

I am not recorded because I was absent because I gave birth to my baby daughter. Had I been present, I would have voted "yea".

Madam Speaker, on rollcall No. 651 on H.R. No. 628, On Motion to Suspend the Rules and Concur in the Senate Amendment, An act to establish a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges, I am not recorded because I was absent because I gave birth to my baby daughter. Had I been present, I would have voted "yea".

#### APPOINTMENTS—INDIAN LAW AND ORDER COMMISSION

The SPEAKER pro tempore (Ms. JACKSON LEE of Texas). Pursuant to section 235 of the Tribal Law and Order Act of 2010 (Public Law 111-211), and the order of the House of January 6, 2009, the Chair announces the Speaker's appointment of the following Members to the Indian Law and Order Commission:

Ms. STEPHANIE HERSETH SANDLIN, Brookings, South Dakota; and in addition,

Mr. EARL POMEROY, Bismarck, North Dakota.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 o'clock and 50 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1517

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ALTMIRE) at 3 o'clock and 17 minutes p.m.

#### PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 105, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2011

Mr. POLIS, from the Committee on Rules, submitted a privileged report (Rept. No. 111-689) on the resolution (H. Res. 1776) providing for consideration of the joint resolution (H.J. Res. 105) making further continuing appropriations for fiscal year 2011, and for other purposes, which was referred to the House Calendar and ordered to be printed.

Mr. POLIS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1776 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1776

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 105) making further continuing appropriations

for fiscal year 2011, and for other purposes. All points of order against consideration of the joint resolution are waived except those arising under clause 10 of rule XXI. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 1 hour.

□ 1520

Mr. POLIS. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time yielded during consideration of the rule is for debate only.

#### GENERAL LEAVE

Mr. POLIS. I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1776.

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

There was no objection.

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

House Resolution 1776 provides a closed rule for the consideration of H.J. Res. 105, making further continuing appropriations for fiscal year 2011, and for other purposes.

The rule provides 1 hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the joint resolution except those arising under clause 10 of rule XXI. The rule provides that the joint resolution shall be considered as read. The rule waives all points of order against provisions of the joint resolution. Finally, the rule provides one motion to recommit the joint resolution with or without instructions.

Mr. Speaker, I rise today in support of approving a continuing resolution to maintain a level and consistent funding stream for our government.

This resolution is aptly numbered "1776," a patriotic number for a patriotic bill that will allow government to continue its normal operations until midnight, on Tuesday, to give the Senate a chance to complete its deliberations.

I could take this opportunity to share the frustration of our colleagues at the inability of the Senate to complete its work in a timely manner; but in the spirit of the season, Mr. Speaker, I will simply say that we must pass this continuing resolution to allow the Senate to continue its important work and deliberations to create either a longer term continuing resolution or an omnibus appropriations package that will allow the regular business of

government to keep the people of America safe to continue.

I reserve the balance of my time.

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

I want to thank my friend, the gentleman from Colorado (Mr. POLIS) not only for his friendship but also for being with us today as we approach the floor on H. Res. 1776.

Mr. Speaker, just last week, I stood right here to do a rule and pointed out that my Democrat colleagues continue to use an unprecedented restrictive and closed process on the House floor, and I am here today to tell the same story.

At least this is very consistent behavior. For 2 years, we have had nothing but closed rules, and here we are today, in fact, in the same place, except what we are doing here today, again, is discussing a long-term continuing resolution, a resolution that went nowhere in the Senate. Yet we are here again today, doing another continuing resolution so that our government does not shut down on Saturday.

Last week, the Rules Committee, under Democrat leadership, reported out an unprecedented long-term martial law rule. They gave themselves 11 days to bring up any bill under a rule that same day, and just yesterday, they reported out an additional martial law rule through Christmas Eve. This only continues the backroom, closed deals that have been pursued throughout the 111th Congress.

What was promised to be the most "open, honest, and ethical" Congress by Speaker NANCY PELOSI when she took the gavel has turned into the most closed, one-sided Congress in history. We tax too much. We spend too much. We regulate too much. We listen too little.

Mr. Speaker, the American people asked for changes in 2008, and they got something that was far worse. In 3 weeks, that will change; but until then, I am here to discuss another closed rule for another continuing resolution.

This day continues to bring about more overspending, which has been a common theme of the last two Congresses—not just another CR but another omnibus. The underlying legislation is a CR to keep the government running until Tuesday. That is true. The Democrats provided no budget this year, and the President has not signed one appropriations bill into law this year. So this legislation and the rule is just another tactic to keep the government running until the majority can figure out its next priority. Well, I assure you it will be all about spending.

Over the past 3 years, nondefense, non-Homeland Security and non-Veterans Affairs discretionary spending has increased by a staggering 88 percent. In the meantime, the Nation's debt has risen to \$13.5 trillion. There have been yearly record deficits since our friends, the Democrats, took the majority and record unemployment. The unemployment rate has now been

at or above 9.5 percent for 18 consecutive months.

Republicans want to take spending levels back to 2008, which would save American taxpayers nearly \$100 billion in the first year. I think the American people are fed up with taxing, borrowing, spending, closed rules, and more rules and regulations than we have seen in the past 4 years, which has brought us nothing but more unemployment, higher debt and a monster deficit. Americans have called for an end to the reckless spending and for a new era of fiscal discipline. Yet it continues to fall on deaf ears even today.

This country needs leaders who are willing to make tough financial decisions and fiscal decisions that will bring back our economy, stability, job growth—not just more of the same taxing and spending.

Mr. Speaker, as if continuing the spending levels from 2010 weren't enough, my colleagues on the Democrat side of the aisle are here, acting only today to await a possible Senate omnibus bill that has a total price tag of \$1.1 trillion more to be spent in the next 10 months. That's not called "running the government." Running the government has already been taken care of. This is \$1.1 trillion.

When will the majority recognize that this simply cannot and should not continue? When will the Democrats understand that taxing and spending and putting our children in an unfavorable position for their futures will not be tolerated?

In true fashion, I know, the Democrats have an agenda, and they need to continue it until the very end, and that is what they are doing. They have shut out Republican ideas for the past 4 years. They continue to shut out the American people. Continuing on the path of reckless government spending will only put us, our children, and our future in debt. Congress must do better.

So, on behalf of my party, the Republican Party, we are on the floor today to recognize H. Res. 1776. We are going to oppose this rule. We are going to oppose the additional spending, and we promise to do better.

Just last week, I stood right here to do a rule and pointed out that my democrat colleagues continue to use an unprecedented, restrictive, and closed process on the House floor, and here I am again to tell the same story. In fact, last week I was standing here before you Mr. Speaker discussing a long term Continuing Resolution—a resolution that went nowhere in the Senate. Yet, here we are again today, doing another Continuing Resolution so our government does not shut down by this Saturday. Week after week my friends on the other side of the aisle continue to bulldoze their massive spending agenda through the floor of the House with no Republican input, and no regular order. Last week the Rules Committee, under Democrat leadership, reported out an unprecedentedly long martial law rule. They gave themselves eleven days to bring up any bill under a rule the same day, and just yesterday they reported out an addi-

tional martial law rule through Christmas Eve. This only continues the backroom, closed deals they have pursued throughout the 111th Congress.

What was promised to be the most "open, honest and ethical" Congress by Speaker PELOSI when she took the gavel, has been the most closed, and one-sided Congress in history. The American people asked for change in 2008 and they got something far worse. They received a Democrat Congress that doesn't listen to the American people, and a Congress that acts on their own interest and not the interest of the American taxpayer.

Mr. Speaker, in three weeks that will change. But until then, I am here to discuss another closed rule for another Continuing Resolution. The legislation before us continues to over-spend—a common theme over the last two Congresses.

The underlying legislation is a CR to keep the government running until Tuesday. The Democrats provided no budget for this year and the President has not signed one appropriations bill into law—so this legislation and rule is just another tactic to keep the government running until the Majority can kick the responsibility to the Republicans next Congress.

Over the past three years, non-defense, non-homeland security, and non-veterans affairs discretionary spending has increased by a staggering 88 percent. In the meantime, the nation's debt has risen to \$13.5 trillion, there have been yearly record deficits since the Democrats took the Majority, and the unemployment rate has been at or above 9.5% for 18 consecutive months.

This CR does almost nothing to reverse this trend and instead continues the unsustainable, high rate of spending passed the Democrat Majority last year. This includes more spending for many federal agencies that received massive increases with the Democrat Stimulus bill in 2009. My Republican colleagues and I have pledged to cut non-security spending back to the fiscal year 2008 levels which would save American taxpayers nearly \$100 billion in the first year.

The American people are fed-up with the tax, borrow and spend policies of the past 4 years, which has brought nothing but unemployment, debt and deficit. Americans have called for an end to reckless spending and a new era of fiscal discipline, yet it continues to fall on deaf ears here today. This country needs leaders that are willing to make the tough fiscal decisions that will provide economic stability and job growth, not just more of the same.

In true fashion, my democrat colleagues continue to push their own agenda on the American people. They have shut out Republicans over the past 4 years, and they continue to shut out the American people. Continuing on the path of reckless government spending, will only put the U.S. further in debt burdening future generations. Congress must do better for the American people. I oppose this rule.

Mr. Speaker, you have heard me say it over and over, but the American people we promised an "open, honest and ethical" Congress, and that is not what they have received. Congress only received the text of this legislation a few hours ago. American's have called for transparency and bipartisanship and have only seen a secretive dictatorship.

I ask my colleagues to vote no on the rule. Vote "no" to stop the reckless fiscal policies

that Speaker PELOSI and the Democrats have pursued over the last 4 years. It is time to end the idea of Big Government and Big Spending.

I yield back the balance of my time.

Mr. POLIS. I yield myself the balance of my time.

Mr. Speaker, I could certainly discuss how the House has passed two appropriations bills this year—the Transportation-HUD appropriations bill and the Military Construction-Veterans Affairs appropriations bill, while the Senate has not passed a single appropriations measure. Last year, the House passed all of the appropriations measures.

I could certainly also discuss how, in the 12 years that the Republicans controlled the House, there were a number of years when not a single regular appropriations measure was enacted by October 1—in 1996, in 2002, and in 2003. In fact, in those 12 years, CRs were enacted 84 times.

Again, Mr. Speaker, in the spirit of the season, in the spirit of charity, and in the spirit of our colleagues' desire to complete their work in this body, I will simply say that it is critical for the basic functions of government to continue over the next 5 days, particularly during this travel season.

Where would we be on one of the busiest travel weekends of the year if we cut off funding for our air marshals, which the failure of this bill would ensue?

Just yesterday, I was proud that this body passed and sent to the President a bill to keep taxes low for all Americans. I supported this bill, along with 139 of my Democratic colleagues and 138 of my Republican colleagues. In voicing their support for the legislation, many of our friends on both sides of the aisle cited the need for certainty and stability.

Well, Mr. Speaker, this bill before us today provides certainty and predictability for the basic functions of the Federal Government until next Tuesday, at midnight, by which point we will undertake a longer term continuing resolution or other measure to allow for the basic functions of government to continue.

I call upon my colleagues to support this rule and the underlying legislation, and I urge a "yes" vote on the previous question and on the rule.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

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.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 1530

# PROVIDING FOR THE SINE DIE ADJOURNMENT OR RECESS OF THE TWO HOUSES

Mr. POLIS. Mr. Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 336

*Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Friday, December 17, 2010, through Friday, December 24, 2010, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate adjourns on any day from Sunday, December 19, 2010, through 11:59 a.m. on Monday, January 3, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.*

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this vote on H. Con. Res. 336 will be followed by 5-minute votes on adoption of H. Res. 1776, if ordered, and motion to suspend the rules on H.R. 2142.

The vote was taken by electronic device, and there were—yeas 196, nays 153, not voting 84, as follows:

[Roll No. 652]

YEAS—196

Adler (NJ)	Coffman (CO)	Eshoo
Altmire	Cohen	Etheridge
Baldwin	Conyers	Farr
Becerra	Cooper	Fattah
Berman	Costa	Filner
Blumenauer	Costello	Foster
Boccheri	Courtney	Frank (MA)
Boren	Critz	Fudge
Boswell	Crowley	Garamendi
Boucher	Cuellar	Garrett (NJ)
Braley (IA)	Cummings	Giffords
Bright	Dahlkemper	Gonzalez
Brown, Corrine	DeFazio	Gordon (TN)
Butterfield	DeLauro	Grayson
Campbell	Deutch	Green, Gene
Capps	Dicks	Grijalva
Capuano	Dingell	Gutierrez
Carnahan	Doggett	Hall (NY)
Castle	Doyle	Halvorson
Castor (FL)	Driehaus	Hare
Chandler	Edwards (MD)	Hastings (FL)
Chu	Edwards (TX)	Heinrich
Clarke	Ehlers	Hereth Sandlin
Cleaver	Ellison	Higgins
Clyburn	Engel	Hill

Hinchey	Marshall	Schauer
Hirono	Matheson	Schiff
Holden	Matsui	Schrader
Holt	McCollum	Scott (GA)
Honda	McDermott	Scott (VA)
Hoyer	McGovern	Sensenbrenner
Inslee	McMahon	Serrano
Israel	McNerney	Sherman
Jackson (IL)	Meek (FL)	Shuler
Jackson Lee (TX)	Melancon	Sires
Johnson (IL)	Miller (NC)	Skelton
Jordan (OH)	Miller, George	Slaughter
Kagen	Minnick	Smith (WA)
Kanjorski	Mollohan	Snyder
Kaptur	Moore (KS)	Space
Kennedy	Moore (WI)	Spratt
Kildee	Murphy (CT)	Sutton
Kilroy	Nadler (NY)	Tanner
Kirkpatrick (AZ)	Neal (MA)	Teague
Kissell	Oberstar	Thompson (CA)
Klein (FL)	Obey	Thompson (MS)
Kosmas	Oliver	Tierney
Kratovil	Pallone	Titus
Kucinich	Pascarell	Tonko
Langevin	Payne	Towns
Larsen (WA)	Perlmutter	Tsongas
Larson (CT)	Peterson	Van Hollen
Lee (CA)	Polis (CO)	Velázquez
Levin	Price (NC)	Visclosky
Lewis (GA)	Rahall	Walz
Linder	Rangel	Watson
Loeb sack	Richardson	Watt
Lofgren, Zoe	Roybal-Allard	Waxman
Lowey	Ruppersberger	Weiner
Lujan	Rush	Welch
Lynch	Ryan (OH)	Whitfield
Maffei	Sánchez, Linda T.	Wilson (OH)
Maloney	Sanchez, Loretta	Woolsey
Markey (CO)	Sarbanes	Wu
Markey (MA)	Schakowsky	Yarmuth
		Young (AK)

NAYS—153

Aderholt	Gingrey (GA)	Paulsen
Akin	Gohmert	Pence
Alexander	Goodlatte	Perriello
Austria	Graves (GA)	Petri
Bachmann	Graves (MO)	Pitts
Bachus	Guthrie	Platts
Bartlett	Hall (TX)	Poe (TX)
Biggett	Harper	Posey
Bilbray	Hastings (WA)	Price (GA)
Bilirakis	Heller	Putnam
Bishop (NY)	Hensarling	Reed
Bishop (UT)	Herger	Rehberg
Blackburn	Hoekstra	Reichert
Blunt	Hunter	Roe (TN)
Boehner	Inglis	Rogers (AL)
Bonner	Issa	Rogers (KY)
Bono Mack	Jenkins	Rogers (MI)
Boozman	King (IA)	Rohrabacher
Brady (TX)	King (NY)	Rooney
Broun (GA)	Kingston	Roskam
Buchanan	Kline (MN)	Royce
Burgess	Lamborn	Ryan (WI)
Burton (IN)	Lance	Scalise
Buyer	LaTourette	Schmidt
Cantor	Latta	Schock
Cao	Lee (NY)	Sessions
Capito	Lewis (CA)	Sestak
Carney	LoBiondo	Shadegg
Carter	Lucas	Shea-Porter
Cassidy	Luetkemeyer	Shimkus
Chaffetz	Lummis	Shuster
Coble	Lungren, Daniel E.	Simpson
Cole	Mack	Smith (NE)
Conaway	Manzullo	Smith (NJ)
Connolly (VA)	McCarthy (CA)	Smith (TX)
Crenshaw	McCaul	Stearns
Davis (KY)	McClintock	Stutzman
Dent	McCotter	Sullivan
Diaz-Balart, M.	McHenry	Taylor
Donnelly (IN)	McKeon	Terry
Dreier	Mica	Thompson (PA)
Duncan	Michaud	Thornberry
Ellsworth	Miller (FL)	Tiahrt
Emerson	Miller (MI)	Tiberi
Flake	Moran (VA)	Turner
Fleming	Myrick	Upton
Forbes	Neugebauer	Walden
Fortenberry	Nunes	Westmoreland
Fox	Nye	Wilson (SC)
Franks (AZ)	Olson	Wolf
Frelinghuysen	Owens	
Gerlach		

NOT VOTING—84

Ackerman	Arcuri	Baird
Andrews	Baca	Barrett (SC)

Barrow	Fallin	Murphy, Patrick
Barton (TX)	Gallegly	Murphy, Tim
Bean	Granger	Napolitano
Berkley	Green, Al	Ortiz
Berry	Griffith	Pastor (AZ)
Bishop (GA)	Harman	Paul
Boustany	Himes	Peters
Boyd	Hinojosa	Pingree (ME)
Brady (PA)	Hodes	Pomeroy
Brown (SC)	Johnson (GA)	Quigley
Brown-Waite,	Johnson, E. B.	Radanovich
Ginny	Johnson, Sam	Reyes
Calvert	Jones	Rodriguez
Camp	Kilpatrick (MI)	Ros-Lehtinen
Cardoza	Kind	Ross
Carson (IN)	Latham	Rothman (NJ)
Childers	Lipinski	Salazar
Clay	Marchant	Schwartz
Culberson	McCarthy (NY)	Speier
Davis (AL)	McIntyre	Stark
Davis (CA)	McMorris	Stupak
Davis (IL)	Rodgers	Wamp
Davis (TN)	Meeks (NY)	Wasserman
DeGette	Miller, Gary	Schultz
Delahunt	Mitchell	Waters
Diaz-Balart, L.	Moran (KS)	Wittman
Djou	Murphy (NY)	Young (FL)

□ 1605

Messrs. COLE, SHUSTER, CARNEY, GRAVES of Missouri, BACHUS, DONNELLY of Indiana, TAYLOR, and Ms. SHEA-PORTER changed their vote from “yea” to “nay.”

Ms. KOSMAS and Mr. YARMUTH changed their vote from “nay” to “yea.”

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 105, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2011

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 1776) providing for consideration of the joint resolution (H.J. Res. 105) making further continuing appropriations for fiscal year 2011, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 184, nays 159, not voting 90, as follows:

[Roll No. 653]

YEAS—184

Altmire	Chandler	Dingell
Baldwin	Chu	Doggett
Becerra	Clarke	Donnelly (IN)
Berman	Cleaver	Driehaus
Bishop (NY)	Clyburn	Edwards (MD)
Blumenauer	Cohen	Edwards (TX)
Boccheri	Cooper	Ellison
Boren	Costa	Ellsworth
Boswell	Costello	Engel
Boucher	Courtney	Eshoo
Braley (IA)	Critz	Etheridge
Bright	Crowley	Farr
Brown, Corrine	Cuellar	Fattah
Butterfield	Cummings	Filner
Capps	Dahlkemper	Foster
Capuano	DeFazio	Frank (MA)
Carnahan	DeLauro	Fudge
Carney	Deutch	Garamendi
Castor (FL)	Dicks	Giffords