

spending. There are 17 amendments that have been made in order. The one amendment denied was the spending freeze amendment.

And so, Mr. Speaker, it's very important for us to note that it's easy to talk about the need for us to freeze spending, but when the first bill, the first bill that's coming to this House denies an opportunity to even debate it, it shows that actions do speak louder than words.

#### HEALTH CARE AND JOBS ARE IMPORTANT

(Mr. COHEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHEN. Mr. Speaker, last week we were honored, in the State of the Union, to hear President Barack Obama address in this hall a joint convention, and then he met with the Republican Caucus this week in what was a remarkable political instance of reaching out to the other side. Not since Bill Russell controlled the center for the Celtics have questions and thoughts been deflected in such a marvelous and a deft manner.

The President is concerned about health care and jobs, and in my community of Memphis, Tennessee, we need both. And each interest is represented in the MED, our charity hospital, our community hospital that's in danger of closing. It's the trauma center for the Midsouth. Because of the cuts in Medicaid, or TennCare in Tennessee, and the lack of disproportionate share for our State which we could have taken care of in a conference committee report and gotten equality with Hawaii, the MED's in danger of closing. It will have ripples throughout the health community and the hospital community in the entire Midsouth, and it will threaten jobs.

Health care is jobs. Jobs are important. This administration and our government needs to put our economy in the right direction and do it and preserve health care and trauma centers and emergency rooms like the MED.

□ 1045

#### WALL STREET REFORM AND CONSUMER PROTECTION ACT

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

Mr. PALLONE. Mr. Speaker, the economic meltdown was one of the most disastrous economic events in the Nation's history. The banks were the main culprits, but the Republicans in Washington aided and abetted them by deregulating finances and turning the other way when problems surfaced.

Now the House has passed the Wall Street Reform and Consumer Protection Act. It ends bailouts by helping ensure taxpayers are never again on the hook for Wall Street's risky decisions. It protects families' retirement

funds, college savings, homes and businesses' financial future from unnecessary risk by executives, lenders, and speculators. And it also protects consumers from predatory lending abuses, fine print, and industry gimmicks.

Mr. Speaker, we passed this bill in the House. It must pass in the Senate and go to the President. But we as Democrats are making a difference in trying to prevent another economic meltdown.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

#### ARCHITECT OF THE CAPITOL APPOINTMENT ACT OF 2010

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2843) to provide for the joint appointment of the Architect of the Capitol by the Speaker of the House of Representatives, the President pro tempore of the Senate, the majority and minority leaders of the House of Representatives and Senate, and the chairs and ranking minority members of the committees of Congress with jurisdiction over the Office of the Architect of the Capitol, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2843

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

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Architect of the Capitol Appointment Act of 2010".

##### SEC. 2. APPOINTMENT AND TERM OF SERVICE OF ARCHITECT OF THE CAPITOL.

(a) APPOINTMENT.—The Architect of the Capitol shall be appointed jointly by the Speaker of the House of Representatives, the President pro tempore of the Senate, the majority and minority leaders of the House of Representatives and Senate, the chair and ranking minority member of the Committee on House Administration of the House of Representatives, the chair and ranking minority member of the Committee on Transportation and Infrastructure of the House of Representatives, the chair and ranking minority member of the Committee on Rules and Administration of the Senate, the chairs and ranking minority members of the Committees on Appropriations of the House of Representatives and Senate, a member of the Senate to be designated by the majority leader of the Senate, and a member of the Senate to be designated by the minority leader of the Senate.

(b) TERM OF SERVICE.—The Architect of the Capitol shall be appointed for a term of 10 years, and may be reappointed for additional terms.

(c) CONFORMING AMENDMENT.—Section 319 of the Legislative Branch Appropriations Act, 1990 (2 U.S.C. 1801) is repealed.

(d) EFFECTIVE DATE.—This section shall apply with respect to appointments made on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

#### GENERAL LEAVE

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks in the RECORD on H.R. 2843.

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

There was no objection.

Ms. WASSERMAN SCHULTZ. I yield myself such time as I may consume.

Mr. Speaker, today I rise in support of H.R. 2843, the Architect of the Capitol Appointment Act. I thank the original cosponsors of this bipartisan legislation, including Ranking Member Representative ROBERT ADERHOLT of the Legislative Branch Appropriations Subcommittee; Ranking Member ZACH WAMP, who I want to thank especially for initially cosponsoring this legislation with me when he was the ranking member of the Legislative Branch Appropriations Subcommittee; Representative TOM LATHAM, who is also a former ranking member of the Legislative Branch Appropriations Subcommittee—Mr. Speaker, maybe it's me, since I keep losing ranking members on the other side of the aisle. And it has been a pleasure to work with all of these gentlemen—Representative ROBERT BRADY, chairman of the Committee on House Administration, and his ranking member, Representative DAN LUNGREN, and of course former House Administration Ranking Member VERNON EHLERS.

This legislation effectively removes the appointment role of the Architect of the Capitol from the executive branch, placing it in the rightful hands of the legislative branch where it belongs.

Specifically, this bill provides for the joint appointment of the Architect of the Capitol by House and Senate leadership, both majority and minority, and the chairs and ranking members of each of the House and Senate committees of jurisdiction—including the Committees on Appropriations, House Administration, Senate Rules, and Transportation and Infrastructure.

This is a long overdue change. The Architect of the Capitol serves a legislative branch function and as such, he or she should be chosen by the legislative branch. By making this change, we can simplify a process that has caused unnecessary delays in choosing a permanent Architect.

Because of the delays in this process, we have had an Acting Architect in place since February of 2007. It is now February of 2010. And Mr. Hantman, the immediate past Architect, was appointed following a 2-year vacancy.

The Capitol campus is currently facing over \$1 billion in deferred maintenance. We've been working diligently over the last several years to address that backlog, and the Architect has been very helpful in coordinating and addressing that backlog, but we need to make sure that we establish some permanence and some consistency. It's critically important that a permanent Architect is selected so that he or she can face these issues with an eye to the future.

It's our hope that this bipartisan legislation becomes law so that Congress can play a direct role in selecting the right candidates for a legislative branch position of significant importance like this one.

I ask for all Members' support in passing this vital legislation.

I reserve the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a very simple bill. It returns the authority of managing our place to the Members of Congress. We are the legislative branch. The Capitol is our House. It is not the purview or within the province of the President of the United States. It seems strange, to say the least, that we have a process by which we do not direct who it is we establish as the person who is really the official caretaker of the Capitol.

The Architect suggests that you sit in a room designing architectural designs for the purpose of new additions and new buildings, and the Architect would be responsible for that under his direction. But he really takes care of this place. He is the top appointed official to make sure that the House of Representatives, the United States Senate and the entire Capitol complex runs.

And somehow, we have set up a situation in which there is input by the House, input by the Senate, and the tiebreaker is the President of the United States essentially, and that really doesn't make sense. We don't choose who the chief usher of the White House is—and when I say “chief usher,” people don't realize that's the person who runs the White House complex.

And so it just makes very, very good sense. And I congratulate the gentlelady for bringing this to our attention, the gentleman, Mr. WAMP, and the other cosponsors.

So I rise in support of this bill, which will, as we say, establish a bicameral process by which we appoint the Architect of the Capitol. The Architect has carried the responsibility of preserving and enhancing the Capitol complex since construction on the U.S. Capitol began in 1793. Following the construction of the Capitol Visitor Center,

management and administration of that center was placed under the purview of the Architect—further cementing the Architect's role in support of the legislature and its operations.

So accordingly, it is, as I say, the appropriate process by which the Architect is appointed by a bipartisan, bicameral process free of decisionmaking responsibility by the executive branch. The appointment process will be better aligned with the mission of the Office by emphasizing the relationship between the Architect and the ongoing legislative operations of the Federal Government.

Mr. Speaker, I would like to yield 3 minutes to the gentleman from Tennessee (Mr. WAMP).

Mr. WAMP. Mr. Speaker, I'd like to thank the distinguished ranking member for his time and all of the benefits that he brings to the House of Representatives.

This reminds me of when I got here in 1995 and in the morning, you would hear the strange noise as they would slide ice buckets down the floor up to the door of your office. And many of us thought, What are we doing paying people to deliver ice to our offices in 1995? And of course we ended that practice because it was an antiquated practice.

And if you study the history of this, this is an antiquated issue that has really never been resolved. The history of the Capital City and the need for the President to be involved in the appointment of the Architect of the Capitol that had responsibilities as we laid the city out is an issue of long ago but not today.

So I want to thank the original author, Ms. WASSERMAN SCHULTZ of Florida—who I don't agree with much these days—but I certainly agree with her a lot on this issue. And I thank her for her service because she and I came side-by-side to get the Capitol Visitor Center finally finished on time and with the revised budget. And it took extraordinary cooperation and work, and we did that. And frankly, it was because the legislative branch engaged in a very meaningful way to finally get our arms around all of those change orders and all of the delays and inefficiencies, and it just underscored the need for the legislative branch to drive the process. And it was by far the largest challenge that the Architect of the Capitol had seen in centuries, literally, to do the Capitol Visitor Center. And it reminded us of how important it is that we have in the House and Senate a cohesive and unified effort to oversee the Architect and the Architect's work.

In no way is this about an Architect. As a matter of fact, Stephen Ayers, the acting Architect, I think has done an outstanding job, and I hope will be made permanent under this new legislation which gives the legislative branch the total authority.

The gentlelady worked with me to make sure that the committees of jurisdiction—including this very com-

mittee that brings this bill to the floor today—is involved in the decision-making process so that it's not just the leaders either. These committees have their hands in these issues. There are bigger issues today in our country than this, but it doesn't mean we shouldn't keep the trains running on time. That is what this is, making sure that we're doing our job.

This is my 16th and final year here. I thank the gentleman from California. I have called him the conscience of the Republican minority today, and when he was in the majority I called him that because he was here early, he left to go back to California, he came back here. He has really provided extraordinary depth of knowledge and at times has been the conscience of the Republicans in the Congress. Extraordinary man.

Ms. WASSERMAN SCHULTZ is a tiger. This is one of those issues that few people would grab the tiger by the tail, but she's that kind of person.

So we're doing this because it needs to be done. We're doing it for the legislative branch. We're doing it for efficiency and accountability and responsibility, and I urge passage.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I agree wholeheartedly with Mr. LUNGREN and Mr. WAMP. I couldn't have said it better myself.

It is incredibly important that we be good stewards of the Capitol complex and the facilities that we have the privilege to work in. It still amazes me every day when I walk up to the Capitol or past the Capitol when it's at night when it's all lit up or in the daytime. It's a structure that everyone who sees it marvels at it.

And it's our responsibility as the leaders of the, essentially, administrative committees that have responsibility for taking care of and funding the needs of the legislative branch to make sure that we are the ones that ultimately are held accountable and have the opportunity to coordinate the appointments of the Architect of the Capitol. It no longer makes sense—I am not sure that it ever made sense—to have the President of the United States be involved in what is essentially a legislative branch function, and it will make for a more efficient process and will enable us to preserve these facilities into the future for future generations.

I reserve the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

I hope we have a unanimous vote in favor of H.R. 2843, and then I hope our colleagues on the other side of the aisle will see the wisdom of this and join us in reasserting the proper role of the legislative branch. And hopefully we can convince the President to give up this responsibility that I am sure does not weigh heavily on him at the present time.

This makes good sense. It ought to be accepted on a unanimous vote.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 2843, as amended, a bill to provide for the joint appointment of the Architect of the Capitol by the Speaker of the House of Representatives, the President pro tempore of the Senate, the majority and minority leaders of the House of Representatives and Senate, and the chairs and ranking minority members of the committees of Congress with jurisdiction over the Office of the Architect of the Capitol, and for other purposes.

I extend my thanks to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), Chairwoman of the Appropriations Committee, Subcommittee on Legislative Branch, and the gentleman from Alabama (Mr. ADERHOLT), Ranking Member of the Subcommittee, as well as the gentleman from Pennsylvania (Mr. BRADY), Chairman, and the gentleman from California (Mr. LUNGREN), Ranking Member of the Committee on House Administration, for their cooperation and willingness to work with the Committee on Transportation and Infrastructure on this bill.

The Committee on Transportation and Infrastructure has a long and productive association with the Office of the Architect of the Capitol. Under House rule X, section (r), the Committee on Transportation and Infrastructure has jurisdiction over the Capitol Building and the House and Senate Office Buildings, in addition to public buildings and occupied or improved grounds of the United States generally. Over the years, the Committee has worked with the Architect's office on developing the Capitol Hill master plan, Capitol Hill Building fire and life safety programs, parking studies, and most recently on requirements in the Energy Independence and Security Act of 2007 (P.L. 110-140) to ensure the energy efficiency of not only the House and Senate office buildings, but also to upgrade the Capitol Power Plant.

This bill provides congressional leaders with authority to appoint the Architect of the Capitol, and the appointments process includes House as well as Senate leadership, both majority and minority.

I urge my colleagues to join me in supporting H.R. 2843.

Mr. BRADY of Pennsylvania. Mr. Speaker, H.R. 2843, is a bipartisan initiative that would move the Architect of the Capitol selection process entirely to the legislative branch. This legislation has been amended from the version reported by the Committee on House Administration to include two additional House and two additional Senate Members. As amended, this legislation provides the following with authority to select the AOC: The Speaker of the House, the President Pro Tempore of the Senate, the majority and minority leaders of the House of Representatives and Senate, the chair and ranking minority member of the Committee on House Administration of the House of Representatives, the chair and ranking minority member of the Committee on Rules and Administration of the Senate, the chair and ranking minority member of the Committee on Transportation and Infrastructure of the House of Representatives, the chairs and ranking minority members of the Committees on Appropriations of the House of Representatives and Senate, a Member of the Senate to be designated by the majority leader of the Senate, and a Member of the Senate to be designated by the minority leader of the Senate.

Under the current system, the office of the Architect has been vacant for nearly 3 years.

The long delay in filling the position has been exacerbated by the complexities and uncertainties of the current law, and the involvement of the executive branch.

The Committee on House Administration believes that enactment of H.R. 2843 will streamline the selection process.

I urge my colleagues to support this legislation.

Mr. DANIEL E. LUNGREN of California. And urging support of that, I yield back the balance of my time.

Ms. WASSERMAN SCHULTZ. I yield back the balance of my time.

□ 1100

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) that the House suspend the rules and pass the bill, H.R. 2843, as amended.

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

The title of the bill was amended so as to read: "To provide for the joint appointment of the Architect of the Capitol by the Speaker of the House of Representatives, the President pro tempore of the Senate, the majority and minority leaders of the House of Representatives and Senate, the chair and ranking minority member of the Committee on House Administration of the House of Representatives, the chair and ranking minority member of the Committee on Transportation and Infrastructure of the House of Representatives, the chair and ranking minority member of the Committee on Rules and Administration of the Senate, the chairs and ranking minority members of the Committees on Appropriations of the House of Representatives and Senate, and two other designated members of the Senate, and for other purposes."

A motion to reconsider was laid on the table.

#### SOCIAL SECURITY DISABILITY APPLICANTS' ACCESS TO PROFESSIONAL REPRESENTATION ACT OF 2010

Mr. TANNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4532) to provide for permanent extension of the attorney fee withholding procedures under title II of the Social Security Act to title XVI of such Act, and to provide for permanent extension of such procedures under titles II and XVI of such Act to qualified non-attorney representatives.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4532

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Social Security Disability Applicants' Access to Professional Representation Act of 2010".

#### SEC. 2. PERMANENT EXTENSION OF ATTORNEY FEE WITHHOLDING PROCEDURES TO TITLE XVI.

(a) IN GENERAL.—Section 302 of the Social Security Protection Act of 2004 (Public Law 108-203; 118 Stat. 519) is amended—

(1) in the section heading, by striking "temporary"; and

(2) in subsection (c), by striking "EFFECTIVE DATE.—" and all that follows through "The amendments" and inserting "EFFECTIVE DATE.—The amendments", and by striking paragraph (2).

(b) CLERICAL AMENDMENT.—The item relating to section 302 in the table of contents in section 1(b) of such Act is amended by striking "Temporary extension" and inserting "Extension".

#### SEC. 3. PERMANENT EXTENSION OF FEE WITHHOLDING PROCEDURES TO QUALIFIED NON-ATTORNEY REPRESENTATIVES.

(a) IN GENERAL.—Section 206 of the Social Security Act (42 U.S.C. 406) is amended by adding at the end the following new subsection:

"(e)(1) The Commissioner shall provide for the extension of the fee withholding procedures and assessment procedures that apply under the preceding provisions of this section to agents and other persons, other than attorneys, who represent claimants under this title before the Commissioner.

"(2) Fee-withholding procedures may be extended under paragraph (1) to any non-attorney representative only if such representative meets at least the following prerequisites:

"(A) The representative has been awarded a bachelor's degree from an accredited institution of higher education, or has been determined by the Commissioner to have equivalent qualifications derived from training and work experience.

"(B) The representative has passed an examination, written and administered by the Commissioner, which tests knowledge of the relevant provisions of this Act and the most recent developments in agency and court decisions affecting this title and title XVI.

"(C) The representative has secured professional liability insurance, or equivalent insurance, which the Commissioner has determined to be adequate to protect claimants in the event of malpractice by the representative.

"(D) The representative has undergone a criminal background check to ensure the representative's fitness to practice before the Commissioner.

"(E) The representative demonstrates ongoing completion of qualified courses of continuing education, including education regarding ethics and professional conduct, which are designed to enhance professional knowledge in matters related to entitlement to, or eligibility for, benefits based on disability under this title and title XVI. Such continuing education, and the instructors providing such education, shall meet such standards as the Commissioner may prescribe.

"(3)(A) The Commissioner may assess representatives reasonable fees to cover the cost to the Social Security Administration of administering the prerequisites described in paragraph (2).

"(B) Fees collected under subparagraph (A) shall be credited to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, or deposited as miscellaneous receipts in the general fund of the Treasury, based on such allocations as the Commissioner determines appropriate.

"(C) The fees authorized under this paragraph shall be collected and available for obligation only to the extent and in the