

NOES—1

Young (AK)

NOT VOTING—22

Bachus	Garamendi	Nye
Barrett (SC)	Gordon (TN)	Ortiz
Berry	Hinojosa	Reyes
Bilbray	Hoekstra	Sánchez, Linda
Bilirakis	Jackson Lee	T.
Bonner	(TX)	Schwartz
Delahunt	Kirk	Souder
Diaz-Balart, M.	Minnick	Wamp

□ 1426

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BILIRAKIS. Mr. Speaker, on rollcall No. 287, had I present, I would have voted “yea.”

PERSONAL EXPLANATION

Mr. HINOJOSA. Mr. Speaker, on rollcall Nos. 286 and 287, had I been present, I would have voted “yes” on both votes.

PERSONAL EXPLANATION

Mr. ORTIZ. Mr. Speaker, on rollcall Nos. 286 and 287, if I had been present, I would have voted “yes”.

GRANTING AUTHORITY TO COMMITTEE ON EDUCATION AND LABOR FOR PURPOSES OF ITS INVESTIGATION INTO UNDERGROUND COAL MINING SAFETY

Ms. SLAUGHTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1363 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1363

Resolved, That the Committee on Education and Labor is granted the authority provided under clause 4(c)(3) of rule X of the Rules of the House of Representatives in furtherance of the investigation by such committee into underground coal mine operator compliance with the Federal Mine Safety and Health Act of 1977, as amended, and into other related matters.

SEC. 2. (a) The chair of the Committee on Education and Labor shall transmit to the Committee on Rules, not later than 2 days following an adjournment sine die of the second session of the 111th Congress, or January 2, 2011, whichever occurs first, a report on the activities of the Committee on Education and Labor undertaken pursuant to this resolution. Such report shall indicate—

- (1) the total number of depositions taken;
- (2) the number of depositions taken pursuant to subpoenas; and
- (3) the name of each deponent that the committee has publicly identified by name as a deponent.

(b) Upon receipt of the report described in subsection (a) by the Committee on Rules, the chair of the Committee on Rules shall submit such report for publication in the Congressional Record.

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

Ms. SLAUGHTER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from California (Mr. DREIER). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Ms. SLAUGHTER. I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and insert extraneous material into the CONGRESSIONAL RECORD.

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

There was no objection.

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

Mr. Speaker, this resolution provides the Committee on Education and Labor with deposition authority in connection with its investigation of underground mine safety. The resolution also requires the Education and Labor Committee to report to the Rules Committee on its use of the authority by the end of this congressional session.

□ 1430

Mr. Speaker, we’re here today with a pretty straightforward mission. We want to empower the men and women who are investigating the causes of the serious safety problems facing miners in America.

As we saw recently with the terrible disaster at Upper Big Branch Mine in Raleigh County, West Virginia, there’s some combination of industrial wrongdoing there and inadequate regulation that we must address. The explosion at Upper Big Branch in April killed 29 coal miners, ripped apart an entire community and State, and was the worst mine disaster in this country since 1970.

Why is Congress involved? Because one of our most serious responsibilities as lawmakers is oversight and investigation. And from what we’ve been able to tell from the facts so far, there is an urgent and compelling need for the public to know all the facts surrounding this and other recent mining tragedies.

I come to this issue with a personal feeling. Many of my constituents back home and some here know that I was born in Harlan County, Kentucky, in the midst of some of the best bituminous coal on Earth. Some of my earliest memories are hearing the whistle blow at night over at the mine. Even the smallest child, as I was then, knew what that whistle meant. It meant serious trouble at the mine.

The pain and suffering endured by miners in Kentucky and West Virginia and everywhere else should inspire us to do everything in our power to make this dangerous and volatile work environment as safe as we possibly can. The bottom line should never supersede a human life.

The resolution before us today would give the House Committee on Edu-

cation and Labor staff authority to take depositions as they pursue their investigation. We know that greater review of this issue is sorely needed. There are far too many unanswered questions surrounding underground coal mine operator compliance with the Federal Mine Safety and Health Act, and the safety of every single miner in this country depends on answering those questions.

Getting to the truth on mining safety is not a partisan issue, and empowering staff to get the truth is in everyone’s interest. Granting a committee this sort of authority is not without precedent. In numerous times over the years, Congress has approved resolutions such as this to provide temporary powers to committees trying to get at the truth. And every piece of information that comes from the questioning will be obtained by and shared with members of the committee from both parties.

The House gave the Education and Labor Committee similar authority during a probe into a mining accident just a few years ago. It was in the 110th Congress that the Education and Labor Committee was given staff deposition authority in their 2007–2008 investigation into the deaths of nine miners and rescue workers at the Crandall Canyon Mine near Huntington, Utah. That led to strengthening mine safety with laws that may be too lax in enforcement.

Among the issues the committee wishes to delve into is the growth of the number of mine safety enforcement cases that are pending before the Federal Mine Safety and Health Review Commission. The Commission is meant to serve as an independent agency that provides administrative trial and appellate review to contested citations, penalties, and worker retaliation cases.

In reality, though, the increased enforcement and tougher penalties that followed several high-profile mine accidents in 2005 and 2006 has swamped the Commission. Mine owners have tripled the number of violations that they appeal, and they contest 67 percent of all penalties that are assessed. As a result, the government is facing a lengthy backlog of cases at the Commission that has surged from 2,100 in 2006 to approximately 16,000 in February of this year.

This deposition power for the committee will help to prod reluctant witnesses who have important insight into this issue but might otherwise not be willing to offer testimony. This is an important tool, and I urge my colleagues to rise and support me on this plan here today.

I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I yield myself such time as I might consume.

(Mr. DREIER asked and was given permission to revise and extend his remarks and include extraneous material in the RECORD.)

Mr. DREIER. Mr. Speaker, I am going to do something that is somewhat unusual. I would like to, as I did

in the Rules Committee yesterday, associate myself completely with everything that has been said by the distinguished chair of the Committee on Rules.

As I said yesterday in the Rules Committee, it's difficult to fathom the challenge that a young person would go through, as she did, hearing that whistle and knowing that there was difficulty ahead and the threat of the loss of life. And that's the reason that we are very proud to stand here, having had an exchange with Mr. MILLER—and I see Mr. RAHALL here, who obviously has suffered greatly through this; Mrs. CAPITO is here as well—to say that we would have been extraordinarily proud, Mr. Speaker, to have done this instantaneously under a unanimous consent agreement. Mr. KLINE would have agreed to that.

In our exchange with Chairman MILLER yesterday, we talked about the important rights of the minority, the fact that we are simply expanding authority that already does exist, but it is very important that we do this. That tragedy with the loss of those 29 lives is something that is—we have got to remain committed in a bipartisan way to ensure we have adequate oversight to ensure that it never, ever happens again.

We know that a hearing has taken place in the Senate today, and serious questions have come to the forefront.

And I will say, Mr. Speaker, that we were privileged to approach the majority and say that there was no reason for us to be here, no reason for us to be here, because we would have granted unanimous consent and we would not have taken this time of the House of Representatives to consider this measure.

And so the only thing that I'm in disagreement with is the fact that we are taking the time of the House to do this. And so it's for that reason, Mr. Speaker, that I'm going to move to defeat the previous question. I'm going to move to defeat the previous question, not so that we, in any way, would undermine this very important authority that the Committee on Education and Labor is going to have, but to enhance this and get us back to an issue which I think is very near and dear to the American people since we've all agreed that this kind of authority, Democrats and Republicans alike, is essential. We believe that if we can defeat the previous question, we will have the opportunity to take on the issue of deficit spending, which has been incredibly painful all the way around.

Just today, when I last looked earlier today, the Dow Jones Industrial Average was down over 350 points. I saw it had come back a little. But we are dealing with at least a 3-month low on the Dow now.

And then we saw the numbers this morning on the dramatic increase in the jobless claims, 417,000. We are going through difficult times. We all know that. And it is essential that we do ev-

erything in our power to rein in massive Federal spending, which we believe, and I believe the American people by and large believe, has exacerbated rather than ameliorated the economic challenges that we're facing.

Americans are tired of the reckless spending, and they're outraged, Mr. Speaker, by the lack of accountability, and deeply concerned about the consequences of our fledgling economic recovery, now and for future generations as well.

After months and months of countless phone calls, emails, letters, town hall meetings, the American people are asking themselves, Why won't Washington listen? Why is our demand for fiscal responsibility not getting through? Why is the majority refusing, for the first time in modern Congressional history, to not even consider a budget?

My answer to them is that some of us, Mr. Speaker, some of us are getting the message from the American people very loudly and clearly. The Democratic majority might refuse to listen, but Republicans are serious about the issue of reining in spending. Though we've been barred by the majority from making significant reforms, we're using every tool at our disposal to force some accountability into the spending process.

One such effort is what we are calling the YouCut project, Y-O-U-C-U-T, which was launched last week on the Republican whip's Web site. Americans had the opportunity to voice their opinion on five specific spending cuts, and nearly 300,000 votes were cast, people making their thoughts known. Nearly 300,000. The proposed cuts, among those five, that drew the most votes was a welfare program that was expanded in the so-called economic stimulus bill without including any requirements that able-bodied recipients return to work. It was a concept that came forward by our friends, Messrs. PRICE and JORDAN, who've worked long and hard on this.

Now, Mr. Speaker, common sense dictates that an era of fiscal crisis is no time for creating an open-ended welfare program. Cutting this program will save taxpayers \$2.5 billion. And today, we're going to hold the Democratic majority's feet to the fire and demand a vote on this spending cut.

Again, Mr. Speaker, let me say that today, when we vote on the previous question, members of both political parties will have the opportunity to state very clearly whether they are in the camp of fiscal discipline, reining in the size and scope and reach of the Federal Government, or continuing down the path of reckless spending.

Now, Mr. Speaker, we are going to continue this YouCut program in the weeks ahead. Every single week Americans will have the opportunity to vote for the spending cut that they'd like to see most, and every week Republicans will demand a vote on the winning cut.

Can we eliminate the deficit in one fell swoop? Absolutely not. Everybody

knows that we can't do that. Anyone who's ever had to take responsibility for a budget knows that no magic wand will fix the problem. It takes very hard choices, one cut at a time. But with discipline and perseverance, we can restore fiscal accountability here in Washington.

The Democratic majority has made it clear that, left to their own devices, they will continue to spend our Nation into insolvency. And we've seen a projection that just came out: the notion of our national debt being 110 percent of our Nation's gross domestic product within the next 5 years, extraordinarily troubling, based on the path that we're on today.

They've put up every conceivable roadblock so far, Mr. Speaker, to accountability, but they're not going to be able to sidestep today's vote. We're ensuring that 300,000 American voices are being heard.

Mr. Speaker, anyone who cares about spending in Washington will have the opportunity to see how their Representative voted, and they'll continue to have that opportunity week after week as the YouCut program goes forward.

Now, there are a number of tactics that can be employed to prevent fiscal accountability, and the Democratic majority has tried them all. But ultimately, Mr. Speaker, the will of the American people will find a way around the roadblocks and their voices will be heard. We are determined to make sure that the voices of the American people are heard here on the floor of the people's House.

So, Mr. Speaker, I urge my colleagues to defeat the previous question so that Members of this body will have the chance to take on the issue of fiscal discipline and accountability and support the Price-Jordan measure, which will finally bring us the kind of responsibility we need to our Nation's welfare program.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. Mr. Speaker, I thank the distinguished chair of the Rules Committee for yielding to me, and I certainly want to commend her for bringing this resolution to the floor and for the manner in which she has spoken from personal knowledge of the troubles and trials and tribulations, that is, that we go through in coal country, as she hails from coal country herself.

Mr. Speaker, I do want to commend, as well, the chairman of our Education and Labor Committee, Mr. GEORGE MILLER, within whose jurisdiction the Mine Safety Health Administration resides. Mr. MILLER is certainly a true champion of our coal miners and one who has coal mine health and safety deep in his bones. He will be traveling to our district in southern West Virginia on Monday to have a hearing to

listen to family members or those who lost loved ones at UBB in that horrific tragedy on April 5.

□ 1445

I also wish to commend the House of Representatives in a bipartisan fashion for the very swift action in which the House passed a resolution after this tragedy commending those 29 fallen miners and expressing condolences to their families. We continue to work with the family members to help them through what is a difficult process known as healing and trying to get by in life now without their loved ones.

This resolution is to grant the Committee on Education and Labor deposition authority as part of the committee's oversight activities relating to coal mine health and safety. While I am not a member of the Education and Labor Committee, the disaster which took place on April 5 at the Upper Big Branch mine in Raleigh County, West Virginia, claiming the lives of 29 men, occurred in the congressional district of which I am honored to represent.

This resolution reflects the seriousness with which the House of Representatives takes the issue of coal mine health and safety, the loss of these 29 brave souls, and the grief of their families and friends.

The UBB mine disaster was the worst in our Nation, as the gentlelady from New York, the chair of the Rules Committee, has stated, the worst disaster in our coal mines in our Nation since 1970.

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

Ms. SLAUGHTER. I yield the gentleman 2 additional minutes.

Mr. RAHALL. It follows in the wake of the Sago mine disaster in 2006, which claimed 12 lives; the Darby mine disaster was also in 2006, which claimed 12 lives; and Crandall Canyon mine disaster in 2007, which claimed nine lives. While Congress responded in 2006, again under the very capable leadership of the Education and Labor Committee chairman, Mr. MILLER, with the enactment of what is referred to as the MINER Act, the focus then was on emergency response.

In the wake of the UBB disaster, it is now entirely appropriate that we investigate coal mine health and safety matters further. And the committee on Education and Labor is the appropriate forum for that to take place.

I again commend Chairman GEORGE MILLER and his ranking member, Mr. JOHN KLINE, for pursuing a responsible course in the conduct of this, their oversight responsibilities. I do urge the adoption of the resolution. And I would note and thank the ranking member of the Rules Committee, Mr. DREIER, as well for the bipartisan support that he and members of the Rules Committee and on the minority side are giving this particular resolution, although they are trying to of course hijack it for other purposes.

Mr. DREIER. Mr. Speaker, let me first thank my friend for his very

thoughtful remarks and say again how horribly we all feel about the tragedy that he and Mrs. CAPITO and others from his State have suffered. And once again, we totally agree with exactly what it is we are attempting to do here.

With that, I am happy to yield 4 minutes to our distinguished Republican whip, who has launched the YouCut item on his Web site, Mr. CANTOR.

Mr. CANTOR. I thank the gentleman from California.

I would just like to follow up on the remarks that we, too, would tell the gentleman from West Virginia, we agree entirely with the thrust of his remarks and express our sorrow for the folks of West Virginia who have experienced such a tragic loss.

I would say again, the ranking member on the Rules Committee has indicated already that we could have already embarked upon the effort that the gentleman from West Virginia and the lady from New York speak about because we did offer unanimous consent on this. So we are in total agreement there. However, I will rise in opposition to the previous question.

Mr. Speaker, for the millions of Americans demanding accountability for the culture of reckless runaway spending in Washington, meet YouCut. At a time when approval of congressional spending has reached its lowest ebb, this first-of-its-kind initiative empowers taxpayers with the ability to contribute directly to a new culture of savings in our Nation's capital.

Each week the public votes on one of five wasteful spending items that they would like to strip from the Federal budget. Once the votes are tallied, the House will vote on whether or not to cut the winning provision from the Federal balance sheet.

Within 5 days of the experiment, over 280,000 Americans cast their vote either online or by text message. That's a rate, Mr. Speaker, of more than 2,000 votes per hour, with less than 1 percent of the votes originating from inside the Beltway, I might add. The overwhelming response speaks to the extreme frustration taxpayers feel toward a Congress that refuses to listen to them.

Make no mistake: America is at a critical crossroads. The American people are tired of the spending binges. They look across the Atlantic and see Europe collapsing under the weight of its debt. With our own deficit swelling, it's only natural to fear that we are heading down the same road to ruin.

YouCut is not a political venture. It is about shifting the pendulum in Washington back towards the direction of saving money. Rooting out unnecessary spending should be a bipartisan endeavor. This week the House has considered two bills to name a post office and a Federal building, 11 resolutions honoring different individuals, sports teams, or causes, including even recognizing Craft Beer Week. We have considered bills to spend more money and create new programs.

Mr. Speaker, what we have not considered is a single bill to reduce spending. Unfortunately, this is a pretty typical week. Today we have a chance to change that. During the first week of YouCut, a plurality of voters chose to axe a recently created \$2.5 billion annual welfare program that undercuts cost-saving welfare reforms made in 1996 by a Republican Congress and a Democratic President. It was bipartisan reform. This new program undermines those reforms.

While it was just created last year, the reports of waste and fraud are already trickling in: perverse incentives for States to increase welfare caseloads, reports of cash being given out to welfare recipients that is then used to buy flat-screen TVs, iPods, and video gaming systems. Enough is enough.

To put it simply, even when the funds are not being so extravagantly wasted, we cannot afford this program. The American people understand this. That is why they asked us to vote on this proposal to terminate this program and to use that money to reduce the deficit. This previous question vote is the vote to do just that.

Today, over a quarter-million Americans will get to see whether their Representatives in Congress share their specific fiscal priorities. I urge my colleagues to listen to the voice of the people and take up this vote today and vote "no" on the previous question.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 7 minutes to the gentleman from California, the chairman of the Committee on Education and Labor and a champion of all working people, Mr. MILLER.

Mr. GEORGE MILLER of California. Mr. Speaker, I want to thank the chair of the Rules Committee for bringing this rule to the floor of the House and to thank the ranking member, Mr. DREIER, from California for his cooperation and support for this resolution. I, too, associate myself with the remarks of the gentlewoman from New York (Ms. SLAUGHTER), who probably has more experience and understanding of these tragedies than any Member who doesn't live in the coal regions of our country, and has spent a lot of time with myself and others on our committee discussing these issues of coal mine safety, tragically throughout the years as we have had one accident after another over that time.

The resolution that the Rules Committee brings to the House floor today reflects the seriousness with which Congress takes the issue of mine safety. Last month we watched the tragic events unfold in the Upper Big Branch mine in West Virginia. The memory of the 29 miners who lost their lives in that disaster must stand as a reminder of the work that remains to be done to keep our Nation's miners safe.

There is much to be learned about the disaster at the Upper Big Branch mine. I have been heartened by the swift and decisive action taken so far

by the Department of Labor and the Mine Safety and Health Administration. I expect their investigations into this particular tragedy will be comprehensive. The resolution we are discussing today, however, will be in furtherance of our committee's broader oversight duties regarding the health and the safety of our Nation's coal miners.

Last year, our committee staff began looking into issues relating to the backlog of cases at the Federal Mine Safety Review Commission. This commission and its administrative law judges hear mine operators' contests of the citations Mine Safety and Health Administration inspectors issue against the operators. This backlog has potentially severe ramifications for miners' safety.

The backlog has prevented MSHA from placing mines on what is called a pattern of violations because so many of those mine citations remain bound up in the litigation. Because of this increased scrutiny it would bring, mines warned by MSHA that they are about to be designated as having a potential pattern of violations generally significantly improve their mine safety record. But the mine owners have figured out a way to game that system, and therefore, the miners and their families are robbed of this very powerful tool that would ensure greater safety of their workplace and perhaps avoid some of the tragedies that we have just witnessed.

In February, our committee explored a recent uptick in the citation contests and how it might ultimately affect safety in the mines. In the wake of the Upper Big Branch mine disaster and our hearings on mine operator citation appeals and backlogs, I am deeply concerned about what coal mining conglomerates have done to encourage or discourage safe mining practices. That is why I believe that our committee's oversight responsibility would benefit from the authority to hold and compel witnesses' attendance at depositions.

Deposition authority is a powerful tool for many investigations, but some investigations would particularly benefit from the tool. Last Congress, Congress granted the committee deposition authority in our investigation of the Crandall Canyon mine disaster in Utah. This successful investigation led to a criminal referral to the Department of Justice, in large part because of the evidence that our staff obtained in those depositions. I understand that the Department of Justice continues to investigate our referral.

I believe that the deposition authority is equally justified in this case. A deposition can serve as an intermediate step between a full public hearing, an executive session, and informal staff interviews. It creates a formal record; yet it allows us to explore issues in a more sustained manner than would be practical at a hearing. Indeed, it allows us to realize that the potential witness does not have the knowledge of par-

ticular issues to justify calling them at a hearing.

It was because of the usefulness of this investigative tool that our committee this Congress approved the committee rules package to include deposition procedural rules. We wanted to build on our successes and our execution of the deposition authority granted last Congress, and we wanted to be ready should the circumstances justify seeking the authority again. Unfortunately, the tragic deaths at Upper Big Branch have again highlighted the importance of our investigative work on mine safety and that our committee again investigate the issues related to mine safety.

The committee's deposition rule respects and affirms the rights of those individuals being deposed and respects the rights of the minority on our committee. It has been worked out with the minority on our committee. It is the result of a bipartisan process began last Congress and reaffirmed with the adoption of our committee rules this Congress. We have used the tool sparingly and effectively in the past, and I assure the committee that we will use it sparingly and effectively in this investigation.

Next week, my committee will be conducting a field hearing in West Virginia with Congressman RAHALL. We will be hearing from the families of the victims of the Upper Big Branch mine explosion. Just as we made sure to hear from the families of Sago and the Crandall Canyon, we will hear the concerns of these families. With every such hearing we pledge to the families to never turn a deaf ear to their concerns, their knowledge, to make sure that mining is safer. I intend to keep that pledge, and the resolution before us is part of keeping that pledge.

Again, I want to thank the ranking Republican on our committee, Congressman KLINE, and his staff who worked closely and effectively with me and my staff in framing the deposition rules and in framing our future investigations and going before the Rules Committee to ask for this authority from the Rules Committee.

Again, I want to thank the chair and the ranking member for bringing this matter to the floor and thank Congressman RAHALL for his support for our committee having this authority.

Mr. DREIER. Mr. Speaker, let me thank my friend from California (Mr. GEORGE MILLER) for his thoughtful remarks.

At this time, I would like to yield 2 minutes to the gentlewoman from Charleston, West Virginia, who clearly has suffered greatly through this extraordinary tragedy, Mrs. CAPITO.

Mrs. CAPITO. I thank the gentleman from California for yielding me time.

I understand that there is no controversy really on this underlying resolution. I wish we could have done this, and I think we could have done it several days earlier to get started on this under unanimous consent. So I wish

that was the direction that we had gone.

But as we have said, on April 5, 2010, an explosion occurred at the Upper Big Branch mine in West Virginia, killing 29 miners. And our hearts and prayers still are with the families and with the communities who have suffered greatly. This disaster was the worst mine disaster in West Virginia and the third mining disaster over the last 4 years. In 2006 in my district, 13 coal miners were trapped for nearly 2 hours at the Sago mine, and one miner miraculously survived.

I agree, my colleagues, that Congress has a very important oversight role to ensure that the laws are properly executed and to prevent future mining accidents. There must be a thorough investigation by Congress to determine whether the executive branch agencies charged with protecting miners are performing their job and whether changes need to be made to ensure that those agencies fulfill their obligations to the miners, their families, and the public.

□ 1500

Also, the Congress needs to have a thorough investigation into the company practices and whether safety is the top priority and the one priority first considered whenever beginning or starting to pursue coal mining and while it's in operation. Congress, however, must be wary not to compromise the integrity of any future or pending investigations and potentially jeopardize the executive branch's ability to enforce and hold violators accountable.

Keeping our miners safe requires all of us to work together to prevent mine disasters from happening in the first place. I support this rule, and I vow to take whatever measures are necessary to ensure the safety and health of all miners.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentlewoman from California, the Chair of the Workforce Protection Committee, Ms. WOOLSEY.

Ms. WOOLSEY. Mr. Speaker, I thank the gentlewoman from New York for allowing me this time, and I appreciate the cooperation we're getting from both sides of the aisle on this very important issue.

On April 5, 29 miners were killed and two injured in a massive explosion which ripped through Massey Energy's Upper Big Branch mine in Montcoal, West Virginia. It was a shock to all of us. Unfortunately since then, there have been two other mine accidents, one in Kentucky and another in West Virginia, that have resulted in even more fatalities.

The explosion at the Upper Big Branch mine was the worst mine accident since 1970 when 38 miners were killed in an explosion at a mine in Kentucky.

We are now, Mr. Speaker, in the 21st century, and there is absolutely no excuse for these tragedies. There are ongoing investigations into the explosion

at the Upper Big Branch mine so we don't yet know exactly what caused this blast, but we do know that Massey Energy has a long, long history of health and safety violations at this mine and others of theirs and that it has received hundreds—not a few—but hundreds of citations before the blast occurred.

This tragedy and the conduct of this mine owner towards the safety of its workers further highlight the need for the Education and Labor Committee to fully perform oversight functions. We owe this much to the families of the fallen miners and to those miners who go to work each and every day so that they can come home safely to their families every night.

The deposition authority provided by this resolution, which is the product of a bipartisan agreement, as we all know, is a vital tool for the committee, and I urge passage of this resolution by every Member of the House of Representatives.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 3 minutes to the coauthor of the very important issue that's going to bring back accountability to welfare, the gentleman from Roswell, Georgia (Mr. PRICE).

Mr. PRICE of Georgia. I thank the gentleman.

We all are strongly sympathetic and unanimously support the underlying resolution, and our thoughts and prayers go out to the victims and the families of all mine disasters.

We should take this as an opportunity, however, Mr. Speaker, to unanimously decrease spending. Everybody across this land knows that Washington spends too much and it borrows too much and it taxes too much. Washington has grown fat on bloated, wasteful spending for far too long. It's collapsing our fiscal house; it's jeopardizing our kids' and our grandkids' future; and it is undermining our economy. And it's high time that we put the Federal Government on a diet, and that can begin today.

With the YouCut program, Republicans are partnering with the American people to restore fiscal sanity. This is a unique initiative where we are asking the American people to help prioritize which special-interest handouts and other wasteful spending they want to target for elimination. This YouCut initiative combines two crucial components of commonsense governing: listening to the people and cutting waste from government spending.

So I'm grateful for the huge participation that we have already seen, over 281,000 votes cast, of which less than 1 percent are from the District of Columbia. So Americans all across this land are participating.

The spending reduction that Representative JORDAN and I proposed received more than 81,000 votes. We identified, and America supported the repeal, of a \$2.5 billion-per-year program that has gutted the positive bipartisan welfare reforms of the 1990s.

As part of their failed stimulus package, Democrats added a new program to incentivize States to increase, yes increase, Mr. Speaker, their welfare caseloads without requiring work from those able to work or get job training or make other efforts to move off taxpayer assistance. Welfare reform was one of the most important bipartisan achievements of the last two decades, and it's been terribly undermined by this little-noticed provision.

So rather than take our Nation backwards, we need to vote today to restore welfare reform by refocusing temporary assistance on people getting back on their feet as quickly as possible. So I hope that our Democrat colleagues will follow our lead and, yes, the lead of the American people in working together to put Washington's fiscal house back in order.

Mr. Speaker, we have tried to partner with our Democrat colleagues to rein in wasteful spending; but their help in this matter has not, frankly, been forthcoming. In fact, they have chosen to explode the annual deficits to over a trillion dollars and add costly new government mandates and tax hikes that stand in the way of job creation.

So let's start today, together, to begin the job of getting our Nation back on track. Vote "no" on the previous question. Vote for fiscal responsibility.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from New Jersey, a member of the Education and Labor Committee, Mr. HOLT.

Mr. HOLT. Mr. Speaker, I thank the gentlelady, the chair of the Rules Committee.

I rise in support of H. Res. 1363, which gives the Committee on Education and Labor, on which I sit, the ability to investigate the Upper Big Branch mine disaster. This resolution allows us to do our work, and I would like to speak about that subject.

In a greater sense, this resolution honors the coal miners who perished in the tragedy and works to ensure that such a tragedy never happens again. We owe it to the remaining families and to all mining families.

I feel strongly and personally about the concerns of miners because I was born and reared in West Virginia where my father, the late U.S. Senator many decades ago, was known as one of the best friends the miner has ever had.

There's no question that mining has been a dangerous job. Although the number of deaths in America's mines has been reduced, today coal mining is rated still among the most dangerous jobs in America, and it does not have to be that way.

I support the Education and Labor Committee's work to investigate any possible health and safety violations at Upper Big Branch and to see if laws were circumvented and miners' lives were put recklessly at risk. Those responsible must be held accountable.

Too many families have suffered the loss of a loved one in a mining disaster.

We in Congress need to investigate fully the factors that led to these tragedies. We need to investigate fully the deficiencies in laws, regulations, and enforcement that may have contributed. We owe it to the families of the miners lost and the miners who work every day to take action.

We must prevent these accidents from happening again, and I urge my colleagues to support H. Res. 1363.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 2 minutes to a hardworking member of the House Ways and Means Committee, the gentleman from Duluth, Georgia (Mr. LINDER).

Mr. LINDER. I thank my friend for yielding.

Mr. Speaker, I would like to express my sincere sorrow to the families of those who were killed or wounded in that accident and all mine accidents and remind our friends that this could have been done on unanimous consent without a rule, but since the rule is here, I rise in support of defeating the previous question to the rule so that we can consider Mr. PRICE's motion.

The 1996 Republican welfare reform successfully reduced welfare dependence and poverty and increased work and earnings. But despite that success, opponents have spent years trying to undermine welfare reform. They saw a new opening in the Democrats' 2009 stimulus law. In that trillion-dollar bill, they created a new \$5 billion welfare emergency fund designed to promote welfare dependence all over again.

The new fund pays States if they increase welfare caseloads, among other outcomes. States have been less than eager to collect. By mid-May, less than half, \$2.4 billion, had actually been claimed by States. Only three States received full shares. You know something is wrong when the Federal Government has trouble giving away money.

Mr. PRICE's motion would end this program right here and right now. And that is the right policy for a program that should never have been begun. Just consider how this emergency money has been spent so far. One of the largest chunks has been spent on something called "non-recurrent short-term assistance." A program operated in New York last summer offers an example: New York used these funds to make one-time \$200 payments to welfare and food stamp recipients supposedly for back-to-school purchases. But that's not how the money was really used. Some recipients used the money, as CBS News put it, to buy "flat screen TVs, iPods, and video gaming systems." Convenience stores in low-income areas noted marked "increases in beer, lotto, and cigarette sales."

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

Mr. DREIER. I yield my friend an additional 30 seconds.

Mr. LINDER. ATMs ran out of cash, so now we have no idea how those funds

were spent, but I suspect many can guess.

The Subcommittee on Welfare, on which I serve, recently had a hearing on this fund. One witness noted taxpayers already spend an incredible \$953 billion per year on welfare and other low-income benefits. I asked the administration witness sent to us is she still asking for more welfare spending. I said, Is it your testimony that \$953 billion is not enough? Her answer was telling: Who's to say what is enough?

It is time that the American people are saying this is enough and so should we.

[From the Political HotSheet, Sept. 2, 2009]

UNPLUGGED EXCLUSIVE: STIMULUS FUNDS FOR SCHOOL SUPPLIES MISUSED

(By Sharyl Attkisson)

Getting kids back to school with the clothes and supplies they need can strain the family budget. That's why the Governor of New York decided to use federal stimulus funds for a back-to-school program. Needy families got a one-time payment of \$200 dollars per child to buy school supplies. It adds up to \$140 million of your tax dollars.

Neasey Hendricks, single mother of five, says she's putting the money to good use.

"Definitely sneakers, try to save a little bit for a haircut, a couple of pairs of pants, some shirts, get the girls a few skirts," Hendricks says.

While few argued with the concept of helping low-income families, nobody anticipated the chaos that would come next.

On August 11th, the state of New York deposited the \$140 million in stimulus money into the individual food stamp and welfare accounts of people on public assistance. Some saw their balance shoot up by a thousand dollars all at once. The idea was they would use their regular welfare benefits card, which acts like a debit card, to buy the school supplies. There was just one problem. The letter from the state telling them what the money was for didn't arrive until days later. By then, it was too late.

"No one questions the intention of this particular program. However there is an extraordinary distance between the good intention of the program and the implementation of the program," Monroe County's Commissioner of Health Services Kelly Reed said on Wednesday's edition of "Washington Unplugged," which first reported the story.

County Executive Maggie Brooks says social workers were flooded with calls from merchants who were afraid fraud was being committed.

"We had different retailers calling us and saying people were coming in with their benefit transaction card, and they are purchasing flat screen TV's, iPods and video gaming systems," Brooks told CBS News. Brooks doesn't blame the recipients—she blames the state for not ensuring the funds were spent for school.

Businessman Josh Babin says the day stimulus money went into the welfare accounts, business at his Rochester Cell phone store doubled. And he doesn't sell school supplies. "Most of them came in, picked up most of their accessories, most of their products."

Welfare recipients were also free to withdraw the money as cash. That led to an unexpected run on ATM's across the state. Brenda Smith, manager of a Wilson Farms store in Monroe County, said most of her increase in sales when the stimulus funds were disbursed were not in school supplies, but in "pre-pay cell or credit cards." She said her store's ATM was wiped empty.

Managers of three Wilson Farms convenience stores in Rochester also reported

empty ATM machines and increases in beer, lotto and cigarette sales.

Managers of four Tops Markets stores in Rochester had similar stories. On West Avenue, the store's three ATM's were all depleted by noon on August 11th. "Large increase in volume of customers but minimal spoke in sales which were not in school supplies but rather candy racks at the register," stated investigative notes obtained by CBS News. So many welfare customers were seeking cash back; the stores implemented a \$50.00 cash back limit on-the-spot. At the East Ridge Road location, the ATM ran out of money on August 11 as well. "Numerous clients came in and purchase minimal items to withdraw the \$50.00 limit and then returned to other cashiers in the store in order to retrieve all the money out of their account," reads investigative notes. And on Upper Falls Blvd., the Tops Market reported "500 more customers" but "\$4,000 less in sales" than usual. Also, ATM's containing \$60,000 were entirely depleted.

On "Unplugged" Reed said one recipient "had \$1000 dollars on their card and jumped over a period of a few minutes over eighteen lines in a Tops store buying something for forty nine cents for two dollars for fifty cents and getting fifty dollars back in cash," each time.

ATM's were also wiped out in hours at many Wegman's stores statewide and the owner of a Sunoco station described "scenes of panic" at her store, with public assistance customers flooding her ATM machine. Some of them, she says, immediately used the cash to buy cigarettes and beer.

Monroe County investigators sampled the accounts of more than 70 drug and alcohol rehabilitation clients and found more than half of them withdrew their back-to-stimulus funds entirely in cash.

New York Congressman Eric Massa (D-NY) supports the stimulus bill, but said this program is flawed. "It's a matter of accountability," Massa said. "Ensuring what's happening with the funding. You and I both know where there's crevices, the water will go through those crevices."

New York State officials defend the stimulus program saying no matter what welfare recipients purchased with the taxpayer funds, it served to stimulate the economy. State spokesman for the program, Kristen Proud said it stimulated the economy. Supporters accuse critics of making unfair stereotypes about welfare recipients. "We have as many examples of families using the dollars for school clothes, school uniforms, school supplies," Proud said when asked about reports of luxury items being purchased with the back-to-school stimulus funds.

In Rochester, the Rev. Marlowe V.N. Washington, Pastor of the Baber African Methodist Episcopal Church, contacted CBS News to say that hundreds of grateful local residents have been helped by the back-to-school funds, and that it's unfair for anyone to assume they didn't spend the money on school supplies. "That is offensive, attacking and mean spirited," Washington told us. "People need to hear how stimulus funds have benefited American families and not hurt them."

We asked the Inspector General on stimulus funds for comment on this stimulus project. Based on our report, I.G. spokesman Edward Pound told CBS News that his office has notified the HHS Inspector General to make sure that agency is aware of the problem. HHS is the department from which the back-to-school stimulus funds to New York State originated.

Because debit cards don't list what was bought, state officials say they'll never know how much of the \$140 million actually went for school supplies. Those who bought luxury

items didn't break any laws, because there were no strings attached to the money. Little consolation to taxpayers who were promised that they'd know how every dime of stimulus funds was spent.

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

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 2 minutes to the coauthor of the amendment who's joined Mr. PRICE in bringing about welfare accountability, the gentleman from Urbana, Ohio (Mr. JORDAN).

Mr. JORDAN of Ohio. I thank the gentleman for yielding.

Mr. Speaker, the people have spoken. They said stop the ridiculous spending, and with the YouCut proposal, they have said stop the ridiculous spending which incentivizes the wrong behavior and insults basic American values. Think about the old welfare system. Think about what it said in particular to the single mother out there. It said, Don't get a job, don't get married, have more children, and we will pay you more money. That's exactly the wrong kind of incentives you want to send in government policies, but that's exactly where the Democrats' proposal takes us back to.

Our amendment would change that. Our previous question would change that.

Democrats want to move back in the wrong direction. We think that it's completely the wrong way to go, particularly at a time when we have a \$1.4 trillion deficit, a \$12 trillion national debt. It is the wrong thing to do.

You know, one of the things that makes our country so special, one of the things that makes America the greatest Nation in history is this simple little concept: parents make sacrifices for their children so that when they grow up, they have life better than we did. And when they, in turn, become adults and become parents, they'll do the same things for their kids. Each generation in this country has done that for the next.

Now we find ourselves with the policymakers, where the political class is making decisions that say spend now, focus on the moment, and send the bill to somebody else. And it is wrong. It is wrong to trap people in this welfare system. It is wrong to keep spending and spending. It is wrong for future generations of Americans, and that's why, Mr. Speaker, I urge a "no" vote on the previous question.

□ 1515

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. Let's talk about jobs.

My friends on the Republican side of the aisle have completely forgotten what the subject of today's presentation is, and that's about mine safety, about protecting the people who are going deep underground to help fuel this country. They have completely

forgotten about that. That's not of any interest to them, obviously, because they want to talk about other things. What they want to come in here and talk about is completely off topic. They would like America to continue to be afraid, to continue to be in doom and gloom. That's their whole argument.

What is happening here—and they would like everybody to forget about it. Their prescription for this country is mass amnesia. They want to forget about the fact that under George Bush this country was dropping into the abyss in terms of jobs.

The last month of George Bush, this country lost 780,000 jobs in that month alone. Last month, in April, 14 months later, we gained 290,000 jobs. That is a swing of over 1 million jobs a month. In 1 month, a million-job swing. But, no, they don't want to talk about that. They want to talk about, Hey, we've got too many problems. We don't want to put the 8 million people who lost their jobs back to work. We don't want to take care of them. Okay?

Well, as this country gets back on its feet, its economy starts booming, it takes care of a lot of what they are talking about in terms of debt and deficit. But once we are back on our feet, then we can look at these numbers that they are talking about. But we have got to get this country back on its feet. It has got to be strong.

So we should be here dealing with a serious subject like mine safety and all those men and women that were killed a couple months ago. That's a serious discussion, and we are not even having that discussion.

The SPEAKER pro tempore (Mr. JACKSON of Illinois). The time of the gentleman has expired.

Ms. SLAUGHTER. I yield to the gentleman another 30 seconds.

Mr. PERLMUTTER. So let's talk about what actually happened.

Under George Bush, this economy fell off the planet, dropped 6.4 percent the last quarter of 2008. We haven't seen anything like that since 1929. During the last 9 months, all of a sudden our GDP is going up so that this country is getting back on its feet and heading in the right direction.

Job loss, as I said, was at a level unseen before. We are reversing that, but we have got a long way to go. And today, we should be worried about mine safety and getting this bill passed.

Mr. DREIER. Mr. Speaker, I yield myself 30 seconds to say that, with all due respect to my very good friend and Rules Committee colleague, that he obviously has not followed the debate.

We approached the majority and said, under unanimous consent, we wanted this kind of authority to be granted so that we could ensure that never, ever again will we see the kind of tragic loss of life because of a mine disaster that we have faced.

Now, my friend said that we were talking about some extraneous issue.

Then, he takes the well and begins talking about jobs under George Bush, where, in fact, we are dealing with the issue that we have all said needs to be addressed, and that is, from the very outset, Mr. Speaker, we concurred with the desire to ensure that this authority exists.

At this point, I yield 1 minute to my very, very good friend from Michigan, a hardworking, very, very thoughtful Member, Mrs. MILLER.

Mrs. MILLER of Michigan. I thank the gentleman for yielding. And, Mr. Speaker, all Americans, all Americans, share the grief of the families of the miners of West Virginia.

Mr. Speaker, spending by this Congress is out of control. In the next few days, our national debt will surpass \$13 trillion, and today the Federal Government borrows about 40 cents of every dollar that it spends. The American people have been speaking out, saying that this out-of-control spending is not sustainable. They are very frustrated that Washington and the Democrat majority is not listening.

Mr. Speaker, the House Republicans are listening. We have heard their voices.

YouCut allows the American people to vote on specific spending cuts. We actually had over 300,000 folks just vote this week. The goal of YouCut is simple, and it should not be a novel concept on Capitol Hill: Stop spending and start cutting. The question, again, is, Will Washington listen? Can you hear them now?

A "no" vote on the previous question will allow us to debate this spending cut put forward by the American people. Is that too much to ask?

Ms. SLAUGHTER. Because he didn't really get the chance to finish, I yield 2 minutes to Mr. PERLMUTTER from Colorado.

Mr. PERLMUTTER. I would like to speak to my friend from Michigan, and she probably knows as much as anybody the trauma that so many families have felt by the economy, by the recession, by the layoffs. And as we start moving forward, we have got to make sure that those people who lost their jobs find employment.

Now, they say Washington is not listening about cuts. We know spending needs to be managed, but we need to be smart in how we spend. But I would say to my friends on the Republican side of the aisle, they should have been thinking about this back in 2001 when they cut the taxes for the wealthiest of Americans, prosecute two wars without paying for them, fail to police Wall Street, and leave this country in the worst financial shape it has been since 1929. George Bush left; Obama received a \$1.3 trillion deficit.

Now, they want to complain about it. Okay, go ahead and complain about it, but take a look at yourselves. That's what I would say to my friends on the other side of the aisle. And I would say, on Tuesday, they made all of these arguments. The one race that was up be-

tween Democrats and Republicans, people were worried about jobs. The Democrat won. They worried about jobs. And that's what this country needs is to get people back to work.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 1 minute to my good friend from Dallas, Texas (Mr. HENSARLING).

Mr. HENSARLING. I thank the gentleman for yielding.

Mine safety is a very serious issue. So is national bankruptcy.

Under Democratic control, the deficit has exploded tenfold in just 2 years. We are seeing the national debt triple before our very eyes. We are borrowing 40 cents on the dollar from the Chinese and sending the bill to our children and our grandchildren.

The Democrats have been on a spending spree that puts us on the road to becoming Greece. House Republicans are fighting back with a new program called YouCut, where the American people can participate in voting themselves to cut spending and to save their children money. And in just this week alone, 280,000 voted to cut a wasteful welfare program that has been associated with fraud.

Mr. Speaker, the choice is simple: Either you cut or your children and grandchildren go bankrupt paying the national debt.

Vote "no" on the previous question and vote "yes" for fiscal sanity. Vote "yes" for saving your children and grandchildren \$2.5 billion that doesn't have to be borrowed from the Chinese.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. I thank you, Mr. Speaker, and I thank the chairlady for yielding.

I think it is important for the House to reflect on what we are and are not doing.

What we are doing is considering a procedure by which the Congress can investigate what may or may not have happened in the tragedy that occurred in West Virginia that cost the miners their lives, setting that process in motion.

What the minority is doing is trying to bring to the floor a vote on a different matter regarding the TANF program. And that is well within their rights, so I am not going to object to their procedural efforts to do that. I am going to object to the substance of their argument.

If I understand it correctly, the cut that they are interested in making is in a program that I think most Americans think makes pretty good sense. And what it essentially says is, if you are able-bodied and you receive welfare benefits, you should work. Most Americans, when they hear that, would say it is a pretty good idea.

And I want to read to the minority that this program that they want to

debate today was commented on by a gentleman from a think tank in Washington who said: Given the state of the labor market, it is hard to imagine how any sensible person could oppose extending the emergency fund that they are talking about.

This was not from the Obama administration or one of the more liberal groups in town. It was Kevin Hassett of the American Enterprise Institute.

So I would say to the minority that their thirst for spending cuts was somehow missing when the Bush administration raised spending by 8 percent per year, when the Bush administration launched two wars on borrowed money, when the Bush administration cut taxes for the wealthiest Americans and paid for it by borrowing money from the Chinese.

There is a record on spending increases in recent history. During the Clinton years, Federal spending increased by 4 percent per year on the average. During the Bush years, spending increased by 8 percent per year on the average. In the first 2 years of the President's term, spending has increased by 6 percent, given the economic emergency. But during the 8 years of President Reagan's term, spending increased by 7 percent per year.

So I am with the minority, Mr. Speaker. I think spending restraint is something we need to have, which is why we should make sure we never have another Republican majority in the House of Representatives.

Mr. DREIER. Will the gentleman yield?

Mr. ANDREWS. I yield to my friend from California.

Mr. DREIER. I will just say to my friend that the closing was very, very inappropriate, because the solution that the gentleman has offered to the 8 percent increase that existed during the Bush administration is to have an 85 percent increase in nondefense discretionary spending, which is what has taken place in the last 2 years. And I thank my friend for yielding.

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

Ms. SLAUGHTER. I yield the gentleman another 45 seconds.

Mr. ANDREWS. I would ask my friend from California if it is true or false that spending increases in the Obama years have been 6 percent and 8 during the Bush years. Is that true or false?

Mr. DREIER. And I will say that it is absolutely false. What has happened is, we did see the 8 percent increase for defense, homeland security, and veteran spending, which did increase during that period of time.

Mr. ANDREWS. Reclaiming my time. If I understand it correctly, the gentleman is denying that the spending increases averaged 8 percent during the Bush years. Is that correct?

Mr. DREIER. Correct. I agree with the gentleman.

Mr. ANDREWS. Well, then you are agreeing with me. You are not denying it.

Mr. DREIER. I agree with the gentleman that they increased 8 percent during the Bush administration, but they have increased 85 percent in nondefense discretionary spending in the Obama administration.

Mr. ANDREWS. Reclaiming my time, the best insurance policy against spending increases is a Democratic majority.

Mr. DREIER. Mr. Speaker, I yield myself 10 seconds to say to my friend that we have had an 85 percent increase in nondefense discretionary spending since President Obama has been in office.

Mr. ANDREWS. Will the gentleman yield?

□ 1530

Mr. DREIER. I yield to the gentleman from New Jersey.

Mr. ANDREWS. How much of that 85 percent was the Recovery Act?

Mr. DREIER. Eighty-five percent increase in nondefense discretionary spending. If we look at the 417,000 increase in the jobless and if we look at the markets now, we can see it's failed.

With that, I am happy to yield 1 minute to my very good friend from Wheaton, Illinois (Mr. ROSKAM).

Mr. ROSKAM. Mr. Speaker, I thank the gentleman for yielding.

I found the gentleman from New Jersey's logic dizzying. It took 43 American Presidents, from George Washington to George W. Bush, for us to accumulate \$5 trillion in debt. This Congress and this administration unambiguously are tripling that number in a decade. I also found it sobering and kind of surprising that the gentleman from Colorado a couple of minutes ago—and I wrote it down immediately—said, Once we're back on our feet, then we can talk about it, or words to that effect. Once we're back on our feet, then we can talk about cutting spending? It is this bloated budget that is the restraining influence on prosperity in this country. It is the hidebound orthodoxy on the other side that says we can borrow and spend our way into prosperity—and that is an economic fool's errand. It is the sinkhole of self-absorption of this Congress and this generation that says we want to spend, spend, spend, and pass the bill on to another generation. We need to defeat this previous question so we can get serious about these cuts.

Ms. SLAUGHTER. Mr. Speaker, I would like to know the time remaining, please.

Mr. DREIER. Mr. Speaker, I will join the distinguished Chair in asking how much time is remaining on each side, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from New York has 4¼ minutes remaining. The gentleman from California has 4¾ time remaining.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. I thank the chairwoman of our Rules Committee.

I think what is key here is this country needs to get back on its feet. We're moving in that direction. We had a bill up this week called the America COMPETES Act, which is about investing in this country's future through grants and funding of our National Science Foundation, National Institutes of Health, those kinds of investments which are jobs today and investment in the future so that this country is on the best footing to compete with every other country on the globe. My friends on the other side have now twice undercut that whole operation, that whole bill. But this Congress is going to keep this country moving forward so that we have jobs today and we invest in the future so that we don't have the kind of job loss that we saw at the end of the Bush administration.

People in this country, as much as my friends would like it to be doom and gloom and blame, what they want is a can-do approach, because the spirit of America is that we can do this. We can make this better. We will make this better. We're not taking "no" for an answer. Failure is not an option. We are going to invest in this country today, help people get back to work, and we will be a stronger Nation for it.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 1½ minutes to my good friend from Lubbock, Texas (Mr. NEUGEBAUER).

Mr. NEUGEBAUER. Mr. Speaker, in a minute, we're going to have a vote on the previous question. It's going to be a very simple vote. If you vote "yes"—and I think a lot of my colleagues on the other side are going to do that—that means yes, keep on spending money we don't have. Now I'm going to vote "no" because I believe that the American people are speaking out—and I'm listening—that they're tired of spending.

There's a picture in the cloakroom of a little girl standing next to a dollhouse. She says, You know, I owe \$41,966, and all I own is a dollhouse. Really, that's what this is about. This is about the future of our children and our grandchildren. And what we're doing every day is mortgaging that future. Today, we have almost \$13 trillion in debt. We're on course here to double that debt in 5 years and triple it in 10 years.

What are we going to say to our children and our grandchildren when we leave them with a legacy that, basically, all they get to do is service the debt service? We've got to stop it. And so that's the reason the right vote on the previous question is "yes" if you want to keep on spending. But if you want to stop spending, you want to bring fiscal responsibility to this country, you want to leave a legacy of opportunity and empowerment for our future generations, you're going to vote "no." It's time to listen to the 280,000 people that participated in YouCut last week that said, Stop the spending. Vote "no" on the previous question.

Ms. SLAUGHTER. Mr. Speaker, I have no further requests for time. May

I request from my colleague if he is ready to close?

Mr. DREIER. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman has 2¼ minutes remaining.

Mr. DREIER. Mr. Speaker, let me close as I began, saying first that we could have done this under unanimous consent. We all concur with the need to ensure that we take steps to ensure adequate oversight to ensure that we never, ever, ever see the kind of loss of life that we did in West Virginia or any other mine disaster.

Mr. Speaker, the American people, the hundreds of millions of Americans who want us to rein in Federal spending have, unfortunately, because of the Democratic majority, they have been denied a voice here on the House floor. They're saying, Try and bring down the size and scope and reach of government.

My friend, Dennis Prager, says, very correctly, the bigger the government grows, the smaller the individual becomes. And so we decided to utilize a procedure here known as defeating the previous question. And we said, Why don't we let the American people actually have a chance to be heard? And so what we did is we put five proposals out there on the Republican Whip's Web site and asked the American people to vote. Nearly 300,000 Americans cast votes, and they ended up with 81,000 votes being cast in favor of a measure that said, Gosh, should people be required to work for welfare or should we have an open-ended policy that allows them, without any kind of accountability, to see States actually rewarded for not having people have a work component in the welfare program?

So, Mr. Speaker, we said with that overwhelming vote that we would use this procedure to ensure that Democrats and Republicans alike would have an opportunity to make a decision whether or not they want to go down the road towards continued spending where, again, we've had an 85 percent increase in nondefense discretionary spending since President Obama has been in office. And that's why I couldn't understand why my friend from New Jersey was arguing that we had an 8 percent increase when President Bush was there, and his answer is a tenfold increase and that's going to solve the problem.

We know that we are deeper in the hole. We have more serious problems now, and the American people want us to cut Federal spending, and every Democrat and Republican will have a chance when we move to defeat the previous question to do just that.

So, Mr. Speaker, I ask unanimous consent that the text of the amendment and extraneous material be included in the RECORD just before the vote on the previous question.

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

There was no objection.

Mr. DREIER. Mr. Speaker, with that, I urge my colleagues to vote for reduced spending by defeating the previous question.

I yield back the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, this has been a most interesting debate. As I started, I am terribly concerned about what caused the awful mine disaster in West Virginia. I look forward to finding out why that was. Lack of government oversight, without any question in my mind, will be a large part of it, just as we're finding out in the oil spill.

This has also been an interesting afternoon of playing charades. I have a 6-year-old granddaughter who loves to play a game with me. She will tell me a tall tale, and then I pretend to believe it. Then, at a moment of her choosing, she says, "Gotcha." Don't let them "getcha" today. What they have been doing here is totally nongermane to this bill. And if you all run up and vote "no" on the previous question, they're not going to bring this up, because they can't.

Don't be taken in by this again. The Obama administration did not create this awful problem, but we're totally aware of it, and we have undertaken responsibility to clean it up. And we're going to do that. As soon as the supplemental bill comes, we're going to have one of the best chances in the world if we start to cut back the money that we're spending on wars in Iraq and Afghanistan, where we've already spent a trillion dollars, lost enormous numbers of our young soldiers, maimed many, many more. And it is time for us to cut that out. That, again, will start, along with other things we are doing, to get this country back on some solid footing.

Let me say to you once again, Please come down here and vote "yes." Don't be fooled by this. I imagine that this is the beginning of every charade every week, sort of like what Mr. PERLMUTTER said about the COMPETES Act. Please don't forget, my colleagues, that twice we tried to vote out that bill to create jobs, put people back to work, and procedural games have killed it, to the great concern of the National Association of Manufacturers and the Chamber of Commerce, to name a couple.

So this afternoon I want you to come down here as quick as you can, wherever you are, and put your "yes" in here so that we can get this done and to give Chairman MILLER the opportunity to use this deposition authority with his staff to get to the bottom of this mine disaster. We have many disasters of all stripes that we're working on, as you know. Don't be held up by what we have been through here today. There's no question about it, it's nongermane.

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

AMENDMENT TO H. RES. 1363

OFFERED BY MR. DREIER OF CALIFORNIA

At the end of the resolution add the following new section:

SEC. 3. Immediately upon the adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 1277) to repeal the emergency fund for the TANF program. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the Majority Leader and the Minority Leader or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1277.

(The information contained below was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

Because the vote today may look bad for the Democratic majority they will say "the

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

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

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

Ms. SLAUGHTER. I yield back the balance of my time, and I move the previous question.

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

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

Mr. DREIER. 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 ordering the previous question will be followed by 5-minute votes on adopting House Resolution 1363, if ordered; and suspending the rules and passing H.R. 5128, if ordered.

The vote was taken by electronic device, and there were—yeas 240, nays 177, not voting 14, as follows:

[Roll No. 288]

YEAS—240

Ackerman	Boucher	Cohen
Adler (NJ)	Boyd	Connolly (VA)
Altmire	Brady (PA)	Conyers
Andrews	Braley (IA)	Cooper
Arcuri	Brown, Corrine	Costa
Baca	Butterfield	Costello
Baird	Capps	Courtney
Baldwin	Capuano	Critz
Barrow	Cardoza	Crowley
Bean	Carnahan	Cuellar
Becerra	Carney	Cummings
Berkley	Carson (IN)	Dahlkemper
Berman	Castor (FL)	Davis (AL)
Berry	Chandler	Davis (CA)
Bishop (GA)	Childers	Davis (IL)
Bishop (NY)	Chu	Davis (TN)
Blumenauer	Clarke	DeFazio
Bocchieri	Clay	DeGette
Boren	Cleaver	Delahunt
Boswell	Clyburn	DeLauro

Deutch	Langevin	Reyes	McCotter
Dicks	Larsen (WA)	Richardson	McHenry
Dingell	Larson (CT)	Rodriguez	McIntyre
Doggett	Lee (CA)	Ross	McKeon
Doyle	Levin	Rothman (NJ)	McMorris
Driehaus	Lewis (GA)	Roybal-Allard	Rodgers
Edwards (MD)	Lipinski	Ruppersberger	Mica
Edwards (TX)	Loeb sack	Rush	Miller (FL)
Ellison	Lofgren, Zoe	Ryan (OH)	Miller (MI)
Ellsworth	Lowe y	Salazar	Miller, Gary
Engel	Luján	Sanchez, Loretta	Minnick
Eshoo	Lynch	Sarbanes	Mitchell
Etheridge	Maffei	Schakowsky	Moran (KS)
Farr	Maloney	Schauer	Murphy, Tim
Fattah	Markey (CO)	Schiff	Myrick
Finer	Markey (MA)	Neugebauer	Roskam
Foster	Marshall	Nunes	Royce
Frank (MA)	Matheson	Scott (GA)	Nye
Fudge	Matsui	Scott (VA)	Olson
Gonzalez	McCarthy (NY)	Serrano	Paul
Grayson	McCollum	Sestak	Paulsen
Green, Al	McDermott	Shea-Porter	Pence
Green, Gene	McGovern	Sherman	Petri
Grijalva	McMahon	Shuler	Pitts
Gutierrez	McNerney	Sires	
Hall (NY)	Meek (FL)	Skelton	
Halvorson	Meeks (NY)	Slaughter	
Hare	Melancon	Smith (WA)	
Harman	Michaud	Snyder	
Hastings (FL)	Miller (NC)	Space	
Heinrich	Miller, George	Speier	
Herseth Sandlin	Mollohan	Spratt	
Higgins	Moore (KS)	Stark	
Hill	Moore (WI)	Stupak	
Himes	Moran (VA)	Sutton	
Hinche y	Murphy (CT)	Tanner	
Hinojosa	Murphy (NY)	Teague	
Hirono	Murphy, Patrick	Thompson (CA)	
Hodes	Nadler (NY)	Thompson (MS)	
Holden	Napolitano	Tierney	
Holt	Neal (MA)	Titus	
Honda	Oberstar	Obey	
Hoyer	Oliver	Tonko	
Inslee	Ortiz	Towns	
Israel	Owens	Tsongas	
Jackson (IL)	Pallone	Van Hollen	
Johnson (GA)	Pascrell	Velázquez	
Johnson, E. B.	Pastor (AZ)	Visclosky	
Kagen	Payne	Walz	
Kanjorski	Perlmutter	Wasserman	
Kaptur	Perriello	Schultz	
Kennedy	Peters	Waters	
Kildee	Peterson	Watson	
Kilpatrick (MI)	Pingree (ME)	Watt	
Kilroy	Polis (CO)	Waxman	
Kind	Pomeroy	Weiner	
Kissell	Price (NC)	Welch	
Klein (FL)	Quigley	Wilson (OH)	
Kosmas	Rahall	Woolsey	
Kratovil	Rangel	Wu	
Kucinich		Yarmuth	

NAYS—177

Aderholt	Coble	Heller
Akin	Coffman (CO)	Hensarling
Alexander	Heger	Cole
Austria	Conaway	Hunter
Bachmann	Crenshaw	Inglis
Bartlett	Culberson	Issa
Barton (TX)	Davis (KY)	Jenkins
Biggert	Dent	Johnson (IL)
Bilirakis	Diaz-Balart, L.	Johnson, Sam
Bishop (UT)	Donnelly (IN)	Jones
Blackburn	Dreier	Jordan (OH)
Blunt	Duncan	King (IA)
Boehner	Ehlers	King (NY)
Bono Mack	Emerson	Kingston
Boozman	Fallin	Kirkpatrick (AZ)
Boustany	Flake	Kline (MN)
Brady (TX)	Fleming	Lamborn
Bright	Forbes	Lance
Broun (GA)	Fortenberry	Latham
Brown (SC)	Fox x	LaTourette
Brown-Waite,	Franks (AZ)	Latta
Ginny	Frelinghuysen	Lee (NY)
Buchanan	Galle g y	Lewis (CA)
Burgess	Garrett (NJ)	Linder
Burton (IN)	Gerlach	LoBiondo
Buyer	Giffords	Lucas
Calvert	Gingrey (GA)	Luetkemeyer
Camp	Gohmert	Lummis
Campbell	Goodlatte	Lungren, Daniel
Cantor	Granger	E.
Cao	Graves	Mack
Capito	Griffith	Manzullo
Carter	Guthrie	Marchant
Cassidy	Hall (TX)	McCarthy (CA)
Castle	Harper	McCaul
Chaffetz	Hastings (WA)	McClintock

Platts	Shimkus
Poe (TX)	Shuster
Posey	Simpson
Price (GA)	Smith (NE)
Putnam	Smith (NJ)
Radanovich	Smith (TX)
Rehberg	Stearns
Reichert	Sullivan
Roe (TN)	Taylor
Rogers (AL)	Terry
Rogers (KY)	Thompson (PA)
Rogers (MI)	Thornberry
Rohrabacher	Tiahrt
Rooney	Tiberi
Ros-Lehtinen	Turner
Roskam	Upton
Royce	Walden
Ryan (WI)	Westmoreland
Scalise	Whitfield
Schmidt	Wilson (SC)
Schock	Wittman
Sensenbrenner	Wolf
Sessions	Young (AK)
Shadegg	Young (FL)

NOT VOTING—14

Bachus	Gordon (TN)	Sánchez, Linda
Barrett (SC)	Hoekstra	T.
Bilbray	Jackson Lee	Schwartz
Bonner	(TX)	Souder
Diaz-Balart, M.	Kirk	Wamp
Garamendi		

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1608

Messrs. WHITFIELD, GINGREY of Georgia, POSEY, ROGERS of Alabama, JORDAN of Ohio, LEE of New York, SIMPSON, GOHMERT, BROUN of Georgia, EHLERS, BLUNT, INGLIS, OLSON and Mrs. McMORRIS RODGERS changed their vote from "yea" to "nay."

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

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 413, nays 1, not voting 17, as follows:

[Roll No. 289]

YEAS—413

Ackerman	Bilirakis	Brown, Corrine
Aderholt	Bishop (GA)	Brown-Waite,
Adler (NJ)	Bishop (NY)	Ginny
Akin	Bishop (UT)	Buchanan
Alexander	Blackburn	Burgess
Altmire	Blumenauer	Burton (IN)
Andrews	Blunt	Butterfield
Arcuri	Bocchieri	Buyer
Austria	Boehner	Calvert
Baca	Bono Mack	Camp
Bachmann	Boozman	Campbell
Baird	Boren	Cantor
Baldwin	Boswell	Cao
Barrow	Boucher	Capito
Bartlett	Boustany	Capps
Barton (TX)	Boyd	Capuano
Bean	Brady (PA)	Cardoza
Becerra	Brady (TX)	Carnahan
Berkley	Braley (IA)	Carney
Berman	Bright	Carson (IN)
Berry	Broun (GA)	Carter
Biggert	Brown (SC)	Cassidy

Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Clever
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Deutch
Diaz-Balart, L.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Fox
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger

Hersth Sandlin
Higgins
Hill
Himes
Hinchev
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris
Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)

Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascarell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schradler
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter

Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)

NAYS—1
Paul

NOT VOTING—17

Bachus
Barrett (SC)
Bilbray
Bonner
Davis (KY)
Diaz-Balart, M.
Garamendi

Gordon (TN)
Hoekstra
Jackson Lee
(TX)
Kirk
Lynch
Rush

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain on this vote.

□ 1615

So the resolution was agreed to.
The result of the vote was announced as above recorded.
A motion to reconsider was laid on the table.

STEWART LEE UDALL DEPART-
MENT OF THE INTERIOR BUILD-
ING

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 5128, 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 New Mexico (Mr. TEAGUE) that the House suspend the rules and pass the bill, H.R. 5128, as amended.
The question was taken.
The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

RECORDED VOTE

Mr. HEINRICH. Mr. Speaker, I demand a recorded vote.
A recorded vote was ordered.
The SPEAKER pro tempore. This will be a 5-minute vote.
The vote was taken by electronic device, and there were—ayes 409, noes 1, not voting 21, as follows:

[Roll No. 290]
AYES—409

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Baird

Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berkman
Berry
Biggert
Bilirakis
Bishop (GA)

Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Bocchieri
Boehner
Bono Mack
Boozman
Boren
Boswell
Boucher

Boustany
Boyd
Brady (PA)
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Buchanan
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Clever
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Deutch
Diaz-Balart, L.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Fox
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly

Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger

Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris
Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)