

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

There was no objection.

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

H.R. 1387, the Electronic Message Preservation Act, is another open-government bill that we are considering in celebration of Sunshine Week. This bill modernizes the requirements of the Federal Records Act and the Presidential Records Act to ensure that Federal agencies and the White House preserve emails and other electronic messages. H.R. 1387 was introduced by Representative HOLT, and it is substantially similar to H.R. 5811, a bill that passed the House last year with bipartisan support.

This bill requires agencies and the White House to adopt and maintain records management and retention policies that are consistent with modern technology. Under current law, Federal agencies have broad discretion to determine how electronic messages are preserved.

In a 2008 report, the Government Accountability Office found that many agencies rely on unreliable "print and file" systems for preserving electronic records, including email. GAO reviewed the practices of senior agency officials and determined that emails were not retained in adequate recordkeeping systems, making the email records easier to lose or delete and harder to find and use.

Last week, the National Security Archive awarded its sixth annual Rosemary Award for worst open-government performance to the Chief Information Officers Council. The council was chosen because it has never addressed the failure of the government to save its email electronically.

H.R. 1387 directs the Archivist of the United States to issue regulations requiring agencies to preserve emails in an electronic format. These regulations must cover, at a minimum, the capture, management, preservation, and electronic retrieval of electronic messages.

□ 1415

The bill requires the Archivist to establish a process to certify the electronic records management systems used by the agencies.

At this time, Madam Speaker, I would urge my colleagues to join in passage of this bill, and I reserve the balance of my time.

Mr. BILBRAY. Madam Speaker, I rise in support of the bill. I yield myself such time as I may consume.

Madam Speaker, this is a classic example of trying to work together to open up the system, allow the transparency that the American people are demanding, and I strongly support its intention and its execution.

Madam Speaker, you may remember, when we got here in 1995, that there were Members of Congress who could not understand the concept of sending

electronic emails between offices or outside. It was alien to Washington to be so technologically plugged in. It just shows you how times have changed. Now we're finally starting to address the technology. I think the gentleman from Missouri even recognized that we need to really push harder at opening up the system, embracing the new technologies that allow not only the public to know better, but also the representatives of the public to be able to function in a much more efficient manner.

This bill is truly one that we have been trying to work on for years. It's one that was controversial in certain circles, but I think it's one that we need to move forward with. I hope, again, that this is another one of those steps that the Government Oversight Committee is looking to to set an example for the rest of the Congress and the rest of Washington to find reasons to get to "yes," to find reasons to work together, and to find reasons to do it better. I think that that is one thing we can do here.

Madam Speaker, I have to say while speaking on this item that it's sad that, on the down side, we have been trying for over a decade to do something the new President has talked a lot about, and that's using e-technology for electronic medical records. And the fact is, the Federal Government has been trying to develop that for our veterans and our active duty military for over a decade and still has not been able to implement it. So I hope this is one step towards becoming comfortable with reviving, restoring, and really redesigning the way we approach e-technology and new technology and that we will embrace it rather than being terrified by it, like some people were in the nineties when we showed up.

I reserve the balance of my time.

Mr. CLAY. I couldn't agree more with my friend from California. We hope this is the impetus to spur the development—the successful development of electronic medical records, because we know what the savings would mean to our health care system and we know that it can possibly save lives by reducing errors.

So at this time, Madam Speaker, I'd like to yield 2 minutes to the distinguished chairman of the Oversight and Government Reform Committee, the gentleman from New York (Mr. TOWNS).

Mr. TOWNS. I thank the chair of the subcommittee for yielding and thank Congressman BILBRAY from California for his work on this committee, and Congressman HODES, and of course the ranking member of the full committee, Congressman ISSA. I think that when you work together, you can come up with strong legislation that can truly make a difference. I also would like to thank the staff who worked on this legislation as well.

I think that when we look at electronic records, when we look at infor-

mation that needs to be preserved, I really feel that this legislation gets us to where we need to go. I think now, more than ever, we have to make certain that this information is held at least for a certain period of time so people can make an assessment to see in terms of where we might have made mistakes, they can now correct them.

So I want to salute you for the work you have done, Chairman CLAY, and of course Ranking Member BILBRAY, and of course all the staff members who worked so hard to bring us to where we are today.

Mr. BILBRAY. Madam Speaker, I would like to close by thanking the ranking member and full committee chairman for allowing the minority to participate in the formation of this bill. There are so many committees that aren't allowing the minority to participate. I think this is really a nice example of the cooperation that I think the American people want to see and don't see enough of. I want to thank the chairman and ranking member for allowing us to participate in the process.

I yield back the balance of my time.

Mr. CLAY. Let me also thank the ranking member for his participation. As we have stated earlier, this is Sunshine Week. It's time for openness and accountability. I appreciate participating with you in these series of bills.

In closing, let me also mention that in this bill we are also considering an amendment that makes a number of drafting corrections suggested by the National Archives. For example, the amendment clarifies that the bill addresses electronic Presidential records rather than all Presidential records. H.R. 1387 will make the government more accountable by protecting an important part of the historical record, and I urge every Member to join me in supporting this legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. CLAY) that the House suspend the rules and pass the bill, H.R. 1387, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### SENSIBLE STEPS TOWARD A BALANCED BUDGET ACT

Mr. BRADY of Pennsylvania. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4825) to require any amounts remaining in a Member's Representational Allowance at the end of a fiscal year to be deposited in the Treasury and used for deficit reduction or to reduce the Federal debt.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4825

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

**SECTION 1. REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT.**

(a) IN GENERAL.—Notwithstanding any other provision of law, any amounts appropriated for Members' Representational Allowances for the House of Representatives for a fiscal year which remain after all payments are made under such Allowances for the year shall be deposited in the Treasury and used for deficit reduction, except that in the case of a fiscal year for which there is no Federal budget deficit, such amounts shall be used to reduce the Federal debt (in such manner as the Secretary of the Treasury considers appropriate).

(b) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2011 and each succeeding fiscal year.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from Mississippi (Mr. HARPER) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BRADY of Pennsylvania. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the bill now under consideration.

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

There was no objection.

Mr. BRADY of Pennsylvania. I'm delighted now to bring to the floor this worthy bill offered by my colleague, and yield 3 minutes to the gentleman from Arizona (Mrs. KIRKPATRICK).

Mrs. KIRKPATRICK of Arizona. I'm pleased to have the opportunity to discuss the bill I introduced with Mr. PETERS, the Sensible Steps Toward a Balanced Budget Act, legislation that requires that money left over in a Member's Representational Allowance, or MRA, at the end of the fiscal year be deposited in the Treasury and used to reduce the budget deficit or national debt.

As a lifelong resident of greater Arizona, I grew up around hardworking families who knew that, when times get tough, you tighten up your belt and make every dollar count. I brought this sort of thinking with me when I came to Washington last year to represent those same hardworking families. By emphasizing efficiency in my office and focusing on the most critical items, I managed to spend over \$100,000 less than what was authorized of my MRA. I was proud to save the taxpayers money and looked forward to seeing that money used to lower the national debt in this year and for years to come.

Every year, the Legislative Branch Appropriations Subcommittee includes language in its appropriations bill to

require that unspent allowances are used toward the national debt. Given these times, it is important that we make this requirement permanent.

The Sensible Steps Toward a Balanced Budget Act would do three important things. First, it would make the requirement to use unspent MRA funds toward the national debt automatic so that congressional action would no longer be necessary for this important provision to be put into place. Second, it would make the requirement permanent so that Congress does not have to pass another provision year after year. Finally, it would put the power of Federal statute behind this requirement rather than depending upon appropriations language.

In these tough times, we must get on a path of finding every opportunity, big and small, to put our fiscal house in order, and I believe that this bill is a concrete first step the Congress can take in that direction.

Thank you again, Chairman BRADY, for the opportunity to discuss the Sensible Steps Toward a Balanced Budget, and I urge its passage.

Mr. HARPER. I yield myself such time as I may consume.

Today, I rise in support of this bill, which will require unspent funds in a Member's Representational Allowance to be used for deficit reduction, or in the case that no deficit exists, to be used for reduction of an ever-growing Federal debt.

Just as we expect households to manage their budgets well and reduce personal debt, the Federal Government must be prudent in the use of taxpayer dollars and make diligent efforts to reduce the annual deficit and, ultimately, the Federal debt. This bill is one small step toward achieving that purpose; however, I hope, Madam Speaker, that this legislation is only the first step in an effort by this Congress to get our government's fiscal house back in order.

We all know that it is imperative for us to take a serious look at entitlement spending. We cannot wait for another generation to take up this mantle. We were elected to make wise and sometimes difficult decisions, and I hope that the difficulty of the task will not prevent wisdom from prevailing in this matter.

I would like to recognize the tireless efforts of my colleague from Michigan (Mr. CAMP), upon whose leadership we have relied for more than 14 years to carry this issue in the House. Last year, it was Mr. CAMP's provision in the Legislative Branch appropriations bill that required the return of unspent funds to the Treasury for deficit reduction, and I know that his efforts paved the way for this measure to come before the House today.

I am pleased to support this bill and encourage the support of my colleagues.

I reserve the balance of my time.

Mr. BRADY of Pennsylvania. I'd now like to yield 2 minutes to the gentleman from Michigan (Mr. PETERS).

Mr. PETERS. I rise today in strong support of H.R. 4825, and I am proud to have worked closely with Representative KIRKPATRICK on this important issue. We share the belief that government needs to do more with less.

The Sensible Steps Toward a Balanced Budget Act simply requires that all unused funds from each congressional office account, known as the Members Representational Allowance, or MRA, be given back to taxpayers to help reduce the Federal deficit. As our Nation faces a significant budget deficit and a growing national debt, we must look for commonsense solutions to cut spending. As Members of Congress, we must—and can—lead by example.

As a State senator in Michigan, I ran my office so efficiently during my 8 years that I was able to return the equivalent of a full year's operating budget back to Michigan taxpayers. When I came to Congress at the beginning of 2009, I made it a priority to run my office here efficiently, as well, and came in under budget in order to return the difference to taxpayers. Last year, my office came in \$135,000 under budget, and I'm continuing my efforts to save taxpayer dollars at every opportunity.

I was surprised to learn, however, that the money I saved each year would not necessarily be returned to the Treasury to help offset the deficit. This legislation would fix that, so that funding from more frugal Members of Congress can be saved and put back into the Treasury to reduce the deficit.

I believe that fiscal restraint should not be a partisan issue and that we must work together to find every opportunity to slash spending and forge a path toward a balanced budget and a shrinking national debt. This legislation is an important step towards our goal of a balanced budget.

I would, again, like to thank my colleague Representative KIRKPATRICK for her hard work and leadership on this issue, and thank you, Chairman BRADY, for the opportunity to speak about the Sensible Steps Toward a Balanced Budget Act.

I urge its passage.

□ 1430

Mr. HARPER. Madam Speaker, I yield 3 minutes to Representative FLAKE, the distinguished gentleman from Arizona.

Mr. FLAKE. I thank the gentleman for yielding. I want to commend my colleague from Arizona (Mrs. KIRKPATRICK) for introducing this legislation. This would simply turn over to the Treasury for deficit reduction anything left over in our account that is used to run our offices. This is good legislation. It should move forward. I must say, however, that we should go much further than this.

Part of the reason there is money in a lot of people's accounts to turn back is that we are given more than we need, typically because most Members

choose to send out thinly veiled campaign mail, I would assert, under the frank, or using taxpayer dollars. If I were to hold up in an election year—now there are blackout dates, so you can't send too close to an election. But still, spending goes up considerably in Member offices during a campaign year or an election year. If I were to hold up one of my campaign pieces of mail that I pay for with my campaign and something that's sent out that has the little words on there, Paid for at taxpayer expense, they're both four color, they're both colorful, nice pieces, lauding the Member of Congress for what he or she is doing, I defy anybody to tell the difference between regular campaign mail paid by campaign funds and somebody's taxpayer mailings. We shouldn't be doing this. And it seems that we get in our offices just an increased amount that is used because nearly every office does it.

We ought to lower that amount that every office receives or in some way ban the use of these colorful four-color mailings that go out. I am certainly not asserting that Members of Congress shouldn't be able to use the frank, and a lot of the mass mailings that go out are simply to inform constituents of town hall meetings or other events that are coming up. That is proper and right. But when Members of Congress are able to send out what is basically campaign mail at taxpayer expense, that's simply not right, and it's a practice that we ought to get away from.

I should note that over the past several years, it seems to be more blatant and more blatant and more blatant. There are certain words you cannot use describing yourself. There are things that are supposedly in there to prevent this from being blatant campaign mail. But again, if I held up two pieces, one piece of campaign literature and one piece mailed at taxpayer expense, I think the average constituent would have a hard time telling the difference. And that money that we save from getting rid of that practice should be applied against the deficit as well. Again, I thank the gentlelady for introducing this legislation. I hope that in the future we can go further.

Mr. BRADY of Pennsylvania. Madam Speaker, I reserve the balance of my time.

Mr. HARPER. Madam Speaker, I yield 3 minutes to Representative HELLER, the distinguished gentleman from Nevada.

Mr. HELLER. I thank my friend for yielding. Madam Speaker, I rise in support of H.R. 4825. I commend my colleague from Arizona for bringing this legislation to the floor. Our \$12 trillion debt will burden future generations, and this legislation before us today is a good start. But I think Congress must and can do more.

You don't have to go any further than the unemployment rates in this country. As you well know, Madam Speaker, the unemployment rate na-

tionwide is around 10 percent. In my State, it's closer to 13 percent. In fact, in some counties in my district, it exceeds 17 percent. Foreclosure rates are high. Families in my district and throughout my State are losing their homes. Foreclosure rates in Nevada were four times higher than the national average. Families are making tough, tough decisions in the State of Nevada, and they're asking the question, Why aren't we making these same tough decisions here in Washington? And the reason is is that Washington feels no pain. We are in a recession-proof zone here in Washington, D.C. As we have in the last year hired more than 120,000 new Federal employees across this country, States and local governments are cutting their budgets, families are cutting their budgets, small businessmen are cutting their budgets, medium-sized businessmen are cutting their budgets. And yet here in Washington, D.C., we feel no pain. I think sending the unused congressional budget account funds to pay down the debt is one thing, but stopping the growth of this account is another.

The MRA account has grown nearly 50 percent since 2000. I introduced the reduction of irresponsible MRA, or the TRIM Growth Act, to prevent the MRA from increasing during times of high unemployment or public debt. My legislation would prevent the MRA from increasing unless national unemployment is under 6 percent or less for at least 6 months, consistent with the unemployment levels of the 1990s, or unless Congress reduces the national debt to less than \$5.5 trillion, which was a reduction of 50 percent at the time this bill was drafted.

Congress ultimately needs to feel the same pain as the American people. Financial challenges facing our Nation cannot be solved in one day. And as public servants, Members of Congress must lead by example. In addition to passing this legislation today, I urge my colleagues to join me in supporting the TRIM Growth Act. Let's show the Americans who are figuring out their family budgets at the kitchen table today that they are not alone.

Mr. HARPER. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BRADY of Pennsylvania. Madam Speaker, I yield myself the remaining time.

I strongly support this bill, and I thank my colleagues from Arizona and Michigan for offering it. Not only is it an excellent proposal, but the timing is perfect, as the 2011 appropriations process begins. The annual bill that funds the House usually includes this language, but only if offered in the Appropriations Committee or on the floor, and even then, as legislation, the language is technically subject to a point of order that could block it. Our two colleagues rightly asked, Why should Congress have to enact this provision every year, and why not make it permanent?

So with that, I urge an "aye" vote.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 4825.

The question was taken.

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

Mr. BRADY of Pennsylvania. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### STATE ADMISSION DAY RECOGNITION ACT OF 2009

Mr. BRADY of Pennsylvania. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3542) to direct the Architect of the Capitol to fly the flag of a State over the Capitol each year on the anniversary of the date of the State's admission to the Union, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3542

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "State Admission Day Recognition Act of 2009".

#### SEC. 2. FLYING STATE FLAG OVER CAPITOL ON ANNIVERSARY OF STATE'S ADMISSION TO UNION.

(a) IN GENERAL.—To honor the anniversary of each State's admission to the Union, the Architect of the Capitol shall fly the flag of the State over the Capitol each year on the anniversary of the date of the State's admission to the Union.

(b) EFFECTIVE DATE.—The Architect of the Capitol shall fly the first flag of a State over the Capitol under this section on the first December 7 which occurs after the date of the enactment of this Act, in honor of the anniversary of the admission of Delaware, the first State admitted to the Union.

#### SEC. 3. REGULATIONS.

*The Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate may promulgate jointly such regulations as may be appropriate to carry out this Act, including regulations permitting the Architect of the Capitol to honor the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the United States Virgin Islands, and the Northern Mariana Islands by flying the flag of each such jurisdiction over the Capitol each year on an appropriate date for that jurisdiction.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from Mississippi (Mr. HARPER) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BRADY of Pennsylvania. Madam Speaker, I ask unanimous consent that