Accordingly (at 8 o'clock and 48 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2303

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. OBEY) at 11 o'clock and 3 minutes p.m.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. Pursuant to House Resolution 552 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2847.

□ 2304

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes, with Mr. ALTMIRE in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole rose earlier today, the bill had been read through page 101, line 20.

Pending is amendment No. 107 offered by the gentleman from California (Mr. CAMPBELL). The gentleman from California has 1¾ minutes remaining.

Mr. PALLONE. Mr. Chair, I rise in opposition to this amendment. The Partnership for Mid-Atlantic Fisheries Science is incredibly important to the commercial and recreational fishing industry on the east coast. It ensures fisheries managers have the best possible science when making decisions regarding a multi-billion dollar industry. This amendment would also arbitrarily cut much needed funding from the National Oceanic and Atmospheric Administration.

The Partnership for Mid-Atlantic Fisheries Science addresses the most urgent scientific issues limiting successful management of the summer flounder and black sea bass fisheries in the Mid-Atlantic region. It is a multi-state multi-institutional partnership that will utilize academic and recreational/commercial fisheries resources to develop targeted science initiatives.

Summer flounder and black sea Bass are among the most valuable recreational fish in the Mid-Atlantic. Both are also important commercial species. This project will benefit the participating recreational and commercial fishermen of the Mid-Atlantic, their shore-based supporting industries, and tee many consumers of seafood that count these species among their preferred seafood items.

This program helps us incorporate critical information into the fisheries management process. By using the best possible science fisheries managers will be able to create healthy sustainable fisheries and protect the fishing industry.

Mr. BISHOP of New York. Mr. Chairman, I rise in strong opposition to the amendment.

On behalf of eastern Long Island, I commend Chairman OBEY and Chairman MOLLOHAN for their leadership on the underlying bill, and I thank them on behalf of the taxpayers' best interests.

As many of my colleagues know, the Partnership for Mid-Atlantic Fisheries Science conducts urgent research to revive and manage fisheries, including summer flounder and black sea bass fisheries in the Mid-Atlantic region.

I requested this, project along with my colleagues, both Republicans and Democrats from New Jersey and New York, because the research to be conducted will help stimulate an industry that is critically important to my region—precisely what our economy is calling for and precisely the opposite of what has been suggested by the gentleman from California, whose district could not be further away or more detached from the jobs and families this research benefits. In fact, on Long Island, the fishing industry is a source of $2 billion to the local economy and sustains more than 10,000 full and part-time jobs.

I do not presume to know what is of critical importance to the people and economies of Newport Beach or Laguna Beach and I doubt the gentleman from California has spoken to fishermen in my district who are struggling with outdated catch limits and quotas, and thus as a result, struggling to make a living.

This request is not a typical earmark. It does not serve only a single district. It was not requested by one member or one party. It is not a crutch for a fading industry. Rather, the Partnership for Mid-Atlantic Fisheries Science is a reputable organization—with well-established federal and regional partnerships, such as the National Marine Fisheries Service, Mid-Atlantic Fishery Management Council, and Atlantic States Marine Fisheries Commission committees and assessment programs.

Additionally, the Partnership will serve critical needs in the region known as the Mid-Atlantic Bight, where the recreational and commercial fishing industries—and the jobs and families that support them—depend on summer flounder and black sea bass for their livelihood.

Providing data based on the best possible science—as this research funding provides—is vital to the health of our fisheries and the economic well-being of our fishermen.

If you support a down-payment on job creation and a prudent investment of taxpayer dollars in the future of this economy, vote against this misguided amendment and support the underlying bill.

The CHAIR. Does any Member seek recognition on the Campbell amendment?

If not, the question is on the amendment offered by the gentleman from California (Mr. CAMPBELL).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 87 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk, designated as No. 87 in the CONGRESSIONAL RECORD.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 87 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''Department of Justice—General Administration—National Drug Intelligence Center'' shall be available for operations of the National Drug Intelligence Center, and the amount otherwise provided under such heading is hereby reduced by $44,023,000.

The CHAIR. Pursuant to House Resolution 552, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, my amendment would strike funding for the National Drug Intelligence Center and reduce the cost of the bill by a commensurate amount. This is not the first time I have come to the floor to try to strike funding for the NDIC, but this is the first time I have tried to come and strike this earmark when it was requested by the President. In times past, the earmark was requested by another Member of Congress, but this time the President has taken it up.

After years of trying to close down this entity, the administration has decided that they want to keep it. It has been described by the previous administration as duplicative and ineffective. I think that just about every report we have seen on this center has said that. It is a considerable amount of money, I believe $44 million. We should be saving that.

According to the administration officials, by including funding for the NDIC in his budget request, the President helped to establish the Department of Justice as the NDIC's permanent funding source. In this case, I think ''permanent'' is a troubling word, particularly when it regards the NDIC.

Reportedly, this shift will also change the NDIC's name to the Center For Strategic Excellence. As Shakespeare once wrote, A rose by any other name would smell as sweet. I submit that the metaphor remains true, only it is not the perfume of roses that we smell here with the NDIC.

The NDIC was established in 1993 and has been the recipient of more than 350 million taxpayer dollars in the 15 years it has been in existence. Despite all the money and time, the NDIC, according to the previous administration, ''has proven ineffective in achieving its assigned mission.''

Now, we all expect the Obama administration to disagree with many determinations by the Bush administration, but the criticism of the NDIC extends beyond the previous administration. A report by the GAO issued shortly after the NDIC's opening way back in 1993 cited 19 other drug intelligence centers that already existed whose functions

the NDIC duplicates. So it is not just the previous administration. Long before that, we have recognized that this is money that should and could be saved if we would close down this center.

As reported in The Hill on May 14, a review by OMB agreed. They concluded that NDIC's efforts were duplicative of those of the other intelligence agencies.

In 2006 a spokesman for DOJ asserted that the resources for the NDIC should be ''realigned to support priority counterterrorism and national security initiatives.''

Mr. Chairman, this is a center begging to be shut down. I don't need to remind anybody here of the problems we are having fiscally. We are running the biggest deficit we have ever run, we have public debt that is just astounding, we have unfunded liabilities that should make us all shudder, and we simply can't keep a center like this open for tens of millions of dollars a year that has been called duplicative and ineffective. So I think that this is an amendment that should pass.

We are not targeting, as I mentioned, any Member earmark this time. This is the President's earmark. And part of the role of Congress, one that we have not done well, is to police the administration and to look at what they are allocating and earmarking for.

With that, I reserve the balance of my time.

□ 2320

Mr. MOLLOHAN. I rise in opposition to the gentleman's amendment, Mr. Chairman.

The CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, the National Drug Intelligence Center was requested by the administration. The President's request was for $44.023 million. The request in that amount was approved by the committee. The National Drug Intelligence Center provides strategic drug-related intelligence, document and computer exploitation support, and training assistance to the drug control, public health and law enforcement and intelligence communities in order to reduce the adverse effects of drug trafficking, drug abuse and other drug related criminal activities.

In this bill, Mr. Chairman, the organization is funded at our recommendation of $44.023 million, which, I repeat, is at the budget request.

Mr. Chairman, I reserve the balance of my time.

Mr. FLAKE. Mr. Chairman, I'm often told we shouldn't be challenging Member earmarks. We shouldn't be challenging them because we ought to be going after those faceless bureaucrats and the things that the administration proposes that we don't look at enough. And I agree, certainly.

So here's a case where the administration, not just the previous administration, but administrations before that have said this is duplicative. It's a center in search of a mission, and it ought to be shut down. You could save $44 million a year. And yet we won't do it. If we're not going to shut down a center like this, where are we going to cut?

Let me just quote, according to the Department of Justice Budget and Performance Summary for Fiscal Year 2010: ''The most significant challenge for NDIC currently is its lack of a permanent funding source.''

Now, think of that for a minute. If that's the biggest challenge they've got, not, you know, finding a strategic mission or way to aid in our drug control effort, but is finding a permanent funding source. That seems to be their mission. And from what we know, that may be mission accomplished now, because the President is seeking to put it under DOJ where it will remain permanently.

But we in Congress, it's our role, part of our oversight function is to ensure that money is not wasted by those, I'm always told, faceless bureaucrats. Here's a perfect example of where we can make a difference, where we can save money, and we ought to do it.

I reserve the balance of my time.

The CHAIR. The time of the gentleman has expired.

Mr. MOLLOHAN. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 86 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk designated as No. 86 in the CONGRESSIONAL RECORD.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 86 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''National Aeronautics and Space Administration—Cross Agency Support'' shall be available for the Innovative Science Learning Center of ScienceSouth, Florence, South Carolina, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally-designated items) are hereby reduced by $500,000.

The CHAIR. Pursuant to House Resolution 552, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment would remove $500,000 funding for the Innovative Science Learning Center at ScienceSouth in Florence, South Carolina, and reduce the overall cost of the bill by a commensurate amount.

According to its Web site, ScienceSouth is a nonprofit institution established in 2000 by educators and business leaders and seeks to advance scientific understanding and increase the competitiveness of future generations.

ScienceSouth offers programming for schools and families, as well as summer camp sessions, and currently offers hands-on science workshops at its newly opened ScienceSouth pavilion.

Additionally, ScienceSouth is planning to open a new permanent facility. It's unclear whether the Innovative Science Learning Center is connected to this. There's no mention of it in the ScienceSouth Web site, and my staff was unable to find any information on the center online. This project is likely connected to the growth of this institution. Perhaps we'll have clarification here.

Mr. Chairman, I agree with the sponsor of the project that ScienceSouth appears to offer a valuable service to the community. I appreciate efforts to make learning fun for families. I applaud ScienceSouth's decision to expand.

However, I have to question how essential it is that ScienceSouth receive Federal funding. According to the Web site, ScienceSouth counts DeLoitte and Touche, I guess, Honda, Wachovia, AT&T, Bank of America and many other as its sponsors. It's also received funding from the State legislature, and holds an annual gala to raise funds from private donors. Yet year after year, we see earmarks such as these approved by the House; and year after year, some of us try to come to the floor of this House and ask why. Why do we continue to fund these projects?

We're often told that we're trying to wean them off Federal funding. Yet, that weaning never seems to be accomplished.

This year I'd also like to draw attention to the fact that earmarks like this exist because we have a pretty powerful spoils system. It favors powerful Members of Congress over just about everyone else.

With more than 1,000 earmarks in this bill, a full review and breakdown of earmarks was in tall order. However, you look at just a glance at one earmarked account in this bill, the COPS Law Enforcement and Technology account reveals that Members of the House leadership, appropriators, committee chairmen and ranking members are taking home more than 45 percent of the earmarked dollars in that account.

I wish I could say this was the exception to the rule. Unfortunately, it's not.

When you look at last year's Defense spending bill, for example, the same powerful Members took home 54 percent of the total earmarks contained in

the bill. I'd remind my colleagues that this subset of Members comprises only 25 percent of this body.

Mr. Chairman, I often hear that Members know their districts better than those faceless bureaucrats. I would think it would be a tough case to make that only Members of the Appropriations Committee, or only Members who are in leadership positions on both sides of the aisle, they just happen to know their districts a lot better than anybody else, than the rank-and-file Members. Else, why should they get nearly half of the earmarks when they comprise less than a quarter of the body?

I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the gentleman's amendment

The CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from South Carolina, our majority whip, Mr. CLYBURN.

Mr. CLYBURN. Mr. Chairman, I thank Chairman MOLLOHAN for yielding me the time.

Ranking Member WOLF, Mr. FLAKE, Members of the committee, subcommittee and staff, I very seldom come to this floor to make statements. But I do tonight because I consider it to be very, very critical to the education of our young people for us to continue and to expand the partnerships that all of us are trying to develop with the business community in trying to educate our children, most especially, those children who live in disadvantaged or what we call at-risk conditions.

ScienceSouth is a hands-on, minds-on program that many of us have worked a long time to develop.

And I want the gentleman to know that we aren't talking about my district here. We are talking about the I–95 corridor that has been dubbed ''The Corridor of Shame,'' that runs for 200 miles through South Carolina.

One of the partners, as he may have mentioned in his statement, is the city of Dillon. Dillon is not in my district. It is a city made famous by its School District No. 2, on the evening that the President of the United States addressed a joint session here in this room, and he identified a young lady sitting next to his wife, Ty'Sheoma Bethea, and talked about the letter she wrote to him. Ty'Sheoma Bethea is one of the students benefiting from this program, and Dillon is not in my district.

This is not about seeking largesse for the district I represent. This is about educating the children of this great Nation and of my home State.

□ 2320

This program is very, very important, and it has been around for 9 years, and I would like the gentleman to know that this is not anything that we are trying to wean off of. This is something that I wish we had more money to spend on. We cannot put this kind of condition on the education of our children.

Now, I don't understand why it is that we can understand the necessity for repeat expenditures to educate people and not understand why partnerships ought to exist, because students are being born every day. This program is not being maintained for the same students. It is being maintained for students who are being born every day and who are reaching a level every day of benefiting from this program.

So Ty'Sheoma Bethea will go on to college or will go on to university, and I am going to help ensure that she does. There will be others behind her to benefit from this program. So this is not repetition on the same students. This is the repetition of a program that has proven to be very, very beneficial.

In closing, might I say that this program is so important to the business community in South Carolina until Richard Powell recently ended his career at ESAB, which is a global welding and cutting firm, where he held positions of senior vice president of strategic planning, of senior vice president of information technology, vice president of manufacturing, and controller, and he took over the directorship of this program.

This is one of the reasons we exist—to make the quality of life better for those young people, especially those who live along the I–95 corridor that so many of us like to talk of as the ''corridor of shame.'' What we're trying to do with this program is to turn that corridor into an oasis of opportunity for those children.

Mr. FLAKE. Mr. Chairman, there are a lot of commendable education programs, and this is certainly one that is fulfilling its objective.

We are facing a $2 trillion deficit this year alone, and I think it behooves us as Members of Congress to make some choices at some time. I think all of us would love to have money for every worthy project that's out there, but here is a project that is receiving a lot of money from the private sector. I listed off some of the sponsors. They've been able to get large grants from corporations, and that speaks well for this program. Yet it has been around for 9 years, and since 2002, it has received $1.6 million in earmarks from this body.

At what point do we say, ''Enough is enough''? At what point do we say, ''Yes, it is time to wean this program off of Federal dollars''? If not now, when? When we hit a $3 trillion deficit? At what point do we say, ''We're spending too much''? We all know that we have to borrow any money that we spend on any of these programs because we're running a $2 trillion deficit. I would simply submit that we have got to make some cuts somewhere, and we don't seem to be willing to do it anywhere. So, with that, I would urge support of the amendment.

I yield back the balance of my time.

The CHAIR. The gentleman from West Virginia has 15 seconds.

Mr. MOLLOHAN. I yield the gentleman from South Carolina 15 seconds.

Mr. CLYBURN. Mr. Chairman, let me just say to the gentleman that I agree that we must find places to cut, and I have worked very hard on this side of the aisle to do that, but I think it is foolhardy to cut from the education of our children. They are, in fact, our future. This is an investment in the future of our children and of this great country.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 85 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk designated as No. 85 in the CONGRESSIONAL RECORD.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 85 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''National Aeronautics and Space Administration—Cross Agency Support'' shall be available for the Drew University Environmental Science Initiative of Drew University, Madison, New Jersey, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally-designated items) are hereby reduced by $1,000,000.

The CHAIR. Pursuant to House Resolution 552, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair now recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment would remove $1 million for the Environmental Science Initiative at Drew University, and it would lower the cost of the bill by a commensurate amount.

I have nothing against environmental science. I think very highly of the gentleman who has sponsored this earmark, but I do have a problem with handing out these kinds of earmarks to private universities. Drew University is not only a private institution; it also has a reported endowment of more than $268 million. In addition, the university was recently awarded a grant of $950,000 by the Andrew W. Mellon Foundation, a grant that was for the establishment of the new Environmental Studies and Sustainability major at the school. This is according to the university's Web site.

I applaud Drew University. It speaks highly of the university that it was

able to secure a grant from a foundation like the Mellon Foundation. Yet it's curious, in light of this grant, that Drew University should receive a $1 million earmark for what the sponsor said is the development of new environmental studies courses for the construction and improvement of science laboratories.

It sounds to me like this new course of study at Drew University not only got a $1 million grant from the foundation for the new major but that it is also getting a $1 million grant from the taxpayers as well. I'm sure the curriculum Drew offers is competitive and noteworthy, but so are the curricula of many universities across the country.

Mr. Chairman, there has been increasing attention paid to earmarks for private companies. What do we do about earmarks to private universities that have demonstrated their ability to secure generous grants from prestigious foundations? Why do the Federal taxpayers have to provide funding as well?

Drew University has the benefit of relationships with influential Members of Congress, obviously; but does that justify this kind of earmark?

As I mentioned, there is a bit of a spoil system here. I mentioned the CJS spending bill overall. When you look at simply one program, again, like the COPS grant, it contains nearly $123 million in earmarked funds. Powerful Members of Congress, appropriators, leadership, and committee chairs and ranking members are taking home more than $55 million of that. That represents 45 percent of the total dollars earmarked. Yet I would remind my colleagues again that this subset of Members comprises only 25 percent of this legislative body.

I would submit that the taxpayers have already had an education. We've received an education in Congress' wasteful earmarking ways. We don't need to subsidize a private university in this manner. I urge support of the amendment.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise to claim time in opposition to the amendment.

The CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, personally, I believe that we do need to rein in excessive government spending and promote fiscal discipline, and I've been heavily involved in that.

With that said, I want to thank you, Representative FLAKE, for bringing this very important project to everyone's attention. I know we can all agree on the importance of math and science education. Throughout my career in county, in State and now in Washington, I've been a strong proponent of instilling an interest in STEM education in our young people so that they may tackle our country's and our planet's most pressing issues.

The Drew University Environmental Science Initiative—and Drew is located in Madison, New Jersey—fits perfectly in line with this goal of advancing science education. This program benefits Drew's undergraduate students, and it assists Drew in expanding its partnership with local elementary, middle and high schools. Many speakers had come to the floor earlier, saying, you know, How are we going to meet the challenges of China and India?

One of the ways you meet the challenges of China and India with regard to their educational systems is to make sure that there are colleges and universities that are doing what they can to graduate students who are heavily involved in math and science studies.

I strongly share Drew's belief that, in order to confront tomorrow's environmental challenges, we must capture the interest and imagination of our Nation's youth early in education, and Drew does this.

□ 2330

I'd also add that this project, this science initiative, like all others proposed for funding, has been thoroughly vetted and completely transparent.

And may I add, unlike the gentleman's home State of Arizona, which ranks 21st in the Nation in tax dollars returned from Washington, my home State of New Jersey ranks 50 out of 50, dead last. So, quite honestly, I don't apologize for looking after my State, my public and private universities, because we want the best of America to be well educated, and I think the investments we're making in science, math, technology, and engineering in New Jersey and colleges and universities across the country is money well spent.

Mr. Chairman, I reserve the balance of my time.

Mr. FLAKE. Mr. Chairman, again I would say if we're not going to cut spending here, where are we going to do it? If we can't say that we are not going to give a million dollar grant to a private university that just received a million dollar grant, or close to, from the Mellon Foundation for an almost identical purpose, a private university that has an endowment of $268 million while we have a public debt of about $11 trillion and a deficit this year of $2 trillion, if we can't decide that we are not going to give a million dollar earmark in this manner, where are we going to cut? When are we going to say enough is enough? We're spending too much.

So I commend those who are looking for ways to save, but I have to remain a little skeptical if we can't do away with programs like this, with earmarks like this.

With that, I urge support of the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 91 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk designated as No. 91 in the CONGRESSIONAL RECORD.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 91 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''National Oceanic and Atmospheric Administration—Operations, Research, and Facilities'' shall be available for the Science Education Through Exploration project of the JASON Project, Ashburn, Virginia, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally-designated items) are hereby reduced by $4,000,000.

The CHAIR. Pursuant to House Resolution 552, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment would strike a $4 million earmark for the JASON Project and lower the overall cost of the bill by a commensurate amount.

The JASON Project was founded in 1989. It's been around for 18 years. According to their Web site, the purpose of the organization is to design science curriculum for fifth- to eighth-grade classrooms.

We all know that science is important for any child's education, and if local schools wish to supplement their science curriculum with the services provided by the JASON Project, I believe they certainly should have that choice.

However, this earmark is going to the JASON Project organization, not to the schools who wish to purchase its products. This $4 million earmark is one of the largest in this year's CJS bill, and I remain unconvinced that JASON is so desperately in need of Federal funding.

In 1995 JASON became a subsidiary of National Geographic, one of the world's largest nonprofit science and educational organizations. In addition to the funding it receives from National Geographic, JASON is also partners with NASA and the National Oceanic and Atmospheric Administration. The Motorola Foundation, Shell Oil Company, and Microsoft also provide funding for JASON.

Why, with so many resources, does the JASON Project still receive earmarks year after year after year? This

is just the latest year that we have challenged this earmark on the floor, and we're always told it's vital, we've got to have it. Next year, it's vital, we've got to have it. When does the $4 million a year stop?

According to the JASON Project, support from all of these groups enables the organization to offer its educational resources online for free. However, all of JASON's curriculum materials must be purchased, costing schools $788 for a classroom pack and about $2,500 for a school pack. In 2007 the JASON Project was the recipient of a $2.2 million earmark. Last year JASON received $5.6 million from the Federal Government.

The JASON Project has been so effective in securing money that its Web site offers tips for teachers in securing funds from local entities in order to buy JASON products. So here's what they offer: They offer tips to teachers to go out and secure funds from local entities in order to buy JASON products.

If the JASON Project can't continue its operations without Federal funds after 18 years, I think you have to question its effectiveness. We have to stop funding projects like this year after year after year.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I rise to claim the time in opposition to the gentleman's amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I yield 3 minutes to the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. I thank the gentleman for yielding, and I want to thank Chairman MOLLOHAN for his outstanding leadership as chairman of the Subcommittee on Commerce, Justice, Science.

Mr. Chairman, I rise in opposition to the Flake amendment to strike funding from the Commerce, Justice, Science Appropriations bill for the JASON Project. And I, again, do want to thank Chairman MOLLOHAN in particular for his unwavering support of this important program, which ultimately results in its being a public-private partnership, which, I think, is a great example of how to invest in education.

The JASON Project was first created by Dr. Bob Ballard. Many of you may remember Dr. Ballard was the famed underwater explorer who found the Titanic. And Dr. Ballard has a real passion for children in educating the next generation.

I've had the opportunity to work with Dr. Ballard at the University of Rhode Island on science education initiatives, and I am grateful for his work to establish the JASON Project and for his dedication to training and inspiring future scientists.

As Congress addresses today's economic challenges, we must be vigilant in giving our future generation the tools that they need to succeed. The gentleman from Arizona noted the deficit that our country faces. Well, how are we going to get out of our deficit and ensure that we are creating wealth for the future, that we are creating prosperity for our country if we don't invest in our young people, if we don't invest in our future? That's what the science, technology, engineering, and mathematics programs in particular do. They make sure that we are educating our young people who are going to be the job creators, the problem solvers, the innovators of tomorrow. We're investing in our young people.

STEM education has become a common theme during this debate tonight, and the JASON Project focuses on just that. Since 1989 the JASON curriculum, which is a free curriculum, has been distributed to over 7 million students and teachers. JASON fosters critical thinking and problem-solving while engaging students in real hands-on science, helping them understand complex scientific concepts.

I urge Members to vote ''no'' on this amendment and support funding to encourage and inspire our next generation of critical thinkers by supporting the JASON Project.

Again I want to thank Chairman MOLLOHAN for his unwavering support of this vitally important program.

Mr. MOLLOHAN. I thank the gentleman from Rhode Island.

Mr. Chairman, I thank the gentleman from Arizona for the opportunity to stand up and speak about and in favor of the JASON Project.

For those who might not know, the JASON Project is a powerful education program, as Mr. LANGEVIN just described, promoting hands-on learning, science learning, that connects primarily fifth-grade and eighth-grade students and their teachers with great explorers, scientists, role models, cutting-edge research.

This subcommittee, Mr. Chairman, held a number of hearings on science education. It's a topic of great concern for the subcommittee as we fund the National Science Foundation and NASA and NOAA, all agencies that have wonderful science programs, and they also have an education mission.

□ 2340

So we sponsored these hearings to try to determine what is the best educational experience, how do we effectively promote science education among our youth, a challenge that is difficult to me.

The subcommittee heard from Dr. Harold Pratt, former president of the National Science Teachers Association, and Bill Nye the Science Guy—if Members on the floor don't know who he is, their children certainly do—underscores the critical need for science education programs, such as the JASON Project, to attract America's youth to science disciplines and to better equip our teachers through professional development.

Both of our witnesses agree that the struggle to attract and to retain students to science begins early, begins in elementary school, and that the preparation and education of science teachers is one of the most important elements in that recruitment. The JASON Program, which was founded in 1989 by Dr. Robert Ballard, who discovered the Titanic, has helped inspire and motivate more than 7 million students and teachers to become more proficient in science. And I can't think of a program that has a better return on investment than one that has reached so many and that has such a profound impact on America's innovation and competitiveness in the long run.

It does one other thing, Mr. Chairman: It promotes the private-public partnerships that the gentleman, who is the author of the amendment, frequently alludes to. It's a wonderful program. It serves the Nation. And I urge a ''no'' vote on the amendment.

I yield back the balance of my time.

Mr. FLAKE. Mr. Chairman, we talk a lot about investment here. And it seems that when we want to spend money that we don't have, we call it an investment and assume everybody is going to be okay with it. We've invested so much that we have a $2 trillion deficit now. We've got to stop investing, spending, whatever you want to call it, if we want to get out of this deficit; and this seems a perfect place to start.

The Member mentioned that this is money well spent, that it's a great return on investment. I'll tell you what was a great return on investment. Over the past decade, the JASON Project has spent about $1 million lobbying the Federal Government, in most cases, I think, lobbying for earmarks like this. For that $1 million, they've invested in lobbying this body. They've received tens of millions of dollars in earmarks. That's a pretty good investment, if you ask me; but it's nothing that we ought to just be proud of taking part in. At some point we've got to say, hey, there are a lot of private organizations that are helping this organization. At some point they need to be weaned off of Federal dollars. I would submit that $4 million in an earmark this year, when we have a deficit of $2 trillion, is simply too much. If we're not going to stand up here on this, again, I have to ask, when are we going to stand up and start paring down this deficit? It's amazing that we just don't see a real commitment here in this body at this time to actually take control of Federal spending. It's unfortunate we're not seeing it on this earmark, from the sounds of it; but I'd like to urge support of it. Maybe now is the time that we'll stand up and say, Enough is enough. I urge support of the amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 84 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk, designated as amendment No. 84 in the CONGRESSIONAL RECORD.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 84 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds provided in this Act under the heading ''National Oceanic and Atmospheric Administration—Operations, Research, and Facilities'' shall be available for the Institute for Seafood Studies project of the Nicholls State University Department of Biological Sciences, Thibodaux, Louisiana, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally-designated items) are hereby reduced by $325,000.

The CHAIR. Pursuant to House Resolution 552, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Thank you, Mr. Chairman.

This amendment would remove $325,000 in funding for the Institute for Seafood Studies at the Nicholls State University Department of Biological Sciences in Thibodaux, Louisiana, and reduce the overall cost of the bill by a commensurate amount. It's my understanding that this money would be used to fund the creation of an Institute for Seafood Studies with the purpose of increasing and coordinating research related to sustainable fisheries and the seafood industry.

Mr. Chairman, it would seem that we're developing a trend in the House, funding seafood earmarks. It seems a little fishy to me. We keep coming up with—there are lobster things, there are shrimp things, there are a lot of seafood things here in the bill, and then we never seem to be offsetting this spending anywhere else. It's just another earmark for this or for that or for this or for that.

Every year we approve earmarks for projects associated with lobsters, like I mentioned, crabs, mussels, oysters, whales, salmon, horseshoe crabs, trout, shrimp. The list goes on and on and on. And now we are going to approve an earmark that creates an institute, literally, to study seafood. It's not enough to fund all of these other things. Now we have to create an institute to study seafood. And I would venture a guess that we'll be back here next year with another earmark for that same program because now that we have an institute created by the Federal Government through an earmark, then who is going to sustain it but the Federal Government with another earmark and earmarks in perpetuity?

This earmark is only one of a thousand earmarks in this bill. As I mentioned, this is another example of where we always hear that Members know their districts best, but when you look at the earmarks funded in this legislation, you see the same spoils system that we see elsewhere.

Again, I have to ask, does an appropriator or does a member of the leadership or a ranking member or a chairman of the committee just happen to know his district that much better than a rank-and-file Member, that they should receive almost double in dollar amount and in number of the earmarks that are proffered by this institution? That sounds fishy to me as well.

We often get high-minded about, you know, we have to stand up for the prerogatives of the House and that we keep our ability to earmark because we know better than those faceless bureaucrats. But why do only some of the Members here know better? And it always seems to me that it is the same Members again and again.

With that, I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I yield 5 minutes to the distinguished Member from Louisiana (Mr. MELANCON).

Mr. MELANCON. I thank my friend.

I thank Mr. FLAKE for his leadership on the issues of fiscal responsibility. As a Blue Dog Democrat, I appreciate the importance of fiscal responsibility; and getting our fiscal house in order is the best way to come out of this recession quickly, a recession caused by 8 years of irresponsible spending. And I am aware that my friend was one of the few people that continued to hawk his side of the aisle.

Part of fiscal responsibility is the need for legislators to prioritize spending, spending on projects that improve our constituents' safety, health and their livelihood. This institute will be working toward developing standards and guidelines for seafood safety as well as methods to advance sustainable fishing practices. In fact, this project dovetails nicely with the work being done in Energy and Commerce as we speak regarding the food safety bill and the issues that confront us. The rash of food-related illnesses and the deaths in the past few years highlight the vulnerability of our country and what we face from unsafe food sources and imports.

Louisiana is the number one producer in the continental United States of the most valuable commercial shellfish and finfish species, providing about one-third of the Nation's commercial seafood species. Our working coast sends fresh seafood around the country, including States in the West like Arizona. I remember spending one Mardi Gras week in meetings in Phoenix and enjoyed fresh crawfish from Louisiana in Arizona restaurants. And that was because of the fact that our people in Louisiana try to bring the freshest and the best to the rest of the country.

So it's imperative that we have the ability to ensure that this valuable resource be kept safe and sustainable.

□ 2350

Why should we be using taxpayer funds? The seafood industry in Louisiana—and in many parts of the country, not just Louisiana—is a conglomerate of many small, single-owner businesses. Sometimes a member of the industry owns a single boat, and that is part of the industry that we know in south Louisiana along the entire gulf coast. And if you go throughout the fishing industry in the United States, you will find that does not differ a lot.

Many beneficial domestic policies have strong, positive impacts on all of our constituents. In the case of food safety and sustainability, all of our constituents—regardless of whether they're from the north, the west, the south, the east, middle-America—share in the peace of mind that they can feed their families with clean, healthy, safe food. While those benefits are shared by all, it makes sense that the costs be shared as well.

This project that we're discussing today focuses funding on food safety and sustainability in the location that produces a large portion of the Nation's seafood. By prioritizing the funding of the Institute for Seafood Studies at Nicholls State University, we are responsibly investing in a food supply that we can all enjoy. This is not just a Nicholls State University, a Third Louisiana District, a south Louisiana thing. This is about safe seafood, whether it's shrimp, whether it's fin fish, regardless. It's about the study and the making sure that the products that are delivered to America are safe for the people to consume.

With that, I urge a ''no'' vote on this amendment and hope that the Congress of the United States will recognize the importance of the working coast. We're not the Sun Coast, we are not the Sand Coast, we are not the Condominium Coast. We are the coast of the United States that produces over 30 percent of the seafood, and good quality, safe seafood that we hope to preserve.

Mr. FLAKE. Mr. Chairman, may I ask for the time remaining.

The CHAIR. The gentleman has 2 minutes remaining.

Mr. FLAKE. First, this is the last amendment tonight. I want to thank the Members for staying around this long. I know their time is more valuable than mine, and I appreciate your indulgence here on this important process, and I apologize for keeping people this long, particularly those who came to defend their projects.

The Member mentioned that it's important that we think of the little guys here. The last time I checked, we have an $11 trillion debt. That amounts to about $36,000 per American, per person; for a family of four, obviously it's

much bigger than that. It's time we start looking out for them.

If we look at this bill itself, CJS, it's 12 percent bigger than it was last year. In the year that we're running record deficits every year, we're expanding this bill by 12 percent.

I appreciate what the Member said about the last 8 years. We missed a historic opportunity as Republicans to actually rein in spending. We didn't do it, to our eternal shame, and that's part of the reason we're smack dab in the minority today. We put ourselves on a course toward a fiscal cliff.

But now we're still headed toward that fiscal cliff. And with bills like this that cost 12 percent more than last year, we've stepped on the accelerator. Why are we doing that? And if we can't stop creating new institutes to study seafood or anything else, then where are we going to cut? Where is the fiscal responsibility that we keep hearing about that's being employed? I just can't see it here.

And like I said, we're creating a new institute here, a new institute that will now be reliant, I'm sure—I will bet just about anything that we will be back next year with another earmark for that same seafood institute that we just created because we've just got to keep it going now. And that will just add more to the deficit. Remember, we have to spend more every year.

I urge support of the amendment.

With that, I yield back the balance of my time.

The CHAIR. The gentleman from West Virginia has 1 minute remaining.

Mr. MOLLOHAN. I just wanted to mention to the gentleman from Arizona that I don't know if it's making him feel any better about the 12-percent increase in the bill, which he accurately notes, but approximately 7 percent of that—maybe a little more than 7 percent of that is the increase in Census, about $4 billion to prepare for the 2010 census. It's an unusual increase, and it is directly related to the census and would be a short-term funding increase for that.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. I just want to take this occasion to express my sympathy to the gentleman on his loss this evening. I'm not talking about anything that happened here on the floor, but I understand he was a victim in a 15–10 drubbing of the Republicans in the congressional baseball game by the Democrats. And I understand that despite the fact that the gentleman hit a triple, alas it was in a losing cause. We know how you feel. We've felt it many times in the last decade.

Mr. FLAKE. Will the gentleman yield?

Mr. OBEY. Yes.

Mr. FLAKE. I thank the gentleman not at all for bringing that up. I had hoped to improve my batting average by coming to the floor tonight, and it doesn't seem that I have. So I will have to settle for the one triple.

Mr. MOLLOHAN. Will the gentleman yield?

Mr. OBEY. Surely.

Mr. MOLLOHAN. I just wanted to tell the gentleman from Arizona that learning that makes us all feel, on this side of the aisle, better about waiting for him tonight.

Mr. OBEY. I yield back.

Mr. MOLLOHAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. OBEY) having assumed the chair, Mr. ALTMIRE, Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes, had come to no resolution thereon.

ADJUSTMENT TO THE BUDGET ALLOCATIONS FOR THE HOUSE COMMITTEE ON APPROPRIATIONS FOR EACH OF THE FISCAL YEARS 2009 AND 2010

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. SPRATT) is recognized for 5 minutes.

Mr. SPRATT. Mr. Speaker, under section 423(a)(1) of S. Con. Res. 13, the concurrent resolution on the budget for fiscal year 2010, I hereby submit for printing in the CONGRESSIONAL RECORD an adjustment to the budget allocations for the Committee on Appropriations for each of the fiscal years 2009 and 2010. Section 423(a)(1) of S. Con. Res. 13 permits the chairman of the Committee on the Budget to adjust discretionary spending limits for overseas deployments and other activities when these activities are so designated. Such a designation is included in the bill H.R. 2892, Making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes. Corresponding tables are attached.

This adjustment is filed for the purposes of section 302 of the Congressional Budget Act of 1974, as amended. For the purposes of the Congressional Budget Act of 1974, as amended, this adjusted allocation is to be considered as an allocation included in the budget resolution, pursuant to section 427(b) of S. Con. Res. 13.

DISCRETIONARY APPROPRIATIONS—APPROPRIATIONS COMMITTEE 302(a) ALLOCATION

[In millions of dollars]

	BA	OT
Current allocation:		
Fiscal Year 2009	1,482,201	1,247,872
Fiscal Year 2010	1,086,418	1,306,420
Changes for overseas deployment and other activities designations: H.R. 2892 (Appropriations for Homeland Security):		
Fiscal Year 2009	0	0
Fiscal Year 2010	242	194
Revised allocation:		
Fiscal Year 2009	1,482,201	1,247,872
Fiscal Year 2010	1,086,660	1,306,614

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. BACHMANN (at the request of Mr. BOEHNER) for today and the balance of the week on account of the serious illness of her stepmother.

Mr. BONNER (at the request of Mr. BOEHNER) for June 16 until 4 p.m. on account of attending events with Alabama's Governor and other elected leaders to recruit significant economic development projects for the First District of Alabama.

Mr. YOUNG of Florida (at the request of Mr. BOEHNER) for today until 4 p.m. on account of illness in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. ALTMIRE) to revise and extend their remarks and include extraneous material:)

Mr. SPRATT, for 5 minutes, today.

(The following Members (at the request of Mr. FLAKE) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, June 23 and 24.

Mr. JONES, for 5 minutes, June 23 and 24.

Mr. MORAN of Kansas, for 5 minutes, June 23 and 24.

ADJOURNMENT

Mr. ALTMIRE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 59 minutes p.m.), the House adjourned until tomorrow, Thursday, June 18, 2009, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2245. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — South American Cactus Moth; Quarantine and Regulations [Docket No.: APHIS-