

House Republicans know that health care run by government bureaucrats doesn't work, because it has been tried and failed in other countries. Tragedies result when government controls health care and makes decisions best left to doctors and their patients.

Republicans will offer a better plan for health care reform, one that provides patients and their families with the peace of mind that comes with having the care they need when they need it.

#### DEVELOPING A CLEAN ENERGY FUTURE FOR MAINE

(Ms. PINGREE of Maine asked and was given permission to address the House for 1 minute.)

Ms. PINGREE of Maine. Mr. Speaker, in Maine we are witnessing the birth of an industry, a clean energy industry that will create the jobs and supply the renewable energy we will need to grow our economy. In Maine, we have the people, the technology and the resources to develop and grow this industry.

Last week, Maine hosted the International Energy Ocean Conference, where hundreds of clean energy experts from around the world gathered and saw firsthand how serious our State is about developing renewable energy.

Also last week the Maine Wind Industry Initiative went public. MWII has organized the complete wind power industry supply chain, from large organizations like Bath Iron Works to smaller companies that specialize in precision composite manufacturing.

Mr. Speaker, Maine has an important role to play in Maine's clean energy future, and Maine people are ready to be part of it.

#### WHY ARE AMERICANS FORCED TO PAY FOR THE HEALTH CARE OF ILLEGALS?

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

Mr. POE of Texas. Mr. Speaker, the government control crowd is pushing for universal government takeover of health care. They say only Dr. Uncle Sam can cure the high cost of medicine.

Well, one way to keep down the high cost of health care that no one dares mention is to secure the borders. The flood of illegals coming here for free health care services costs taxpayers billions every year. California spends \$1.5 billion a year in medical costs just for illegals. No wonder they are going broke. Texas spends \$700 million a year. Virginia spends \$100 million a year, and they are not even a border state.

That doesn't count the cost to hospitals that treat illegals. Hospitals aren't allowed to check citizenship, so illegals use expensive emergency rooms to treat minor ailments. The hospital then must charge more to citizens and

legal immigrants just to stay in business. Illegals also drive up the cost of medical insurance for everybody else.

Mr. Speaker, if we stop paying for medical coverage for illegals, then citizens and legal immigrants could obtain affordable health care. Americans should not be forced and coerced to pay for the health care of people illegally in the United States.

And that's just the way it is.

□ 0915

#### PROVIDING FOR CONSIDERATION OF H.R. 3082, MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS ACT, 2010

Ms. PINGREE of Maine. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 622 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 622

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3082) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read through page 58, line 6. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. Notwithstanding clause 11 of rule XVIII, except as provided in section 2, no amendment shall be in order except the amendments printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for ten minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. In the case of sundry amendments reported from the Committee, the question of their adoption shall be put to the House en gros and without division of the question. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. After disposition of the amendments specified in the first section of the resolution, the chair and ranking minority

member of the Committee on Appropriations or their designees each may offer one pro forma amendment to the bill for the purpose of debate, which shall be controlled by the proponent.

SEC. 3. The Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Appropriations or his designee. The Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII).

SEC. 4. During consideration of H.R. 3082, the Chair may reduce to two minutes the minimum time for electronic voting under clause 6 of rule XVIII and clauses 8 and 9 of rule XX.

#### POINT OF ORDER

Mr. FLAKE. Mr. Speaker, I raise a point of order against H. Res. 622 because the resolution violates section 426(a) of the Congressional Budget Act.

The resolution contains a waiver of all points of order against consideration of the bill, which includes a waiver of section 425 of the Congressional Budget Act which causes a violation of section 426(a).

The SPEAKER pro tempore. The gentleman from Arizona makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentleman has met the threshold burden to identify the specific language in the resolution on which the point of order is predicated. Such a point of order shall be disposed of by the question of consideration.

The gentleman from Arizona and a Member opposed each will control 10 minutes of debate on the question of consideration. After the debate, the Chair will put the question of consideration, to wit: Will the House now consider the resolution?

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Speaker, there may well be unfunded mandates in this bill, but that's not why I rise today. I rise because it's about the only mechanism we have to talk about the fact that we are bringing appropriation bills to the floor under closed or structured rules, which violates basically every precept we've had in this House about openness and transparency on appropriation bills.

For years—and decades—appropriation bills have been brought to the floor under an open rule, allowing Members to offer amendments to various sections of the bill and not be precluded from that. But these bills are being brought to the floor all year under closed or structured rules, allowing very, very few amendments. Let me tell you why that's important.

Here, in the past, when Republicans were in the majority, we were lacking a lot of transparency on earmarks. I would come to the floor and offer sometimes a dozen earmark amendments on the floor to strike earmarks, and I had no idea most times when I would come to the floor whose earmark I was challenging. I would simply come and challenge it. And sometimes the sponsor of the earmark would come down to the

floor to defend it, sometimes they wouldn't; but at least I had the opportunity to come down and challenge the earmark and there was some type of back and forth and discussion of it. Now we have some transparency rules, which is good. Some of us have pushed for these transparency rules for a while. Now we know whose earmark we're challenging on the floor. Now we know because there is a name next to it, and Members are required to fill out a certification letter stating that they have no financial interest in the earmark that they are sponsoring.

Those are good reforms; I'm glad we have them. The Speaker of the House said during the campaign a couple of years ago that we were going to drain the swamp, referring to some of the corruption that had gone on, much of it due to earmarking. And I am pleased that some of these transparency rules have come into being. It's a good thing. The problem is we have not drained the swamp; we simply know how deep the mud is. We know that we have a problem, but we have not done much to correct that problem. Let me give you an example. And this is the case here with this rule and the rules on other appropriation bills this year.

Now we know whose earmarks are in the bills, and we know that some of them raise questions, particularly in the Defense bill that is upcoming later this month. There are numerous investigations going on by the Department of Justice right now examining the relationship between earmarks and campaign contributions. Our own Ethics Committee issues guidance that says if you receive a campaign contribution in close proximity to an earmark that you've sponsored, that doesn't necessarily constitute financial interest; in other words, go ahead and do it. And we have many examples of earmarks going out and campaign contributions flowing in to the sponsor of the earmark. We may not see that as a problem here, but clearly the Justice Department seems to see there is a problem with that.

And so what do we do here in the House? Instead of allowing Members to come to the floor during debate and saying, what about this earmark, what about the campaign contributions that seem to have been received as soon as that earmark was sponsored, as soon as that report came to the floor saying that that earmark was in the bill, why did campaign contributions flow in response to that—instead of being able to examine those things, we've decided to cut off debate.

And so we have transparency rules where we now know whose earmark is in the bill, but we've prohibited Members from actually coming to the floor to examine that. So you have some more transparency, but you've cut out accountability.

Now, we've done a number of appropriation bills, and some amendments have been allowed—very few. I think in one bill there were more than 100

amendments that were prefiled and only maybe 20 or so were allowed. I myself have submitted, in one of the latest bills, about a dozen amendments and was only allowed to offer three on the floor. My guess is that these are going to be narrowed further and further until we get to the Defense bill later this month, which we have allowed only one day of debate for. Keep in mind, this is going to be a bill that will have, likely, if tradition holds, more than 1,000 House earmarks in it, several hundred of which will constitute no-bid contracts for private companies, nearly all of which there will be a pattern of campaign contributions flowing back to the Member who sponsored that earmark.

Now, I am not a fan of public funding of campaigns. That's not the direction we should go. And campaign contributions typically flow to Members who share the philosophy of the person who is making the contribution. But when you have a pattern, as the press has duly noted, accurately noted, that as soon as an earmark is sponsored, often there are campaign checks that come directly to that Member who sponsored the earmarks. There is an appearance of impropriety that we simply have to take account of here in the House.

Our role here in the House and the role of the Ethics Committee is to make sure that we uphold the dignity of this institution, and we simply can't do that when you have the appearance of impropriety. And when you give a no-bid contract to a private company whose executives turn around and make large campaign contributions back to that Member who sponsored the no-bid contract to them, you have the appearance of impropriety. And it is simply wrong for us now to shut down debate on that and to say, all right, now we used to allow Members to challenge these things on the floor, but now that we know that there's an appearance of impropriety, we're simply going to shut down debate, we're not going to talk about it, we're not going to allow that debate to occur on the House floor.

Now, I would hope that these earmarks would be talked about and discussed and vetted in the Appropriations Committee, but clearly that is not the case. If it were the case, if these were properly vetted in the Appropriations Committee, we wouldn't see the scandals that we've seen. We wouldn't have Members of Congress behind bars right now for sponsoring earmarks and taking money for them.

Now, I'm not saying that that's occurring now, but that has in the past. And when we clearly haven't vetted these properly—and we don't do this body any service by cutting off debate on the House floor and saying we're just going to turn a blind eye because there might be a problem, and if we stand on the floor and debate these things, then people might see that there is a problem.

So it's good to have transparency rules. That's wonderful. But once you

do have transparency, you need accountability. And when you cut off debate and cut off amendments coming to the floor and bring appropriation bills under closed rules in violation of every tradition we've had in this House, then we've got a problem.

It is said that people outside of the beltway don't care about process, and that may be true. It's tough to make political points about process because it's tough to understand the process of this institution. But bad process always yields bad results and bad policy. It happened when we were in the majority, when we held votes open for 3 hours to allow leadership and others to twist arms. That violated every tradition of the House where you're supposed to only hold votes open for 15 minutes or slightly longer. There's a problem with that. People may not understand that outside, but it leads to bad results. And I would submit that if you shut down appropriation bills, if you shut down the process allowing Members to offer amendments on the floor and just turn a blind eye to what might be occurring, then you're going to have a problem, and you're going to increase the cynicism, rightfully, that people have about this institution.

I have served in the House of Representatives for 9 years. This is a wonderful institution, it really is; and we owe this body much more than we're giving it. And I would hope that the leadership here would exhibit maybe more of a vested interest in upholding the dignity of this institution instead of sweeping these things under the rug and saying let's just not have debate on the House floor because people might see what is occurring.

Mr. Speaker, I hope that, particularly when we get to the Defense bill later, where there are going to be hundreds and hundreds of earmarks that represent no-bid contracts to private companies, that we allow amendments to come to the floor to examine some of these instead of sweeping the process under the rug and hoping that nobody pays attention.

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

The SPEAKER pro tempore. The gentlewoman from Maine is recognized in opposition.

Ms. PINGREE of Maine. Mr. Speaker, I yield myself such time as I may consume.

The gentleman from Arizona has made some eloquent points this morning. And I certainly hope if he really wants to resolve this issue, he will join me in supporting the bill that is in the House right now on public financing. Since both he and I come from States, Arizona and Maine, that have had great success with this system in removing some of the corruption from the process, I think that we could make a good team on that issue.

But, Mr. Speaker, we know that this point of order is not about unfunded mandates, as he mentioned—or, in fact,

even about earmarks. It's about delaying consideration of this bill and ultimately stopping it altogether.

□ 0930

Since I do come from the State of Maine, where nearly one-fifth of our residents are veterans or active-duty members of our armed services, I know that this bill we are about to talk about today is extremely important, and passing this rule to allow for consideration of this bill and move forward on these issues around access to health care, making sure our veterans get the benefits that they deserve, is extremely important to the residents of my State and certainly people across this country.

I hope my colleagues will see through this attempt and will vote "yes" so that we can consider this legislation on its merits and not stop it with a procedural motion. The last thing that people want to see happening in the House of Representatives is endless conversation about things that have nothing to do with the issues before us but not moving forward with the things that we care about.

Those who oppose this bill can vote against it on the final passage. We must consider this rule. We must pass this legislation today.

I urge my colleagues to vote "yes" to consider this rule.

Mr. FLAKE. Will the gentlewoman yield?

Ms. PINGREE of Maine. I will.

Mr. FLAKE. I appreciate that. I'm not going to call a vote on this. I'm not trying to delay the process. We're just given so little time to speak because we're not allowed to bring amendments to the floor that we have to take every opportunity that we can.

I appreciate your yielding.

Ms. PINGREE of Maine. Again, I urge my colleagues to vote "yes" on this motion to consider so that we can debate and pass this important legislation today.

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

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

The question is, Will the House now consider the resolution?

The question of consideration was decided in the affirmative.

The SPEAKER pro tempore. The gentlewoman from Maine is recognized for 1 hour.

Ms. PINGREE of Maine. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time during consideration of the rule is for debate only.

GENERAL LEAVE

Ms. PINGREE of Maine. Mr. Speaker, I ask unanimous consent that all Members may be given 5 legislative days in which to revise and extend their remarks on House Resolution 622.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Maine?

There was no objection.

Ms. PINGREE of Maine. Mr. Speaker, I yield myself such time as I may consume.

House Resolution 622 provides for consideration of H.R. 3082, the Military Construction and Veterans Affairs Appropriations Act, 2010, under a structured rule.

For the past 8 years, our country has been engaged in two conflicts halfway around the world. The number of wounded military personnel in Iraq and Afghanistan has put a financial strain on the Department of Veterans Affairs. The Veterans Health Administration estimates that they will treat more than 6 million patients in 2010, including over 400,000 veterans from Iraq and Afghanistan. In addition, the consistent training, deployment, and redeployment of our troops have put a significant burden on our military.

H.R. 3082 appropriates over \$133 billion in fiscal year 2010 for military construction, veterans programs, and four related agencies. The bill provides \$24.6 billion for construction and improvements to military bases, facilities, and housing units. The bill provides \$450 million to accelerate the modernization of trainee housing and \$2 billion to construct and maintain houses for military families.

The bill also provides \$200 million in additional funding for the Guard and Reserves to address critical unfunded requirements as a result of prolonged and repeated deployments. Maine is home to thousands of Guard and Reservists who have made an invaluable contribution to our national defense, and I am proud to see funding included in this bill for them.

H.R. 3082 also renews our commitment to redevelop closed military bases and their surrounding communities. The bill provides \$7.5 billion to implement the 2005 BRAC and \$537 million to address an enormous backlog of environmental cleanup projects from the previous BRAC rounds. This funding is essential to communities across the country, including the town of Brunswick in my district, which is already experiencing economic difficulties from the closing of Naval Air Station Brunswick.

While the investments in military construction are vital, they are only a small portion of this bill. More than 80 percent of the bill's funding in this legislation is devoted to veterans programs. The bill provides over \$108 billion for veterans' medical care, claims processors, and facility improvements. H.R. 3082 increases appropriations by 14 percent or \$12.9 billion over the current level. This bill includes \$45 billion for the Veterans Health Administration, with increased funding for mental health services, assistance programs for homeless veterans, and innovative services for veterans in rural areas.

The bill also provides \$85 million for States to build and renovate extended care facilities and \$3 billion to fund new technological initiatives which

will increase processing time and improve electronic record keeping.

Perhaps most importantly, the bill provides for a significant and historic change in the way we fund health care of our veterans. H.R. 3082 provides \$48.2 billion in advance appropriations for fiscal year 2011 for the medical services, medical facilities, and medical administration accounts.

While the Congress has always taken on the challenges of this country, these issues have not always been shielded from partisan battles and political delays. This Congress in the past few weeks has been no exception, but there are some issues which should not be subject to politics and doubt. There is no doubt that the men and women of the armed services have bravely served our country. They have fought without question and without debate, and in doing so, they have sacrificed time with their families, risked their own well-being, and all too often they have sacrificed their lives. By providing advance appropriations for the health care of our veterans, we can take the steps to ensure that these benefits are not subject to politics as usual.

I strongly support this rule, which provides for consideration of this essential and important bill.

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

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

I appreciate the gentlewoman's yielding me the time.

Mr. Speaker, I rise in opposition to a structured rule, a structured appropriations rule, and also I am opposed to how my Democrat colleagues continue to shut out the minority voice with this structured rule.

Before taking control of the House of Representatives in 2007, our Democrat friends promised the American public that this would be the most open, honest, and most ethical Congress in history. Yet that is not the case for the past 2½ years. You heard my colleague, the gentleman Mr. FLAKE, talking about the process, the process that's happening not just today but has been happening for now 2½ years on this floor.

For the last few weeks, this Democrat majority has been forcing spending bills through the House of Representatives. My friends on the other side of the aisle have been using extremely restrictive rules to accomplish this legislative business.

During the Republican majority, the most appropriations bills considered under a restrictive rule in any single season was four, and that was back in 1997.

This majority has set a new record forcing every appropriations bill under a strict structured rule. So far the Democrat majority has limited debate on the six spending bills that the House has already passed, and today's bill is the seventh. Mr. Speaker, that is not open, honest, or ethical. Chairman OBEY set an arbitrary timeline to finish the fiscal year 2010 spending bills,

which has forced this Democrat-run Rules Committee to limit every single Republican and Democrat's chances to offer amendments on this floor. Hundreds of amendments have been offered by all of my colleagues, and they have been rejected also, rejected in an unprecedented fashion.

What the heck is the majority afraid of? Why don't they want to take the normal time, the normal process? Why won't they allow for an open and honest debate, the one that they called for?

Mr. Speaker, with that said, I would like to thank the majority in the Rules Committee for allowing at least my amendment to be made in order on the floor today. The care of our Nation's troops and veterans is extremely important to me and every single Member, I believe, of this body, and it's my hope that my amendment will pass on the House floor today. But, Mr. Speaker, every single Member should have had that opportunity. The opportunity to be able to come to this floor under an open rule to talk about the things that are important to them.

Today we are here to discuss the rule for the Military Construction and Veterans Affairs Appropriations Act of 2010, and I note that my dear friend the young gentleman from Tennessee, Mr. ZACH WAMP, is the Republican lead on this bill. And I am very pleased with the work that not only Mr. WAMP has done but how he has led in such a way to make sure that the men and women of the military understand his dedication and devotion to this process.

It's my intent to discuss the importance of the underlying bill as well as some of the concerns in the legislation, and I would also like to highlight the Democrat majority's large increase in spending across the board for appropriations bills. This is unacceptable, especially in a time of huge deficits and exceptionally high unemployment.

Mr. Speaker, I think we should aim for a balanced budget, not unlimited spending. I think this body should have to make tough decisions and set priorities, not set the bar so high, or in this case so low, for just spending so much money that we cannot and do not have to make tougher decisions.

This bill provides crucial funding needed for military construction and housing funding for our troops and their families and other quality-of-life projects, and the Congress should have to go through those projects one by one and make a determination about what is in the best interest not only for the country but also for our military.

I know that the funding priorities for all essential programs the Department of Veterans Affairs and related agencies have asked for in their budgets are important. And I also know that this bill honors our Nation's heroes who are serving in our volunteer military, those who have served, and also honors those who are fallen victims as well. This bill illustrates the deep commitment that Congress has to our military

and to our veterans. And I do recognize that the gentleman Mr. WAMP and the gentleman Mr. EDWARDS from Texas as they spoke to the Rules Committee yesterday not only told that story but also a source of pride about how this Congress needs to make sure that we're paying attention to those members of our military.

I join Ranking Member LEWIS in his concern regarding the ability for the VA, however, to effectively absorb large funding increases provided by this bill. The Appropriations Committee report was critical of the slow rate of the multibillion dollar major construction account for the VA, and points out that the spending rates are "woefully slow," having only spent \$1.9 billion of the \$4.4 billion that was appropriated between the fiscal year 2005 and fiscal year 2008. When you add fiscal year 2009 and this bill, that account then grows to \$6.5 billion. I believe that the current funding project should be exhausted before receiving additional moneys. Mr. LEWIS agreed also and so did all the Republicans on the committee.

Mr. Speaker, the bill before us today includes over a 15 percent increase from fiscal year 2009 spending, which assists with TRICARE, mortgage assistance, child care, and other necessary personnel-related accounts. Yet it is important to note that a couple weeks ago, Congress passed the Defense Authorization bill, increasing defense-related funding by only 4 percent. This Nation is at war, and my Democrat colleagues only modestly increased our defense and strategic capacities, while all other appropriations bills are increasing 10, 15, 19, and even 33 percent more than last year's levels. Mr. Speaker, this disparity sends a dangerous message to our enemies and one to our troops that are in the field.

To help curb some out-of-control Democrat spending, Ranking Member JERRY LEWIS offered an amendment in the full committee that would prioritize funding increases for defense, military construction, and our veterans by providing a 6 percent increase for these programs, a 4 percent increase for homeland security, and holding all other subcommittees to a very reasonable 2 percent increase.

□ 0945

Unfortunately, the amendment was defeated. Out of the 12 appropriations bills, this amendment would have reduced the burden on the American public by \$35 billion. The American people know that you shouldn't spend what you don't have, and that is exactly what this Democrat majority is doing and continues to do. According to the Congressional Budget Office, the Obama administration is on its way to doubling the national debt in 5 years. In doing so, it would drive the debt-to-GDP ratio from 41 percent today to a staggering 71 percent in the near future, 2014.

The Congressional Budget Office on Wednesday of just this week released a

monthly budget review that states that the Federal budget deficit was \$1.1 trillion for the first 9 months of this fiscal year. CBO states that this is more than \$800 billion greater than the deficit record in June of 2008. The United States is looking at a record \$1.8 trillion deficit this year alone.

Congress should be promoting policies that reduce spending and grow job growth in this country. Unemployment continues to rise while our friends on the other side of the aisle continue to tax, borrow and spend their way into record deficits. The Congressional Budget Office estimates that the unemployment benefits spending is now more than 2½ times what it was at this point last year. The current unemployment rate is over 9.5 percent for the first time since 1983.

Where are the jobs? It's a question that should continue to be asked on this floor. Where are the jobs that were promised from this economic stimulus from this President and our Speaker, NANCY PELOSI.

Mr. Speaker, now is the time when the economy should be bouncing back. But this is a time when the Democrat Congress is forcing Americans to pay for a failed trillion dollar stimulus package, a bailout for those who defaulted on their mortgages, a bailout for those who abuse their credit cards, a bailout for credit and America's bad decisionmaking from corporate offices, a new national energy tax and a possible \$1.5 trillion health care reform package that will force 120 million Americans off their current health care coverage. When does the spending stop? Not today in this House.

In closing, Mr. Speaker, every Member of this body understands the importance of adequate and appropriate funding for our Nation's military and our veterans, and we give thanks to them. This bill provides the necessary benefits to our service men and women, their families and our veterans, and I am proud of that. But I would continue to point out to my friends on the other side of the aisle that we cannot tax, spend and borrow our way out of this recession. This recession is a national crisis and puts all of us at risk.

Rising unemployment and record deficits cannot be remedied with massive increases in spending. Americans back home are tightening their belts, and the United States Congress would be well advised to do the same.

Mr. Speaker, I encourage a "no" vote on the rule.

I reserve the balance of my time.

Ms. PINGREE of Maine. Mr. Speaker, I yield 2 minutes of my time to the gentleman from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. I thank Ms. PINGREE for the opportunity to speak on this rule, and I just want to thank my friends CHET EDWARDS and ZACH WAMP for their leadership and hard work in crafting this bill and their unfailing support of American servicemembers and veterans. With wars in Iraq and Afghanistan ongoing and an increasingly

high volume of men and women servicemembers returning home, funding their needs remains a top priority.

As much now as ever, Congress needs to be making critical investments in construction projects which support servicemembers, safety and quality of life at home and on the battlefield. We must also make good our promise to our soldiers returning home from war, by improving their health care facilities and services and by providing them with the best care possible. We also need to aid them in their transition to civilian life by fully funding the Department of Veterans Affairs.

Our veterans deserve a bill which honors their remarkable service in the protection of our country. That's what this bill does that we are going to hear here today. The bill increases funding for the Veterans Health Administration by \$4.4 billion over last year. This improves access to medical services for veterans for key programs in treating mental health issues, assistance for homeless veterans, and measures to improve access to health care for many veterans who live in rural areas such as those in Colorado.

The bill also expands funding for essential investments in information technology which speed processing of benefits, claims, and makes needed improvements in the accuracy and efficiency with the expanded use of electronic health records. I especially want to thank the Veterans' Committee, the Appropriations Committee in taking a good look and a hard look at processing claims, which for a long time were lagging and people were not getting their claims heard. There has been a tremendous effort and focus over the last couple of years to make the claims process much quicker, much faster, much more accurate.

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

Ms. PINGREE of Maine. I yield the gentleman an additional minute.

Mr. PERLMUTTER. I would also like to thank my friends for their assistance in creating what will be a state-of-the-art health care facility in Colorado.

The veterans in Colorado have been promised for years and years and years that they would get a facility that was equal to the service they gave to this country. And with the hard work of the committee, the hard work of the Colorado delegation, assistance from both sides of the aisle, we are going to get that facility built in Colorado.

Mr. SESSIONS. Mr. Speaker, at this time I would like to yield 3 minutes to the distinguished young gentleman from Miami, a member of the Rules Committee, Mr. LINCOLN DIAZ-BALART.

Mr. LINCOLN DIAZ-BALART of Florida. I want to thank my dear friend from Texas, a great leader in this House, Mr. SESSIONS, for the time.

Mr. Speaker, I rise because this legislation that we are bringing to the floor today includes the last installment in a project that is very important to the

community that I represent. The Southern Command is in the congressional district that I represent, and it is receiving in this legislation \$55.4 million that completes the \$237 million required for the new headquarters of the Southern Command, which is extremely important to the national security of the Nation and of the hemisphere, the defense of the hemisphere, and obviously to the community that I am honored to represent.

SOUTHCOM personnel and supporting services have contributed over \$1.2 billion and over 20,000 jobs to south Florida, and south Florida is the right place for SOUTHCOM. And we have been, for many years, working to make sure that it stays in south Florida.

I want to thank Chairman EDWARDS and Ranking Member WAMP and really all of the members of the Florida delegation and others who have worked so hard in a united fashion to make this a reality, a permanent facility for SOUTHCOM.

It's in a location that is leased from the State of Florida for the great total of \$1 a year, long-term lease, \$1 a year. That's what it is going to be costing the taxpayer.

So I want to thank former Governor Bush, Jeb Bush, for his help, in making this a reality, as well as Governor Charlie Crist, who has also demonstrated great leadership in making this project a reality.

We have worked with the county. We have worked with Mayor Bermudez of the City of Doral. The City of Doral has been marvelous in its cooperation with the men and women of SOUTHCOM; so, too, General Craddock, with whom we began working on this important project; and then Admiral Stavridis, who has done a tremendous job as the head of SOUTHCOM, and now he is leaving us to go to Europe and defend that continent; and now General Fraser, who has joined SOUTHCOM as the new head. All of them have done a tremendous job, along with all of the men and women there at the Southern Command.

So I thank all who have had an important role in this development and wish the men and women of SOUTHCOM well as I congratulate them, because Congress has done its job in funding the new headquarters.

Ms. PINGREE of Maine. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. SMITH).

(Mr. SMITH of Washington asked and was given permission to revise and extend his remarks.)

Mr. SMITH of Washington. Mr. Speaker, I rise today in support of the Fiscal Year 2010 Military Construction and Veterans Affairs Appropriations Act, and I thank Chairman EDWARDS and Ranking Member WAMP for their work in crafting this legislation.

As someone who represents tens of thousands of military veterans and their families, I believe that we have an obligation to provide them with the

benefits and treatment they deserve for their years of service. This legislation accomplishes that by providing \$109 billion for the Department of Veterans Affairs, a \$14.5 billion increase over 2009, when not factoring stimulus or supplemental funding.

It is estimated that the VA will treat more than 6.1 million patients in 2010, including more than 419,000 veterans of Iraq and Afghanistan. To meet this demand, the bill provides important funding for mental health programs, assistance to homeless veterans, and to improve access for veterans in rural areas.

The bill also provides vital funding to hire additional claims processors to support the Department's continued efforts to reduce the backlog of benefits claims. I believe these are two of the most important issues that we deal with, making sure that we deal with the PTSD issues which continue to be a significant problem and also to make sure that we have the services available to provide for the large number of wounded veterans who are coming back from our wars in Iraq and Afghanistan.

I was also pleased to see that the committee included a provision to provide advanced budget authority and funding for fiscal year 2011 for medical-related accounts. This is a step to ensure that the VA health care system continues to receive a timely and predictable stream of funding without subjecting it to the delays that can arise due to the larger annual budget debates.

Again, I thank the chairman and ranking member for their work on this important legislation and urge my colleagues to support its passage.

Mr. SESSIONS. Mr. Speaker, we have a lot of members of the Republican conference who want to come down and speak about this bill, but we are joined today by the gentleman, from Georgia, Dr. GINGREY. I yield 2 minutes to the gentleman from Georgia.

Mr. GINGREY of Georgia. Mr. Speaker, I thank the gentleman for yielding, and I stand to strongly oppose this rule on the Military Construction and Veterans Affairs Appropriations Act of 2010.

Mr. Speaker, this is unconscionable, what the Democrat majority is doing regarding these appropriations bills. I think this is about the fourth or fifth appropriation bill that we brought to the floor with a structured rule, and this has never happened, to my knowledge, in the history of this Congress.

These should be open rules so that every Member, not just members of the Appropriations Committee, the 40 or 50 members that study these bills, but every single Member of this body who represent 675,000 people across this country and these 50 States should have an opportunity to offer amendments.

I have offered 10 amendments to these five bills. Not one, not one, Mr. Speaker, has been made in order, and not one of these amendments are dilatory.



As an example, on this particular bill, the Veterans Administration Appropriation, I have an amendment that says no party, no Republican or Democratic majority should hold that bill hostage once it passes to put it in the form of a minibus, combine it with some other legislation to pass something that we don't want to pass, and hold our veterans hostage so that they don't get the pay raise they need, they don't get the benefits they need, they don't get the health care they need.

That, Mr. Speaker, is unconscionable.

□ 1000

For that reason I stand strongly opposed to this rule. The rule should be open, and the chairman of the Appropriations Committee knows that, and I challenge him to bring these bills to the floor in an open fashion, which we have always done on both sides of the aisle.

It is time to end this mendacity and this unconscionable activity. Let's all vote against this rule. Let's send it back. Let's bring forward an open rule and a fair process so that veterans in every congressional district across these 50 States will have an opportunity to be heard.

Ms. PINGREE of Maine. I'm very pleased to yield 5 minutes of my time to the Chair of the Appropriations Committee, the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. I thank the gentlewoman for the time. I would like to respond to the fiction that I just heard from the previous speaker. The previous speaker indicated that never in the history of the Congress have we had structured rules for appropriation bills. I would like to suggest that he ought to read a little history.

We have 12 appropriations bills we have to bring to the floor each year. He will find that during the Republican control of this House, at least 6 of the 12 bills were brought to this floor under structured rules. He will find that almost 20 times that is the case.

Mr. GINGREY of Georgia. Will the gentleman yield?

Mr. OBEY. No, I would not. I have 5 minutes. You attacked me. I will respond without interruption. I would ask the Chair to prevent further interruptions.

The fact is that I would like to ask the House a question: Why is it that some Members of this House believe that the Appropriations Committee must bring bills to the floor that are totally open when the Ways and Means Committee, when it brings tax bills to the floor, is entitled to have a totally closed rule?

Now, there is no inherent difference between the two, but there is one historical difference, and that is that the Ways and Means Committee used to be the committee that handed out committee assignments to Members of the House. And so the message went out: "Don't mess with the Ways and Means

Committee because they determine your career path in this institution."

There is no great historical or moral or substantive reason to have that differentiation. It is simply a question of power relationships in the House that determined that.

I would also like to point out the Appropriations Committee has the right to bring to the floor its appropriation bills without ever going to the Rules Committee, and in fact we have had subcommittee Chairs who have done that. The advantage to the Appropriations Committee in doing that is that when the bills come to the floor without going to the Rules Committee, what happens is that any legislation on an appropriation bill—which under the House Rules is off limits—any legislation will be stricken on a point of order.

I remember when Neal Smith used to bring his bill to the floor, and within about 20 minutes the bill was shredded. There were a few paragraphs left in the bill. It took about an hour to finish the bill and then Neal could go off and have a conference with the Senate and do anything he wanted to do because there were no limitations.

So it has been an advantage to individual House Members for the Appropriations Committee to go to the Rules Committee, whether or not there's a totally open rule or whether there's a structured rule, because at least then individual Members have some capacity to influence the results.

Now, we have made quite clear to the minority side we would like to proceed in as open a fashion as possible. Mr. HOYER, the majority leader, and I went to the Republican leadership weeks and weeks ago and asked them if there was some way that we could work out time agreements so that we can finish these 12 bills before we go home for the August recess.

The minority says they want us to do all of these bills individually. Not wrap them up in a CR. But then they proceeded to demand a procedure which will, in the end, result in bills going into a CR.

And so we asked the minority leadership, "Will you agree to time limits?" And the response was, "Well, if we did that, our caucus would elect somebody else."

Mr. DREIER. Will the gentleman yield?

Mr. OBEY. No, I will not yield. We asked the leadership, "Would you be willing to go by a process in which we'll give you the opportunity to offer 10 or 15 amendments, the majority party will offer 5 or 6? You pick the amendments." And they said, "No." They didn't want to do that.

There are a limited number of hours between now and the time we recess. If we want to get our work done, we have to limit the debate time that we spend on these bills.

So there is nothing radically new about this. We're simply trying to get the job done. And we're going to do that if it takes all summer.

Mr. SESSIONS. Mr. Speaker, I'm delighted today to yield 3 minutes to the ranking member of the Rules Committee, the distinguished young gentleman from California (Mr. DREIER).

Mr. DREIER. Mr. Speaker, I thank my friend for yielding, and I'm happy to engage in a colloquy with the distinguished Chair of the Committee on Appropriations. I'll look forward enthusiastically to yielding to him after I make a couple of points.

First, the gentleman has ended his remarks by talking about the need for some kind of outside time limit. In fact, just yesterday I pulled out of my coat pocket the schedule that we have seen. We all understand that getting the appropriations work done is important. It's a priority for Democrats and Republicans alike.

The fact of the matter is the Rules Committee, with a great deal of ease, could in fact simply report out a special rule which would establish an outside time limit on the amendment process at all and we could proceed, as has been the case for the last 220 years, with an open amendment process.

Now my friend also referred to the fact, and I know that my friend from Marietta didn't say that it was unprecedented to have unstructured rules when we deal with appropriations bills, but it is unusual.

And I will remind my friend who talked about the history that back in 1997, when we did in fact have five appropriations bills considered under structured rules, it was done so after, in the case of one, it came to the floor. As our late colleague, the former chairman of the committee, Mr. Natcher, used to always say, bills should be considered as privileged.

The disparity between a measure emerging from the Ways and Means Committee and the privileged structure for consideration of appropriations bills is something that is very easily understood in the rules of the House of Representatives.

And so I'd be happy to yield to my friend if he would like to respond to the notion of the fact that we began those measures that ultimately were considered under structured rules, we began them, one, under a privileged structure, which meant that the Rules Committee did not even need to act because points of order could be raised against the work product of the measure itself and also to the point of time limits.

The Rules Committee could easily report out a rule that would establish an outside time limit. That's all we'd need to do. And then we could consider the measure under an open amendment process.

I'm happy to yield to my friend.

Mr. OBEY. Let me simply say to the gentleman, I don't see any need to continue chewing this cud over and over and over again. We've made our points.

Mr. DREIER. Mr. Speaker, if I could reclaim my time.

Mr. OBEY. I didn't ask for the time. You offered it to me and I'm accepting it.

Mr. DREIER. I would simply say to my friend, I was downstairs in the meeting and my friend stood up and began talking about the fact that we considered measures under structured rules in the past, and it's frankly important for us in the name of Democrats and Republicans alike who are denied amendments and the American people whose Representatives are not able to participate in the very important constitutional article I section 9 responsibility of appropriations here. That's why there is in fact bipartisan concern on this issue, Mr. Speaker.

Ms. PINGREE of Maine. I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, at this time I yield 5 minutes to a young man who serves as coach of our baseball team, but perhaps even better than that, just showing his acumen really as an all-American, a dedicated veteran of the first gulf war and served as a colonel in the United States Army Reserves and he's the ranking member of the House Veterans' Affairs Committee, the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. I rise today in opposition to this rule because H.R. 3082 represents a dramatic shift in the way that we provide funding for VA medical care by providing advance appropriations for medical services, medical facilities, and medical supports and compliance accounts.

Now I have some great concerns because the stress placed on the budget model could place us in the VA supplemental business. It also leaves out the IT and medical research accounts.

So my amendment that was not made in order under this rule tried to correct what I viewed as a flawed process. The amendment would have added the VA information technology systems and the VA medical and prosthetic research accounts to the other VA medical care accounts that are included in the advance appropriations section.

Now many issues were raised about the potential legislative proposals that authorize advance appropriations for certain Veterans Health Administration accounts at the Committee on Veterans Affairs' oversight hearing on the future funding of the VA, including the following: funding some accounts under an advanced appropriation and some accounts under regular fiscal appropriation could potentially create accounting complexities.

Secretary Shinseki expressed concern that the VA's information technology is very much integrated into the medical care accounts and should be considered for advance appropriation.

The Congressional Research Service observed that not including IT in advance appropriations could "create a situation whereby, for example, VHA could not purchase computer software although it has procured medical equipment that needs the IT software," or would not be able to provide the nec-

essary IT infrastructure for new Community-Based Outpatient Clinics.

CRS also pointed out the failure to include medical and prosthetic research could potentially raise an issue with regard to the timing of funding research projects and research support such as personnel costs and administrative support.

When I offered a similar amendment at the full committee markup of H.R. 1016, as amended, which is the bill that authorized the advanced appropriations proposal, it received broad bipartisan support and passed the Veterans' Affairs authorizing committee 17-8.

Since the language of my amendment was also part of the final version of the bill when it passed the House, all I was trying to do was bring consistency between H.R. 1016, as amended, and the bill before us today.

Every member of the Rules Committee voted in favor of H.R. 1016, so I'm disappointed to see that the very same provision was not made in order. The American people—in particular, our veterans—deserve a fair and open process of debate on this issue, and it's unfortunate that this opportunity has been blocked by the Rules Committee for partisan reasons.

Since open debate on this issue was disallowed, it's my hope to continue to work with Chairman EDWARDS and Ranking Member WAMP to include these accounts in next year's budget resolution and then in the 2011 appropriations bill. That's the only choice that I now have.

So I will attempt to work with you if you want to work with me. What I've learned around this place is bipartisanship is a choice. It's a choice. And I have been here now for 17 years and I've listened to Chairman OBEY not only in the majority, in the minority, and now back in the majority, and being consistent—to my good friend—is really important.

So if you can remember what you were like in the minority, be consistent to how you're like in the majority. And that's how you endure respect from all of us. And that's just my good counsel to my good friend.

Ms. PINGREE of Maine. I yield 2 minutes to a member of the Rules Committee, the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. I rise today in support of H.R. 3082, the Military Construction and Veterans Affairs Appropriation Act for fiscal year 2010, and the rule. I'd like to thank Chairman EDWARDS of the Military Construction and Veterans' Affairs Appropriation Committee as well as Chairman OBEY for their hard work and as well the dedicated work of their staff in bringing this bill before us.

This legislation truly reflects our commitment to improving the quality of life for our service men and women as well as our veterans, who have given so much to defend the freedoms that we enjoy every day.

□ 1015

In the midst of an economic crisis and a war on two fronts, fully funding the Veterans Affairs bill is critical to our country's ability to address the needs of our veterans and our military families. This bill authorizes funding for the Department of Veterans Affairs to fund a number of worthy projects, such as building housing for our troops, mental health services and grants for the construction of extended care facilities and veterans' cemeteries.

As a Coloradan, I am particularly pleased to see that the Fitzsimons Veterans Affairs Hospital in Aurora, Colorado, will receive \$119 million as part of the Military Construction bill. It is absolutely crucial for the State of Colorado and for the veterans in my district to have access to quality care close to their homes.

I am very grateful to Secretary Shinseki and his staff, who invited those of us from the Colorado delegation to the Department of Veterans Affairs to make this announcement last month. They have truly recognized the urgency of completing a project that has been torn by uncertainty and going back to the drawing board for many, many years and finally moved forward in funding this Military Construction and Veterans Affairs Act. This bill will help ensure that the Obama administration continues to move quickly forward. I urge my colleagues to vote "yes" on the rule and vote "yes" on final passage of H.R. 3082.

Mr. SESSIONS. Mr. Speaker, I yield 2 minutes to the gentleman from Minnetonka, Minnesota (Mr. PAULSEN).

Mr. PAULSEN. Mr. Speaker, I rise in opposition to the rule. As Congress moves forward in the debate on health care, we should ensure that any national health care reform plan preserves the unique needs of our veterans and servicemembers as well as protects the unique identity and role of the successful programs and insurance that they depend on. If we subject these benefits to new taxation or if we foolishly fold them into a large government-run program, the quality and the availability of care for our Nation's veterans will suffer, and an erosion of the quality of these benefits could undermine recruiting, retention and, ultimately, national security.

I had hoped today to offer an amendment to make sure that any new health care program would not undercut the services currently available for our men and women in uniform. Unfortunately I was not allowed to do so today because of the closed rule. It is frustrating when good ideas cannot move forward.

Mr. Speaker, the servicemembers and veterans in our country who have served our Nation have unique health care needs that we fulfill through specific mechanisms, such as the VA, TRICARE and others. These entities are essential to ensuring that we meet our Nation's obligations to those who serve in uniform and that we do so in a

most personal and effective way. Military health benefits provide specific needed coverage that recognizes the extraordinary sacrifices that are inherent to those who serve in our military. Similarly, there are unique and specialized VA programs that recognize the government responsibilities to those who incur injuries and illness as a result of their service. Moreover, specific services and programs for families of those who have served help ensure that our grateful Nation gives back to those who have sacrificed so much for all of us. It's too bad that we are unable to move forward on my amendment because it would have recognized and protected the government's special responsibilities to our servicemembers and veterans in any health care package moving through Congress.

Ms. PINGREE of Maine. Mr. Speaker, I am the last speaker on my side, so I'm going to reserve the balance of my time until the gentleman closes for his side.

Mr. SESSIONS. Mr. Speaker, Republicans are down on the floor today talking a lot about process. But I think it's real interesting that two of our newest Members, who are from Colorado and Maine, have never even seen an open rule. They've only served for 6 months, but they could have served for almost 2 years and never would have seen an open rule on this floor. And that's really the measure of what Republicans are trying to talk about. We're teaching our newest Members what things should not look like. We need open rules.

As a result of that, Mr. Speaker, I am going to be asking for a "no" vote on the previous question so that we can amend this rule and allow for an open rule because that's the way we should teach, especially new Members, that open rules should be a part of regular process. There's no question that the rule the majority brings forth today will only cement the dangerous precedent that the majority has been setting now for over 2 years. It will only damage bipartisanship, and it harms us in our committees. It's a part of most conversations in committees about what this Speaker is doing.

I urge my colleagues to consider what we're about to do and to vote "no" to say no to this so we can allow free and open debate on appropriations bills and uphold the rights of millions of Americans—and not just for Republicans but for Democrats also because they are also being shut out by their own party. This is not open; it's not honest; and I believe the majority will come to regret this decision to close down this deliberative process here on the floor during appropriations seasons.

I ask unanimous consent to insert the text of my amendment and extraneous material immediately prior to the vote on the previous question.

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

There was no objection.

Mr. SESSIONS. I urge a "no" vote on the previous question and a "no" vote on the rule.

Mr. Speaker, thank you for listening to Republicans today. We believe it's not just our right but the right thing to do to come and speak forthrightly about our ideas about members of the military, about VA hospitals that are in our districts and about Veterans Affairs Centers that need to operate in a more efficient way. We're proud of the men and women who serve our military. I was proud today to have the gentleman, Mr. BUYER, a Gulf War veteran, come and speak forthrightly about what we think ought to happen. We're proud of this country. We're proud of our military. But we think we also ought to make more deliberate decisions in this House.

I yield back the balance of my time.

Ms. PINGREE of Maine. Mr. Speaker, I just want to point out as we're closing that there has been a tremendous amount of conversation on the floor today about the open rule, about the process here. And I want to point out to the Members that even under an open rule, nearly two-thirds of the amendments that were submitted to the Rules Committee were in violation of House rules and would have been subject to points of order. They wouldn't have been able to proceed on the House floor. In fact, the majority of amendments you have heard about this morning from my good friend from Minnesota, from my colleague from Georgia, those are amendments that would have been in violation of House rules, would have been subject to a point of order. And while they made good points about why they wanted to have their amendments moved forward, the fact is, that wouldn't have happened today anyway, even if we had been under an open rule.

Let me say one last thing. My colleague from Texas mentioned that a few of us who are new here, who haven't been through the appropriations process under open rules—and I will say as a new Member of this body, most of the bills that come to the floor come under structured rules. There may have been a tradition in the past of appropriations bills coming under more of an open rule, but I balance that with the remarks of our colleague from the Appropriations Committee, Mr. OBEY, who talked to us this morning about the tremendous amount of work we're expected to get done. I can tell you, from my constituents back in the State of Maine, they say to me, you know, you've got a lot of work to do on renewable energy, on health care. We want to see you move forward on those issues. We want to see appropriations bills, like the one we're talking about today, that are going to provide vital services for our veterans. We want to see those get done. We want to see the Members of Congress get their work done. We don't want to listen to you with hours of endless debate, par-

ticularly on things that would be subject to points of order and wouldn't even be allowed to be discussed. We want to see you get your work done.

As a very proud member of the Rules Committee, I have the opportunity to listen to a tremendous number of the amendments that come before us; and I feel very good about the way we're moving forward with our work and about the challenges that we are facing for the American public and all that is before us and the importance of getting our work done.

I do want to remind us today that in spite of all the other conversation that has gone on, this particular rule is a vital step forward towards improving our military infrastructure and ensuring the quality care of our veterans and their families, making sure it is worthy of their sacrifice. That is why we are here on the floor this morning to talk about our veterans, to talk about military construction, to talk about making sure that we are there for them.

My home State of Maine has one of the highest populations of veterans in the country. In a State of not even 2 million people, Maine is home to over 155,000 veterans, nearly one-fifth of our population. These men and women have served without question, without politics and certainly without delay. We must make a promise to them and to all of our veterans that we will do the same. We must provide them with health care and the benefits they deserve without question, without politics and without delay. Passing H.R. 3082, we will begin to keep that promise. I urge a "yes" vote on the previous question and on the rule.

The material previously referred to by Mr. SESSIONS is as follows:

AMENDMENT TO H. RES. 662 OFFERED BY MR. SESSIONS OF TEXAS

Strike the resolved clause and all that follows and insert the following:

*Resolved*, That immediately upon the adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the house resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3082) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises



and reports the bill back to the house with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution—The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information form Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

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

and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 244, nays 174, not voting 14, as follows:

[Roll No. 526]

YEAS—244

Abercrombie	Fattah	McDermott
Ackerman	Filner	McGovern
Adler (NJ)	Foster	McIntyre
Altmire	Frank (MA)	McMahon
Andrews	Giffords	McNerney
Arcuri	Gonzalez	Meek (FL)
Baca	Gordon (TN)	Meeks (NY)
Baird	Grayson	Michaud
Baldwin	Green, Al	Miller (NC)
Barrow	Green, Gene	Miller, George
Bean	Griffith	Mitchell
Becerra	Grijalva	Mollohan
Berkley	Gutierrez	Moore (WI)
Berman	Hall (NY)	Moran (VA)
Berry	Halvorson	Murphy (CT)
Bishop (GA)	Hare	Murphy (NY)
Bishop (NY)	Harman	Murtha
Blumenauer	Hastings (FL)	Nadler (NY)
Boccheri	Heinrich	Napolitano
Boren	Hereth Sandlin	Neal (MA)
Boswell	Higgins	Nye
Boyd	Himes	Oberstar
Brady (PA)	Hinchee	Obey
Braley (IA)	Hinojosa	Olver
Bright	Hirono	Ortiz
Brown, Corrine	Hodes	Pallone
Butterfield	Holden	Pascarell
Capps	Holt	Pastor (AZ)
Capuano	Honda	Payne
Cardoza	Hoyer	Perlmutter
Carnahan	Inslee	Perriello
Carney	Israel	Peters
Carson (IN)	Jackson (IL)	Peterson
Castor (FL)	Jackson-Lee	Pingree (ME)
Chandler	(TX)	Polis (CO)
Childers	Johnson (GA)	Pomeroy
Clarke	Johnson, E. B.	Price (NC)
Clay	Kagen	Quigley
Cleaver	Kanjorski	Rahall
Clyburn	Kaptur	Rangel
Cohen	Kennedy	Reyes
Connolly (VA)	Kildee	Richardson
Conyers	Kilpatrick (MI)	Rodriguez
Cooper	Kilroy	Ross
Costa	Kind	Rothman (NJ)
Costello	Kirkpatrick (AZ)	Roybal-Allard
Courtney	Kissell	Ruppersberger
Crowley	Kosmas	Rush
Cuellar	Kratovil	Ryan (OH)
Cummings	Kucinich	Salazar
Dahlkemper	Langevin	Sanchez, Linda
Davis (AL)	Larsen (WA)	T.
Davis (CA)	Larson (CT)	Sanchez, Loretta
Davis (IL)	Lee (CA)	Sarbanes
Davis (TN)	Levin	Schakowsky
DeFazio	Lewis (GA)	Schauer
DeGette	Lipinski	Schiff
DeLauro	Loebach	Schrader
Dicks	Lofgren, Zoe	Schwartz
Dingell	Lowey	Scott (GA)
Doggett	Lujan	Scott (VA)
Donnelly (IN)	Lynch	Serrano
Doyle	Maffei	Sestak
Driehaus	Maloney	Shea-Porter
Edwards (MD)	Markey (CO)	Sherman
Edwards (TX)	Markey (MA)	Sires
Ellison	Marshall	Skelton
Ellsworth	Massa	Slaughter
Engel	Matheson	Smith (WA)
Eshoo	Matsui	Snyder
Etheridge	McCarthy (NY)	Space
Farr	McCollum	Speier

Spratt  
Stark  
Stupak  
Sutton  
Tanner  
Taylor  
Teague  
Thompson (CA)  
Thompson (MS)  
Tierney  
Titus

Tonko  
Towns  
Tsongas  
Van Hollen  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters  
Watson

Watt  
Waxman  
Weiner  
Welch  
Wexler  
Wilson (OH)  
Woolsey  
Wu  
Yarmuth

NAYS—174

Aderholt	Frelinghuysen	Moore (KS)
Akin	Gallely	Moran (KS)
Alexander	Garrett (NJ)	Murphy, Tim
Austria	Gerlach	Myrick
Bachmann	Gingrey (GA)	Neugebauer
Bachus	Gohmert	Nunes
Bartlett	Goodlatte	Olson
Barton (TX)	Guthrie	Paulsen
Biggert	Hall (TX)	Pence
Bilbray	Harper	Petri
Bilirakis	Hastings (WA)	Pitts
Blackburn	Hensarling	Poe (TX)
Blunt	Herger	Posey
Boehner	Hill	Price (GA)
Bonner	Hunter	Putnam
Bono Mack	Inglis	Radanovich
Boozman	Issa	Rehberg
Boustany	Jenkins	Reichert
Brady (TX)	Johnson (IL)	Roe (TN)
Broun (GA)	Johnson, Sam	Rogers (AL)
Brown (SC)	Jones	Rogers (KY)
Brown-Waite,	Jordan (OH)	Rogers (MI)
Ginny	King (IA)	Rooney
Buchanan	King (NY)	Ros-Lehtinen
Burgess	Kingston	Roskam
Burton (IN)	Kirk	Ryan (WI)
Buyer	Kline (MN)	Scalise
Calvert	Lamborn	Schmidt
Camp	Lance	Schock
Campbell	Latham	Sensenbrenner
Cantor	LaTourette	Sessions
Cao	Latta	Shadegg
Capito	Lee (NY)	Shimkus
Carter	Lewis (CA)	Shuler
Cassidy	Linder	Shuster
Castle	LoBiondo	Simpson
Chaffetz	Lucas	Smith (NE)
Coble	Luetkemeyer	Smith (NJ)
Coffman (CO)	Lummis	Smith (TX)
Cole	Lungren, Daniel	Souder
Conaway	E.	Stearns
Crenshaw	Mack	Sullivan
Culberson	Manzullo	Terry
Davis (KY)	Marchant	Thompson (PA)
Deal (GA)	McCarthy (CA)	Thornberry
Dent	McCaul	Tiahrt
Diaz-Balart, L.	McClintock	Tiberi
Diaz-Balart, M.	McCotter	Turner
Dreier	McHenry	Upton
Duncan	McHugh	Walden
Ehlers	McKeon	Wamp
Emerson	McMorris	Westmoreland
Fallin	Rodgers	Whitfield
Flake	Melancon	Wilson (SC)
Fleming	Mica	Wittman
Forbes	Miller (FL)	Wolf
Fortenberry	Miller (MI)	Young (AK)
Fox	Miller, Gary	Young (FL)
Franks (AZ)	Minnick	

NOT VOTING—14

Barrett (SC)	Granger	Murphy, Patrick
Bishop (UT)	Graves	Paul
Boucher	Heller	Platts
Delahunt	Hoekstra	Rohrabacher
Fudge	Klein (FL)	

□ 1050

Mr. SIRES changed his vote from "nay" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:

Mr. HELLER. Mr. Speaker, on rollcall No. 526, had I been present, I would have voted "nay."

The SPEAKER pro tempore. The question is on the resolution.

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

## RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 241, noes 179, not voting 12, as follows:

[Roll No. 527]

## AYES—241

Abercrombie	Griffith	Nye
Ackerman	Grijalva	Oberstar
Adler (NJ)	Gutierrez	Obey
Altmire	Hall (NY)	Oliver
Andrews	Halvorson	Ortiz
Arcuri	Hare	Pallone
Baca	Harman	Pascarell
Baird	Hastings (FL)	Pastor (AZ)
Baldwin	Heinrich	Payne
Barrow	Herseth Sandlin	Perlmutter
Bean	Higgins	Perriello
Becerra	Himes	Peters
Berkley	Hinchee	Peterson
Berman	Hinojosa	Pingree (ME)
Berry	Hirono	Polis (CO)
Bishop (GA)	Hodes	Pomeroy
Bishop (NY)	Holden	Price (NC)
Blumenauer	Holt	Quigley
Boccieri	Honda	Rahall
Boren	Hoyer	Reyes
Boswell	Inslee	Richardson
Boucher	Israel	Rodriguez
Boyd	Jackson (IL)	Ross
Brady (PA)	Jackson-Lee	Rothman (NJ)
Braley (IA)	(TX)	Roybal-Allard
Brown, Corrine	Johnson (GA)	Ruppersberger
Butterfield	Johnson, E. B.	Ryan (OH)
Capps	Kagen	Salazar
Capuano	Kanjorski	Davis (KY)
Cardoza	Kaptur	Deal (GA)
Carnahan	Kennedy	Dent
Carney	Kildee	Diaz-Balart, L.
Carson (IN)	Kilpatrick (MI)	Diaz-Balart, M.
Castor (FL)	Kilroy	Dreier
Chandler	Kind	Duncan
Childers	Kirkpatrick (AZ)	Ehlers
Clarke	Kissell	Emerson
Clay	Kosmas	Fallin
Cleaver	Kratovil	Flake
Clyburn	Kucinich	Fleming
Cohen	Langevin	Forbes
Connolly (VA)	Larsen (WA)	Fortenberry
Conyers	Larson (CT)	Fox
Cooper	Lee (CA)	Franks (AZ)
Costa	Levin	Frelinghuysen
Costello	Lewis (GA)	
Courtney	Lipinski	
Crowley	Loeb	
Cuellar	Lofgren, Zoe	
Cummings	Lowey	
Dahlkemper	Lujan	
Davis (AL)	Lynch	
Davis (CA)	Maffei	
Davis (IL)	Maloney	
Davis (TN)	Markey (CO)	
DeFazio	Markey (MA)	
DeGette	Marshall	
Delahunt	Massa	
DeLauro	Matheson	
Dicks	Matsui	
Dingell	McCarthy (NY)	
Doggett	McCollum	
Donnelly (IN)	McDermott	
Doyle	McGovern	
Driehaus	McIntyre	
Edwards (MD)	McMahon	
Edwards (TX)	McNerney	
Ellison	Meek (FL)	
Ellsworth	Meeks (NY)	
Engel	Michaud	
Eshoo	Miller (NC)	
Etheridge	Miller, George	
Fattah	Minnick	
Filner	Mitchell	
Foster	Mollohan	
Frank (MA)	Moore (WI)	
Giffords	Moran (VA)	
Gonzalez	Murphy (CT)	
Gordon (TN)	Murtha	
Grayson	Nadler (NY)	
Green, Al	Napolitano	
Green, Gene	Neal (MA)	

## NOES—179

Aderholt	Gallagher	Myrick
Akin	Garrett (NJ)	Neugebauer
Alexander	Gerlach	Nunes
Austria	Gingrey (GA)	Olson
Bachmann	Gohmert	Paulsen
Bachus	Goodlatte	Pence
Bartlett	Guthrie	Petri
Barton (TX)	Hall (TX)	Pitts
Biggart	Harper	Platts
Bilbray	Hastings (WA)	Poe (TX)
Bilirakis	Hensarling	Posey
Bishop (UT)	Herger	Price (GA)
Blackburn	Hill	Putnam
Blunt	Hunter	Radanovich
Boehner	Inglis	Rehberg
Bonner	Issa	Reichert
Bono Mack	Jenkins	Roe (TN)
Boozman	Johnson (IL)	Rogers (AL)
Boustany	Johnson, Sam	Rogers (KY)
Brady (TX)	Jones	Rogers (MI)
Bright	Jordan (OH)	Rohrabacher
Broun (GA)	King (IA)	Rooney
Brown (SC)	King (NY)	Ros-Lehtinen
Brown-Waite,	Kingston	Roskam
Ginny	Kirk	Royce
Buchanan	Kline (MN)	Rush
Burgess	Lamborn	Ryan (WI)
Burton (IN)	Lance	Scalise
Calvert	Latham	Schmidt
Camp	LaTourette	Schock
Campbell	Latta	Sensenbrenner
Cantor	Lee (NY)	Sessions
Cao	Lewis (CA)	Shadegg
Capito	Linder	Shimkus
Carter	LoBiondo	Shuler
Cassidy	Lucas	Shuster
Castle	Luetkemeyer	Simpson
Chaffetz	Lummis	Smith (NE)
Coble	Lungren, Daniel	Smith (NJ)
Coffman (CO)	E.	Smith (TX)
Cole	Mack	Snyder
Conaway	Manzullo	Souder
Crenshaw	Marchant	Stearns
Culberson	McCarthy (CA)	Sullivan
Davis (KY)	McCaul	Terry
Deal (GA)	McClintock	Thompson (PA)
Dent	McCotter	Thornberry
Diaz-Balart, L.	McHenry	Tiahrt
Diaz-Balart, M.	McHugh	Tiberi
Dreier	McKeon	Turner
Duncan	McMorris	Upton
Ehlers	Rodgers	Walden
Emerson	Melancon	Wamp
Fallin	Mica	Westmoreland
Flake	Miller (FL)	Whitfield
Fleming	Miller (MI)	Wilson (SC)
Forbes	Miller, Gary	Wittman
Fortenberry	Moore (KS)	Wolf
Fox	Moran (KS)	Young (AK)
Franks (AZ)	Murphy (NY)	Young (FL)
Frelinghuysen	Murphy, Tim	

## NOT VOTING—12

Barrett (SC)	Granger	Klein (FL)
Buyer	Graves	Murphy, Patrick
Farr	Heller	Paul
Fudge	Hoekstra	Rangel

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining on this vote.

□ 1058

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. HELLER. Mr. Speaker, on rollcall No. 527, had I been present, I would have voted "no."

## GENERAL LEAVE

Mr. EDWARDS of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include tabular and extra-neous material on H.R. 3082.

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

There was no objection.

## MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. Pursuant to House Resolution 622 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. 3082.

□ 1058

## 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. 3082) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes, with Ms. BALDWIN 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 Texas (Mr. EDWARDS) and the gentleman from Tennessee (Mr. WAMP) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

□ 1100

Mr. EDWARDS of Texas. Madam Chair, I yield myself such time as I may consume.

Madam Chair, Members, on behalf of America's service men and women, our veterans, and their families, it is a privilege for me to present the Fiscal Year 2010 Military Construction/Veterans Affairs Appropriations bill.

I believe this bill and the work we have done since January of 2007 is work that all of us, Democrats and Republicans alike, can be very proud of. In this time of war, we have continued our tradition of a bipartisan Military Construction and Veterans Affairs Appropriations bill, a bill that honors in a meaningful way the service and sacrifice of our service men and women, our veterans, and their families.

In the past 2½ years, along with the passage of this bill, the Congress will have increased veterans health care and benefits funding by 58 percent. That is unprecedented in the history of this country, and I believe our veterans and their families have earned every dime of that funding.

In addition, we have a new 21st-century GI Education bill. And, recently, President Obama signed into law a provision amending that bill that will provide a college scholarship to every child who has lost a mother or father in military service to our country since September 11, 2001.

In 2½ years, this Congress will have done a number of things on behalf of our veterans and troops, including adding 8,300 VA processors to reduce the