Mr. Chairman, it is with great concern that I believe we are launching into this appropriation season, having started the process by setting the precedent that thousands and thousands of earmarks are appropriate and that we are not going to worry about whether or not we pay for the bill itself.

So I think that we all ought to listen to our constituents and take pause and think about the issues with which we're dealing here and attempt to be more responsible with the hard-earned taxpayer money.

I thank my good friend from Virginia.

Mr. MOLLOHAN. Mr. Chairman, I yield 2 minutes to the gentlelady from Arizona (Mrs. KIRKPATRICK).

Mrs. KIRKPATRICK of Arizona. Mr. Chairman, before coming to Congress, I was a prosecutor in Coconino County, home to five Native American tribes. Many people do not realize that for many classes of serious crimes committed on tribal land, prosecution can only be initiated by the Federal Government.

Today, I represent 11 federally recognized tribes in my congressional district. I hear frequently from these communities who have seen major crimes going unprosecuted because the Federal Government is not providing enough help. This is why I have advocated for more Federal support for tribal law enforcement. These areas have always been vastly underserved by the government, and it is time we begin closing the gap.

Therefore, I am very happy to see that this bill directs \$6 million to hire new assistant U.S. Attorneys who will be devoted to handling cases coming from tribal areas. This should provide dozens more prosecutors and will result in a huge increase in prosecuting major crimes in Native American communities all across the country.

Increasing the number of prosecutions will also reduce the level of narcotics flowing through many Southwestern tribal lands, providing an important step in closing a jurisdictional loophole that cartels have been using to their advantage.

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

Mr. MOLLOHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut (Mr. MURPHY).

Mr. MURPHY of Connecticut. Thank you very much, Mr. Chairman.

I rise in support of the bill, but to encourage the committee and this Congress moving forward to better address the issue of gaps in our missing persons database system. On August 24, a 31-year-old resident of my district, Billy Smolinsky, went missing. Sadly, foul play is suspected. And to this day, his parents, Janice and Bill, still don't know what happened to their son. What they found out, when they tried to go online to find databases that helped identify remains that had been found and missing adults, was that

there is no central repository of information, and the databases that do exist don't communicate with each other. In fact, up until 2 years ago, there wasn't even a database that was open to the public, there were only databases that were available to private law enforcement.

Today, we have the Name Us database, which is available to individuals and families who are looking to try and find this kind of information, and yet it doesn't have enough information. The private databases that are run by the FBI don't communicate with these public databases.

And so I come to the floor this evening simply to encourage my colleagues in appropriations bills going forward to make sure that we look to appropriating funds to allow for this kind of transfer of information to make sure that families like the Smolinskys all across this country have access to the best and most accurate information possible to try to press their cases going forward.

I understand that there are legitimate privacy concerns regarding what kind of information the FBI might share with this public database, but I think that we can solve those problems and create a much more comprehensive public database for families going forward. I look forward to that conversation in coming appropriations bills.

Mr. MOLLOHAN. Mr. Chairman, would the Chair be kind enough to let both sides know how much time they have remaining, respectively?

The CHAIR. The gentleman from West Virginia has 3 minutes remaining. The gentleman from Virginia has 6 minutes remaining.

Mr. MOLLOHAN. Mr. Chairman, at this time, I yield 1 minute to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. Mr. Chairman, I would like to congratulate Chairman MOLLOHAN and his staff for their hard work on H.R. 2847.

I feel it is necessary, however, to highlight what I feel is an egregious error on the part of the U.S. Census Bureau, the misrepresentation of data collected in the lesbian, gay, bisexual and transgender community.

Last month, I, along with 51 of my colleagues, sent a letter to the Director of Office of Management and Budget, Peter Orszag, expressing concern over the U.S. Census Bureau's intention to continue altering data of same-sex married couples in the reporting of the 2010 census.

With same-sex marriage now legal in Connecticut, Massachusetts, Iowa, Vermont, New Hampshire, and Maine, it is crucial to accurately represent the collection of data for same-sex married couples. Currently, if same-sex married couples in these States list themselves as married, the U.S. Census Bureau will go back and manually alter the data.

The U.S. Census Bureau was created to collect data and provide the American public with accurate reporting on

the population, not to collect data and then alter it based on political decisions. I hope the Obama administration will reconsider this policy and direct the Department of Commerce to provide the American public with an accurate representation of LGBT families in the U.S. census.

Mr. MOLLOHAN. Mr. Chairman, I yield 1 minute to the gentlelady from Texas (Ms. SHEILA JACKSON-LEE).

Ms. JACKSON-LEE of Texas. I thank the distinguished chairman and I thank the ranking member for their collaboration on this appropriation. This is a very difficult challenge dealing with issues of commerce, science and justice.

Mr. Chairman, I have listened to the debate going forward dealing with the President's mark in the NASA space exploration, which was \$400 million more than the House mark, and would only offer my support for the continuing statements that have been made on the floor of the House, hoping that we will have an opportunity to reimburse those dollars to be able to provide for space exploration, particularly as relates to the Constellation, the CEV vehicle, and to be able to achieve the goals that we need to achieve with respect to the international space station.

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I would hope that the Augustine report would not be impacted by this particular mark. And I know that there has been a lot of hard work. I obviously intended to offer an amendment. I will look forward to discussing this further with the chairman as we move forward into this section so that we'll have an opportunity to discuss possibly my amendment and the idea of working to lay a mark, if you will, for the idea that space exploration, the international space station, all are linked together, and it is valuable for this Nation that we continue to be on the cutting edge of science and provide the support we need for human space flight.

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

Mr. WOLF. Mr. Chairman, in closing, as we look at this bill, I know there is going to be a series of amendments at different times, and I think a lot of the amendments that will be offered will be from Members who are very sincerely concerned about the economic crisis that our country faces. There was an article today in Reuters. Let me read it to the Members here. It says:

"New York Reuters: Technical analyst Robert Prechter on Monday said he sees the United States losing its top AAA credit rating by the end of 2010, as he stuck by a deeply bearish outlook on the U.S. economy and stock market.

"Prechter, known for predicting the 1987 stock market crash, joins a growing group of market heavyweights in forecasting the United States will lose its top credit rating as the government

issues trillions of dollars in debt to fund efforts to bail out the economy.

“Fears about the long-term vulnerability of the prized U.S. credit rating came to the fore after Standard & Poor’s in May lowered its outlook on Britain, threatening the U.K.’s top AAA rating. That move raised fears that the United States could face a similar risk, with the hefty amounts of government debt issued in both countries to pay for financial rescues causing budget deficits to swell.”

So as Members offer these, I would just say there are some things there that are important in the country. We have got to get control of spending. But in other areas, our country is facing a crisis—in the area of science. Last year China and India graduated 700,000 engineers, and we only graduated 70,000, and 40 percent of our engineers are foreign students who are returning to their country.

And, lastly, in the space program, we have 95,000 engineers working on the space program. But China has 200,000. And unless we do some fairly dramatic things, our factories will close and we will lose the edge in science and engineering. So we need to gain control of the entitlement spending, and I hope to be able to offer an amendment to the Financial Services bill. I’m going to offer an amendment that sets up a bipartisan commission to put every spending program on the table, every spending program in the government on the table, and give that bipartisan commission an opportunity to then go around the country holding public hearings, but to send a proposal up to Congress and require the Congress to vote on it.

So I understand the frustration of many of the Members when they see this Congress failing to address the fundamental issues of spending in the Congress. And we also have the trustee’s report showing that the Social Security system is beginning to go bankrupt faster, the Medicare system is going to go bankrupt faster, and young people have no confidence and believe that the Social Security system is not sound.

We have a moral obligation to deal with that, and I hope that Congress will.

With that, Mr. Chairman, I yield back the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I have no further requests for time in general debate. Let me again reiterate my appreciation to the committee, subcommittee, and ranking member in marking up this bill. And we look to proceeding through amendments at this time.

Mr. EHLERS. Mr. Chair, thank you, Chairman MOLLOHAN and Ranking Member WOLF, for the opportunity to offer remarks on the fiscal year 2010 Commerce, Justice and Science Appropriations bill. I appreciate your hard work and dedication bringing this important funding legislation to the floor.

As Ranking Member of the Subcommittee on Research and Science Education and as a

member of the House Committee on Science and Technology, I work with my colleagues to support and strengthen several agencies of great importance to our nation’s technological innovation capacity. The core of that capacity depends on basic scientific research, and a vigorous research base is crucial to our national economic security. Coupled with that research base is research in education supported by the National Science Foundation (NSF).

I am pleased that this legislation has essentially supported the President’s overall requested budget for the National Science Foundation, an agency which has great significance to our federal research endeavors. However, I do have some concerns about the science, technology, engineering and math (collectively, STEM) education funding provided for the NSF within this year’s spending bill.

In late April, the President announced “. . . a renewed commitment to education in mathematics and science, since we know that the progress and prosperity of future generations will depend on what we do now to educate the next generation.” I support this commitment, but am troubled that somehow the education directorate budget at the NSF is not keeping pace with the budgets of the research directorates. While the overall research budget of the NSF will receive a 9 percent increase in this year’s funding bill, the education budget will only increase by 2 percent.

Congress, economists, and scientists have consistently maintained that the NSF’s research and educational missions must be treated as co-equal and core missions of the Foundation. Enhancing our research competitiveness in scientific fields while neglecting the educational component of such research will cripple our ability to succeed as an innovative nation.

I want to recognize that both the budgets for research and education at the National Science Foundation are increasing in this budget, and I greatly appreciate the work of the Committee in supporting both activities. I simply want to emphasize that both of these endeavors are equally critical to the competitiveness of our nation, and research and education should be treated as parallel—and equally worthy entities—at the National Science Foundation.

I look forward to working with you on the NSF research and education funding, and, again, thank you for your dedication to improving our nation’s research enterprise.

Mr. ADERHOLT. Mr. Chair, I would like to associate myself with the comments by Mr. CULBERSON and many others about NASA’s Exploration budget and the Constellation programs. I believe it is very important to National Security and to many science related efforts for us to aggressively move forward with our own launch capability and exploration efforts.

While I value international cooperation, it is very important that we not have to depend on other nations for access to space. The Ares and Orion programs have made progress, and we should accelerate them.

I look forward to hearing the results of the Augustine Panel. It is important that Congress take decisive action with regard to funding Exploration in this Fiscal Year 2010 budget. I look forward to working with my friends and colleagues, Chairman MOLLOHAN and Ranking Member WOLF, in the coming weeks.

Mr. TOWNS. Mr. Chair, I thank the chair, and I’d like to thank the gentleman/gentlelady for yielding.

The Committee on Oversight and Government Reform has been conducting extensive oversight of the Census Bureau and its preparations for the 2010 census. We have identified many things that are working, along with many areas that need remedial action. However, it is critical that if these problems are to be fixed in time for the start of the census less than one year away, the census needs sufficient funding.

This bill includes a cut of \$206 million dollars to the Census Bureau at the worst possible time. I strongly oppose these cuts, and any amendments that would divert money from the census. The Census Bureau needs these funds in order to improve response rates in areas that have been undercounted for many years. To cut money now on preparation and outreach would do nothing but increase the costs to count nonrespondents next year.

And let me just say, I’ve heard a lot from my colleagues and my constituents on this issue. My district in Brooklyn and other urban areas in general have suffered from undercounts over the last few decades, and we do not want to see this happen again next year. The Bureau has promised to address the problems with undercounting in urban communities and other areas, but we cannot expect them to fix their problems in 2010 if we cut their funding here today.

This cut would be devastating to outreach and education efforts and very costly in the long run. The Bureau estimates that a one-percent decrease in the mail response rate will add between \$80 and \$90 million to the cost of the follow up operations.

I urge my colleagues to support full funding for the Census Bureau and oppose all amendments that would take funds from this effort to accurately count all Americans.

Mr. MOLLOHAN. Mr. Chairman, I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

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

No amendment to the bill may be offered except those received for printing in the portion of the CONGRESSIONAL RECORD designated for that purpose in a daily issue dated June 15, 2009, or earlier, and pro forma amendments for the purpose of debate. Each amendment may be offered only by the Member who submitted it to be printed, or his or her designee, and shall be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 2847

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

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2010, and for other purposes, namely:

TITLE I

DEPARTMENT OF COMMERCE
INTERNATIONAL TRADE ADMINISTRATION
OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to 44 U.S.C. 3702 and 3703; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the International Trade Administration between two points abroad, without regard to 49 U.S.C. 40118; employment of Americans and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed \$327,000 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed \$45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, \$444,504,000, to remain available until September 30, 2011, of which \$9,439,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding 31 U.S.C. 3302: *Provided*, That not less than \$7,000,000 shall be for the Office of China Compliance, and not less than \$4,400,000 shall be for the China Countervailing Duty Group: *Provided further*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities without regard to section 5412 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4912); and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities: *Provided further*, That negotiations shall be conducted within the World Trade Organization to recognize the right of members to distribute monies collected from antidumping and countervailing duties: *Provided further*, That negotiations shall be conducted within the World Trade Organization consistent with the negotiating objectives contained in the Trade Act of 2002, Public Law 107-210: *Provided further*, That within the amounts appropriated, \$3,715,000 shall be used for the projects, and in the amounts, specified in the table titled "Congressionally-designate items" in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

AMENDMENT NO. 11 OFFERED BY MR. MOLLOHAN

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. MOLLOHAN:

Page 3, line 4, after the dollar amount, insert "(reduced by \$100,000)".

Page 23, lines 18 and 19, after each dollar amount, insert "(reduced by \$21,132,000)".

Page 45, lines 1, 4, and 13, after each dollar amount, insert "(reduced by \$78,768,000)".

Page 47, line 22, after the dollar amount, insert "(increased by \$100,000,000)".

Page 48, line 17, after the dollar amount, insert "(increased by \$100,000,000)".

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I rise to offer an amendment. I'm offering this amendment on behalf of Mr. HONDA, Mr. CALVERT, Mr. SCHIFF, Mr. LEWIS of California, Mr. EDWARDS, Mr. CULBERSON, Ms. LINDA T. SANCHEZ of California, Mr. DREIER, Mr. MITCHELL, Mr. GARY G. MILLER of California, Ms. GIFFORDS, Mr. MCCAUL, Mrs. KIRKPATRICK of Arizona, Mr. CONNOLLY of Virginia, and Mr. MARSHALL.

This amendment would provide an additional \$100 million, Mr. Chairman, for the State Criminal Alien Assistance Program, restoring it to the fiscal year 2009 funding level of \$400 million.

Mr. Chairman, the current administration and the predecessor administrations have in turn each year proposed elimination of the SCAAP program. And since our allocation is \$200 million below the administration's request, it is difficult to restore moneys such as to the SCAAP program to \$300 million in the subcommittee mark. When the administration requests zero and then you have to fill that hole, that makes a tremendous strain on the other accounts in the bill.

I opposed the SCAAP amendment during committee consideration of this bill largely because it would have unadvisedly used the Bureau of Census as an offset. We are in the final year, final months of preparing for a census that's just a year away, and this is not any time to take money away from the Census. We have overcome hurdles in the Census and challenges as a result of some mismanagement with regard to census preparation. We are on track now. And this is not the time, given this short period before we have to conduct the census, to take money away from the Census, so we opposed it.

However, I am aware that there is considerable support, as reflected by the number of our colleagues who want to be cosponsors on this amendment here today. There is tremendous broad-based support in the body for the SCAAP program. It is supported by many Members; so I offer this amendment in recognition of that support.

Mr. HONDA is a member of the subcommittee and a cosponsor of this amendment, and he has been particularly persuasive about the need to restore SCAAP funding to the level that this amendment would bring it to.

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

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

The CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. HONDA. Mr. Chairman, I rise to support strongly the issue of SCAAP.

I come from the State of California, where the financial situation is very grave, and help in this manner would be tremendous for the State of Cali-

fornia and I suspect for the other States that have these kinds of problems too.

Mr. DREIER. Mr. Chair, I rise in strong support of Mr. MOLLOHAN's amendment, of which I am a co-sponsor, to increase funds for the State Criminal Alien Assistance Program (SCAAP). I'm pleased that we were able to work in a bipartisan manner to increase SCAAP by \$100 million, from \$300 million to \$400 million. Representatives LEWIS, HONDA, CALVERT, SCHIFF, EDWARDS, CULBERSON, LINDA SANCHEZ, MITCHELL, GARY MILLER, GIFFORDS, MCCAUL and KIRKPATRICK all provided valuable input and support to make this happen.

Securing our nation's borders is the responsibility of the federal government. Congress has consistently legislated that the federal government must either take criminal aliens into federal custody or reach an agreement to compensate state and local jurisdictions for their incarceration.

The cost of jailing criminal illegal immigrants has placed an enormous cost on all of our states and local governments. My state of California, in particular, shoulders the greatest burden of illegal immigration, and has received over \$2.5 billion in SCAAP funds since the inception of the program, representing 42 percent of nationwide SCAAP awards.

Los Angeles County and San Bernardino County, which I represent, receive only a fraction of what they spend to jail criminal illegal immigrants. According to Los Angeles County Sheriff Lee Baca, incarcerating illegal aliens costs the County \$100 million per year. And according to San Bernardino County Sheriff Rod Hoops, jailing illegal immigrants costs the County \$24 million per year. Yet last year, Los Angeles and San Bernardino Counties only received \$14 million and \$2.3 million, respectively. In fact, since 2000, Los Angeles County has received \$159 million in SCAAP funds and San Bernardino County has been awarded \$6.7 million. In nine years, Los Angeles County was reimbursed an amount equal to what it spends on jailing criminal illegal immigrants in just a year and a half, while San Bernardino County received SCAAP funds equal to what it spends in less than half a year.

While the underlying bill provides \$300 million for SCAAP, this is still \$100 million less than we provided last year. At a time when our state and local governments are feeling the financial crunch, they should not be forced to continue to shoulder what is a federal responsibility. This amendment will add \$100 million to SCAAP, restoring the program to its 2009 level of \$400 million.

Mr. Chair, I urge my colleagues to vote in favor of this amendment.

Mr. MITCHELL. Mr. Chair, I rise today in support of our amendment to block the proposed 25 percent cut to the State Criminal Alien Assistance Program, otherwise known as "SCAAP".

SCAAP was created in 1994 to reimburse states and localities for the arrest, incarceration and transportation of undocumented immigrants who commit crimes in our communities.

Immigration enforcement is supposed to be a federal responsibility, but as any Arizonan can tell you, the federal government has yet to meet them.

When State and local governments are forced to step-in and do the federal government's job, it is only fair that they be reimbursed.

Last year, the Arizona Department of Corrections received \$12.8 million from the federal government to house 5,600 criminal illegal immigrants in our state prisons. That was only 10 percent of the \$124 million Arizona spent to house illegal inmates that year.

Currently, Arizona's state prisons hold 6,100 illegal immigrants, nearly 15 percent of the total inmate population.

The Arizona Department of Corrections estimates that it will spend \$128 million in 2009 to clothe, feed and provide medical care to illegal immigrant inmates.

Instead of boosting funding to help pay the actual expense imposed on states like Arizona, however, the Fiscal Year 2010 Commerce Justice Science Appropriations bill cut SCAAP funding by 25 percent.

This is just plain wrong.

That is why I am proud today to join with my colleagues, from both sides of the aisle, to offer this amendment to restore full funding for SCAAP.

If we are serious about immigration enforcement, we need to reimburse Arizona—and other states that bear brunt of our nation's broken immigration policy—for keeping criminal illegal immigrants behind bars.

I want to thank Chairman MOLLOHAN for his leadership on this issue, and his willingness to listen to so many of us from the southwest who know how critical this program is to our nation's immigration enforcement efforts. Mr. Chair.

I urge all my colleagues to vote for this amendment.

Mr. HONDA. Mr. Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from West Virginia (Mr. MOLLOHAN).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. SCHOCK

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. SCHOCK:
Page 3, line 4, after the dollar amount, insert "(increased by \$500,000)".

Page 7, line 5, after the dollar amount, insert "(reduced by \$500,000)".

The CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SCHOCK. Mr. Chairman, I rise today in support of amendment No. 8, which seeks to transfer \$500,000 from the Census salary and expenses to the International Trade Administration.

The intent of this amendment is to dedicate funding for the International Trade Administration to conduct a study on the economic impact, including the loss of U.S. jobs, due to the failure of this body to pass the Colombian Free Trade Agreement. My intent is to have the ITA submit this study to Congress no later than 60 days after the date of this enactment.

For more than a year now, Congress has left an agreement sitting in our collective "in box" which will result in

more good-paying manufacturing jobs for all Americans. And I, for one, want to know the price of this neglect.

Now, I understand that not everybody in this body or this Chamber shares my view. I know there are those who believe that the Colombian Free Trade Agreement will, in essence, result in the loss of American jobs. And to these Members, I would say vote for my amendment. If you are right, my amendment will prove that and the study subsequently will prove that. Please have the confidence in your convictions that I have in mine and vote for this amendment, and we'll see which of the two sides is correct.

I recently had the opportunity to travel to Colombia and Panama with a number of both Republican and Democrat colleagues. During this trip, we met with President Uribe of Colombia. And the President detailed with great specificity the human rights and labor strides that his country has made over the last decade. Every question that my colleagues raised to President Uribe, he had an excellent answer. Every charge these Members made, Mr. Uribe described how his reforms had addressed the issues. Colombia has done her part, and now we in our country need to do our part to ensure our top democratic ally in the region remains a good one.

And while I found the President's answers remarkable, I was most impressed with the view of the Colombian people. The vast majority of the people in Colombia we met with support the free trade agreement, even though they already enjoy virtually duty-free access to the U.S. markets as a result of the Andean Trade Preferences Act. They support the trade agreement because it will mean not only a new relationship status with the United States, but they will also be able to buy even more American products, putting more dollars back in American pockets.

After our experience in Colombia, it was the overwhelming belief of the Members on that trip, both Republicans and Democrats, that they could see firsthand the benefits of a free trade agreement, truly highlighting the bipartisan support in this body for the pending free trade agreement.

□ 2000

The facts for a trade agreement speak for themselves. This free trade agreement will help make American companies more competitive globally, increase their profitability, allow them to hire new American workers and help stimulate the economy. Currently we enjoy a \$2.7 billion trade surplus, including a manufacturing surplus with nations with which we have a signed free trade agreement. But for more than a year, the majority has disallowed this body to add Colombia to this list. America's two-way trade with Colombia reached \$18 billion in 2007, making Colombia our fourth largest trading partner in Latin America. Since America's market is already

open duty free for imports from Colombia, the U.S.-Colombia Free Trade Agreement will give American businesses, farmers, ranchers and workers similar access to this important market. The independent nonpartisan International Trade Commission has estimated that the Colombia Free Trade Agreement would increase U.S. exports by at least \$1 billion. Since Colombia signed the trade agreement in 2006, U.S. products have been charged more than \$2 billion in needless duties, money that could have been spent by companies near our country making the products and expanding infrastructure here in our country to hire more domestic workers.

In 2008 the United States had a trade surplus of \$35 billion with countries with FTAs that were signed under the Trade Promotion Authority, the same authority that the Colombia Free Trade Agreement was signed under. This surplus was up over 61 percent just in 2007. Finally, Colombia is a model country for what we need to do by providing an open hand from America to emerging democracies around the world. This country's bipartisan approach with Colombia, taken 10 years ago when they were on the verge of becoming a terrorist state, was a comprehensive diplomatic approach, one of open trade market policy and has brought them back toward a democracy. And the strongest way to promote democracy is with that same kind hand and the benefits it brings, not through an isolationist policy.

Finally, I would be remiss if I did not mention that on January 1, 2010, Colombia will formally enter into free trade agreements with Europe and Canada. For these reasons and more, I urge passage of this amendment.

I yield back the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, we have no objection to the amendment and would be willing to accept the amendment.

Mr. WOLF. I move to strike the requisite number of words.

The CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. I rise in support of the amendment.

As the gentleman says, Colombia is a strong ally and a partner in this hemisphere; and I support the Congress acting to implement U.S.-Colombia Free Trade Agreement. The trade agreement that has been negotiated would bring important economic benefits to the U.S. and level the playing field between our countries. It would create jobs. The unemployment rate that just came out is 9.2 percent. Not to do this would border on being crazy. The gentleman's amendment would serve the ongoing debate by generating information about the economic impacts here in the U.S. of our failure to adopt the agreement. So I urge support of the amendment.

I yield back the balance of my time.

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

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of Georgia. Mr. Chairman, I rise to commend my friend from Illinois for offering this amendment and just to point out a couple items as it relates to these issues. The Census is slated in this bill to receive \$7.1 billion. So I think that the gentleman from Illinois has picked an appropriate, responsible amount out of that \$7.1 billion to be used for a study that ought to be performed to demonstrate the importance of what ought not really be called the Colombia Free Trade Agreement. It ought to be called the Colombia Fair Trade Agreement.

As the gentleman stated with great eloquence, the lack of enacting the Colombia FTA by this majority is actually harming American companies. That's right, Mr. Chairman. We're harming American jobs and American companies by not acting on something that both executive branches have already agreed to.

So this is a wise amendment, an appropriate amendment, an appropriate area of study that ought to be done. I wonder if the chairman of the subcommittee would be willing to respond to a question.

To my friend from West Virginia, I wonder, if this amendment passes, is my friend from West Virginia able to commit to doing all that he can to make certain that this amendment remains in the final work product as it comes through the conference process?

I will yield to my friend from West Virginia.

Mr. MOLLOHAN. We're willing to accept the amendment. What happens in conference is in the future, and I wouldn't be able to make any commitments with regard to that in any way.

Mr. PRICE of Georgia. Reclaiming my time, Mr. Chairman, that really is where the rub is, is that there appears to be no significant resolve on the part of the majority party to actually determine what the level of harm is to the American economy and American businesses without adoption of the Colombia Fair Trade Agreement.

I appreciate my friend from West Virginia for agreeing to accept the amendment. But it is with little comfort because, as you heard, Mr. Chairman, there is little or no commitment to making certain that this stays in this bill as it moves through the process. As you know, Mr. Chairman, this is the first step in this appropriations process, and we're early in the amendment process. But it seems to me that this amendment is of significant import, and also significant knowledge would be gained from this study to give Members of this body appropriate information with which to be able to make decisions as they move forward and decide for themselves whether or not to push their leadership, the Speaker and the leadership on the Democrat side, to, in fact, adopt the Colombia Fair Trade Agreement.

So I want to commend my friend from Illinois for the work that he's

done and for the important amendment that he brings to the floor. I urge support of the amendment.

I yield back the balance of my time.

Mr. BURTON of Indiana. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BURTON of Indiana. I have great respect for my colleague, Mr. MOLLOHAN, and undoubtedly he is going to be one of the conferees. I would like to ask him a question.

What I would like to know is, when you go to conference, you and I both know that there's a lot of give-and-take. And if you really feel strongly about an amendment, you fight for it. So I'd just like to ask you this question: Because the Colombia Free Trade Agreement is so important, will you use every bit of your fiber and being to fight for this in conference?

Mr. MOLLOHAN. Will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. As the gentleman understands—the gentleman has been to conference before on bills.

Mr. BURTON of Indiana. Sure.

Mr. MOLLOHAN. And the gentleman understands that conferees come to the conference from many different directions and have many different attitudes. There are many different issues in the bill during conference. I will tell the gentleman that we take seriously our bill as it is fashioned, as we bring it to the floor, and as it is amended on the floor as we proceed to conference.

Beyond that, the gentleman clearly understands that conferences are about process and that there's give-and-take in the Congress. All of the attitudes expressed in conference must be taken into consideration, and there is nothing about this amendment that precludes our not seriously supporting it in conference. But the gentleman is asking for something that the gentleman knows in the process cannot be guaranteed, and that is, I guarantee that we're going to do something in conference. I hope that's satisfactory. If it's not, it's the best I can do for the gentleman.

Mr. BURTON of Indiana. Let me just say that we've been fighting this issue for a long, long time. One of the biggest problems that we've had is drugs coming into the United States from Central and South America. And President Uribe of Colombia has been one of our best friends and allies down there. He has stabilized that country, and one of the things that he really needs is a Free Trade Agreement to help further stabilize his country. I think it's extremely important that Mr. MOLLOHAN, or whoever else is on the conference committee, realize the gravity of this situation. And Mr. MOLLOHAN well knows that when you go to conference, and you're sitting across the table from your Democrat counterparts, if you are willing to really hang tough on an amendment, many times you can

get that accepted, especially when you start compromising on other issues that may be in the bill. So I asked the question of Mr. MOLLOHAN, will you fight for this in conference, and he reluctantly skirted the issue just a little bit.

So since this amendment has been accepted by Mr. MOLLOHAN, it seems to me that it should be pretty well guaranteed that he is going to do everything he can to keep it in the bill when it goes to conference committee. And if that is not the case, then, you know, this might appear to be—I would never accuse my colleague of being insincere—but it might appear to be a facade. So if you accept this, Mr. MOLLOHAN, I would just like to ask you one more time: Will you do everything you can to keep this in the bill?

Mr. MOLLOHAN. I thank the gentleman for his comments.

Mr. BURTON of Indiana. Will you answer the question? Will you do everything you can to keep it in the bill?

Mr. MOLLOHAN. We will approach the conference, my colleague from Indiana, exactly the way I described to you. We will consider every issue that is in the bill as it comes out of the House of Representatives seriously as we approach conference. If it's accepted, it will be in the conference report. You have the ranking minority member. He is going to be a part of the conference. The other members of the committee are going to be a part of the conference, and we will treat this issue just as seriously as we treat all issues. We will support it in conference, and it will be a part of the process of the conference as it moves forward. I hope that is satisfactory to the gentleman.

Mr. BURTON of Indiana. I thank the gentleman for his answer. I will just end by saying, I really hope this stays in the bill. I can't think of anything that's more important as far as stabilizing Central and South America than free trade agreements. We've been fighting for a free trade agreement with Panama and Colombia for a long, long time; and if we're going to make sure that we slow down the illegal immigration that's coming from Central and South America, we've got to do things to stabilize that entire region, not only from a drug standpoint, but also from the illegal immigration standpoint. So I really hope that my colleague—and I'm sure Mr. WOLF will—I really hope my colleagues will do everything they can to make sure that this stays in the piece of legislation.

The CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. SCHOCK).

The amendment was agreed to.

MOTION TO RISE

Mr. MOLLOHAN. Mr. Chairman, I move that the Committee do now rise.

The CHAIR. The question is on the motion to rise.

Mr. PRICE of Georgia. Point of order.

Mr. Chairman, I believe the gentleman from Illinois was on his feet

prior to the gentleman asking that the Committee do rise.

The CHAIR. The gentleman from West Virginia was the Member who sought recognition, and he had a motion preferential to an amendment.

Mr. PRICE of Georgia. I thank the Chair.

The CHAIR. The question is on the motion to rise.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 179, noes 124, not voting 136, as follows:

[Roll No. 350]

AYES—179

Abercrombie	Grayson	Murphy (NY)
Ackerman	Green, Al	Murphy, Patrick
Adler (NJ)	Griffith	Nye
Altmire	Gutierrez	Obey
Andrews	Hall (NY)	Ortiz
Arcuri	Halvorson	Pascarell
Baca	Hastings (FL)	Pastor (AZ)
Baldwin	Heinrich	Payne
Barrow	Herseth Sandlin	Perlmutter
Berry	Himes	Perrillo
Bishop (GA)	Hinchev	Peters
Bishop (NY)	Hirono	Pingree (ME)
Blumenauer	Hodes	Polis (CO)
Boccieri	Holt	Pomeroy
Bordallo	Honda	Price (NC)
Boren	Hoyer	Quigley
Boswell	Inlee	Rahall
Brady (PA)	Israel	Reyes
Bright	Jackson (IL)	Richardson
Brown, Corrine	Jackson-Lee	Rodriguez
Butterfield	(TX)	Ross
Capps	Johnson (GA)	Roybal-Allard
Capuano	Kagen	Rush
Cardoza	Kanjorski	Ryan (OH)
Carnahan	Kildee	Sablan
Carson (IN)	Kilroy	Salazar
Castor (FL)	Kirkpatrick (AZ)	Sanchez, Loretta
Chandler	Kissell	Schakowsky
Childers	Klein (FL)	Schauer
Clarke	Kosmas	Schwartz
Cleaver	Kratovil	Scott (GA)
Clyburn	Kucinich	Sestak
Cohen	Langevin	Shea-Porter
Connolly (VA)	Larsen (WA)	Shuler
Cooper	Lee (CA)	Skelton
Costa	Levin	Slaughter
Courtney	Lipinski	Smith (WA)
Cuellar	Loeb sack	Smith (WA)
Dahlkemper	Loftgren, Zoe	Snyder
Davis (AL)	Lowey	Spratt
Davis (CA)	Lujan	Tauscher
Davis (TN)	Lynch	Taylor
DeFazio	Maloney	Teague
Delahunt	Markey (CO)	Thompson (CA)
DeLauro	Marshall	Thompson (MS)
Doggett	Massa	Titus
Donnelly (IN)	McCarthy (NY)	Tonko
Driehaus	McGovern	Towns
Ellison	McIntyre	Tsongas
Ellsworth	McMahon	Van Hollen
Engel	McNerney	Visclosky
Etheridge	Meek (FL)	Walz
Faleomavaega	Melancon	Wasserman
Farr	Michaud	Schultz
Fattah	Miller (NC)	Waters
Filner	Minnick	Watson
Foster	Mitchell	Watt
Frank (MA)	Mollohan	Welch
Fudge	Moore (KS)	Wilson (OH)
Giffords	Moore (WI)	Murphy (CT)
Gonzalez	Murphy (CT)	

NOES—124

Akin	Biggart	Broun (GA)
Austria	Bilbray	Brown (SC)
Bachmann	Bishop (UT)	Brown-Waite,
Bachus	Blackburn	Ginny
Barrett (SC)	Boehner	Buchanan
Bartlett	Boozman	Burgess
Barton (TX)	Boustany	Burton (IN)

Buyer	Harper	Paulsen
Calvert	Hastings (WA)	Pence
Camp	Heller	Platts
Campbell	Herger	Posey
Cantor	Hoekstra	Price (GA)
Capito	Hunter	Putnam
Carter	Inglis	Rehberg
Cassidy	Issa	Roe (TN)
Castle	Jenkins	Rogers (AL)
Chaffetz	Johnson (IL)	Rogers (MI)
Coble	Jones	Rooney
Coffman (CO)	Jordan (OH)	Ros-Lehtinen
Cole	King (IA)	Ryan (WI)
Conaway	Kirk	Scalise
Davis (KY)	Kline (MN)	Schmidt
Deal (GA)	Lamborn	Schock
Dent	Lance	Sensenbrenner
Diaz-Balart, M.	Latham	Sessions
Dreier	Latta	Shimkus
Ehlers	Lee (NY)	Shuster
Fallin	Lewis (CA)	Smith (NE)
Flake	LoBiondo	Smith (TX)
Fleming	Lummis	Stearns
Forbes	McCarthy (CA)	Terry
Fortenberry	McCotter	Thompson (PA)
Fox	McHenry	Thornberry
Franks (AZ)	McKeon	Tiahrt
Garrett (NJ)	McMorris	Tiberi
Gerlach	Rodgers	Turner
Gingrey (GA)	Mica	Upton
Gohmert	Miller (FL)	Walden
Goodlatte	Miller (MD)	Wilson (SC)
Graves	Murphy, Tim	Wittman
Guthrie	Neugebauer	Wolf
Hall (TX)	Nunes	Wu

NOT VOTING—136

Aderholt	Hill	Paul
Alexander	Hinojosa	Peterson
Baird	Holden	Petri
Bean	Johnson, E. B.	Pierluisi
Becerra	Johnson, Sam	Pitts
Berkley	Kaptur	Poe (TX)
Berman	Kennedy	Radanovich
Bilirakis	Kilpatrick (MI)	Rangel
Blunt	Kind	Reichert
Bonner	King (NY)	Rogers (KY)
Bono Mack	Kingston	Rohrabacher
Boucher	Larson (CT)	Roskam
Boyd	LaTourette	Rothman (NJ)
Brady (TX)	Lewis (GA)	Royce
Braley (IA)	Linder	Ruppelberger
Cao	Lucas	Sánchez, Linda
Carney	Luetkemeyer	T.
Christensen	Lungren, Daniel	Sarbanes
Clay	E.	Schiff
Conyers	Mack	Schrader
Costello	Maffei	Scott (VA)
Crenshaw	Manzullo	Serrano
Crowley	Marchant	Shadegg
Culberson	Markey (MA)	Sherman
Cummings	Matheson	Simpson
Davis (IL)	Matsui	Sires
DeGette	McCaul	Smith (NJ)
Diaz-Balart, L.	McClintock	Souder
Dicks	McCollum	Space
Dingell	McDermott	Speier
Doyle	McHugh	Stark
Duncan	Meeke (NY)	Stupak
Edwards (MD)	Miller, Gary	Sullivan
Edwards (TX)	Miller, George	Sutton
Emerson	Moran (KS)	Tanner
Eshoo	Moran (VA)	Tierney
Frelinghuysen	Murtha	Velázquez
Gallely	Myrick	Wamp
Gordon (TN)	Nadler (NY)	Waxman
Granger	Napolitano	Weiner
Green, Gene	Neal (MA)	Westmoreland
Grijalva	Norton	Wexler
Hare	Oberstar	Whitfield
Harman	Olson	Woolsey
Hensarling	Oliver	Young (AK)
Higgins	Pallone	Young (FL)

□ 2101

Messrs. AKIN and PLATTS, Ms. GINNY BROWN-WAITE of Florida, and Messrs. MCKEON and TERRY changed their vote from “aye” to “no.”

Mr. JACKSON of Illinois, Ms. BALDWIN, Ms. WASSERMAN SCHULTZ, Ms. CASTOR of Florida, and Messrs. LIPINSKI, DOGGETT and MINNICK changed their vote from “no” to “aye.”

So the motion to rise was agreed to.

The result of the vote was announced as above recorded.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. TAUSCHER) having assumed the chair, Mr. ALTMIRE, Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes, had come to no resolution thereon.

LEGISLATIVE PROGRAM

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

Mr. CANTOR. Madam Speaker, I yield to the gentleman from Maryland, the majority leader, for the purpose of inquiring about the schedule for the rest of the evening.

Mr. HOYER. I thank the gentleman for yielding.

First, I want the Members to understand the context in which we find ourselves. I have indicated—and I have had discussions with Mr. BOEHNER, with Mr. CANTOR and with Mr. LEWIS with reference to the appropriations bills—that none of us likes the omnibus appropriations bills.

In order to pass appropriations bills individually, you have to take appropriately significant time, but if you take so much time that you can't possibly get them done, then you are left at the end of the day with an omnibus appropriations bill which nobody likes.

In discussions with Mr. BOEHNER, with Mr. CANTOR and with Mr. LEWIS, Mr. OBEY and I have tried to come to an agreement on time constraints. There was a discussion on the floor during the course of the rule between Mr. OBEY and Mr. LEWIS with respect to time constraints, and at that point in time, that was not possible.

Subsequent to that, there were further discussions between Mr. OBEY and Mr. LEWIS in which there seemed to be some progress, perhaps, that was possible. As a result, we proceeded with the preprinting requirement that, I know, some people felt was an unnecessary constraint, but it is, after all, the opportunity to give notice to Members of what amendments can be anticipated; but I know that I've discussed it on your side of the aisle, and you felt that was an imposition. We felt it was an open rule because the amendments were not specified.

Notwithstanding that disagreement, there were 127 total amendments. One amendment just now was offered by Mr. SCHOCK, my good friend. He and I have a good relationship. We've traveled together, and I think he is a good Member. We accepted. Notwithstanding that, it took 20 minutes of debate and was going to be subject to a vote.

Now, if you multiply, say, 25 minutes—and we had a 15-minute vote. If