

to propose such legislation. Instead of representing the best interests of the victims, the Madoff trustee is representing SIPC against the victims. Let's do the right thing for the average American who works hard, saves money, invests in the stock market with the hope of ultimately retiring on his savings.

I now want to address the need to provide such victims with tax relief. Tens of thousands of Americans have lost their life savings because of the incompetence of the SEC and its failure to close down the operations of Bernard Madoff, Allen Stanford, and so many others. Congress cannot ignore the fact that the biggest beneficiary of Madoff's and Stanford's crimes is the Federal Government. Every year, even if investors did not take money out of Madoff or Stanford, they paid taxes on the supposed income from those investments.

With respect to Madoff, the reported income was short-term capital gains, which is subject to the highest income tax rate under the Internal Revenue Code.

Congressman BILL PASCRELL has proposed legislation, H.R. 5058, providing some tax relief to the victims of these Ponzi schemes. I strongly support the bill, and I urge the House to pass this bill as quickly as possible. Senator SCHUMER, along with 17 cosponsors, has proposed a similar bill in the Senate, S. 3166, which I also support. However, these bills need certain changes to strengthen them.

With respect to the House bill, there is a 10-year carryback for theft losses. Under existing law, taxpayers can utilize the theft laws for 20 years going forward. However, elderly investors who have lost all of their savings and don't work have no ability to utilize a theft loss going forward. Thus, giving these people a 10-year carryback is only fair.

The Senate bill proposes a 6-year carryback, which is insufficient.

Both the House and the Senate bills give a theft loss for IRA investors. However, the House bill is more generous than the Senate bill, providing for a theft loss of up to \$2 million; whereas, the Senate bill limits the loss to \$1.5 million.

We have been infinitely generous to Wall Street, so it is long overdue to be fair to Main Street.

Finally, both bills are deficient because they preclude a theft loss for investors whose retirement savings were in 401(k) plans or defined benefit pension plans or deferred profit-sharing plans. Congress should not discriminate against some investors based on the form of their retirement investments, all approved by Federal tax laws. Therefore, the bills in both Houses must be amended to provide the same theft loss relief for all retirement plans no matter how they are structured.

Congress has shown extraordinary generosity to the financial service in-

dustry in the past years. Despite the fact that these companies that make up this sector caused the global financial collapse, Congress provided \$400 billion of funding to them with no strings attached.

Let us not nickel-and-dime Wall Street's victims, the taxpayers who lost their life savings because of the greed of Wall Street and the incompetence of the SEC. We are not seeking to make them whole. We are simply disgorging some of the fictitious profits that the government received in tax payments from the victims of these crimes.

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

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

#### NATIONAL SECURITY

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

Mr. ROHRABACHER. Madam Speaker, I rise to express my concern over two critical national security issues: Iran and the ongoing Israeli-Palestinian conflict.

As far as Iran, the extremist mullah leaders in that country continue to oppress and murder their own people. They, by providing armor-piercing weapons to terrorists, are also responsible for the death of hundreds, if not thousands, of American soldiers in both Iraq and Afghanistan. Yet the Iranian regime is being treated as a legitimate, if not democratic, government. Well, they are not legitimate nor are they democratic. They are a radical Islamic anti-Western dictatorship.

We have long since passed the time when America should have been backing, verbally and otherwise, the Iranian people's struggle to overthrow their radical Islamic oppressors. Let the Iranian people, with our blessings, rid themselves of this pariah regime. That would be the best option.

But when it comes to the mullah regime obtaining nuclear weapons, doing nothing to prevent it is not an option. If we won't do what is necessary ourselves, we should not get in the way of Israel doing it. Obviously, Israel will be the first nation threatened with devastation and destruction by a nuclear-armed Iranian mullah dictatorship. Thus, if Israel is willing to act and does so, it should not be viewed as an outrage but it should be viewed with understanding and perhaps with a sense of relief. If other options fail, intelligence, logistical and political support for an Israeli operation aimed at preventing the construction of a mullah A-bomb is in our interest, is in the interest of peace and safety in that region, and it is in the interest of all of the people of the world.

Then there is, of course, the Palestinian-Iranian quagmire. But let us recognize when we are looking at that issue, there has been major progress over the last decade. Israel has demonstrably reached out to offer an olive branch to the Palestinian people.

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They have embraced a two-state solution, which they didn't do over 10 years ago. They have, in fact, withdrew their troops from Lebanon. And importantly, Israel has actually given up control of Gaza and substantial territory in the West Bank. And what did they get for it? Thousands of missiles launched into Israel itself. And when retaliating, they, of course, were condemned for a fight that they didn't even start.

It's time for the Palestinian missile attacks to stop and for the Palestinians to reciprocate for Israel's tangible concessions in Gaza and on the West Bank. They should step up to the plate with a meaningful change of position.

The Palestinians need to recognize Israel's right to exist. And to make it real, the Palestinians must renounce what they call the right of return. The Israelis have taken major steps. Now it's time for the Palestinians to move. And until the Palestinians make recognizable steps forward, as Israel has done, as I just pointed out, our government should not be urging Israel to give up even more territory or condemning them for prodding the Palestinians.

For example, if the Israeli renovation of apartment complexes in Jerusalem gets the Palestinians to realize that they can't wait forever because Israel is just going to move on unless the Palestinians come out and try to reach an agreement, well, if it's got the Palestinians to understand that, and that they're going to have to act and step forward, then the widely condemned renovation of those apartment complexes in Jerusalem was actually something that furthered the cause of peace.

To conclude, I urge the Obama administration to change course before it's too late, to stand up to the Iranian Islamic dictatorship, and to be realistic about the Israeli-Palestinian conflict. Peace can't come by trying to prove how sincere we are or by holding hands with thugs hoping they will be impressed with our sincerity, or by condemning a nation that is attacked for retaliating. It's time, as we say in California, to get real.

Unfortunately, when it comes to these two important foreign policy challenges, it seems that wishful thinking and irrational optimism are what's guiding America's foreign policy.

#### HOW'S THAT SWAMP DRAINING COMING ALONG?

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas

(Mr. CARTER) is recognized for 60 minutes as the designee of the minority leader.

Mr. CARTER. Madam Speaker, Speaker PELOSI took the gavel of this House in January of 2007, and she made a promise to this House and this Nation that the new Democrat administration of this House would be the most honest, most open, most ethical Congress in history, and that she would drain the swamp. And she said that in reference to what they called the "culture of corruption" in the previous Congress.

Barack Obama said, when he became President of the United States, that he would put an end to the standards of one standard for powerful people and one for ordinary folks.

Tonight I'm asking the question, how's that swamp draining coming along, Madam Speaker? Because the way I see it, and the way we see it in the newspapers and on television and other sources these days, is that we seem to be up to our eyeballs in alligators in this swamp. And this swamp seems to be oozing across the whole country.

So how are we coming on draining that swamp, Madam Speaker? That's the kind of question that we think Members of this House ought to be asking. And I ask my colleagues, how do you think we're coming in draining this swamp? Because it certainly seems like there's an awful lot of strange animals still wandering around this swamp, and it certainly seems to be spreading from coast to coast. And we need to ask that question over and over.

You know, I take the position, and I want to say it right now so it's very clear, accusations are just accusations. Until those accusations are resolved by a competent finder of fact that will decide whether or not what is alleged is true, and whether it be under the ethics rules or whether it be under the laws of the courts of this land, until a court has found, made a judgment, or until the Ethics Committee of this House has made a judgment, they're still allegations.

But these allegations are part of what's swimming around in this swamp. And that's why we need to ask, Madam Speaker, NANCY PELOSI, how you coming on draining that swamp?

So let's look at some of these things, and let's just see what we've got.

But first let's go back to what the President said. February 3 of 2009 President Barack Obama, on CNN said, I campaigned on changing Washington and bottom-up politics. I don't want to send the message to the American people that there are two sets of standards, one for the powerful people and one for the ordinary folks who are working every day and paying their taxes.

I think that was a very noble statement by the President of the United States. Now, the question is, how are we doing under the Barack Obama ad-

ministration on making sure there's not one set of standards for the powerful and another for the ordinary citizens?

Another visual here. The Speaker of our House says, This leadership team will create the most honest, most open and most ethical Congress in history. This was made by Speaker-Elect NANCY PELOSI of California in a press release of November 16, 2006, after the Democrats had won the majority in the House of Representatives. And let's remember that since January 1, 2007, the Democrats have been in charge and in the majority in this House of Representatives.

So, what am I talking about? Well—and I'm making this very clear because I do not want to treat people unfairly—these are allegations, some of them made in the press, some of them made in complaints to the Ethics Committee and some of them being at least looked at by police and FBI and others. All of this is stated in newspaper articles which we'll discuss. And that's just what they are, they're allegations. Nobody's guilty in this country. We still have the rule of law, and we still believe that you have to be proved guilty. And if it's in a court, it's beyond a reasonable doubt. And I will defend that for as long as I live.

But the reputation of this Congress was what the Speaker of the House was speaking to when she said she wanted to drain the swamp. She was accusing the Republican Party of having a swamp full of evil alligators that had broken rules and laws, and that she was going to clean them up and give us the most ethical, the most honest, and the most open Congress in history. No more closed deals. No more special bargains. It was going to be out in the open, honest and ethical.

And then we have these questions that come up. So let's just give a quick outline, and then we'll go into some details.

Under Barack Obama and NANCY PELOSI, we could arguably say that we have had allegations of corruption that equal the allegations in the famous Tea Pot Dome scandal. Their latest scandal is Eric Massa, a Representative who has now resigned from this Congress. But it goes on to others. There are violations that are still unaddressed by CHARLIE RANGEL, allegations of Tim Geithner and tax cheating. The list goes on to ALAN MOLLOHAN, MAXINE WATERS, PETE VISCLOSKEY, JOHN CONYERS, the czars, the violation of Jefferson's Rules of Order in this House and closed door deals and conferences and bills that are brought without a chance to read them. That's not open. And some would argue, that's not ethical.

But let's look. First let's go back to what the President said: we're not going to treat anybody differently because of who they are and how powerful they are. Now, I'm sure he was probably talking about in one way some of this Wall Street stuff that he's talking about now.

But you know what? There's an awful lot of people would say that the folks that sit in these chairs out here every day, as far as the government, which, right now is just about to be in control of over 50 percent of commerce in this country by owning an automobile company, by running the banks, by running Wall Street, by putting together a health care plan that covers everybody and mandates everything in the world for everybody in this country, and controls the health care system of this country, that these people that sit in these chairs are pretty darn powerful. Some would argue they may be on the verge of being the most powerful people in this country, especially those in positions of power, like the leadership of this House and those who are chairmen of committees.

So let's just look at one—and I know some people are tired of hearing me talk about this—but Mr. RANGEL has been under investigation now for at least 18 months that I can remember, because I've been talking about it that long. And it's actually longer than that. And one of the things that we brought up and we talked about is the fact that, as chairman of the Ways and Means Committee, he was treated differently than the ordinary person would be if they had the same kind of tax problems that he indicated to this House, from that podium right there that he had. And yet he was treated differently. And he was the most powerful person on the Ways and Means Committee. He admitted to us underreporting income and assets for 2007 by more than half, including a failure to report his income from his Caribbean resort property again. And he'd already told us he didn't do it once.

Underreporting income and assets by Rangel's aides, Rangel's lease of a multi-rent-controlled apartment in Harlem, Rangel's use of a House parking spot for long-term storage of his Mercedes, failure to report and pay taxes on rental income on his resort villa in the Dominican Republic, alleged quid pro quo trading legislative action in exchange for donations to the center named for RANGEL at the City College of New York, gift rule violation on trips to the Caribbean sponsored by the Carib News Foundation in 2007 and 2008. And these are the items that are currently under investigation and have been for 18 months by the Ethics Committee of this House. I have asked over and over and over the Ethics Committee, please, please resolve these issues one way or the other. But as I said, these are allegations.

But you know what? That's why the swamp water is rising. And guess what? The American public isn't treated the same way Mr. RANGEL is on their tax violations. They don't get to pay the back taxes with no penalties and interest, as Mr. RANGEL did. So that's one of those things that the President promised us wasn't going to happen, but it did. So that's one we ought to have to think about.

The President promised one thing; we got another. NANCY PELOSI promised ethical, honest. Some of those things don't look ethical, and they don't look honest.

Now, the President of the United States sent to the Senate, and it was confirmed by the Senate, the appointment of Secretary of Treasury Geithner. And certainly, if you're talking about the financial world of this country, the Treasurer of the United States is certainly one of those people that the President was talking about, one of those people who are powerful people because he's in charge of basically the finances of this country, and certainly in charge of the value of our money, the issuance of our money, the national debt.

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All those things are his to take care of, to make sure where we are going, to report to us, to speak with other countries about the financial problems and financial solutions of the world. He is the spokesman for our economy.

And yet by his own admission, The Wall Street Journal says, "The Fox Watching the Henhouse: Tim Geithner's Tax History." He didn't pay Social Security and Medicare taxes for several years. The IRS audited Geithner in 2003 and 2004, his taxes, finding he owed taxes and interest totaling \$17,230. The IRS waived the penalties. If you know anybody out there that has had to deal with the IRS in this country, ask them if they failed to pay \$17,230 if penalties were waived on them.

In fact, if you didn't pay your taxes and you got a permissible extension of your taxes from April 15th, which passed just recently, when you get ready to pay them in August, or if you don't pay in August, you get another extension in October, take a look and see if the IRS is going to waive the penalties for you failing to pay those things on April 15th. I will tell you I don't think they will.

So could it be that Mr. Geithner was given this privilege because he was one of those powerful that the President of the United States told us would no longer be treated differently than the ordinary people in this country? I think that's a question we have to as a House ask ourselves. Are we really treating the powerful the same as we do the ordinary folks? I certainly think we need to resolve this. And I think it's something we need to be seriously considering. And by the way, I think the water in the swamp is rising.

He used his child's time at an overnight camp in 2001, 2004, and 2005 for tax deductions. Sleep-away camps don't qualify, according to the IRS. He recently filed \$4,334 in additional taxes and \$1,232 in interest for infractions including a retirement plan early withdrawal penalty, an improper small business deduction, and the expensing of utility costs that were for personal use.

The Treasury Secretary, by the way, Mr. Geithner, is the overseer of the IRS, the same IRS that waived the penalties that ordinary Americans would pay for failure to pay their taxes. I think we have a right to ask the question, Is this what the President meant when he said we are not going to treat people that are powerful differently than the ordinary people of this country? I think that point is one we need to continue to ask. I think we are continuing to ask that. But the water in the swamp keeps rising.

And what happened to the Speaker of the House who told us she was going to have the most honest, open, and ethical Congress and drain the swamp? Well, the swamp seems to keep filling up and the alligators are still swimming around.

One of the things that I think we at least ought to know about what's going on in this country is that we have created more czars to be special people with special salaries to do special things for this government than the entire history of Russia had czars. So there is a bill out there to sunset all these czars by STEVE SCALISE. And this would be the kind of thing that would be drained in the swamp, because we created people to do the same job that we have Cabinet Secretaries doing. To me that's very, very bizarre. If you have a Secretary of Agriculture and an agriculture czar, what is the agriculture czar supposed to do? And we have got so many that I have lost count. It is somewhere in the 30s, I think now, of czars that we have.

A czar is defined as someone who heads a task force or council and is appointed by the President without the consent of the Senate, excepted from the competitive service, and does not have an existing removal date. In other words, he is there at the will of the President. Appropriated funds can't be used to pay for salaries and expenses of task forces or councils established by the President and headed by the czar. That's what this bill says. In other words, it's trying to put a curtailment on this czar program.

Now, why would I bring the czar program out as we are looking at the swamp? Well, we are creating positions of power and paying big salaries to these positions of power to duplicate the duties and responsibilities of Cabinet members of the President's Cabinet, and you have to ask the question why? Who are these people? Is this a payback? Is this treating the powerful different than the ordinary? Is this open, honest, and ethical? I don't know. I don't know. But the question needs to be asked why do we have to have so many czars?

I defy anybody, without getting some kind of reference paper to look at, to give a list of these powerful jobs that have been created in this Congress by—I defy anybody in this Congress to give me a list off the top of their head. If they can name two they are doing better than I can. But these folks have top

salaries, they have large staffs, they have big budgets, and they are doing who knows what? But at least we know they must be promoting the agenda of the President of the United States, because he is the only one who appointed them, he is the only one who approved them, because they are not subject to approval by the Senate, as Cabinet members are. And he is the only one that seems to be able to take them out. So they must be doing his agenda.

Now, the question is, is that open? Could be honest. I don't know. Is it ethical? I think we have the right to know. When we have that many people doing that, I think it's a right. We as American citizens have a right to ask, who are these people? And we have actually had some articles about some of them being community organizers and some of them having very radical positions. Some of them actually resigned before they became a czar because their radical behavior was pointed out in the press. And it's not open, it might not be honest, and it might not be ethical. We ought to be worried about the czars.

Now, I brought up to start off with Eric Massa. That thing hit this town like a storm, just as, a while back during the Republican administration the Mark Foley incident, where he made some statements to some young pages that were considered inappropriate. He resigned. He left the Congress. And the question was raised what did the leadership of the Republican House know about that incident and when did they know it? And these were questions that were asked of the Republican Speaker of the House and asked of the majority leader and others.

I think there is a question that needs to be asked. The minority leader of this House, JOHN BOEHNER, has asked it. The questions are being asked in several committees I understand. What did Speaker PELOSI know about Eric Massa?

Now, those of you that don't know the story of Eric Massa, I am not going to tell it. But I am going to read to you a thing from the New York Daily News. It's an article, "FBI joins in Massa probe of sexual harassment, hush money and coverups." This was written April 22, 2010. "The FBI has joined the mushrooming investigations of sexual harassment, hush money and coverups allegedly involving former upstate Representative Eric Massa, Democrat from New York, and his male staffers. The bureau's entry into the case followed the announcement by the House Ethics Committee yesterday it's conducting its own investigation of how the office of House Speaker NANCY PELOSI, Democrat from California, and others handled complaints against Massa. Massa's alleged "tickling," groping, and raucous behavior at a gay bar with young staffers was "offensive, inappropriate, and created a hostile work environment," the Ethics Committee said in a statement. In the chaos in Massa's office, "moneys or

other payments may have been misappropriated or otherwise fraudulently or improperly distributed or received," the committee said. Massa resigned last month as the charges escalated. He maintained he was a "salty guy" whose gruff language and behavior may have been misjudged by his staff. The case entered a new phase last week when Joe Ralcato, Massa's former chief of staff, disclosed he had filed a sexual harassment complaint against Massa. Ralcato also said he received a \$40,000 check from Massa's campaign fund shortly before Massa resigned. Through his lawyer, Massa said he did not authorize the \$40,000 payment, alleging forgery might be involved."

Is that what you meant by end the swamp, Madam Speaker? That seems to be very similar to what you were talking about when you made the statement it was time for you and the Democratic majority to start draining the swamp. Well, as recently as April 22, 2010, at 4 o'clock—this was filed at 4 o'clock in the morning, a newspaper had sent out a news report about something that seemed to be a pretty nasty part of the swamp.

So let's look at—we have talked about Geithner, treated differently. And you know what, didn't pay his taxes, and he is the head tax man. RANGEL, the head of the head tax committee didn't pay his taxes, didn't pay his penalties and interest, and still has other things to answer for which haven't been answered for. Sounds like that's got the water rising in the swamp also.

And remember, we said we were going to start draining this swamp back in January of 2007, and the Rangel investigation has gone on since 2008 and no end is in sight. And the Ethics Committee, although it has an equal number of Republicans and Democrats on it, is chaired by the majority party, the Democratic Party. And so it's the Democrats' job to move that Ethics Committee along and dissolve and start draining at least that part of the swamp.

These things are difficult to talk about. They are allegations. And I am going to say it again and again and again, we are blessed by our Constitution of the United States and by the attitude of the American people that allegations are just allegations. They are alleging something happened, but it has to be proven. And if it's under the ethics rules, it has to be proven to the satisfaction of the Ethics Committee by the burdens of proof that they set forth. If it's set out in a court of law and it involves criminal behavior, it has to be proved beyond a reasonable doubt. If it involves civil responsibility, I would argue that there are a couple of means by it, but the most typical is by a preponderance of the evidence, the greater weight and degree of the evidence that proves such a matter. But there is a burden of proof.

So when you allege something against somebody, whether you be a

newspaperman or a Member of Congress like me, when you step up and say these things they should be taken just as it is. And I believe that's why I want to continue to clarify.

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But when you stand up before the House and you accuse others and you say they've created a foul, stinking swamp that needs to be drained and you will heroically drain that swamp, then adding animals, plant life, and water to that swamp and raising the level to where it spreads coast to coast is certainly not draining the swamp, and we should at least be able to discuss that matter in this House of Representatives. That is what I am talking about.

Some of these things are very difficult to talk about, and that's why I want to repeat again and again, these are allegations.

So to review. PELOSI's action, none, on Eric Massa. Obama and PELOSI's action, none, on CHARLIE RANGEL and Tim Geithner. The investigations of the Ethics Committee completed, none. Not one has been completed. The rest are still pending.

Reading an article from the Congressional Quarterly, Waters Calls TARP Meeting for Husband's Bank. "Watchdog groups claimed (Waters) took inappropriate action on behalf of OneUnited Bank, which received financial assistance from the Federal Government last fall. Waters—a senior member of the Financial Services Committee, which oversees banking issues—last year requested a meeting between Treasury Department officials and representatives of minority-owned banks, including OneUnited, on whose board her husband, Sydney Williams, had previously served. He also held stock in the bank."

That's just a small article. But once again, there are more alligators in the swamp, and are we finding out, and as NANCY PELOSI promised us she would do, to have the most open, ethical, and honest Congress? There are allegations of ethical misbehavior here.

What has our Speaker done? I would submit, nothing. I've certainly heard of nothing. I don't think—I would like to know if anyone knows of what's been done. But I think that's something that ought to be at least part of draining the swamp, part of the most ethical, honest, and open Congress in the history of the country.

Detroit News, March 11, 2010. Representative CONYERS avoids sentencing for embattled wife. Detroit News Washington Bureau, Washington. "On a day his wife was front and center, Rep. John Conyers, D-Detroit, stayed in the shadows. Conyers was inside his office in the Federal courthouse Wednesday and expressed an interest in attending his wife's sentencing hearing, but advisers told him he shouldn't, sources said. Conyers, who chairs the House Judiciary Committee, missed votes on the House floor for the second day in a

row. Conyers' office did not issue a statement, nor did staff respond to repeated inquiries."

Mlive.com, Everything Michigan. This is from the Internet. "Landmark Legal Foundation files House ethics complaint against Conyers. A conservative public interest law firm on Monday filed a House ethics complaint against U.S. Rep. John Conyers over a letter he wrote to the Environmental Protection Agency in 2007 allegedly tied to his wife, according to the Washington Times. The Landmark Legal Foundation filed the complaint, saying Conyers should respond to the allegations under oath. . . . In a 2007 letter, Conyers urged the EPA to accept a permit transfer request that would allow Greektown businessman Dimitrios Papas to resume operations at a hazardous waste injection well in Romulus."

"Consultant Sam Riddle said last month that Conyers' wife, former Detroit City Councilwoman Monica Conyers, drove him to a meeting with Papas earlier in 2007, arranged a \$20,000 consulting contract for Riddle and demanded \$10,000 as a finder's fee."

"Later the same year, Conyers wrote a letter to the EPA, reversing course from his stance in 2003, when he joined Rep. John Dingell in opposition to the well. In a statement issued last month to the Detroit Free Press, Conyers defended the letter on the grounds he was representing his constituents, and it is not clear whether he had any knowledge of his wife's ties to Papas."

"Monica Conyers resigned last month after pleading guilty to conspiracy to commit bribery in a separate incident involving Synagro Technologies."

Those are allegations that are made in the State of Michigan against the chairman of the Judiciary Committee, which is the committee that has oversight over the rule of law, if nothing else, but everything legal and many of the moral issues that come before this Congress. It's a very important, very important committee. And from these articles, we see that his wife has gotten in a lot of trouble for it.

We need these things, these allegations resolved. We need to know if they're still in the swamp. We need to know if we're still draining the swamp.

There are allegations in The Washington Post. This is pretty long. I am going to read some of it. Washington Post. "Rep. Norm Dicks is about to go from Mr. Boeing to Mr. Spending." It was written May 9. That's 2 days ago. The Washington Post.

"Maybe this whole outsourcing thing has gone too far. This week, House Democrats indicated they have plans to contract out the Federal Government's spending to Boeing. Specifically, they are planning to outsource it to Mr. Boeing, Rep. Norm Dicks (D-Boeing), a Washington State lawmaker who has received tens of thousands of dollars in campaign contributions from Boeing sources and has—by complete coincidence, of course—directed tens of

billions of dollars of government business to the military contractor.”

And it's an article about the fact that Mr. DICKS is possibly going to be named as the chairman of the Appropriations Committee.

I'm not going to go into this whole thing. It's an early allegation, and it's a question. But it's a question that, before we go any further, this part of the swamp needs to have sunlight put on it, and we see if where there's smoke, there's fire, and whether these allegations should be looked into.

I think we have a duty to this House to drain the swamp. And if we're not going to drain the swamp as NANCY PELOSI promised us, then let's not make big noise about it like we're going to, and let's admit that, you know what? Arguably, these allegations and this whole list of things that are there—this is kind of a collage of things, New York Daily News, Washington Post, Congressional Quarterly, Roll Call, Weekly Standard, NPR Radio, The Hill—these are a list of things that are asking questions about the things that I have raised tonight.

The real question is: Are we running the most ethical, open, and honest Congress in the history? Are we? I think that the entire—the vast majority, let's put it that way, of the American people have heard and understood the procedures that took place to pass the health care bill. The health care bill is now law. ObamaCare. And when we say “open,” we mean that we want things to be done out in the open, not in closed-door sessions in the Speaker's office, but out here on the floor of this House, on the floor of the committees and the subcommittees. “Open and obvious” means we're going to do it where you can see it. Let the sun shine in, as the song goes, and let's see what's there.

And yet we look at how this gigantic takeover of at least one-sixth of our Nation's economy by the Federal Government was done behind closed doors in a massive bill that arrived at a point in time where no human being actually could have had a chance to even look at it in any detail and was shoved down the throat of this Congress and the American people. That's not open. That's not obvious.

But more importantly, when you take the Chair as the Speaker of the House, and you take on the rules of this House—a man that both sides of the aisle respect in the building, Thomas Jefferson. Thomas Jefferson, the Declaration of Independence, wrote rules, and those rules have been followed pretty well, not all the time, but pretty well by this House.

GREG WALDEN, JOHN CULBERSON, and BRIAN BAIRD have offered H. Res. 554, 3-day reading rule, which, by the way, was one of the promises by the majority in this House that they would give at least 72 business hours before taking any action to allow you to read the bill. Even if the bill happened to be 2,500 pages, you ought to get 72 hours. And this House Resolution says legislation must be available to Members and

the public for 72 business hours before taking action, requires the full text of the legislation and each committee report to be posted continuously on the Internet.

In writing the rules of the House, Thomas Jefferson said bills should be publicly available for 3 days before voting.

And Thomas Jefferson had in mind what? Open, obvious, ethical. Honest. That's what he wants us to be. One of our Founding Fathers, one of the most highly respected Founding Fathers, a writer of our Declaration of Independence, he said that every bill that came before this House, we ought to have 3 days to read it. And I'm not even sure if Jefferson, in his wildest imagination, ever envisioned that there would ever be a bill, a printed bill, that would be 2,500 pages long. But even that, I think, he intended for it to at least give somebody 72 hours to read it.

And we haven't done that in this Congress. Not only on these massive bills, but on even other bills that come before the Congress. In fact, it is rare that we see any bill come before the Congress before you get your hands on it.

Others will say to you, What are they complaining about? They did the same thing. Aha. That may be so, but guess what? We all promised each other we weren't going to do it that way anymore. And the Speaker made that commitment, and the majority leader made that commitment. And they promised it when they asked for the control of this House, and they campaigned on it that they would give us the time to read the bills and know what's going on and that things would be open and that sunshine would fill the room as far as knowledge that the various Members of Congress would have. And it didn't happen, and it is not happening.

So once again we have to ask the Speaker, How's the swamp draining coming along? Because that was one of the swamp facts that you talked about that you were going to fix. How come it wasn't fixed? Well, yeah, it's an important agenda, sure, and maybe you don't want people arguing with you about your important agenda, but that's not what was said. That's not what was told to us when the control of this House was turned over to the Democrat Party.

And what results when there's that kind of thing of trampling on House rules? Well, these backroom deals like that took place in cap-and-trade and health care, the failure to give the 3-day reading time. And what comes of it?

Let's take the health care business. Right now, we have 22 States in this Union that have filed suit against the ObamaCare bill. They argue the individual mandate and the unfunded Medicare mandates are the subjects of that lawsuit, and that we have talked about before. And it's certain people being treated one way and another group of people being treated another. And we have a lawsuit that's probably going to

take us all the way to the Supreme Court of the United States to resolve it, which is the proper place to go.

□ 2100

But maybe it could have been resolved by this body if we had done what we said we would do: drain the swamp; be open, honest, and ethical; and trust each other and do our work together. Maybe we wouldn't have this problem. I don't know. I think I can make a pretty good argument that we wouldn't.

I've just about ridden this horse long enough. I want to point out to you that for 18 months I have been on the floor of this House almost once a week. I've really been talking about something I think everybody ought to be really, really concerned about in this country and, that is, it is the duty and responsibility of everyone who raises their right hand and takes that oath that we take in this body to preserve, protect, and defend the Constitution and the laws of the United States. And I took that oath as a member of the judiciary, which included, And of the State—that State being Texas. At least those people that take that oath in this room, those people have the responsibility to do what our Speaker told us we were going to do and create an open, honest, and ethical Congress. They have the responsibility to make sure the rules are followed. And winning and losing shouldn't be so important that you will override what you promised you would do and what you swore under oath you would do—or affirmed, if you didn't believe in taking an oath. I'm sure there were those here that didn't. I took an oath: So help me God. I took an oath.

And so I'm asking the question, Are we willing to loosen up the glue that holds our government and our society together, the rule of law? That is, we can count on the law, we can count on the Constitution, that it will prevail against personalities that may come along and try to interfere with it, because Americans owe their sovereignty to a piece of paper, a rule of law, and not to an individual. We don't swear an oath in this body to the President of the United States or to the Speaker of the House or to the Secretary of the Senate or to anybody other than to God and to the American people and to each other that we will preserve, protect, and defend the Constitution of the United States, the glue that holds this society together.

And when our Speaker talked about draining the swamp, she was making allegations, many of which were resolved and some of which were not resolved, especially at the time the statement was made, that needed to be addressed, because there was a stinking swamp of misbehavior she was alleging. And it hasn't been drained. Not only hasn't it been drained but it seems to be a policy that we will win at all cost. Therefore, we will not give 3 days to

read. We will do things behind closed doors. And we will not be open and honest, even though we promised it.

I'm going to get up here and say this until, hopefully, we change. And I will do my very best. And I have confidence that everyone in here, when reminded, will do their very best. My colleagues will be reminded—I'm hoping they'll be reminded by the few little things I have to say and I'm certainly hoping all of them on both sides of the aisle will be reminded, their consciences will be touched, and they will realize that the American people want to know what goes on in these Halls.

If you don't believe that, look at the tea party people out there. They're not trying to start a revolution. They're trying to start an honest government. They want to know what's going on; what are you doing. We feel hopeless and helpless because we don't understand what is going on up there. And you promised us open, honest, ethical. Where is it?

That's what we ought to be doing. That's what I'm doing up here. That's why I'm here tonight. I have the highest respect for every Member of this body. Any allegations made against any Member of this Congress should be rapidly and efficiently dealt with. And I hope these allegations will be proved unfounded. But to stand up and use campaign rhetoric about I'm going to have an open, honest, ethical Congress, I'm going to drain this nasty swamp, and then not do it and not answer for it is something I'm going to continue to talk about.

When the President says powerful people are not going to be treated differently than ordinary people, and if somebody is being treated powerful or it sure looks like it, we have a duty to ask the question, Why is that going on? Why do Geithner and RANGEL get treated differently than me when I don't pay my taxes or you when you don't pay your taxes or you just miss paying them on April 15 because you didn't get all your paperwork together so you got a legal extension? You still pay penalties and interests. Why don't they?

These are not hard questions to answer. These are questions that I think the American people have a right to know, because the American people want that glue that holds this society together. They want the kind of country that we wrote about in our Constitution. As long as I think we've got questions to be answered, I'm going to be asking the questions.

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

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. SABLON, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

(The following Members (at the request of Mr. POE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, May 18.

Mr. JONES, for 5 minutes, May 18.

Mr. PAUL, for 5 minutes, today.

Ms. ROS-LEHTINEN, for 5 minutes, today and May 12.

Mr. ROHRBACHER, for 5 minutes, today.

#### SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1405. An act to redesignate the Longfellow National Historic Site, Massachusetts, as the "Longfellow House-Washington's Headquarters National Historic Site"; to the Committee on Natural Resources.

S. 1053. An act to amend the National Law Enforcement Museum Act to extend the termination date; to the Committee on Natural Resources.

#### ENROLLED BILLS SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2802. An act to provide for an extension of the legislative authority of the Adams Memorial Foundation to establish a commemorative work in honor of former President John Adams and his legacy, and for other purposes.

H.R. 5148. An act to amend title 39, United States Code, to clarify the instances in which the term "census" may appear on mailable matter.

H.R. 5160. An act to extend the Caribbean Basin Economic Recovery Act, to provide customs support services to Haiti, and for other purposes.

#### ADJOURNMENT

Mr. CARTER. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 8 minutes p.m.), the House adjourned until tomorrow, Wednesday, May 12, 2010, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7404. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Viruses, Serums, Toxins, and Analogous Products and Patent Term Restoration; Nonsubstantive Amendments [Docket No.: APHS-2009-0069] received April 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7405. A letter from the Chairman and CEO, Farm Credit Administration, transmitting the Administration's final rule — Organization; Eligibility and Scope of Financing; Funding and Fiscal Affairs, Loan Policies and Operations, and Funding Operations; Definitions; and Disclosure to Shareholders; Director Elections (RIN: 3052-AC43) received April 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7406. A letter from the Secretary, Department of the Army, transmitting notification that the Average Procurement Unit Cost (APUC) and Program Acquisition Unit Cost metrics for the Longbow Apache Block III (AB3) program have exceeded the 25 percent critical cost growth threshold by more than 15% but less than 25%, pursuant to 10 U.S.C. 2433(e)(1); to the Committee on Armed Services.

7407. A letter from the Under Secretary, Department of Defense, transmitting authorization of 3 officers to wear the authorized insignia of the grade of brigadier general, pursuant to 10 U.S.C. 777; to the Committee on Armed Services.

7408. A letter from the Under Secretary, Department of Defense, transmitting letter on the approved retirement of Lieutenant General H. Steven Blum, Army National Guard, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

7409. A letter from the Chief, PRAB, Office of Research and Analysis, Department of Agriculture, transmitting the Department's final rule — Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Vendor Cost Containment [FNS-2009-0001] (RIN: 0584-AD71) received April 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

7410. A letter from the Assistant Secretary for Administration, Department of Commerce, transmitting the Department's final rule — Commerce Acquisition Regulation (CAR); Correction [Document Number: 080730954-0129-03] (RIN: 0605-AA26) received April 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7411. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Revision of Organization and Conforming Changes to Regulations [Docket No.: FDA-2010-N-0148] received April 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7412. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Product Jurisdiction; Change of Address and Telephone Number; Technical Amendment [Docket No.: FDA-2010-N-0010] received April 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7413. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Medical Devices; Pediatric Uses of Devices; Requirement for Submission of Information on Pediatric Subpopulations That Suffer From a Disease or Condition That a Device is Intended to Treat, Diagnose, or Cure; Direct Final Rule [Docket No.: FDA-2009-N-0458] (RIN: 0910-AG29) received April 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7414. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services,