

### FEAR IS IN THE AIR FOR DEMOCRATS

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

Mr. PENCE. Thomas Jefferson said, "When the people fear their government, there is tyranny; when the government fears the people, there is liberty." Make no mistake about it, there is fear in the air.

Now elitists in Washington, DC, would have us believe that the rising voice of the American people is based on fear, but it is becoming evident that the real fear is coming from Democratic elitists here in Washington who realize that the people will not be silenced.

Yesterday we learned of a new effort by Democrats in Washington to attack American citizens who speak their mind and peaceably assemble as "extremists" or "radicals." Demeaning Tea Party citizens or other Americans for simply saying no to runaway spending, takeovers, and bailouts is beneath the dignity of a great political party and it smacks of desperation. The voices of the American people—whether the left or the right or the middle—should never be muted or demeaned by the leaders who serve them. And when we see baseless smears of good Americans whose only offense is the exercise of their First Amendment rights of free speech and free assembly, we should see the fear for what it is—the fear of losing an election.

### MOURNING THE LOSS OF FORMER NBA STAR LORENZEN WRIGHT

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

Mr. COHEN. Madam Speaker, yesterday in Memphis, Tennessee, a tragedy was discovered that has affected our city and its professional sports world, a great basketball player and Memphian, Lorenzen Wright, was found murdered.

Lorenzen Wright was a 14-year NBA star who played 5 years with the Memphis Grizzlies, and before that, 2 years with the University of Memphis, taking our team to the Great Eight in Kansas City, and before that, in high school at Booker T. Washington.

Lorenzen Wright was a family man. He was loved in Memphis, he was an outstanding citizen who cared about young people, he loved his children, and the city grieves for him today.

It is a great loss to our city and to the basketball world. I miss Lorenzen Wright as a friend. I appreciate all he did for my city.

### DEMOCRATS NEED MORE OF YOUR TAX DOLLARS

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

Ms. FOXX. Madam Speaker, \$6.1 trillion, that's how much money the Federal Government has spent in just the first 18 months of the Obama Presidency. Washington is spending \$7 million every minute of every hour of every day. There is only one way to feed that kind of destructive habit: Washington needs more of your tax dollars.

And that's exactly what Democrats here on Capitol Hill and in the White House are talking about, the largest tax increase in American history. And it's no surprise when this Democrat-controlled Congress is on the verge of a second straight year of creating a record annual deficit.

Instead of working with Republicans to make the hard choices to cut spending, Democrats are going to keep right on with out-of-control spending, and they will send the American people the bill. At a time when American families are struggling and when nearly 15 million people are looking for work, Washington Democrats are poised to hit every single taxpayer with a tax increase to pay for their reckless spending.

Madam Speaker, House Republicans will fight those tax increases and will work to stop Democrats' out-of-control spending.

### FORT EDWARD FIRE

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

Mr. MURPHY of New York. Madam Speaker, there are times when words fall abysmally short to describe the horrors that punctuate our lives. A few weeks ago, our community was shaken by the devastating loss of six children in a house fire. As a father of three, a loss of this magnitude is beyond my comprehension.

Fort Edward has come together to remember and mourn the loss of these young lives. After the fire, a makeshift memorial grew up on the sidewalk in front of their home with a sea of flowers, toys, teddy bears, candles, and cards. Our community has grieved the loss of these children and come together in prayer and silence to offer support to their family and friends.

It is always a tragedy when children are taken before they've had a chance to grow, and it leaves us wondering, why did this happen? Hope was 12, Paige was 8, Lewis was 7, Mackenzie was 6, Emilie was 3, and Abbigayle was just 1 years old. Our hearts go out to their parents, and today I rise to remember the six children who lost their lives on that tragic night. Our entire community grieves their loss and keeps the memory of their lives close to our heart.

### MISSED OPPORTUNITIES AND MISPLACED PRIORITIES

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

Mr. FLAKE. Madam Speaker, I want to say just a few words about missed opportunities and misplaced priorities.

This is typically appropriation season, but this is only our second appropriation bill—and maybe final appropriation bill that we do all year. We typically have an open rule where any Member can bring any amendment to the floor as long as it is germane to strike spending and save money for the taxpayers, yet this year the Rules Committee only saw fit to allow 22 percent of the amendments offered to go onto the floor today.

Typically, any Member can offer any amendment they would like to as long as it saves money. But instead of saving money this year, we decided to spend time doing things like H.R. 1460, recognizing the important role of pollinators, or supporting the goals and ideals of Railroad Retirement Day, or congratulating the Saratoga race course. These are suspension bills that take 10 minutes to debate on the floor; that's the same amount of time that we give for amendments. And so instead of doing amendments to save money, we're actually honoring racehorses and things like that.

### TAX EXTENDERS BILL

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

Mr. NEAL. Madam Speaker, in December, and again in May, this House passed legislation to extend a set of expiring tax provisions providing billions of dollars in tax relief to millions of American families. That tax bill passed the House and has been stymied in the other body, where only two Republican Senators have stood up to their party's filibuster against these tax cuts. The \$250 deduction for teachers is an important incentive for people who educate our children and buy classroom supplies out of their own pockets, but it has expired. Let me tell you who's suffering in the meantime: 124,000 teachers in Georgia cannot deduct \$31 million in classroom supplies for our children; 26,000 teachers in Nevada cannot deduct \$6.6 million in expenses; 113,000 teachers in North Carolina cannot deduct \$28 million of classroom costs; and 314,000 teachers in Texas cannot deduct \$81 million in expenses to educate our children. More than 3.5 million elementary and secondary teachers cannot deduct more than \$908 million they will spend this year out of pocket.

A better educated child means a better job down the road. This tax deduction benefiting our Nation's teachers has been forgotten and cast aside by the Senate Republicans. I urge my colleagues on the other side of the aisle to

contact their Senators and tell them that the Tax Extenders bill means jobs.

#### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agrees to the amendment of the House to the bill (S. 1749) "An Act to amend title 18, United States Code, to prohibit the possession or use of cell phones and similar wireless devices by Federal prisoners."

□ 1030

#### PROVIDING FOR CONSIDERATION OF H.R. 5850, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2011

Mr. ARCURI. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1569 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1569

*Resolved*, That at any time after the adoption of this resolution the Speaker may, 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. 5850) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2011, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read through page 171, line 17. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. Notwithstanding clause 11 of rule XVIII, except as provided in section 2, no amendment shall be in order except: (1) the amendments printed in part A of the report of the Committee on Rules accompanying this resolution; and (2) not to exceed four of the amendments printed in part B of the report of the Committee on Rules if offered by Representative Flake of Arizona or his designee. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. 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. In case of sundry amendments reported from the Committee, the question of their adoption shall be put to the House en gros and without division of the question. 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.

SEC. 2. After disposition of the amendments specified in the first section of the resolution, the chair and ranking minority member of the Committee on Appropriations or their designees each may offer one pro forma amendment to the bill for the purpose of debate, which shall be controlled by the proponent.

SEC. 3. The Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Appropriations or his designee. The Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII).

#### POINT OF ORDER

Mr. FLAKE. Madam Speaker, I raise a point of order against H. Res. 1569 because the resolution violates section 426(a) of the Congressional Budget Act. The resolution contains a waiver of all points of order against consideration of the bill, which includes a waiver of section 425 of the Congressional Budget Act, which causes the violation of section 426(a).

The SPEAKER pro tempore. The gentleman from Arizona makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentleman has met the threshold burden under the rule, and the gentleman from Arizona and the gentleman from New York each will control 10 minutes of debate on the question of consideration. After that debate, the Chair will put the question of consideration as the statutory means of disposing of the point of order.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Madam Speaker, I raise this point of order today not to debate a point of unfunded mandates, although there are probably some in the legislation. It is simply the only opportunity that members of the minority have to stand up and talk about this process. We are only given a minimal amount of time on the rule, itself, and, on the bill, just an hour of debate and then amendment debate. Unfortunately, although we have had an open process in terms of amendments on appropriation bills for as long as any of us can remember—for decades and decades and decades—for the last couple of years, we have had structured rules come to the floor where members of the minority and the majority aren't allowed to offer the amendments that they would like.

Traditionally, Members could offer any amendment as long as it was germane and as long as it struck spending from the legislation and it was legislated on an appropriation bill. Yet this year and last year, for the first time, Members can't bring amendments to the floor. They have to submit them to the Rules Committee. Then the Rules Committee decides which ones they want to allow on the floor and which ones they don't or they will decide, Oh, you've offered 12 amendments, but you can only offer four. This limits the ability of the minority, in particular, to actually stand up and try to save money in the legislation.

We have to remember that every bill we consider this year, every appropriation bill—and unfortunately, probably, we are only going to consider two until after the election. Of the ones we consider, 42 cents of every dollar we spend we are borrowing. We are borrowing 42 cents of every dollar we are spending for whatever we spend it on.

Now, I think it is perfectly right and proper to ask: Is this right to spend, for example, money on, well, in this case, 461 earmarks in this piece of legislation alone? Some of them are for bike paths and street beautification. These are all good things, but they have no Federal nexus. They shouldn't be paid for by the Federal taxpayer. Yet, when we try to bring these amendments to the floor to debate them, only a few are allowed. Why is that?

I would ask if the gentleman representing the Rules Committee can explain why this is happening, why in the world we are so hard-pressed for time now, apparently, that we can only consider a couple of amendments, 22 percent of those that were offered.

I reserve the balance of my time.

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

Madam Speaker, it is clear that this point of order has nothing to do with unfunded mandates. Technically, this point of order is about whether or not to consider this rule and, ultimately, the underlying bill. In reality, it is about preventing the bill from moving forward without any opportunity for debate and without any opportunity for an up-or-down vote on the legislation, itself. It is about slamming the door on the legislative process.

I think that is wrong, and I hope my colleagues will vote "yes" so that we can consider this important legislation on its merits and not stop it on a procedural motion. Let's stop wasting time on parliamentary roadblocks and get to the debate on this legislation, itself. It is a very important piece of legislation that has critical funding pieces in there for transportation and for housing. Those who oppose the bill can vote against it on final passage, but we must consider this rule, and we must pass the bill today.

I reserve the balance of my time.

Mr. FLAKE. I thank the gentleman.

Madam Speaker, slamming the door on the legislative process. My taking 10 minutes to talk about this rule is slamming the door on the legislative process.

How is that?

What I am here to talk about is how the door has been slammed on the legislative process. The inability of Members to come and offer amendments to appropriation bills to try and save money is what is slamming the door on the legislative process. It has nothing to do with somebody's standing up and claiming time to speak against the rule.

So that is just baffling to me and to anybody out there, listening, when they learn that I offered 11 amendments. There were 461 earmarks which