

H.R. 1746, as amended, eliminates the existing sunset in the program. As the evidence clearly shows, this program works well and is cost effective. It should no longer be treated as a pilot program with a sunset. Rather, State and local governments should have the certainty of knowing this program will be available in the future to enable them to focus their efforts on critical, long-term mitigation planning.

The Obama administration has specifically requested that Congress reauthorize the PDM program and this legislation has been endorsed by the National Association of Counties, International Association of Emergency Managers, the Association of State Floodplain Managers, the National Emergency Management Association, the National Association of Flood and Stormwater Management Agencies, and the American Public Works Association.

This bill passed the House more than a year and a half ago with overwhelming bipartisan support. The legislation passed the other body last night by unanimous consent. I would like to thank Senator JOSEPH LIEBERMAN and Senator SUSAN M. COLLINS for their persistent efforts to clear this legislation through the other body.

I urge my colleagues to join me in supporting H.R. 1746, as amended, the "Predisaster Hazard Mitigation Act of 2010".

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 1746.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 5116, AMERICA COMPETES REAUTHORIZATION ACT OF 2010; PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 2751, FDA FOOD SAFETY MODERNIZATION ACT; AND PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 2142, GPRA MODERNIZATION ACT OF 2010

Mr. MCGOVERN, from the Committee on Rules, submitted a privileged report (Rept. No. 111-692) on the resolution (H. Res. 1781) providing for consideration of the Senate amendment to the bill (H.R. 5116) to invest in innovation through research and development, to improve the competitiveness of the United States, and for other purposes; providing for consideration of the Senate amendments to the bill (H.R. 2751) to accelerate motor fuel savings nationwide and provide incentives to registered owners of high polluting automobiles to replace such automobiles with new fuel efficient and less polluting automobiles; and providing for consideration of the Senate

amendment to the bill (H.R. 2142) to require quarterly performance assessments of Government programs for purposes of assessing agency performance and improvement, and to establish agency performance improvement officers and the Performance Improvement Council, which was referred to the House Calendar and ordered to be printed.

#### WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS, AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. MCGOVERN. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1771 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

##### H. RES. 1771

Waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, and providing for consideration of motions to suspend the rules.

*Resolved*, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of December 24, 2010.

SEC. 2. It shall be in order at any time through the legislative day of December 24, 2010, for the Speaker to entertain motions that the House suspend the rules. The Speaker or her designee shall consult with the Minority Leader or his designee on the designation of any matter for consideration pursuant to this section.

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

Mr. MCGOVERN. For the purpose 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. I yield myself such time as I may consume.

##### GENERAL LEAVE

Mr. MCGOVERN. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1771.

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

There was no objection.

Mr. MCGOVERN. Madam Speaker, House Resolution 1771 waives the requirement of clause 6(a) of rule XIII, requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee. This would allow for the same-day consideration of any resolution reported through the legislative day of December 24, 2010.

The resolution allows the Speaker to entertain motions to suspend the rules through the legislative day of December 24, 2010. The Speaker or her des-

ignee shall consult with the minority leader or his designee on the designation of any matter for consideration pursuant to section 2 of the rule.

Madam Speaker, I reserve the balance of my time.

Mr. SESSIONS. Good morning, Madam Speaker. Welcome to this week of Christmas.

I yield myself such time as I may consume.

I want to thank the gentleman from Massachusetts, my friend Mr. McGOVERN, the vice chairman of the Rules Committee, for bringing this martial law rule to the floor of the House of Representatives today.

□ 1220

Madam Speaker, the 111th Congress is in its final days, or so the body hopes. The rule before us today provides for an expedited same-day consideration of all legislation brought forward until Christmas Eve and extends suspension authority for that same period. This martial law rule consists of the ability of the Democrats to bring 4 more days of expedited consideration on top of the 11 days my colleagues gave themselves on the 8th of December.

This Congress has seen a record number of restrictive rules over the past 2 years. In fact, we have not debated one open rule in this Congress. I don't believe that closing debate, limiting amendments, and shutting down Democrats and Republicans out of their thoughtful solutions on the House floor is what we were promised by Speaker PELOSI. Speaker PELOSI openly told the American people that she would run the most open, honest, and ethical Congress. Madam Speaker, I would say to you that as we started, so are we ending, in chaos.

It seems like every time I come to the House floor I point out that my Democrat colleagues are using an unprecedented, restrictive, and closed process. This is not what the American people wanted, and I believe the American people truly do want their Member of Congress to be able to come to Washington, DC, to fully participate in the process. And unfortunately, we find ourselves here again today with Members simply sitting back in their offices, wondering and waiting what is next, what are we even debating, what are we doing, rather than being actively involved in this democratic process. Madam Speaker, that's why people came to Congress.

This Congress has managed to rack up a record \$1.4 trillion deficit in 2009, more than three times the size of the deficit in 2008, and it hit a \$1.3 trillion deficit this year. Additionally, we have seen unemployment at or above 9.5 percent across this country for over 18 consecutive months and a national debt that has now ballooned to \$13.4 trillion, and yet we see no end to the spending, which is evident by the rule that we are here discussing today. No discipline; no feedback from Members,

Members of this body coming faithfully to do their job, not even knowing what is happening and what is next, purely speculation. No sharing of information; no plan that can be executed based upon the Members of this body understanding what we're doing, where we're going, and what is next.

Madam Speaker, if there ever was a time when the American people need to know what the plan is and Members of Congress need to know what the plan is it would be now. It would be now for us to determine not only how to have fiscal restraint, but also, a majority who offered leadership, leadership on a budget process, leadership on a transparency process, leadership on the ability for Members of Congress to come and effectively represent their district and, perhaps more importantly, not just a budget that was never produced, how about an appropriations bill that was properly done.

Every single business that I know of—State and local government, families, schools—everybody has a budget. Even nonprofits who try and work in the best interest of a smaller group of people recognize you've got to have a plan. That's an exception for this Federal Government. It's an exception by this Congress, and that is not leadership.

As the chairman of the Budget Committee once said, If you can't budget, you cannot govern. I think he's right. That's exactly the truth of what Chairman JOHN SPRATT said. And if the shoe fits, we're wearing it right now. Unfortunately, we've come to expect this behavior from this majority, but, once again, there is always tomorrow. Republicans have made a pledge to America, and we intend to keep it.

I am happy to report that very soon, on or about January 5, 2011, there will be a significant course correction in this House of Representatives. Members will be expected to, and allowed to, read legislation before they cast their votes, take part in the activities of not only their committees, but also come to the Rules Committee with their ideas to take part in the process that they want to do.

I think open rules will make a triumphant return to the House floor, and elected Representatives, Members of Congress, will have a chance to fully contribute in this legislative process. It does not make me happy when I recognize that there is no Member, freshman Member of this body, who has not, for the last 2 years, seen this body work the way it was designed—a legislative process that would be open, a legislative process that would be ethical, and a legislative process that would be transparent for people.

So here we are, once again, the week before Christmas. I can handle that. I'm here ready to work but, like the rest of my colleagues, waiting for a small cadre of people to let us in on the plan.

I urge my colleagues to vote "no" on this rule. We've got to return to a proc-

ess which is prepared for the future and prepared for Members to fully participate.

I yield back the balance of my time. Mr. MCGOVERN. Madam Speaker, I regret that the gentleman from Texas will not support this rule so that we can move our legislative business forward, but I'm not surprised because, quite frankly, his party, the Republican Party, has had one goal since President Obama became President of the United States, and that is to obstruct and delay everything, and that's what they've tried to do.

The gentleman talks about democracy. Well, I think the American people are scratching their head as they see what's happening over in the Senate where a minority, not a majority, but a minority determines the agenda. A minority can hold legislation from coming to the floor. That's not the democracy that most people believe our government is about.

I'd also say to the gentleman that we look forward to the next legislative year, and we look forward to the gentleman and his party becoming the leaders of this House. And as someone who has been on the Rules Committee, both in the majority and minority, I don't recall a single instance when the gentleman, when his party was in power, ever voted against a closed rule proposed by the Republican then-majority, but we will see what happens.

And I will also say, Madam Speaker, that one of the things I think that the American people are now beginning to realize is that the Republicans are not at all serious about fiscal discipline. You know, I remind everybody that when Bill Clinton was President, we had record job creation and we had historical fiscal restraint. We actually eliminated the deficit and started paying down the debt.

When George Bush and the Republicans then took over, what ended up happening is they took this record surplus and turned it into historic debt. And how did they do it? Well, they did it through a number of things. Unpaid-for wars is one of them. The other is a Medicare prescription drug bill that, by the way, nobody here had a chance to read, that was voted on in the middle of the night. They kept the vote open 3 hours so that people's arms could be twisted, but it cost twice as much as anybody thought it was going to cost, not paid for.

But the thing that really broke the bank was their unprecedented tax cuts and giveaways to the wealthiest individuals in this country, not paid for, not paid for. And sadly, Madam Speaker, the Republicans in the Senate held unemployment compensation, benefits to the millions of people in this country who are unemployed through no fault of their own, held that hostage so they could get their tax cuts for the rich. And those tax cuts for the rich, by the way, Madam Speaker, are not paid for, not a single offset to pay for those tax cuts for the rich.

□ 1230

Donald Trump gets another tax cut, unpaid for; and guess what, that debt gets piled on the backs of my kids and the kids of every American in this country. It is just not right.

I think the American people are beginning to realize that their real goal is to go after domestic spending in an unprecedented way—Social Security, Medicare, programs that benefit the most vulnerable in our country. They will launch an unprecedented war against the poor in this country. We are going to see early on what their real agenda is. And I bet, Madam Speaker, as polls will reveal, it is not what the American people had in mind. So, again, I regret that the Republicans continue to want to do the same old, same old which is to delay and obstruct and put off and put off. But I think we need to pass this rule.

I urge a "yes" vote on the previous question and on the rule.

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. Madam 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 15-minute vote on House Resolution 1771 will be followed by a 5-minute vote on suspending the rules with regard to H.R. 6540.

The vote was taken by electronic device, and there were—yeas 199, nays 151, not voting 83, as follows:

[Roll No. 657]

YEAS—199

Ackerman	Critz	Hare
Altmire	Crowley	Harman
Andrews	Cuellar	Hastings (FL)
Baldwin	Cummings	Heinrich
Barrow	Dahlkemper	Higgins
Bean	Davis (CA)	Hill
Becerra	Davis (TN)	Himes
Berkley	DeFazio	Hinchee
Berman	DeGette	Hinojosa
Bishop (GA)	DeLauro	Hirono
Bishop (NY)	Dicks	Holden
Bocchieri	Dingell	Holt
Boren	Doggett	Hoyer
Boswell	Donnelly (IN)	Inslee
Boucher	Drieheaus	Israel
Boyd	Edwards (MD)	Jackson (IL)
Brady (PA)	Edwards (TX)	Jackson Lee
Braley (IA)	Engel	(TX)
Brown, Corrine	Eshoo	Johnson (GA)
Butterfield	Etheridge	Johnson, E. B.
Capps	Farr	Kagen
Capuano	Fattah	Kanjorski
Cardoza	Filner	Kaptur
Carnahan	Foster	Kildee
Carney	Frank (MA)	Kilroy
Carson (IN)	Fudge	Kind
Castor (FL)	Garamendi	Kirkpatrick (AZ)
Chandler	Giffords	Kissell
Clarke	Gonzalez	Klein (FL)
Clay	Gordon (TN)	Kosmas
Cleaver	Green, Al	Kucinich
Cohen	Green, Gene	Langevin
Conyers	Grijalva	Larsen (WA)
Cooper	Gutierrez	Larson (CT)
Costa	Hall (NY)	Levin
Courtney	Halvorson	Lewis (GA)

Loeb sack Oliver  
Lowey Owens  
Luján Pallone  
Lynch Pascrell  
Maffei Payne  
Maloney Perlmutter  
Markey (CO) Peters  
Markey (MA) Peterson  
Marshall Pingree (ME)  
Matheson Polis (CO)  
Matsui Pomeroy  
McCollum Price (NC)  
McDermott Quigley  
McGovern Rahall  
McIntyre Rangel  
McNerney Richardson  
Meeks (NY) Rodriguez  
Michaud Ross  
Miller (NC) Rothman (NJ)  
Miller, George Roybal-Allard  
Mollohan Ruppertsberger  
Moore (KS) Ryan (OH)  
Moore (WI) Sánchez, Linda  
Moran (VA) T.  
Murphy (CT) Sarbanes  
Murphy, Patrick Schakowsky  
Nadler (NY) Schauer  
Napolitano Schiff  
Nye Schrader  
Oberstar Schwartz  
Obey Scott (GA)

## NAYS—151

Aderholt Gingrey (GA)  
Akin Gohmert  
Alexander Goodlatte  
Austria Graves (GA)  
Bachus Graves (MO)  
Bartlett Guthrie  
Biggert Hall (TX)  
Bilbray Harper  
Bilirakis Hastings (WA)  
Bishop (UT) Hensarling  
Blackburn Herger  
Blunt Hoekstra  
Boehner Hunter  
Bonner Issa  
Bono Mack Jenkins  
Boozman Johnson (IL)  
Boustany Jordan (OH)  
Brady (TX) King (IA)  
Broun (GA) Kingston  
Brown (SC) Kline (MN)  
Buchanan Kratovil  
Burgess Lamborn  
Burton (IN) Lance  
Cantor Latham  
Capito LaTourette  
Carter Latta  
Cassidy Lee (NY)  
Castle Lewis (CA)  
Chaffetz LoBiondo  
Childers Lucas  
Coffman (CO) Luetkemeyer  
Cole Lummis  
Conaway Lungren, Daniel  
Davis (KY) E.  
Dent Mack  
Diaz-Balart, M. Manzullo  
Djou McCaul  
Dreier McClintock  
Duncan McCotter  
Ehlers McHenry  
Emerson McKeon  
Flake Mica  
Fleming Miller (FL)  
Forbes Miller (MI)  
Fortenberry Moran (KS)  
Foxy Murphy, Tim  
Franks (AZ) Myrick  
Frelinghuysen Neugebauer  
Gallegly Olson  
Garrett (NJ) Paul  
Gerlach Pence

## NOT VOTING—83

Adler (NJ) Calvert  
Arcuri Camp  
Baca Campbell  
Bachmann Cao  
Baird Chu  
Barrett (SC) Clyburn  
Barton (TX) Coble  
Berry Connolly (VA)  
Blumenauer Costello  
Bright Crenshaw  
Brown-Waite, Culberson  
Ginny Davis (AL)  
Buyer Davis (IL)

Honda Inglis  
Johnson, Sam Jones  
Kennedy  
Kilpatrick (MI)  
King (NY)  
Lee (CA)  
Linder  
Lipinski  
Lofgren, Zoe  
Marchant  
McCarthy (CA)  
McCarthy (NY)  
McMahon  
McMorris Rodgers  
Meek (FL)  
Melancon  
Miller, Gary  
Minnick  
Mitchell  
Murphy (NY)  
Neal (MA)  
Nunes  
Ortiz  
Pastor (AZ)  
Paulsen  
Radanovich  
Reyes  
Rush  
Salazar  
Sanchez, Loretta  
Schock  
Shea-Porter  
Sires  
Smith (WA)  
Stark  
Stearns  
Tanner  
Wasserman  
Schultz  
Waters  
Weiner  
Welch  
Young (AK)  
Young (FL)

□ 1300

Messrs. DENT, TERRY, DANIEL E. LUNGREN of California, KING of Iowa, and MCCAUL changed their vote from “yea” to “nay.”

Mrs. MALONEY changed her vote from “nay” to “yea.”

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.

## DEFENSE LEVEL PLAYING FIELD ACT

The SPEAKER pro tempore (Mr. HOLDEN). The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 6540) to require the Secretary of Defense, in awarding a contract for the KC-X Aerial Refueling Aircraft Program, to consider any unfair competitive advantage that an offeror may possess, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. INSLEE) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 325, nays 23, not voting 85, as follows:

[Roll No. 658]

YEAS—325

Ackerman Butterfield  
Akin Cantor  
Altmire Capito  
Andrews Capps  
Austria Capuano  
Baldwin Cardoza  
Barrow Carnahan  
Bartlett Carney  
Bean Carson (IN)  
Becerra Carter  
Berkley Castle  
Biggert Castor (FL)  
Bilbray Chaffetz  
Bilirakis Chandler  
Bishop (GA) Childers  
Bishop (NY) Clarke  
Blunt Clay  
Bocieri Cleaver  
Bono Mack Coffman (CO)  
Boozman Cohen  
Boren Cole  
Boswell Conaway  
Boucher Connolly (VA)  
Boyd Conyers  
Brady (PA) Cooper  
Braley (IA) Costa  
Broun (GA) Courtney  
Brown (SC) Critz  
Brown, Corrine Cuellar  
Buchanan Cummings  
Burgess Dahlkemper  
Burton (IN) Davis (CA)

Fudge  
Gallegly  
Garamendi  
Gerlach  
Giffords  
Gingrey (GA)  
Gohmert  
Gonzalez  
Goodlatte  
Gordon (TN)  
Graves (GA)  
Graves (MO)  
Green, Al  
Green, Gene  
Grijalva  
Guthrie  
Gutierrez  
Hall (NY)  
Hall (TX)  
Halvorson  
Hare  
Harman  
Hastings (FL)  
Hastings (WA)  
Heinrich  
Higgins  
Hill  
Himes  
Hinchey  
Hinojosa  
Hirono  
Hoekstra  
Holden  
Holt  
Hoyer  
Hunter  
Inslee  
Israel  
Issa  
Jackson (IL)  
Jackson Lee  
(TX)  
Jenkins  
Johnson (GA)  
Johnson (IL)  
Johnson, E. B.  
Jordan (OH)  
Kagen  
Kanjorski  
Kaptur  
Kildee  
Kilroy  
Kind  
King (IA)  
Kingston  
Kirkpatrick (AZ)  
Kissell  
Klein (FL)  
Kline (MN)  
Kosmas  
Kratovil  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Latta  
Lee (NY)  
Levin  
Lewis (CA)  
Lewis (GA)  
LoBiondo  
Loeb sack  
Lowey  
Lucas  
Luetkemeyer

Luján  
Lummis  
Lungren, Daniel  
E.  
Lynch  
Mack  
Maffei  
Maloney  
Manzullo  
Markey (CO)  
Markey (MA)  
Marshall  
Matheson  
Matsui  
McCaul  
McCollum  
McCotter  
McDermott  
McGovern  
McHenry  
McIntyre  
McKeon  
McNerney  
Meeks (NY)  
Mica  
Michaud  
Miller (MI)  
Miller (NC)  
Miller, George  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (KS)  
Moran (VA)  
Murphy (CT)  
Murphy, Patrick  
Murphy, Tim  
Myrick  
Nadler (NY)  
Napolitano  
Neugebauer  
Nye  
Oberstar  
Obey  
Olson  
Olver  
Owens  
Pallone  
Pascrell  
Payne  
Perlmutter  
Perriello  
Peters  
Peterson  
Petri  
Pingree (ME)  
Pitts  
Platts  
Poe (TX)  
Polis (CO)  
Pomeroy  
Posey  
Price (GA)  
Price (NC)  
Putnam  
Quigley  
Rahall  
Rangel  
Reed  
Rehberg  
Reichert  
Richardson  
Rodriguez  
Roe (TN)  
Rogers (MI)  
Rohrabacher  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothman (NJ)  
Roybal-Allard  
Royce  
Ruppertsberger  
Ryan (WI)  
Sánchez, Linda  
T.  
Sarbanes  
Schakowsky  
Schauer  
Schiff  
Schrader  
Schwartz  
Scott (GA)

## NAYS—23

Adler (NJ) Davis (AL)  
Arcuri Flake  
Baca Fleming  
Bachmann Garrett (NJ)  
Blackburn Harper  
Bonner Hensarling  
Boustany Herger  
Brady (TX) McClintock  
Cassidy

## NOT VOTING—85

Adler (NJ) Bishop (UT)  
Arcuri Blumenauer  
Baca Boehner  
Bachmann Bright  
Baird Brown-Waite,  
Barrett (SC) Ginny  
Barton (TX) Buyer  
Berman Calvert  
Berry Camp

Miller (FL)  
Paul  
Rogers (AL)  
Ryan (OH)  
Scalise  
Shadegg  
Stutzman  
Campbell  
Cao  
Chu  
Clyburn  
Coble  
Costello  
Crenshaw  
Crowley  
Culberson