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Diaz-Balart, L.  
Diaz-Balart, M.  
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Gordon (TN)  
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Green, Al  
Green, Gene  
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Hall (NY)  
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Jenkins  
Johnson (GA)  
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Johnson, E. B.  
Johnson, Sam  
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Jordan (OH)  
Kagen  
Kanjorski  
Kaptur  
Kennedy  
Kildee  
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Lofgren, Zoe  
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Lungren, Daniel  
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Markley (CO)  
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Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (KS)  
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Murphy (CT)  
Murphy, Patrick  
Murphy, Tim  
Myrick  
Nadler (NY)  
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Ross  
Rothman (NJ)  
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Ryan (OH)  
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Salazar  
Sanchez, Linda  
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Sanchez, Loretta  
Sarbanes  
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Scott (GA)  
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Sherman  
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Simpson  
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Whitfield  
Wilson (OH)  
Wilson (SC)  
Wittman  
Wolf  
Woolsey  
Wu  
Yarmuth  
Young (AK)  
Young (FL)

## NAYS—1

Paul

## NOT VOTING—12

Barrett (SC)  
Becerra  
Brown (SC)  
Cassidy

Crowley  
Davis (AL)  
Hoekstra  
Kilpatrick (MI)

King (IA)  
Minnick  
Murphy (NY)  
Teague

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1553

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## DISASTER RELIEF AND SUMMER JOBS ACT OF 2010

Mr. OBEY. Mr. Speaker, pursuant to House Resolution 1204, I call up the bill (H.R. 4899) making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1204, the bill is considered read.

The text of the bill is follows:

## H.R. 4899

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2010, and for other purposes, namely:

DEPARTMENT OF HOMELAND SECURITY  
FEDERAL EMERGENCY MANAGEMENT AGENCYDISASTER RELIEF  
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Disaster Relief”, \$5,100,000,000, to remain available until expended, of which \$5,000,000 shall be transferred to the Department of Homeland Security Office of the Inspector General for audits and investigations related to disasters.

## DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION  
TRAINING AND EMPLOYMENT SERVICES

For an additional amount for “Training and Employment Services” for activities under the Workforce Investment Act of 1998 (“WIA”), \$600,000,000, which shall be available for obligation on the date of enactment of this Act, for grants to the States for youth activities: *Provided*, That such funds shall be used solely for summer employment programs for youth: *Provided further*, That no portion of such funds shall be reserved to carry out section 127(b)(1)(A) of the WIA: *Provided further*, That for purposes of section 127(b)(1)(C)(iv) of the WIA, funds available for youth activities shall be allotted as if the total amount available for youth activities in the fiscal year does not exceed \$1,000,000,000: *Provided further*, That the work readiness performance indicator described in section 136(b)(2)(A)(ii)(I) of the WIA shall be the only measure of performance used to assess the effectiveness of summer employment for youth provided with such funds.

## LEGISLATIVE BRANCH

## HOUSE OF REPRESENTATIVES

## PAYMENT TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For a payment to Joyce Murtha, widow of John P. Murtha, late a Representative from Pennsylvania, \$174,000: *Provided*, That section 102 shall not apply to this appropriation.

## INDEPENDENT AGENCIES

## SMALL BUSINESS ADMINISTRATION

## BUSINESS LOANS PROGRAM ACCOUNT

For an additional amount for “Business Loans Program Account” for fee reductions and eliminations under section 501 of title V of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) and for the cost of guaranteed loans under section 502 of such title, \$20,000,000, to remain available until expended: *Provided*, That such costs shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That up to \$40,000,000 of the amount made available under this heading in Public Law 111-117 also may be utilized for the purposes specified in this paragraph: *Provided further*, That section 502(f) of title V of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) is amended by striking “March 28, 2010” and inserting “April 30, 2010”.

## GENERAL PROVISIONS

## RESCISSIONS

SEC. 101. There are hereby rescinded the following amounts from the specified accounts:

(1) “Department of Commerce—National Telecommunications and Information Administration—Digital-to-Analog Converter Box Program”, \$111,500,000, to be derived from unobligated balances made available under this heading in title II of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 128).

(2) “Department of Transportation—National Highway Traffic Safety Administration—Consumer Assistance to Recycle and

Save Program", \$44,000,000, to be derived from unobligated balances made available in title XIII of Public Law 111-32 and in Public Law 111-47.

(3) "Department of Agriculture—Food and Nutrition Service—Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)", \$361,825,000, to be derived from unobligated balances available from amounts placed in reserve in title I of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 115).

(4) Accounts under the heading "Department of Agriculture—Rural Development Programs", \$102,675,000, to be derived from the unobligated balances of funds that were provided for such accounts in prior appropriation Acts (other than Public Law 111-5) and that were designated by the Congress in such Acts as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

#### EMERGENCY DESIGNATION

SEC. 102. Each amount in this Act is designated as an emergency requirement and necessary to meet emergency needs pursuant to sections 403 and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

#### SHORT TITLE

SEC. 103. This Act may be cited as the "Disaster Relief and Summer Jobs Act of 2010".

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. OBEY) and the gentleman from California (Mr. LEWIS) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

#### GENERAL LEAVE

Mr. OBEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4899.

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

There was no objection.

Mr. OBEY. Mr. Speaker, I yield myself 1 minute.

This is a very simple bill. It provides \$5.1 billion as requested by the President for FEMA disaster relief because FEMA will run out of money in the next 2 or 3 weeks. Consistent with all prior year FEMA supplementals and the President's request, this \$5.1 billion is designated as an emergency. The bill also provides \$600 million for youth summer jobs. This funding will support over 300,000 jobs for youth ages 16 to 21. This age group had some of the highest unemployment levels in the country:

Last, the bill extends the successful small business lending provisions that are contained in the Recovery Act for another month and provides up to \$60 million for that effort. Again, that new funding is offset. The bill rescinds emergency funding that is not needed in order to provide for the offsets.

With that, I reserve the balance of my time.

Mr. LEWIS of California. Mr. Speaker, I believe that most Members would agree that the fiscal path that our country is currently on is unsustainable. With an annual deficit

of \$1.6 trillion, a growing mountain of debt, and unemployment hovering near 10 percent, it's clear that we must change our course now or face catastrophic consequences in the very near future.

My colleagues, the simple truth is that Uncle Sam needs a diet. The single greatest challenge of this Congress and our best hope for lasting recovery lies in curbing Uncle Sam's appetite for spending. It's time to cut up the government's credit card and live within our means starting right now, today.

Just two nights ago, Congress passed a \$1 trillion health care bill that was opposed by every Republican House member and 39 Democrat House members. Never before in our Nation's history has such historic legislation been passed by one party over such widespread bipartisan opposition. Now, here we are again preparing to vote on yet another huge spending bill that was crafted without any transparency or bipartisan involvement.

Most Members would agree that providing relief to Americans suffering from natural disasters is a responsible and worthy use of taxpayer dollars. Most Members would also agree we don't need to load up a disaster bill with hundreds of millions of dollars on a summer youth program—especially when there is already \$1.4 billion in the jobs pipeline.

It's worth noting that the \$600 million for a summer youths job program is being offset by various rescissions in unused funding from the stimulus bill and other past spending bills.

But my underlying question is this: If there is \$1.4 billion already in the pipeline for a Department of Labor jobs program, why can't we return the rescinded \$600 million dollars back to the Treasury for deficit reduction? Why must my Democrat friends continue to spend and spend and spend and spend?

At the beginning of this Congress, the Appropriations Committee consisted of 60 members—37 Democrats and 23 Republicans. It's worth noting, however, that my chairman has made it a habit to write his bills and completely bypass the Democrat and Republican members of the committee. Do not for one minute believe that this legislation reflects the work of the House Appropriations Committee or even the Democrats on the Appropriations Committee, because it does not. To my knowledge, this bill has had no input from any members other than the chairman himself. There's been no markup, no amendments, and no potential offsets debated or even discussed by the committee.

Like the trillion-dollar stimulus package and the subsequent "son of stimulus" passed by the House prior to Christmas, this legislation will pass without any opportunity for a Member to amend it. With billions and billions of stimulus funding still unspent, there is no reason why the entire emergency relief portion of this legislation cannot be entirely paid for or be used to begin

paying down that \$1.6 trillion deficit for the year.

□ 1600

Mr. OBEY has argued that Republicans didn't "pay for" disasters when we were in charge. On that point, he is correct. However, when Republicans were the majority party, annual deficits were not \$1.6 trillion as they are today, and we didn't have hundreds of billions of dollars in unnecessary funding sloshing around in Federal coffers. Surely we can cut \$5.1 billion in unspent stimulus funding to pay for the FEMA spending involved here. We shouldn't continue to spend money we don't have.

Mr. Speaker, we can agree to disagree on the cause of our economic troubles, but the fact remains that we cannot spend our way into economic health. Until the Congress curbs its appetite for spending, our economy will continue to suffer.

With that said, I urge Members on both sides of the aisle to insist, especially after Sunday's budget-busting vote on health care, that we fully offset the entire cost of this legislation so we do not further burden future generations with even more debt.

I will close, as I began, with this comment: The simple truth is that Uncle Sam needs a diet.

I reserve the balance of my time.

Mr. OBEY. I yield myself 2 minutes.

Mr. Speaker, I would simply note that the gentleman is complaining because the committee is using precisely the same procedures that it used in the past when he was chairman and his party was in control of the situation.

When Republicans controlled the House, they brought supplementals to the floor in five out of six Congresses that were handled by the chairman and the chairman alone. That is no different than is happening today. In fact, from 1995 through 2006, while Republicans controlled the institution, the House considered 12 supplemental appropriation bills handled in just that same way.

Secondly, with respect to the so-called runaway spending for summer youth jobs, that spending is fully offset by other cuts in the bill. So much for runaway spending. I can't recall similar fiscal rectitude when the other party was running this place.

Thirdly, let me suggest that when the gentleman complains about not offsetting the funding for the emergency disaster relief program, I would point out that the past administration asked us to do the very same thing eight times in a row, and the Congress did.

Let me also say, by the way, that I would invite the gentleman from California to join me in cosponsoring legislation, which I have introduced in this House several times, which would set up a State-funded disaster program which would be experience rated so that each State would pay into that fund ahead of time on the basis of how much they have drawn out of it in the past.

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

Mr. OBEY. I yield myself 1 additional minute.

I would point out that more than half of all disaster relief since 1993 has gone to just four States: Louisiana, Florida, California—the gentleman's home State—and Mississippi; and 80 percent of all disaster relief since 1993 has gone to 10 States: those four plus Texas, Puerto Rico, Alabama, Iowa, North Carolina, and New York.

As a Representative of a State that is not in that 10-State group, I am perfectly happy to end the need for virtually all disaster payments paid for by Uncle Sam by establishing the kind of proposal that I have supported for years. I doubt very much the gentleman from California would like that because then California would be paying into it in the same measure that they are drawing out of it through the years.

But I would, nonetheless, invite any Member interested in fiscal rectitude, whether from a recipient State or not, to join me in that effort and then we won't have these meaningless debates on the floor anymore.

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume.

I simply rise, in part, to respond to the comments of my colleague. I think it's important for us to know that we do have quite a history of supplemental funding and what we do with emergency spending.

As the chairman suggests, there has been a lot of funny business that has gone on, but I thought the Members ought to know that from fiscal year 1989 through fiscal year 2006 there have been 36 multiagency supplemental appropriations bills that have been considered by the Congress, and most of them have been enacted into law. Of those, only seven were never considered by our Appropriations Committee and this one was not considered by our Appropriations Committee. It was introduced almost at midnight, the very day we dealt with that trillion-dollar deficit package that was before us. Those seven that bypassed the committee I could easily go through in detail, but essentially they were dealing with the natural disasters that related to hurricanes in Florida and the disaster that impacted Louisiana and the like. Emergencies, indeed, but the committee was bypassed for those emergencies.

It seems to me that it's about time that we took up supplementals like this, instead of being written at the last minute, be handled in regular order, be considered by the committee, be available to the members for not only reading but for amending, and it has become a consistent pattern that we are not doing that. We are bypassing our committee as though the committee or subcommittees might as well not exist.

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

Mr. OBEY. I yield myself 30 seconds.

I would simply say, Mr. Speaker, that the White House submitted this request for disaster relief over a month ago. Everyone in this institution has known about it; in addition to which, the gentleman's staff has known for a good 2 weeks that we would be considering this disaster relief. The only thing that's different is that we found offsets within the past few days that would help to fully pay for the summer jobs program so, therefore, we included that in the proposition.

This is hardly a complicated matter. I am sure that the gentleman from California is up to a full understanding of it.

I reserve the balance of my time.

Mr. LEWIS of California. Mr. Speaker, I yield 4 minutes to the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. I thank the ranking member for yielding.

I rise, Mr. Speaker, to voice my disappointment with this bill. First, the sheer cost of the disaster relief section of this bill has largely resulted from the administration's own reluctance to be forthright on true disaster costs. When the administration knew full well that they were looking at an immense shortfall for disaster relief costs for fiscal year 2010, they all but stuck their heads in the sand, refused to get off the dime and submit an official request or budget amendment, and that's after continued inquiries and even congressional direction—congressional direction—to be more forthcoming with known costs.

To add insult to injury, FEMA's inability to accurately assess the costs of certain damages have led to several large arbitration rulings and settlements, rulings in which FEMA was admonished for having no sound basis for its estimates. FEMA's ineptitude has resulted in an additional \$1.2 billion in costs to the taxpayers. Ineptitude.

These failures amount to an expensive and now hurried bill. It goes without saying that the administration and FEMA must do better in estimating and budgeting for the real costs of disasters. We have been on this broken path for too long.

Secondly, given the failings of the administration and FEMA, and considering this supplemental does not follow a singular catastrophic event, I see no reason why the administration and the Democrat majority have not worked harder to offset this spending. This concern is especially relevant when billions of dollars in unobligated money is lying around—sloshing—in the so-called stimulus bill, a point that Chairman LEWIS has made repeatedly here today.

Why are we further burdening the American people with additional debt when there are monies that can and should be used to pay for the costs of real emergencies? Sadly, the majority hasn't even notionally consulted the minority or, for that matter, the committee on finding ways to pay for this

and is choosing, instead, to just ram this bill through the House with only an hour of debate.

I would like to think that had this bill been handled properly with at least some minority input, we could have collaborated to produce a more fiscally disciplined bill and a bill that included some tough and badly needed oversight on how the administration and FEMA is budgeting for disaster relief funding. Needless to say, the majority seems hell-bent on spending taxpayer money without even giving lip service to an offset.

Mr. Speaker, at this rate, we are simply passing an impossible financial emergency to our children and our grandchildren. To say that I am disappointed at this bill's cost and lack of oversight and discipline is a gross understatement. The administration and this Democrat majority must do better.

Mr. OBEY. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. I thank the chairman for yielding.

Mr. Speaker, I rise in support of the disaster relief and summer jobs supplemental appropriations bill, which includes \$5.1 billion for the Federal Emergency Management Agency's Disaster Relief Fund. The administration has requested this amount in emergency funding to pay for recovery from catastrophic events and to be able to respond to disasters and emergencies through the balance of the fiscal year.

This bill is about making sure that FEMA keeps its promises to devastated communities that are getting back on their feet as well as to those who may face disasters in the months to come. In addition to ongoing recovery costs associated with an active hurricane season and extraordinary flooding in the Midwest in 2008, FEMA is still required to pay for some very expensive outstanding costs related to Katrina, such as the devastated Louisiana schools and Charity Hospital.

Because we are still dealing with these monumental recovery efforts, the Disaster Relief Fund is being depleted at a rate of nearly \$500 million per month this fiscal year. This has nearly doubled the noncatastrophic 5-year average that FEMA bases its estimates on. At that rate, OMB projects FEMA will be completely out of disaster relief funds by the end of March.

It's unfortunate that we find ourselves in the position of running low on funds just halfway through the fiscal year. I agree that FEMA needs to find a better way to budget, to account for the known costs of these catastrophic events when formulating the budget request. I have pressed them to do that and will continue to do so. But it is disingenuous for those on the other side of the aisle to lecture us on this issue when, to a large extent, as they well know, this supplemental is required to deal with the mess inherited from the

previous administration. And by “the mess,” I mean the practice of lowballing projected disaster costs as well as billions in deferred obligations.

The fact of the matter is the last administration failed to bring these major public infrastructure projects in the gulf coast to a resolution. We are talking about billions of dollars worth of liabilities that were just kicked down the road. So no lectures, please, on irresponsible budgeting. Over \$2 billion of this supplemental could be spent dealing with unresolved Katrina costs.

The FEMA administrator brought these issues to light in a recent hearing before our subcommittee. He has now committed to correcting these deficiencies, to cleaning up the mess he inherited, and to making sure FEMA accounts for its recovery costs, fully accounts, rather than punting them to the next administration.

Based on the impending shortfall in the fund, FEMA announced last month that it could only pay for “immediate needs” for disasters, which includes assistance to families and individuals, as well as debris removal and emergency protective measures. All long-term rebuilding projects are being deferred until Congress acts. To put that into perspective for my colleagues, that means that over \$367 million worth of projects in 43 States and four territories will continue to be delayed if we fail to act.

□ 1615

And this backlog will only continue to grow. When you add the expensive Katrina-related issues, FEMA is currently liable for nearly \$2 billion in costs.

In addition to addressing these past disasters, we must prepare for those to come. The National Weather Service, the Army Corps of Engineers currently estimate that one-third of the U.S. will be faced with the possibility of flooding this spring. Without these funds, FEMA will not be able to assist local communities and States responding to these flooding disasters. It's critical that we replenish the disaster relief funds now.

I remind my colleagues that we have always considered disaster relief funds to be emergency funding, under Republican and Democratic Congresses, under Republican and Democratic administrations. The last administration transmitted eight supplementary funding requests for the disaster relief fund between fiscal 2002 and 2006. Those disaster relief funds were always requested as an emergency and were not offset.

We all have a stake, Mr. Speaker, in the passage of this bill. I urge my colleagues to support it.

Mr. LEWIS of California. Mr. Speaker, I really appreciate my colleague from North Carolina. He's a regular order kind of guy, and he chairs the Homeland Security Subcommittee. I've only been complaining about the way we're handling the process.

My chairman so far has not brought a single supplement to the floor under an open rule. And you can deal with these things with an open rule reasonably on the floor. But, ideally, you deal with them in committee, have a chance for amendments and otherwise.

We just don't bring supplementals to the committee for discussion. So far there have been—my colleague should know this—so far there have been \$800 billion in spending numbers that Members didn't get a chance to have any input upon.

With that, I yield 3 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Speaker, there's no doubt that unemployment remains a problem; but the majority, for some reason, thinks we need to borrow another \$600 million to subsidize summer jobs for kids. But, you know, there's a lot of money already available. Out of the \$1.2 billion provided for youth jobs in the so-called Recovery Act, \$366 million is still unspent. There's another \$924 million in annual appropriations that will be available in about 1 week from now.

Additionally, for each of the last two program years, there's approximately \$250 million appropriated for youth employment that has not been spent and been carried forward. So when you add all that up, it's \$1.5 billion that's available today already for youth programs in the summer.

Why on God's green Earth would we borrow another \$600 million from the Chinese?

Mr. OBEY. Will the gentleman yield on that?

Mr. TIAHRT. I have limited time, Mr. Chairman. If you'll be brief.

Mr. OBEY. I would yield to you 30 seconds so I might ask you a question.

Mr. TIAHRT. I would welcome to have your question, Mr. Chairman.

Mr. OBEY. Why do you keep saying we're borrowing money to add to the summer youth program when this bill fully offsets every dime that we're spending on it?

Mr. TIAHRT. Well, Mr. Chairman, we overspent so far this year \$655 billion.

Mr. OBEY. No. Would you answer my question? We are not adding one dime to the deficit by what we are adding to the summer jobs program. We are fully paying for it by cuts in other programs.

I have great respect for my friend from Kansas, but he needs to be accurate in what he says.

Mr. TIAHRT. I thank the Chairman. And I would argue that of the \$655 billion that we've already had to borrow, you're taking some of that money and applying it to this program so, again, borrowing money from the Chinese.

Mr. OBEY. That's new math.

Mr. TIAHRT. Well, I guess I'm entitled to my new math today.

I would like to make the point that these summer jobs, or these temporary youth jobs that are paid for by tax dollars don't create permanent jobs. Wichita State University did a study of

what we received with the stimulus money; and of the \$6.2 million that was received, 600 employers temporarily hired 1,593 youth for summer jobs. Out of that, only 62 jobs were permanent, or 3.8 percent.

So if you look at what's happened through the stimulus, since the stimulus business was passed, we've lost 3.9 million private sector jobs. We have created jobs in the Federal Government, 63,000 jobs, another 230,000 jobs at the State and local level. How are we going to pay for those jobs in the future?

We've created permanent government jobs and lost private sector jobs. A little math—that's not new math, but proven math—says that for every government employee, it takes 10 private sector jobs to pay enough Federal taxes to cover the cost of that employee.

So what we should be talking about is not temporary jobs in the summer for youth, but permanent jobs, real jobs. And in fact, we need 3 million jobs just to cover the new government jobs that we've created. We can create those jobs through tax relief for employers. We can do it by freezing regulations and forcing the existing regulations through a simple formula where the benefit exceeds the cost. And we need tort reform, and we need to become energy independent.

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

Mr. LEWIS of California. I yield the gentleman an additional minute.

Mr. TIAHRT. The point I want to make about creating a strong economy to pay for these new government jobs at the Federal and State level, we have to do things to provide opportunity in our economy. The way you do that is you enhance the process of hiring people.

Capital is always a coward and only goes where it's welcome. Lowering taxes for people who invest in jobs will attract capital into our economy.

Second, we need to freeze our current regulations and force all the regulations that we have on the books today through a simple formula: B has to be greater than C. That means that the benefit has to exceed the cost of implementation. If we would do that, we would lower the cost of creating things in America, of making things in America, and we have to make things.

The third thing I would argue is we need to have tort reform. I favor a loser-pay system like they have in the United Kingdom.

And, fourth, I would like to say if we became energy independent, we would solve our unemployment problem. Only one State in the entire United States last year had increased employment. That State was North Dakota, and it was because they found oil under private property. Had it been under public lands, we could not have extracted the oil. But because it was private lands, we created jobs.

I recommend we oppose this bill.

Mr. OBEY. Mr. Speaker, I yield myself 30 seconds.

I invite the gentleman's attention to page 4 and page 5 of the bill. If he will read those two pages, he will see that every dollar of additional spending for summer jobs is paid for by a reduction in other government spending programs.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. COLE).

Mr. COLE. Mr. Speaker, I share my colleagues' concerns about what's in the bill, but I'm also concerned by what's not in the bill and, frankly, that's money to fund the settlement of the so-called Cobell lawsuit.

As my colleagues on both sides of the aisle know, this lawsuit against the Federal Government stems from the mismanagement of Indian trust accounts and trust land since 1887. It involves over half a million claimants; it has drag on for 14 years through three different administrations involving both parties.

Finally, in December of last year, a settlement was reached, \$3.4 billion: \$1.4 billion to individual claimants, \$2 billion to allow for the repurchase of fractionated lands, and some money set aside for an Indian scholarship fund.

I want to particularly, frankly, commend Secretary Salazar, who did a wonderful job in bringing this issue to closure. But it's now squarely in our court in the Congress of the United States. The President has asked us to solve this problem or to fund the settlement that he's negotiated.

For the record, Mr. Speaker, I'd like to enter the President's letter to the Speaker asking action on this particular item. So it's now squarely in our court.

When the settlement was negotiated, there was a deadline that we would act in Congress by December 31 of last year. Obviously, we missed that. There's a second deadline of February 28. We missed that. The last deadline is April 15.

I know that many of my friends on the other side of the aisle sincerely want to settle this issue, and I look forward to working with them as we try to move toward that; but I find it very difficult to keep people that have been waiting over 100 years waiting a while longer while we do things in a more immediate framework. So I urge the Congress to act, and I urge us to, frankly, support the administration's negotiated settlement. When we do that I'll be there to help my friends on the other side of the aisle.

THE WHITE HOUSE,

Washington, DC, February 12, 2010.

Hon. NANCY PELOSI,  
Speaker of the House of Representatives,  
Washington, DC.

DEAR MADAM SPEAKER: I ask the Congress to consider the enclosed amendments to Fiscal Year (FY) 2010 proposals in my FY 2011 Budget.

Included is an amendment for the Department of Homeland Security, Disaster Relief, for the continued response and recovery ef-

forts associated with prior large events, such as Hurricane Katrina and the Midwest Floods. The proposed total for FY 2010 in my FY 2011 Budget would increase by \$1.5 billion as a result of this amendment.

Also included are amendments to general provisions that would provide authorization and funding for FY 2010 to implement the settlement of a case involving the management of individual Indian trust accounts related to Indian lands and to settle claims of prior discrimination brought by black farmers against the Department of Agriculture.

The details of these requests are set forth in the enclosed letter from the Director of the Office of Management and Budget.

Sincerely,

BARACK OBAMA.

Enclosure.

EXECUTIVE OFFICE OF THE PRESIDENT,  
OFFICE OF MANAGEMENT  
AND BUDGET,

Washington, DC, February 12, 2010.

The PRESIDENT,

The White House.

Submitted for your consideration are amendments to the Fiscal Year (FY) 2010 proposals in your FY 2011 Budget. Included is an amendment for the Department of Homeland Security, Disaster Relief. Also included are amendments to general provisions that would provide authorization and funding for FY 2010 to implement the settlement of a case involving the management of individual Indian trust accounts related to Indian lands and to settle claims of prior discrimination brought by black farmers against the Department of Agriculture. These amendments are described below and in more detail in the enclosures.

The proposed Budget totals for FY 2010 would increase by \$1.5 billion as a result of the following amendment:

*Department of Homeland Security, Disaster Relief.* This amendment would provide an additional \$1.5 billion and would increase the pending \$3.6 billion FY 2010 supplemental request included in the FY 2011 Budget to \$5.1 billion. These supplemental funds are needed before March 2010 for the continued response and recovery efforts associated with prior large events, such as Hurricane Katrina and the Midwest Floods. This supplemental request is also being re-transmitted to underscore the importance of acting in a timely fashion.

Two FY 2010 proposals were included as mandatory requests in the FY 2011 Budget, with an expectation that authorization language would be transmitted at a later date. However, at this time there are no other appropriate legislative vehicles available to allow for expeditious consideration of these proposals. Therefore, they are now being requested as changes in mandatory programs and as such, are being transmitted to the Appropriations Committee for their disposition.

*General Provision, Sec. 1: Cobell v. Salazar.* This amendment would provide authorization and funding to implement the settlement of *Cobell v. Salazar*, a case involving the management of individual Indian trust accounts related to Indian lands. Pending congressional action and final approval by the Court, \$3.412 billion will be expended from the Department of the Treasury's Claims, Judgments, and Relief Acts account in FY 2010. Within this total, the settlement agreement provides that \$2.0 billion from the appropriation to this account will be transferred to a new Trust Land Consolidation Fund in the Department of the Interior for the buy-back and consolidation of fractionated land interests and other activities.

*General Provision, Sec. 2: Discrimination Claims Settlement.* This amendment would

provide authorization and FY 2010 funding of \$1.150 billion to settle claims of prior discrimination brought by black farmers against the Department of Agriculture that were previously addressed by section 14012 of Public Law 110-246, the Food Conservation and Energy Act of 2008.

*Recommendation*

I have carefully reviewed these requests and am satisfied that they are necessary at this time. Therefore, I join the heads of the affected agencies in recommending you transmit these proposals to the Congress.

Sincerely,

PETER R. ORSZAG,  
Director.

Enclosures.

*FY 2010 Supplemental Proposal in the FY 2011 Budget*

Agency: Department of Homeland Security.

Bureau: Federal Emergency Management Agency.

Heading: Disaster Relief.

FY 2011 Budget Appendix Page: 1362.

FY 2010 Pending Supplemental Request: \$3,600,000,000.

Proposed Amendment: \$1,500,000,000.

FY 2010 Revised Supplemental Request: \$5,100,000,000.

(In the appropriations language under the above heading, delete "\$3,600,000,000" and substitute \$5,100,000,000.)

This amendment would provide an additional \$1.5 billion for the Disaster Relief account and would increase the pending \$3.6 billion FY 2010 supplemental request included in the FY 2011 Budget to \$5.1 billion.

This request is submitted to: (1) reiterate the need to provide the proposed funding before March 2010, and underscore the Administration's support for this proposal; and (2) request an additional \$1.5 billion in anticipation of arbitration panel decisions likely to impact the Disaster Relief Fund in a previously unexpected manner. This proposal provides additional funding for the continued response and recovery efforts associated with prior large events, such as Hurricane Katrina and the Midwest Floods.

Through the Disaster Relief Fund, the Federal Emergency Management Agency provides a significant portion of the total Federal response to Presidentially-declared major disasters and emergencies. Primary assistance programs include Federal assistance to individuals and households, public assistance, and hazard mitigation assistance, which includes the repair and reconstruction of State, local, and nonprofit infrastructure.

*FY 2010 Change in a Mandatory Program*

Heading: *General Provisions—This Act.*

FY 2011 Budget Appendix Page: 1366.

FY 2010 Pending Request: \$3,412,000,000.

Proposed Amendment:—

Revised Request: \$3,412,000,000.

(In the appropriations language, insert the above new heading and the following new language directly following section 2 of the "General Provisions" that appear on page 1365:)

*Sec. 1. THE INDIVIDUAL INDIAN MONEY ACCOUNT LITIGATION SETTLEMENT ACT OF 2010.*

(a) *SHORT TITLE.*—This section may be cited as the "Individual Indian Money Account Litigation Settlement Act of 2010".

(b) *DEFINITIONS.*—In this section:

(1) *AMENDED COMPLAINT.*—The term "Amended Complaint" means the Amended Complaint attached to the Settlement.

(2) *LAND CONSOLIDATION PROGRAM.*—The term "Land Consolidation Program" means a program conducted in accordance with the Settlement and the Indian Land Consolidation Act (25 U.S.C. 2201 et seq.) under which the Secretary may purchase fractionated interests in trust or restricted land.

(3) **LITIGATION.**—The term “Litigation” means the case entitled *Elouise Cobell et al. v. Ken Salazar et al.*, United States District Court, District of Columbia, Civil Action No. 96-1285 (JR).

(4) **PLAINTIFF.**—The term “Plaintiff” means a member of any class certified in the Litigation.

(5) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(6) **SETTLEMENT.**—The term “Settlement” means the Class Action Settlement Agreement dated December 7, 2009, in the Litigation.

(7) **TRUST ADMINISTRATION CLASS.**—The term “Trust Administration Class” means the Trust Administration Class as defined in the Settlement.

(c) **PURPOSE.**—The purpose of this section is to authorize the Settlement.

(d) **AUTHORIZATION.**—The Settlement is authorized, ratified, and confirmed.

(e) **JURISDICTIONAL PROVISIONS.**—

(1) **IN GENERAL.**—Notwithstanding the limitation on jurisdiction of district courts contained in section 1346(a)(2) of title 28, United States Code, the United States District Court for the District of Columbia shall have jurisdiction over the claims asserted in the Amended Complaint for purposes of the Settlement.

(2) **CERTIFICATION OF TRUST ADMINISTRATION CLASS.**—

(A) **IN GENERAL.**—Notwithstanding the requirements of the Federal Rules of Civil Procedure, the court overseeing the Litigation may certify the Trust Administration Class.

(B) **TREATMENT.**—On certification under subparagraph (A), the Trust Administration Class shall be treated as a class under Federal Rule of Civil Procedure 23(b)(3) for purposes of the Settlement.

(f) **ACCOUNTING/TRUST ADMINISTRATION FUND.**—

(1) **IN GENERAL.**—Of the amounts appropriated by section 1304 of title 31, United States Code, \$1,412,000,000 shall be deposited in the Accounting/Trust Administration Fund, in accordance with the Settlement.

(2) **CONDITIONS MET.**—The conditions described in section 1304 of title 31, United States Code, shall be considered to be met for purposes of paragraph (1).

(g) **TRUST LAND CONSOLIDATION.**—

(1) **TRUST LAND CONSOLIDATION FUND.**—

(A) **ESTABLISHMENT.**—On final approval (as defined in the Settlement) of the Settlement, there shall be established in the Treasury of the United States a fund, to be known as the “Trust Land Consolidation Fund”.

(B) **AVAILABILITY OF AMOUNTS.**—Amounts in the Trust Land Consolidation Fund shall be made available to the Secretary during the 10-year period beginning on the date of final approval of the Settlement—

(i) to conduct the Land Consolidation Program; and

(ii) for other costs specified in the Settlement.

(C) **DEPOSITS.**—

(i) **IN GENERAL.**—On final approval (as defined in the Settlement) of the Settlement, the Secretary of the Treasury shall deposit in the Trust Land Consolidation Fund \$2,000,000,000 of the amounts appropriated by section 1304 of title 31, United States Code.

(ii) **CONDITIONS MET.**—The conditions described in section 1304 of title 31, United States Code, shall be considered to be met for purposes of clause.

(D) **TRANSFERS.**—In a manner designed to encourage participation in the Land Consolidation Program, the Secretary may transfer, at the discretion of the Secretary, not more than \$60,000,000 of amounts in the Trust Land Consolidation Fund to the Indian Education Scholarship Holding Fund established under paragraph 2.

(2) **INDIAN EDUCATION SCHOLARSHIP HOLDING FUND.**—

(A) **ESTABLISHMENT.**—On the final approval (as defined in the Settlement) of the Settlement, there shall be established in the Treasury of the

United States a fund, to be known as the “Indian Education Scholarship Holding Fund”.

(B) **AVAILABILITY.**—Notwithstanding any other provision of law governing competition, public notification, or Federal procurement or assistance, amounts in the Indian Education Scholarship Holding Fund shall be made available, without further appropriation, to the Secretary to contribute to an Indian Education Scholarship Fund, as described in the Settlement, to provide scholarships for Native Americans.

(3) **ACQUISITION OF TRUST OR RESTRICTED LAND.**—The Secretary may acquire, at the discretion of the Secretary and in accordance with the Land Consolidation Program, any fractional interest in trust or restricted land.

(4) **TREATMENT OF UNLOCATABLE PLAINTIFFS.**—A Plaintiff the whereabouts of whom are unknown and who, after reasonable efforts by the Secretary, cannot be located during the 5 year period beginning on the date of final approval (as defined in the Settlement) of the Settlement shall be considered to have accepted an offer made pursuant to the Land Consolidation Program.

(h) **TAXATION AND OTHER BENEFITS.**—

(1) **INTERNAL REVENUE CODE.**—For purposes of the Internal Revenue Code of 1986, amounts received by an individual Indian as a lump sum or a periodic payment pursuant to the Settlement—

(A) shall not be included in gross income; and

(B) shall not be taken into consideration for purposes of applying any provision of the Internal Revenue Code that takes into account excludable income in computing adjusted gross income or modified adjusted gross income, including section 86 of that Code (relating to Social Security and tier 1 railroad retirement benefits).

(2) **OTHER BENEFITS.**—Notwithstanding any other provision of law, amounts received by an individual Indian as a lump sum or a periodic payment pursuant to the Settlement shall not be treated for any household member, during the 1-year period beginning on the date of receipt—

(A) as income for the month during which the amounts were received; or

(B) as a resource,

for purposes of determining initial eligibility, ongoing eligibility, or level of benefits under any Federal or federally assisted program.

This amendment proposes language for consideration by the Appropriations Committees to provide authorization and funding to implement the settlement of *Cobell v. Salazar*, a case involving the management of individual Indian trust accounts related to Indian lands. Following the enactment of this legislation and final approval of the settlement by the Court, \$3.412 billion will be expended from this account in FY 2010.

Under the terms of the settlement, \$1.412 billion would be used to settle trust management and accounting issues. Each class member will receive \$1,000 for his or her historical accounting claims and may receive additional funds related to trust management claims under a formula set forth in the settlement agreement. (Page 1032 of the FY 2011 Budget Appendix, Department of the Treasury chapter, provides further detail regarding implementation of this aspect of the settlement.)

The settlement agreement also provides \$2.0 billion from the Claims, Judgments, and Relief Acts account for a new Trust Land Consolidation Fund (Fund) for the buy-back and consolidation of fractionated land interests. The Fund will be used for purchases of fractionated interests in parcels of land from individual Indian landowners. The Fund covers administrative costs to undertake the process of acquiring fractionated interests and associated trust reform activities. The acquisition of fractionated interests is authorized under the Indian Land Consolidation Act Amendments of 2000 (Public Law

106-462), and the American Indian Probate Reform Act of 2004 (Public Law 108-374). The proposed settlement provides additional authority for the acquisition of interests held by persons who cannot be located after engaging in extensive efforts to notify them and locate them for a five-year period. In addition to purchasing land interests and other trust reform initiatives, the Fund will also contribute up to \$60 million for a scholarship fund for the benefit of educating American Indians and Alaska Natives. (Page 706 of the FY 2011 Budget Appendix, Department of the Interior chapter, provides further detail regarding implementation of this aspect of the settlement.)

The FY 2011 Budget included this proposal as mandatory funding that would become available in FY 2010, consistent with the recent settlement agreement, dated December 7, 2009, and anticipated transmitting authorization language at a later date. However, at this time there are no other appropriate legislative vehicles available to allow for expeditious consideration of these necessary proposals. Therefore, it is now being requested as a change in a mandatory program to meet the settlement's legislation enactment deadline of February 28, 2010.

*FY 2010 Change in a Mandatory Program*

*Heading: General Provisions—This Act.*

*FY 2011 Budget Appendix Page: 1366.*

*FY 2010 Pending Request: \$1,150,000,000.*

*Proposed Amendment: —.*

*Revised Request: \$1,150,000,000.*

(In the appropriations language under the above newly inserted heading, insert the following new section after the newly inserted section 1:)

SEC. 2. (a) There is hereby appropriated to the Department of Agriculture, \$1,150,000,000, to remain available until expended, to carry out the terms of a Settlement Agreement (“such Settlement Agreement”) executed in *In re Black Farmers Discrimination Litigation*, No. 18-511 (D.D.C.) that is approved by a court order that has become final and non-appealable, and that is comprehensive and provides for the final settlement of all remaining Pigford claims (Pigford claims’), as defined in section 14012(a) of Public Law 110-246. The funds appropriated herein for such Settlement Agreement are in addition to the \$100,000,000 in funds of the Commodity Credit Corporation (CCC) that section 14012 made available for the payment of Pigford claims and are available only after such CCC funds have been fully obligated. The use of the funds appropriated herein shall be subject to the express terms of such Settlement Agreement. If any of the funds appropriated herein are not used for carrying out such Settlement Agreement, such funds shall be returned to the Treasury and shall not be made available for an purpose related to section 14012, for any other settlement agreement executed in *In re Black Farmers Discrimination Litigation*, No. 08-511 (D.D.C.), or for any other purpose. If such Settlement Agreement is not executed and approved as provided above, then the sole funding available for Pigford claims shall be the \$100,000,000 of funds of the CCC that section 14012 made available for the payment of Pigford claims.

(b) Nothing in this section shall be construed as requiring the United States, any of its officers or agencies, or any other party to enter into such Settlement Agreement or any other settlement agreement.

(c) Nothing in this section shall be construed as creating the basis for a Pigford claim.

(d) Section 14012 of Public Law 110-246 is amended by striking subsections (e), (i)(2) and (j), and redesignating the remaining subsections accordingly.

This amendment proposes language for consideration by the Appropriations Committees to settle claims of prior discrimination brought by black farmers against the



Department of Agriculture that were previously addressed by section 14012 of Public Law 110-246, the Food Conservation and Energy Act of 2008. The proposal would provide funding for a court-approved settlement of litigation requiring the payment of valid claims pursuant to a privately managed settlement process. Upon enactment, the authority would permit the expeditious and judicious resolution of discrimination claims with minimal burden on the claimants and the Government.

The FY 2011 Budget included this proposal as mandatory funding that would become available in FY 2010 and anticipated transmitting authorization language at a later date. However, at this time there are no other appropriate legislative vehicles available to allow for expeditious consideration of these necessary proposals. Therefore, it is now being requested as a change in a mandatory program.

Mr. OBEY. I yield myself 30 seconds.

Let me simply say I largely agree with my friend from Oklahoma. We have one simple dilemma: both in the case of the Cobell settlement and the Pigford settlement, the administration has asked us to provide the money. We do not yet have an understanding of whether that will be provided through an emergency designation or whether it will be fully offset. We cannot proceed until the decision is made to move one way or another. As soon as it is, we want to bring both of those to the floor because I agree with you, we need to deal with both of them.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Mr. Speaker, today we're debating more disaster-related spending. What we have to ask ourselves, what about the money Congress has already sent to help families and communities?

As I stand here, Texas is still waiting for the supplemental disaster funds for Hurricane Ike that Congress approved 18 months ago, Congress, led by Chairman OBEY and Ranking Member LEWIS, to try to help communities who have suffered the sixth most costly hurricane in American history.

But this time the hold up isn't FEMA; it's HUD. Other States have received their disaster funds, but HUD continues to hold Texas hostage. My fellow Texans and I, from both parties, have written to HUD on this issue. We've requested meetings or calls, and our letters go unanswered. The State of Texas has worked tirelessly with its local communities to put together a strong recovery plan, and we know it because we've just recovered from and are recovering from Hurricane Rita as well.

But HUD keeps moving the goal posts. They say Washington knows best. And if the HUD gets their way, the people most impacted by Hurricane Ike won't even be eligible for help.

It's been 541 days since Congress acted to provide help for disaster victims. Yet HUD continues to tell Texans, your recovery doesn't matter. There's no rush.

Well, tell our communities, tell our families, tell our region that there's no

rush. 541 days. HUD needs to act now to approve the Texas plan and simply help our communities rebuild.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California (Ms. LEE).

Ms. LEE of California. Thank you, Chairman OBEY, for yielding and thank you for introducing this bill. It's very important. And I want to thank you for your leadership. Also to Chairman MILLER and Speaker PELOSI for working with members of the Congressional Black Caucus to ensure that this legislation does include funding, which is paid for, for a summer youth jobs initiative to target funds for our young people who are unemployed.

The members of the Congressional Black Caucus have been very focused on stimulating the economy and creating jobs, especially for the chronically unemployed. As my colleagues know, we are currently in the midst of a 5-week campaign launched at the beginning of this month to seek policy solutions for the chronically unemployed. We are working with our leadership, President Obama, Members of this House and our coalition partners to put a strategy together to put America back to work.

One of the key components of our proposed jobs package was to provide \$1.3 billion to the summer youth jobs program with a goal of creating approximately 500,000 jobs for young people throughout the country. We met with the President, with our Speaker. We raised the importance of the summer jobs program to adjust the huge unemployment rate among young people.

We are committed to putting people back to work, especially our young people, because now, with this economic downturn, many of our young people, their parents are unemployed, and so they're helping to buy the food and to pay the rent.

□ 1630

When you take a look at the numbers, it's clear why this funding is so critical. The youth unemployment rate currently stands at more than 23 percent. This is really a national emergency.

Many low income and minority youth populations face even greater challenges. African American youth unemployment rates are now estimated to be as high as 42 percent. So we need targeted assistance to help put our young people to work and to teach them an array of valuable job skills that they can use throughout their lives.

While this does not include the full \$1.3 billion for summer youth jobs that we requested, it does make a down payment of \$600 million, which is, once again, fully paid for, to create approximately 300,000 new jobs. And this is a very important step forward; but, frankly, we need the full amount. I hope that we can continue to expand and increase funding for this valuable program.

In addition, this bill will provide \$5.1 billion in disaster relief to local communities through FEMA to address the impact of recent storms and disasters throughout the country. As one who comes from California, a State which is prone to earthquakes and floods, I can tell you this \$5.1 billion is desperately needed.

And, finally, the bill will include an additional \$60 million to extend the provision of the Recovery Act for another month to help small businesses defray the cost of certain loan fees charged by the Small Business Administration. Our small businesses are creating jobs to help turn this economy around.

So as Chair of the Congressional Black Caucus, I want to thank Chairman OBEY and our Speaker and our leadership for this initial down payment. We are pleased that we can provide some funding for summer jobs for our young people and we are moving forward this job creation package.

Mr. LEWIS of California. Mr. Speaker, I am very pleased to yield 2 minutes to the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. I thank the gentleman for yielding.

Mr. Speaker, on March 4, I sent a letter to the FEMA administrator. That letter is regarding my concerns and the concerns I have heard from U.S. tent manufacturers and suppliers about FEMA purchasing disaster relief tents from foreign manufacturers.

Humanitarian needs are great throughout the world, and the American people have shown their generous spirit through the outpouring of monetary and commodity donations as well as teams of personnel to serve in the medical assistance area.

U.S. companies who manufacture shelters, such as this tent right here, can easily increase their production to fill the needs of humanitarian crises around the world. We need to continue to have U.S. tent manufacturers who can provide tents to U.S. military, U.S. embassies, and humanitarian relief efforts throughout the world.

When we use Federal taxpayers' dollars to aid in humanitarian relief efforts, we need to purchase U.S. manufactured products. The Department of Defense is required under their Buy American provision to purchase their humanitarian relief tents from U.S. manufacturers, so why shouldn't agencies such as FEMA or USAID be required to do the same?

Companies that are proven and have had government contracts help retain and create jobs. Purchasing U.S.-made tents also represents economic opportunities for our hard-hit areas in the United States where manufacturing jobs have disappeared by the thousands in the last several years.

The simple question I have is, why did or should FEMA or any other government agency purchase foreign-made tents when American-made tents help keep Americans employed and are of

high quality and high value? When our unemployment rates continue to be at or around 10 percent, and the Fifth Congressional District's exceeds over 12.5 percent, purchasing foreign-made products with American tax dollars is troubling to me.

Mr. Speaker, it is time that the U.S. agencies be required to purchase U.S.-made tents and keep Americans working.

Mr. OBEY. I yield 2 minutes to the distinguished gentleman from Iowa (Mr. LOEBSACK).

Mr. LOEBSACK. Mr. Speaker, I do want to thank Chairman OBEY for his work on this important legislation.

This bill is vital to ensuring FEMA can provide assistance to communities in all of our States that are recovering from major disasters. It is also critical to FEMA's ability to provide life-saving help to communities that might experience a major disaster in the future.

In Iowa, we were devastated by the great flood of 2008. Eighty-five out of 99 counties were declared major disaster areas. My district alone had billions of dollars in damage and is still working to recover, including through an estimated \$1 billion in FEMA projects.

However, there is a current freeze on a multitude of FEMA projects nationwide. According to Iowa's governor, this has put work in jeopardy on \$100 million worth of projects in Iowa alone. In fact, Coralville, Iowa, which was hard-hit by flooding, has received low bids on recovery projects but cannot commit because of this freeze. As a result, they may lose a bid that is 20 percent below what was estimated, which would actually save taxpayer money.

The National Weather Service says there is an imminent widespread flood risk in the Midwest this spring. We must ensure FEMA has the resources needed to help our citizens who might be hit by flooding again, even as we pray that it won't be needed.

I urge my colleagues to support this legislation to ensure Iowans and communities nationwide continue to have this important safety net and we allow FEMA to fulfill its prior commitments to recovery.

Mr. LEWIS of California. Mr. Speaker, these will be my closing comments on the bill.

I would like to say to the Members, my chairman, my colleagues, that I am very empathetic to their description of the way we have handled FEMA funding in the past. I indeed agree that, in the vast percentage of cases, that money ought to not be subject to offset requirements. The emergency rule is there for appropriate reasons.

The only reason for raising this in a procedural way today is because of the reality that while we have disaster after disaster out there, we have never had quite a disaster like this huge deficit of this year, \$1.6 trillion, and projecting out to the future there is no end. And eventually the public knows the economy can't stand it, and they are suggesting that we try to help

them out of this disaster that is ahead of us.

So it is indeed important for us to realize that in spite of the fact that there is a huge amount of money in the stimulus package that is yet unspent that might be used for some of these offsets, we need to seriously get on track of reducing spending and undermining that growing deficit so the public can at least have some sense that we are trying to effect the crisis that is beyond our horizon.

I plan, after we are through here, to offer a motion to recommit on this bill in order to adopt the amendment I presented in the Rules Committee on Monday. The motion is simple. It cuts unnecessary money from the flawed \$1 trillion stimulus to pay for the \$5.1 billion FEMA spending provided in Mr. OBEY's bill. The balance of the questions, we have discussed earlier.

I yield back the balance of my time.

Mr. OBEY. Mr. Speaker, I would make only one additional point. This bill also provides for a 1-month extension of the Recovery Act Small Business Lending program and provides an additional \$60 million for that program.

Through March 12 of this year, the Recovery Act Small Business Lending program has supported nearly \$23 billion in small business lending which, according to SBA, has helped create or preserve over 500,000 jobs. I think it is well worth the effort. We need to keep this program alive.

Ms. RICHARDSON. Mr. Speaker, as Chair of the Homeland Security Subcommittee on Emergency, Communications, Preparedness, and Response, I rise today in strong support of H.R. 4899, the Disaster Relief and Summer Jobs Act of 2010. I support this legislation because it will help local communities, small businesses, and our Nation's youth. This is the kind of legislation we need to lift us out of this economic downturn and deal with the unprecedented disasters that our Nation has faced these past few months.

I would like to acknowledge Speaker PELOSI and Chairman OBEY for their leadership in bringing this important bill to the floor.

Mr. Speaker, the Disaster Relief and Summer Jobs Act of 2010 is a \$5.1 billion disaster aid package that will help communities rebuild their homes, infrastructure and local economies and to take steps to protect them from future disasters. In addition, H.R. 4899 also provides fully offset funding to expand this summer's youth jobs program and continue assistance to America's small businesses.

In my home State of California, youth unemployment has hit over 25 percent. The funding provided by H.R. 4899 will allow local Workforce Investment Boards (WIBs) to expand successful summer jobs programs that were funded in the Recovery Act. California is also no stranger to natural disasters, such as wildfires and mudslides. H.R. 4899 provides \$5.1 billion to ensure that the Federal Emergency Management Agency (FEMA) can continue its work helping communities recover from recent disasters and to ensure that they have resources to respond to future disasters.

In conclusion, Mr. Speaker, I support this bill because it will provide funding to the commu-

nities and populations that need the most assistance in both disaster relief and job training. I would also like to note that this bill is fully paid for because it rescinds emergency funding that is not needed this year, including \$44 million provided for Cash for Clunkers and \$103 million provided for agriculture disasters, that is no longer needed for those disasters.

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 4899.

Mr. POMEROY. Mr. Speaker, I rise today in strong support of H. Res. 415, a bill that ensures that the Federal Emergency Management Agency (FEMA) can continue its work helping communities recover from recent disasters and to ensure that they have resources to respond to future disasters.

Like many of my colleagues, I was alarmed by FEMA's recent announcement that the Federal Emergency Management Agency's (FEMA) Disaster Relief Fund is running out of money.

As you know, my own State of North Dakota experienced record flooding last year and many local governments have still not fully recovered. In addition, leaders in my State have once again been in the trench battling spring flooding this year. The Disaster Relief Fund (DRF) is used in part to reimburse States and local governments in places like North Dakota for damages suffered during these kinds of disaster.

The Disaster Relief Fund is currently faced with a shortfall and as a result, FEMA has issued an order whereby funds cannot be used for the Hazard Mitigation Grant Program, and certain kinds of public assistance, until the Fund is replenished. As a result of this unnecessary delay, many North Dakota communities have been forced to hold off with initiatives like home buyouts and road repairs that help the State recover from last year's flooding and better prepare for flooding this spring. This is unacceptable, which is why I have been working with the House Appropriations Committee to appropriate the \$5.1 billion in supplement funding that is needed for this vital relief program.

With the funding that will be enacted under this bill, North Dakota communities will be able to continue to recover from the floods in 2009 as well as prepare for future disasters. This is an important bill and I encourage my colleagues to strongly support H.R. 4899.

Mr. LARSEN of Washington. Mr. Speaker, I rise today in support of H.R. 4899, Disaster Relief and Summer Jobs Act.

While the bulk of this legislation provides disaster relief for ongoing response and recovery efforts, this bill makes important steps forward to continue our Nation's economic recovery and create jobs.

First, this bill provides fee reductions and eliminations under the Small Business Administration (SBA) 7(a) loan program and the 504 program, and extends the termination date for the loans through April 30.

These loans have been important economic drivers in my Congressional district, and have provided needed capital to small businesses in our communities.

Small businesses are going to play an important part of any economic recovery. Small businesses are the number one source of new job growth in our Nation and have created 65 percent of all new jobs in the last decade.

Between October 2009 and last month, there were 58 SBA 7(a) loans and 15,504



loans provided to small businesses in my district allowing them to expand and modernize.

These are the types of programs that Congress must support to continue our economic recovery and create jobs at home, and I am happy to support the legislation on the floor today.

Mr. CONYERS. Mr. Speaker, we are facing a crisis with our young adults—many of whom are unable to find work during this economic downturn. According to the Department of Labor, the unemployment rate for 16 to 19 year olds is 25 percent. This is simply unacceptable and that is why I rise in support of the “Disaster Relief and Summer Jobs Act of 2010.” This legislation, offered by my good friend, the Chairman of the Committee on Appropriations, will help mitigate this emergency by providing funds to summer youth programs. The bill will also ensure Federal Emergency Management Agency (FEMA) has adequate funds at its disposal to enable it to comprehensively and quickly respond to future natural disasters.

Today’s legislation will appropriate funds to provide 300,000 youth workers a \$600 million grant this summer. Furthermore, this appropriation will fund Workforce Investment Boards (WIBs) that will expand programs previously funded in the Recovery Act. I believe this is an effective way to develop our young citizens’ critical leadership skills, and practical training, and in helping them become productive members of society. I believe these programs will have a positive and lasting impact in our communities.

Mr. Speaker, the tragedy after hurricane Katrina highlighted the need for proper management and resources at FEMA. The proposal being considered today will give \$5.1 billion to complete urgently needed projects and ensure they are fully equipped to respond to future disasters.

If we are to build a better America, we need to invest in our country. I believe the proposal today will make America a stronger country and I urge my colleagues to support it.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 4899, the “Disaster Relief and Summer Jobs Act of 2010”. I strongly support this bill which, as requested by the President, appropriates an additional \$5.1 billion for the Disaster Relief Fund to support ongoing disaster relief, recovery, and mitigation efforts, and to ensure that our Nation is adequately prepared in the event of future disasters.

The Disaster Relief Fund (DRF) provides the funding for the Federal Government’s activities to help communities respond to, recover from, and mitigate major disasters and emergencies declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act).

Last month, due to diminishing funds, FEMA announced that the agency was forced to limit expenditures from the DRF. In some cases, FEMA has completely suspended reimbursements to State and local governments for reconstruction projects for facilities damaged or destroyed by recent disasters. FEMA has also slowed the issuance of reimbursements for critical post-disaster hazard mitigation projects, which help communities, build better after a disaster to protect against future damage.

For example, FEMA has stopped funding projects to make repairs from facilities damaged in last Spring’s flooding in my home

State of Minnesota. Specifically, Federal funding is being held up for repairs to a building at Concordia College and for road repairs in Becker County, Lien Township and Gully Township.

Delays in providing reimbursements to States and local governments will necessarily slow the pace of recovery and mitigation projects, as most States do not have the flexibility in these difficult economic times to move ahead without a guarantee of when Federal funds will become available. Inadequate funding in the DRF, therefore, impedes the rapid recovery of communities across the country from devastating disasters and inhibits the job creation and economic stimulus that these projects provide.

If Congress does not act to replenish the Disaster Relief Fund, FEMA will be unable to respond to future disasters once the fund is depleted. This is particularly troubling because the National Weather Service has issued a warning that there is a high, or above average, risk of flooding this spring in much of the country. As one example, the Nation has watched carefully the situation in North Dakota and my home state of Minnesota, as the Red River crested over the weekend. It appears that major flooding has thankfully been avoided in large parts of the two States along the Red River for the time being. However, the risk of flooding remains and serves as an example of what other parts of the country may encounter in the coming months.

The Committee on Transportation and Infrastructure authorizes and oversees FEMA’s disaster programs under the Stafford Act. Members of my Committee know first hand the devastation that a disaster can wreak on a community and the importance of a swift, effective Federal response. Through oversight and legislation, the Committee has been working to improve FEMA’s operations and provision of disaster assistance. Without adequate funding in the DRF, however, FEMA will not be able to carry out any of its critical missions or functions.

On March 12, 2010, I wrote to Speaker PELOSI in support of the President’s request for a supplemental appropriation for the Disaster Relief Fund and urging swift action to replenish the Fund. I would like to thank the Speaker and the gentleman from Wisconsin (Mr. OBEY), Chairman of the Committee on Appropriations, for bringing this bill before the House today. Their dedication to this issue affirms the importance of the DRF and underscores the urgency of ensuring its solvency.

I urge my colleagues to join me in supporting H.R. 4899.

Ms. KILPATRICK of Michigan. Mr. Speaker, Michigan, and our Nation, have faced, and continues to weather, high unemployment. Our businesses struggle with a lack of access to capital. Michiganders have had to face significant challenges that have tested our faith and our will. Michiganders, and all Americans, have usually responded with the grit, the effort, and the will that is evidence of the uniquely American “can do” spirit. Despite that spirit, many regions of our Nation desire and need help. The 13th Congressional District of Michigan is one of those areas. A portion of that help is in this bill, H.R. 4899, the Disaster Relief and Summer Jobs Act of 2010. Although I did not support an earlier jobs bill because it provided tax cuts, not funding, to our Nation’s small businesses, I support this bill.

This legislation is not perfect. While it provides summer jobs to our Nation’s youth, the money goes to the states before it goes to cities, counties and non-profit agencies. The problem? Our states are broke. Our states are desperate to balance their budgets. Our states need these funds as revenues from a once abundant housing market has evaporated. So while it is not the fault of our states, it is my desire to get these jobs created as fast as possible.

While I support H.R. 4899, I will continue to fight toward the enactment of a program similar to the Comprehensive Employment Training Act (CETA) program, a program that proved that it could reduce the unemployment rate and train people for short- and long-term jobs and careers. Funding for this program went directly from the Federal Government to cities, counties and non-profit organizations to get individuals trained and back to work.

This bill is great news for three reasons. One, this bill provides disaster relief. Many regions of our Nation faced record snowfalls, major floods, and other natural disasters. We still have not completely fulfilled our promise to the people of New Orleans after Hurricane Katrina. Not only will this \$5.1 billion disaster aid package help these communities rebuild their homes, infrastructure and local economies, it will also take steps to protect them from future disasters.

Two, this bill provides funding for the summer jobs program. As our Nation begins the long recovery from the deepest economic crisis since the Great Depression, a summer job is more than just an opportunity for our Nation’s youth to be exposed to possible career paths. It is often a matter of survival, of life and death. This bill has \$600 million, fully offset, to support over 300,000 jobs for youth ages 16 to 24 through summer employment programs. This age group has some of the highest unemployment levels, 25 percent for those aged 16 to 19. This funding will allow local Workforce Investment Boards (WIBs) to expand successful summer jobs programs that were funded in the Recovery Act.

Three, this bill provides access to capital for our Nation’s small businesses, our Nation’s largest employer. There will be \$60 million in the bill, that is fully offset, to extend the Recovery Act small business lending program for another month. That program eliminated the fees normally charged for loans through the Small Business Administration 7(a) and 504 loan programs and increased the government guarantees on 7(a) loans from 75 percent to 90 percent. Since its creation, the program has supported nearly \$23 billion in small, business lending, which helped to create or retain over 560,000 jobs.

This bill is not only fiscally responsible, but it is needed and necessary. I am proud to support this bill, and look forward to working with my colleagues as we continue to enact legislation that will address the challenge of our Nation’s astronomically high unemployment rate, provide capital to our Nation’s businesses, and ensure that our economy survives and thrives. The families of America are counting on Congress to do what is needed to continue to make America great.

Mr. OBEY. I yield back the balance of my time.

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

Pursuant to House Resolution 1204, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

#### MOTION TO RECOMMIT

Mr. LEWIS of California. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. LEWIS of California. I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Lewis of California moves to recommit the bill H.R. 4899 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendments:

On page 2, strike line 10 and all that follows through line 4 on page 3.

On page 5, after line 16, insert the following:

(5) "Department of Labor—Employment and Training Administration—Training and Employment", \$140,000,000 to be derived from unobligated balances available from amounts placed in a national reserve under this heading in title VIII of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 115).

(6) "Department of Labor—Employment and Training Administration—Training and Employment", \$400,000,000 to be derived from unobligated balances available from amounts provided for competitive grants for worker training in high growth and emerging industry sectors under this heading in title VIII of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 115).

(7) "Department of Health and Human Services—National Institutes of Health—Buildings and Facilities", \$434,000,000 to be derived from unobligated balances available from amounts provided under this heading in title VIII of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 115).

(8) "Department of Health and Human Services—Agency for Healthcare Quality and Research—Healthcare Research and Quality", \$850,000,000 to be derived from unobligated balances available from amounts provided for comparative effectiveness research under this heading in title VIII of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 115).

(9) "Department of Health and Human Services—Office of the Secretary—Office of the National Coordinator for Health Information Technology", \$1,900,000,000 to be derived from unobligated balances available under this heading in title VIII of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 115).

(10) "Department of Health and Human Services—Public Health and Social Services Emergency Fund", \$38,000,000 to be derived from unobligated balances available under this heading in title VIII of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 115).

(11) "Department of Education—Impact Aid", \$60,000,000 to be derived from unobligated balances available under this heading in title VIII of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 115).

(12) "Department of Education—Institute of Education Science", \$250,000,000 to be de-

rived from unobligated balances available under this heading in title VIII of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 115).

(13) "Social Security Administration—Limitation on Administrative Expenses", \$497,000,000 to be derived from unobligated balances available from amounts provided for the replacement of the National Computing Center under this heading in title VIII of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 115).

(14) "Department of Energy—Energy Programs—Title 17—Innovative Technology Loan Guarantee Program", \$571,000,000 to be derived from unobligated balances available under this heading in title IV of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 115).

Mr. LEWIS of California (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

#### POINT OF ORDER

Mr. OBEY. Mr. Speaker, I would raise a point of order against the motion.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. OBEY. Mr. Speaker, I make a point of order against the motion because it constitutes legislation on an appropriation bill, which is in violation of clause 2, rule XXI. The instructions in the motion include an amendment proposing to include language in the bill that would provide for the rescission of previously appropriated funds made available in other appropriation acts.

This is clearly a legislative proposition, Mr. Speaker. Section 1052 of the House Rules and Manual states, in part: An amendment proposing a rescission constitutes legislation under clause 2(c).

The amendment is, therefore, legislative in nature and is in violation of clause 2, rule XXI, and I ask for a ruling from the Chair.

Mr. LEWIS of California. Mr. Speaker, I wish to be heard on the point of order.

The SPEAKER pro tempore. The Chair recognizes the gentleman from California.

Mr. LEWIS of California. Mr. Speaker, as I suggested earlier, the bill before us contains almost \$6 billion in new spending, spending that is not offset by true reductions. Instead, this \$6 billion will simply pile more money on to the government's charge card and add to our already astronomical debt.

Mr. Speaker, it is my understanding that the bill before us today is considered to be a general appropriations bill, and under the rules of the House, general appropriations bills are privileged and are to be considered in the Committee on Appropriations or sent to the Committee on Appropriations prior to consideration on the House floor.

I have expressed my concern about the lack of regular order, the number of supplementals and appropriations bills that are not being heard in com-

mittee or subcommittee. I won't repeat all of those concerns, except to say that we are on this disastrous pathway because of our totally ignoring the need to make sense out of our national deficit and get a handle on spending.

Mr. Speaker, I ask for consideration of my motion to recommit.

The SPEAKER pro tempore. The Chair is prepared to rule.

The gentleman from Wisconsin raises a point of order against the motion on the basis that it violates clause 2 of rule XXI.

The motion proposes to insert a rescission in a general appropriation bill. As provided in section 1052 of the House Rules and Manual, an amendment proposing a rescission constitutes legislation in violation of clause 2(c) of rule XXI.

The point of order is sustained and the motion is not in order.

Mr. LEWIS of California. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

#### MOTION TO TABLE

Mr. OBEY. I move to table the appeal of the ruling of the Chair.

The SPEAKER pro tempore. The question is on the motion to table.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to table will be followed by 5-minute votes on passage of the bill, if arising without further proceedings in recommitment, and the motion to suspend the rules on H.R. 3562.

The vote was taken by electronic device, and there were—yeas 239, nays 176, not voting 14, as follows:

[Roll No. 185]

YEAS—239

Ackerman	Carney	Doggett
Adler (NJ)	Carson (IN)	Doyle
Altmire	Castor (FL)	Driehaus
Andrews	Chandler	Edwards (MD)
Arcuri	Childers	Ellison
Baca	Chu	Engel
Baird	Clarke	Eshoo
Baldwin	Clay	Etheridge
Barrow	Cleaver	Farr
Bean	Clyburn	Fattah
Becerra	Cohen	Filner
Berkley	Connolly (VA)	Foster
Berman	Conyers	Frank (MA)
Berry	Cooper	Fudge
Bishop (GA)	Costa	Garamendi
Bishop (NY)	Costello	Giffords
Blumenauer	Courtney	Gonzalez
Bocchieri	Crowley	Gordon (TN)
Boren	Cuellar	Grayson
Boswell	Cummings	Green, Al
Boyd	Dahlkemper	Green, Gene
Brady (PA)	Davis (CA)	Grijalva
Braley (IA)	Davis (IL)	Gutierrez
Bright	Davis (TN)	Hall (NY)
Brown, Corrine	DeFazio	Halvorson
Butterfield	DeGette	Hare
Capps	Delahunt	Harman
Capuano	DeLauro	Hastings (FL)
Cardoza	Dicks	Heinrich
Carnahan	Dingell	Herseth Sandlin

Higgins	McMahon	Sarbanes	Rogers (AL)	Shadegg	Tiahrt	Lipinski	Obey	Sestak
Hill	McNerney	Schakowsky	Rogers (KY)	Shimkus	Tiberi	Loeback	Olver	Shea-Porter
Himes	Meek (FL)	Schauer	Rogers (MI)	Shuster	Turner	Lofgren, Zoe	Ortiz	Sherman
Hinches	Meeks (NY)	Schiff	Rohrabacher	Simpson	Upton	Lowe	Owens	Shuler
Hinojosa	Melancon	Schrader	Rooney	Smith (NE)	Walden	Lujan	Pallone	Sires
Hirono	Michaud	Schwartz	Ros-Lehtinen	Smith (NJ)	Wamp	Lynch	Pascrell	Skelton
Hodes	Miller (NC)	Scott (GA)	Roskam	Smith (TX)	Westmoreland	Maffei	Pastor (AZ)	Slaughter
Holden	Miller, George	Scott (VA)	Royce	Souder	Whitfield	Markey (CO)	Payne	Snyder
Holt	Mitchell	Serrano	Ryan (WI)	Stearns	Wilson (SC)	Markey (MA)	Perlmutter	Space
Honda	Mollohan	Sestak	Scalise	Sullivan	Wittman	Marshall	Perriello	Speier
Hoyer	Moore (KS)	Shea-Porter	Schmidt	Taylor	Wolf	Matsui	Peterson	Spratt
Inslee	Moore (WI)	Sherman	Schock	Terry	Young (AK)	McCarthy (NY)	Pingree (ME)	Stark
Israel	Moran (VA)	Shuler	Sensenbrenner	Thompson (PA)	Young (FL)	McCollum	Pomeroy	Stupak
Jackson (IL)	Murphy (CT)	Sires	Sessions	Thornberry		McDermott	Price (NC)	Sutton
Johnson, E. B.	Murphy (NY)	Skelton				McGovern	Quigley	Tanner
Kagen	Murphy, Patrick	Slaughter	Barrett (SC)	Edwards (TX)	Johnson (GA)	McIntyre	Rahall	Taylor
Kanjorski	Nadler (NY)	Smith (WA)	Boucher	Ellsworth	Kilpatrick (MI)	McMahon	Rangel	Teague
Kaptur	Napolitano	Snyder	Buchanan	Hoekstra	Maloney	McNerney	Reyes	Thompson (CA)
Kennedy	Neal (MA)	Space	Davis (AL)	Jackson Lee	Reichert	Meek (FL)	Richardson	Thompson (MS)
Kildee	Oberstar	Speier	Donnelly (IN)	(TX)	Richardson	Meeks (NY)	Rodriguez	Tierney
Kilroy	Obey	Spratt				Melancon	Ross	Titus
Kind	Olver	Stark				Michaud	Rothman (NJ)	Tonko
Kirkpatrick (AZ)	Ortiz	Stupak				Miller (NC)	Roybal-Allard	Towns
Kissell	Owens	Sutton				Miller, George	Ruppersberger	Tsongas
Klein (FL)	Pallone	Tanner				Minnick	Ryan (OH)	Van Hollen
Kosmas	Pascrell	Teague				Mitchell	Salazar	Velázquez
Kratovil	Payne	Thompson (CA)				Mollohan	Sánchez, Linda	Visclosky
Kucinich	Perlmutter	Thompson (MS)				Moore (KS)	T.	Walz
Langevin	Perriello	Tierney				Moore (WI)	Sanchez, Loretta	Waters
Larsen (WA)	Peters	Titus				Moran (VA)	Sarbanes	Watson
Larson (CT)	Peterson	Tonko				Murphy (NY)	Scalise	Watt
Lee (CA)	Pingree (ME)	Towns				Murphy, Patrick	Schakowsky	Waxman
Levin	Polis (CO)	Tsongas				Murphy, Tim	Schauer	Weiner
Lewis (GA)	Pomeroy	Van Hollen				Nadler (NY)	Schiff	Welch
Lipinski	Price (NC)	Velázquez				Napolitano	Schwartz	Wilson (OH)
Loeback	Quigley	Visclosky				Neal (MA)	Scott (GA)	Woolsey
Lofgren, Zoe	Rahall	Walz				Nye	Scott (VA)	Wu
Lowe	Rangel	Wasserman				Oberstar	Serrano	Yarmuth
Lujan	Reyes	Schultz						
Lujan	Rodriguez	Waters						
Lynch	Ross	Watson						
Maffei	Rothman (NJ)	Watt						
Markey (CO)	Roybal-Allard	Waxman						
Markey (MA)	Ruppersberger	Weiner						
Marshall	Rush	Welch						
Matheson	Ryan (OH)	Wilson (OH)						
Matsui	Salazar	Woolsey						
McCarthy (NY)	Sánchez, Linda	Wu						
McCollum	T.	Yarmuth						
McDermott	Sanchez, Loretta							
McGovern								
McIntyre								

## NOT VOTING—14

□ 1711

Messrs. HALL of Texas, EHLERS, Ms. FOXX, Mrs. BONO MACK, and Mr. LATHAM changed their vote from “yea” to “nay.”

Ms. FUDGE, Mr. HINOJOSA, and Mrs. CAPPS changed their vote from “nay” to “yea.”

So the motion to table was agreed to. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 239, nays 175, answered “present” 1, not voting 14, as follows:

[Roll No. 186]

YEAS—239

Aderholt	Diaz-Balart, M.	Latta	Ackerman	Conyers	Grijalva
Akin	Dreier	Lee (NY)	Adler (NJ)	Costa	Hall (NY)
Alexander	Duncan	Lewis (CA)	Altire	Halvorson	Halt
Austria	Ehlers	Linder	Andrews	Hare	Harman
Bachmann	Emerson	LoBiondo	Arcuri	Crowley	Hastings (FL)
Bachus	Fallin	Lucas	Baca	Cuellar	Heinrich
Bartlett	Flake	Luetkemeyer	Baldwin	Cummings	Higgins
Barton (TX)	Fleming	Lummis	Barrow	Dahlkemper	Hill
Biggert	Forbes	Lungren, Daniel	Bean	Davis (CA)	Himes
Billbray	Fortenberry	E.	Becerra	Davis (IL)	Hinojosa
Billirakis	Fox	Mack	Berkley	Davis (TN)	Hirono
Bishop (UT)	Franks (AZ)	Manzullo	Berman	DeFazio	Hodes
Blackburn	Frelinghuysen	Marchant	Berry	DeGette	Holden
Blunt	Gallegly	McCarthy (CA)	Bishop (GA)	Delahunt	Holt
Boehner	Garrett (NJ)	McCaul	Bishop (NY)	DeLauro	Honda
Bonner	Gerlach	McClintock	Blumenauer	Dicks	Hoyer
Bono Mack	Gingrey (GA)	McCotter	Boccieri	Dingell	Inslee
Boozman	Gohmert	McHenry	Boren	Doggett	Israel
Boustany	Goodlatte	McKeon	Boswell	Donnelly (IN)	Jackson (IL)
Brady (TX)	Granger	McMorris	Boyd	Doyle	Johnson (GA)
Broun (GA)	Graves	Rodgers	Brady (PA)	Drieckhaus	Johnson, E. B.
Brown (SC)	Griffith	Mica	Braley (IA)	Edwards (MD)	Jones
Brown-Waite,	Guthrie	Miller (FL)	Bright	Edwards (TX)	Kagen
Ginny	Hall (TX)	Miller (MI)	Brown, Corrine	Ehlers	Kanjorski
Burgess	Harper	Miller, Gary	Butterfield	Ellison	Kaptur
Burton (IN)	Hastings (WA)	Minnick	Cao	Ellsworth	Kennedy
Buyer	Heller	Moran (KS)	Capps	Engel	Kildee
Calvert	Hensarling	Murphy, Tim	Capuano	Eshoo	Kilroy
Camp	Herger	Myrick	Cardoza	Etheridge	Kind
Campbell	Hunter	Neugebauer	Carnahan	Farr	Kissell
Cantor	Inglis	Nunes	Carmey	Fattah	Klein (FL)
Cao	Issa	Nye	Carson (IN)	Filner	Kosmas
Capito	Jenkins	Olson	Castor (FL)	Foster	Kratovil
Carter	Johnson (IL)	Paul	Chandler	Frank (MA)	Kucinich
Cassidy	Johnson, Sam	Paulsen	Childers	Fudge	Langevin
Castle	Jones	Pence	Chu	Garamendi	Larsen (WA)
Chaffetz	Jordan (OH)	Petri	Clarke	Giffords	Larson (CT)
Coble	King (IA)	Pitts	Clay	Gonzalez	Lee (CA)
Coffman (CO)	King (NY)	Platts	Cleaver	Gordon (TN)	Levin
Cole	Kingston	Poe (TX)	Clyburn	Grayson	Lewis (GA)
Conaway	Kirk	Posey	Cohen	Green, Al	
Crenshaw	Kline (MN)	Price (GA)	Connolly (VA)	Green, Gene	
Culberson	Lamborn	Putnam			
Davis (KY)	Lance	Radanovich			
Dent	Latham	Rehberg			
Diaz-Balart, L.	LaTourette	Roe (TN)			

## NAYS—175

Aderholt	Gallegly	Miller, Gary
Akin	Garrett (NJ)	Moran (KS)
Alexander	Gerlach	Murphy (CT)
Austria	Gingrey (GA)	Myrick
Bachmann	Gohmert	Neugebauer
Bachus	Goodlatte	Nunes
Baird	Granger	Olson
Bartlett	Graves	Paul
Barton (TX)	Griffith	Paulsen
Biggert	Guthrie	Pence
Billbray	Hall (TX)	Peters
Billirakis	Harper	Petri
Bishop (UT)	Hastings (WA)	Pitts
Blackburn	Heller	Platts
Blunt	Hensarling	Poe (TX)
Boehner	Herger	Polis (CO)
Bonner	Hersteth Sandlin	Posey
Bono Mack	Hunter	Price (GA)
Boozman	Inglis	Putnam
Boustany	Jenkins	Radanovich
Brady (TX)	Johnson (IL)	Rehberg
Broun (GA)	Johnson, Sam	Roe (TN)
Brown (SC)	Jordan (OH)	Rogers (AL)
Brown-Waite,	King (IA)	Rogers (KY)
Ginny	King (NY)	Rogers (MI)
Buchanan	Kingston	Rohrabacher
Burgess	Kirk	Rooney
Burton (IN)	Kirkpatrick (AZ)	Ros-Lehtinen
Buyer	Kline (MN)	Roskam
Calvert	Lamborn	Royce
Camp	Lance	Ryan (WI)
Campbell	Latham	Schmidt
Cantor	LaTourette	Schock
Capito	Latta	Sensenbrenner
Carter	Lee (NY)	Sessions
Castle	Lewis (CA)	Shadegg
Chaffetz	Linder	Shimkus
Coble	LoBiondo	Shuster
Coffman (CO)	Lucas	Simpson
Cole	Luetkemeyer	Smith (NE)
Conaway	Lummis	Smith (NJ)
Crenshaw	Lungren, Daniel	Smith (TX)
Culberson	E.	Smith (WA)
Davis (KY)	Mack	Souder
Dent	Manzullo	Stearns
Diaz-Balart, L.	Marchant	Sullivan
Diaz-Balart, M.	Matheson	Terry
Dreier	McCarthy (CA)	Thompson (PA)
Duncan	McCaul	Thornberry
Emerson	McClintock	Tiahrt
Fallin	McCotter	Tiberi
Flake	McHenry	Turner
Fleming	McKeon	Upton
Forbes	McMorris	Walden
Fortenberry	Rodgers	Wamp
Fox	Fox	Westmoreland
Franks (AZ)	Miller (FL)	
Frelinghuysen	Miller (MI)	

Whitfield      Wittman      Young (AK)  
Wilson (SC)      Wolf      Young (FL)

## ANSWERED "PRESENT"—1

Cassidy

## NOT VOTING—14

Barrett (SC)	Issa	Rush
Boucher	Jackson Lee	Schrader
Cooper	(TX)	Wasserman
Davis (AL)	Kilpatrick (MI)	Schultz
Gutierrez	Maloney	
Hoekstra	Reichert	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1718

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. WASSERMAN SCHULTZ. Mr. Speaker, on rollcall No. 186 I was unavoidably detained. Had I been present, I would have voted "aye."

## PERSONAL EXPLANATION

Ms. KILPATRICK of Michigan. Mr. Speaker, I was unable to attend to several votes today. Had I been present, I would have voted "aye" on rollcall No. 178; "aye" on rollcall No. 179; "aye" on rollcall No. 180; "nay" on rollcall No. 181; "aye" on rollcall No. 182; "aye" on rollcall No. 183; "aye" on rollcall No. 184; "aye" on rollcall No. 185, and "aye" on rollcall No. 186.

CHANNEY, GOODMAN, SCHWERNER  
FEDERAL BUILDING

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 3562, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. PERRIELLO) that the House suspend the rules and pass the bill, H.R. 3562, as amended.

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

The title was amended so as to read: "A bill to designate the federally occupied building located at 1220 Echelon Parkway in Jackson, Mississippi, as the 'James Chaney, Andrew Goodman, and Michael Schwerner Federal Building'".

A motion to reconsider was laid on the table.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 1586, TAX ON BONUSES RECEIVED FROM CERTAIN TARP RECIPIENTS

Ms. MATSUI, from the Committee on Rules, submitted a privileged report (Rept. No. 111-456) on the resolution (H. Res. 1212) providing for consideration of the Senate amendments to the bill

(H.R. 1586) to impose an additional tax on bonuses received from certain TARP recipients, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H. RES. 648

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I ask unanimous consent that my name be removed as an original cosponsor of H. Res. 648.

The SPEAKER pro tempore (Mr. POLIS). Is there objection to the request of the gentlewoman from California?

There was no objection.

REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 1255

Mr. MORAN of Kansas. Mr. Speaker, I ask unanimous consent to remove my name as cosponsor of H.R. 1255.

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

There was no objection.

## PERSONAL EXPLANATION

Ms. JACKSON LEE of Texas. Mr. Speaker, I was unavoidably detained at the State Department at a meeting, and I would like to register my vote for the Democratic motion to table the appeal of the ruling of the Chair. If I had been present, I would have voted "aye" and for passage of H.R. 4899, the Disaster Relief and Summer Jobs Act of 2010 that will impact the constituents in my district in creating more jobs, I would have enthusiastically voted "aye."

TEXANS WILL BENEFIT FROM  
HEALTH CARE REFORM

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

Ms. JACKSON LEE of Texas. Mr. Speaker, as we reflect on the last 24 hours of the passage of this historic health care bill, more and more constituents are calling in recognizing that some aspect of this bill impacts them in a positive light. I said one time before that when we did the Medicare bill in 1965, that bill was the start of revising and refinement of that legislation.

I am glad today that we can say 45 million Americans have lived because of Medicare, and my mother, Ivalita Jackson, who I mentioned during the debate, lives because of the Medicare support system. That is why I am so disappointed that Greg Abbott, attorney general from the State of Texas, the State with the most uninsured persons, decided to file such a lawsuit that has no bearing in the Constitution and cannot make any point that this bill will not help Texas and save millions of dollars.

In addition, there are thousands of veterans that are not in TRICARE who will benefit from this health care system. We will fight that lawsuit because it is against the people of Texas.

## SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. SUTTON) is recognized for 5 minutes.

(Ms. SUTTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

## KANSAS ECONOMY NOT GOOD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

Mr. MORAN of Kansas. The news on the Kansas economy is not good. Our State's unemployment rate rose to 7.1 percent in January. In February, State revenues fell a whopping \$71 million more than expected. We need \$500 million to balance our budget in Kansas in 2010 and 2011. These million-dollar numbers don't mean much up here in Washington, where this Congress continues to rack up trillions in debt obligations as if there are no consequences and money magically appears out of thin air. However, the effects of this thoughtlessness are indeed terrible.

In Kansas, the overwhelming majority of our State budget is comprised of health care and education responsibilities. Many of these responsibilities have been handed down to the States from the Federal Government. Our education system is teetering on the breaking point, with schools facing closure or consolidation and with educators and staff being laid off.

□ 1730

Services for our State's developmentally disabled and support for our sick and elderly have been cut. Folks in Kansas are hurting. I see their pain when I return from Washington, D.C., every weekend home to Kansas.

In our State, we think differently than they do up here in Washington. We don't spend what we can't afford, we don't sacrifice long-term prosperity for short-term gratification, we don't sidestep our personal responsibility, and we don't tell other people how to live their lives. It pains me to reflect