There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

The motion was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

Messrs. VISCLOSKY, EDWARDS of Texas, PASTOR, BERRY, FATTAH, ISRAEL, RYAN of Ohio, OLVER, DAVIS of Tennessee, SALAZAR, OBEY, FRELINGHUYSEN, WAMP, SIMPSON, REHBERG, CALVERT, ALEXANDER, and LEWIS of California.

There was no objection.

□ 1000

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. The unfinished business is the vote on adoption of House Resolution 772, 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.

The vote was taken by electronic device, and there were—yeas 209, nays 189, not voting 34, as follows:

[Roll No. 738]

YEAS—209

Adler (NJ)
Altmire
Andrews
Arcuri
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Cleaver
Clyburn
Cohen
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Edwards (TX)
Ellison
Ellsworth
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Himes
Hinchey
Hirono
Hodes
Holden
Honda
Hoyer
Inslee
Jackson (IL)
Johnson (GA)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Larsen (WA)
Larson (CT)
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Perlmutter
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schwartz
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—189

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Baird
Barrett (SC)
Bartlett
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonner
Bono Mack
Boozman
Boustany
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Clarke
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Driehaus
Duncan
Edwards (MD)
Ehlers
Emerson
Fallin
Flake
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Holt
Hunter
Inglis
Jackson-Lee (TX)
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kratovil
Kucinich
Lamborn
Lance
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy (NY)
Murphy, Tim
Myrick
Nadler (NY)
Neugebauer
Nye
Olson
Paul
Paulsen
Payne
Pence
Perriello
Petri
Pitts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schock
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Taylor
Teague
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (FL)

NOT VOTING—34

Abercrombie
Ackerman
Baca
Blunt
Capuano
Cardoza
Clay
Conyers
Culberson
Delahunt
Doyle
Engel
Fleming
Graves
Higgins
Hill
Hinojosa
Israel
Issa
Johnson, E. B.
Jones
Langevin
Loebsack
Meek (FL)
Mica
Nunes
Platts
Schmidt
Schrader
Scott (GA)
Speier
Sullivan
Waters
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1027

Messrs. OLSON, TIM MURPHY of Pennsylvania, NADLER of New York, SCOTT of Virginia, PAYNE, HOLT, Ms. EDWARDS of Maryland, Ms. LEE of California, Ms. JACKSON-LEE of Texas changed their vote from ''yea'' to ''nay.''

So the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. ABERCROMBIE. Madam Speaker, I regret that I missed rollcall vote No. 738. Had I been present, I would have voted "yea."

Stated against:

Mr. BRADY of Texas. Madam Speaker, it was my intention to vote against adoption of H. Res 772, a rule waiving points of order against consideration of the Conference Report to accompany H.R. 2918, Legislative Branch Appropriations and Continuing Resolution. I inadvertently recorded a "yea" vote.

□ 1030

CONFERENCE REPORT ON H.R. 2918, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2010

Ms. WASSERMAN SCHULTZ. Madam Speaker, pursuant to House Resolution 772, I call up the conference report on the bill (H.R. 2918) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2010, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 772, the conference report is considered read.

(For conference report and statement, see proceedings of the House of September 24, 2009, at page H9924.)

The SPEAKER pro tempore. The gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) and the gentleman from Alabama (Mr. ADERHOLT) each will control 30 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. WASSERMAN SCHULTZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include tabular and extraneous material on the conference report to accompany H.R. 2918.

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

There was no objection.

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

Madam Speaker, the conference agreement which we present to the House today for the fiscal year 2010 Legislative Branch Appropriations bill authorizes a total of $4.6 billion for the operations of the House and the Senate and for the operating budgets of the legislative branch support agencies. The overall amount is $254 million above the 2009 enacted level and $500 million below the request. The net increase over the enacted level is 3.5 percent.

This is the first freestanding conference agreement for the Legislative Branch bill since 2005, and the first since I became Chair of the subcommittee. I am pleased to report that the agreement preserves all of the priorities of the House, and that the Legislative Branch bill is on time and under budget. Madam Speaker, this package was developed in full cooperation with the minority and represents a fully bipartisan agreement.

The principal responsibility of our subcommittee is to serve as stewards of the legislative branch, its institutions, and its employees. In fulfilling these goals, the 2010 Legislative Branch bill provides funding for the routine and recurring costs of paying our hard-working staff, maintaining and repairing the buildings in which we work here in Washington and in our districts, securing the Capitol complex from threats, and for the technologies which we depend on to communicate among ourselves and with our constituents.

Key investments in this category include $1.369 billion for the operations of the House. This includes basic pay and benefits for employees as well as a number of technology improvements, including funds to replace the aging electronic voting system in the House Chamber. It includes $328 million for the Capitol Police to protect the Capitol, the Members, and our visitors; $602 million for the Architect of the Capitol to support ongoing operational costs to the Capitol complex and to fund key initiatives to repair and upgrade these facilities; $643 million for the Library of Congress, which is an increase of $36 million over 2009, or 6 percent. This includes $15 million, as requested, to accelerate improvements in the Library's IT infrastructure, the Librarian's top priority for 2010.

Madam Speaker, this bill is about more than just maintaining the status quo; it includes a number of new investments intended to provide for the long-term health of the Congress, and especially for the House of Representatives. It includes important security funding to protect the employees, visitors, and the institution itself. Let's not forget that one of the planes piloted by terrorists on September 11, 2001, was purported to be headed for the Capitol. A few weeks ago, a brave Capitol Police Officer engaged in a shoot-out with an individual brandishing a gun. Last year, a bomb was found in a car confiscated by the Capitol Police in the underground garage of the Government Printing Office. The legislative branch budget may seem trivial and unimportant, but it funds the greatest democratic institutions in the world.

Madam Speaker, the Legislative Branch bill also funds our most important assets: the dedicated employees who staff our offices, committees, and support teams. We have endeavored to provide adequate funds for their compensation and benefits, but must do more if we are to continue to be able to recruit and retain the high-quality workforce which each Member depends upon. I am pleased that this conference agreement retains a House priority—funding for new childcare and tuition assistance programs which are currently being considered by the Committee on House Administration.

We also must take care of and preserve for future generations the grand buildings of the Capitol complex, many of which are aging and badly in need of repair. I am pleased that the conference agreement retains $50 million of the $60 million approved by the House in June to initiate a long-term effort to provide for the revitalization of the iconic buildings of the Capitol complex.

The new House Historic Buildings Revitalization Trust Fund will allow us to spread the cost of very expensive renewal projects, such as the 100-year-old Cannon House Office Building rehabilitation, evenly over the next decade. It allows the Congress to deal with these requirements in a more thoughtful and deliberate way. I am very proud that this bill steps up Congress' effort to deal with its aging infrastructure in a more forward-thinking manner.

Madam Speaker, this conference agreement also includes the fiscal year 2010 continuing resolution. I fully support this action. There are just 5 days until the start of the new fiscal year, and a continuing resolution is necessary to continue basic government services. It is a clean continuing resolution which follows the same pattern used in previous years, in particular, the fiscal year 2007 continuing resolution which was added to the Defense Appropriations bill by our friends on the other side of the aisle when they were in the majority. The only differences that have been added above the current rate are important increased investments in veterans' health care and funding in preparation for the 2010 census.

Before concluding, Madam Speaker, I want to take a minute to thank the minority, particularly my friend and ranking member, Mr. ADERHOLT from Alabama, for their very strong contributions to this conference agreement. I also want to thank my colleagues on the subcommittee, Vice Chairman MIKE HONDA, Representative BETTY MCCOLLUM, Representative TIM RYAN, Representative DUTCH RUPPERSBERGER, Representative CIRO RODRIGUEZ, Representative STEVEN LATOURETTE, and Representative TOM COLE. They all made important contributions to this product, and I truly appreciate their friendship and their effort.

I also want to thank our staff for the work that they have done throughout the year. They have put in long hours and have been very helpful to the Members. This includes Mike Stephens, our subcommittee clerk; Liz Dawson, the minority clerk; Shalanda Young, who has just joined the subcommittee staff; Jenny Kisiah, from the minority; Dave Marroni; and Matt Glassman, from the Congressional Research Service. And I want to thank my own associate staff, Ian Rayder, and the associate staff of all the Members on the subcommittee.

Madam Speaker, I am pleased to present this conference agreement to the House and urge the support of all Members.

Madam Speaker, I reserve the balance of my time.

Mr. ADERHOLT. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I am privileged to have had an opportunity to work this year with the chairman of this subcommittee, Ms. WASSERMAN SCHULTZ. And let me just echo what she was saying about all the staff that has helped on the majority and minority this year in putting this bill together. It is a good bill. We have worked very well together, all the subcommittee members on the minority and the majority side. So I am very happy to report that she has worked in a very open manner through this entire process, been very responsive to the concerns and input of all the members of the subcommittee.

We have worked very closely, and we have worked in a spirit of what I consider real bipartisanship for the needs of the legislative branch. I think it would be fair to say that Ms. WASSERMAN SCHULTZ has actually gone beyond the call of duty to make sure that this has been a fair process, along with all of her staff on the majority side. So I again want to especially thank the majority and the minority staff for all their work in putting this together, because certainly they do great work in making sure that what we need is put before us.

Division A of this conference report represents the efforts of the conferees to bring back to the House an agreement which was comprised in a bipartisanship manner and continues the priorities of the House of Representatives. The conference provides a total of $4.656 billion, which is an increase of $155 million, or 3.4 percent, over fiscal year 2009.

Among the highlights of the agreement are:

$1.369 billion for the House of Representatives. This provides an appropriate level of funding for the Members' representational allowance;

$328.3 million for the Capitol Police. This amount supports the current level of 1,799 officers and completes the Library of Congress Police merger;

$602 million for the Architect of the Capitol. This includes a special emphasis on funding life safety and rehabilitation of critical infrastructure. Also, there is $50 million for a new House Historic Buildings Revitalization Trust Fund to more evenly spread out the cost of repairing and revitalizing the historic icon buildings such as the Cannon House Office Building.

Also included in the bill is $643 million for the Library of Congress. This amount includes $15 million to fund the first year of the Library's 5-year information technology initiative.

There is $147 million for the Government Printing Office. This amount includes $7.8 million to continue the development of the Federal Digital System.

Funds are also provided for additional workforce to meet the congressional demands for the Congressional Budget Office and the Government Accountability Office.

Our conferees did their work and addressed many of the competing priorities and individual agency challenges that come with this particular piece of legislation. I know that the chairman of the committee, Ms. WASSERMAN SCHULTZ, feels as I do, that it is nice to have this piece of legislation behind us so that we can move forward. We have been working on this legislation since the very first part of the year, and I know it will be a great birthday present for the chairman, as she celebrates her birthday this weekend, to have this bill behind us. But I am very thankful for the work that we have put in together.

That being said, I think it is important that I stress the point that I am disappointed that the process has brought us to where we are on this Legislative Branch Appropriations bill because it has turned out to be the vehicle for the continuing resolution. This is simply not a reasonable or responsible kind of governing that our constituents sent us here to Washington to do.

As the ranking member of the Legislative Branch Subcommittee, I believe, of course, this bill is very important; but moving this bill forward first, even before Homeland Security and the security of the Nation, is not the proper way to prioritize funding or to meet the critical needs that face the American people.

Madam Speaker, we need a clean continuing resolution and a clean Legislative Branch Appropriations bill, which is what this committee was prepared to do. And while I support the underlying bill and the underlying work that is in this bill, I regret that because of the attachment of the continuing resolution to this conference report I am unable to support this agreement in the House this morning.

Madam Speaker, I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Madam Speaker, at this time, I will continue to reserve.

Mr. ADERHOLT. Madam Speaker, I yield such time as he may consume to the distinguished gentleman from California (Mr. LEWIS), the ranking member of the full committee.

(Mr. LEWIS of California asked and was given permission to revise and extend his remarks.)

Mr. LEWIS of California. Thank you very much, Mr. ADERHOLT.

I want to congratulate both Ms. WASSERMAN SCHULTZ and my colleague for a fabulous job on their bill working together.

I know that the House realizes that I have serious reservations about some of the procedure involving this bill, but because of the fact that we discussed so much of that on the rule, I choose to submit the balance of my statement for the RECORD and revise and extend my remarks.

Madam Speaker, the House finds itself in a peculiar place today. I'm probably not the only Member in this body surprised by the fact that the majority leadership is putting the budget for the Legislative Branch ahead of the budget for our homeland security, our veterans, and our national defense.

Indeed, many Members on both sides of the aisle are scratching their heads over the fact that the Legislative Branch funding bill has been hijacked by adding to it a 4-week continuing resolution. The CR is necessary because of the absence of any approved spending bills for the fiscal year that begins less than a week from now.

Attaching the CR to the Legislative Branch bill makes a mockery of the legislative process. It's not the CR that I object to but rather that it's being attached to legislation funding the internal operations of Congress rather than higher priority legislation that is ready to go.

Members who are concerned about approving their staff's budget before approving budgets for our veterans, our troops, or the homeland are left with a dilemma of the leadership's making. House Members are faced with the Hobson's choice of either approving their own budget or shutting down the government. Nothing could be more cynical.

To say the least, this is a most unusual precedent. The bipartisan staff of the Homeland Security subcommittee has been working day and night and weekends since August preparing its conference report. My understanding is that the Homeland Security conference report is ready to go. Any remaining issues can and should be resolved at an open conference involving Members and Senators. The whole point of convening a conference committee is to reconcile differences between the bodies.

And yet, even as our law enforcement officials investigate a potential terrorist threat in New York City and Denver, the budget for protecting our homeland has been put on a shelf. How can this Congress possibly justify providing funds for its own use and give less priority to protecting our homeland? I don't get it.

In this case, to put congressional staff salaries ahead of medical care for Veterans, ahead of funding for law enforcement and homeland security, ahead of funding for our troops—is a signal to me that this Congress has its priorities out of order.

Lastly, it's astonishing to me that several commonsense amendments were defeated on straight party-line votes during yesterday's conference committee meeting. The distinction between the Republican and Democrat positions on these issues could not be clearer.

House Republicans believe that the scandal-plagued organization known as ACORN should be denied funding through the next fiscal year because of recently disclosed efforts, caught on videotape, proposing the use of taxpayer dollars to support prostitution. Mr. ADERHOLT offered an amendment to deny ACORN funding for 1 year. Chairman OBEY and his colleagues voted against the amendment.

House Republicans believe that terrorists captured in the field should not be afforded the same rights as American citizens and therefore should not receive "Miranda Rights." I joined with my colleagues to offer an amendment to deny terrorists these rights. Again, Chairman OBEY and his colleagues voted against the amendment.

House Republicans believe that TARP funds should not continue to be used to bail out banks and other financial institutions even after existing loans have been paid back to the government. Congressman COLE offered an amendment to stop TARP from becoming a permanent, reusable, $700 billion slush fund for private corporations. Again, Chairman OBEY and his colleagues voted against the amendment.

The priorities of this House majority leadership are clearly misplaced and out of the mainstream where most Americans work and live. I feel badly for Ms. WASSERMAN-SCHULTZ and Mr. ADERHOLT, and their fine staff, for they have worked very well together this year. I want to commend both of them for their work and extend my sympathy for the shameful manner in which their conference report is being brought to the floor today.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I yield such time as he may consume to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. I thank the gentlewoman for the time.

Madam Speaker, our principal obligation on this bill is simply to keep the government open. We've got enough problems in the economy right now without adding to people's uncertainty. We had concluded that the least disruptive way to do that and the way with the least delay was to attach this continuing resolution to the one appropriation bill that was ready to be conferenced, the Legislative Branch Appropriation bill.

This is a relatively straightforward and unadorned CR. As far as funding levels are concerned, we are simply allowing agencies to continue fiscal 2009 levels, with three exceptions:

First, we are following the House's lead when it voted 388–32 to allow the postal service to cover a budget shortfall by postponing a payment intended to prefund its retiree health benefits;

Second, we're funding the census at a somewhat higher rate to allow it to ramp up activities so the 2010 census can proceed. The calendar is not going to change to suit congressional convenience;

Third, we are providing additional funding for the Veterans Health Administration. The VA expects to treat

over 6 million patients in 2010, including almost 420,000 veterans of Iraq and Afghanistan.

□ 1045

The CR also extends a number of authorizations that would otherwise expire: transportation programs, child nutrition, stop-loss payments to our troops, E-Verify, and various other programs.

So, as I said, this is a relatively routine CR which keeps the government open for the next 30 days.

Outside of those items, we make no policy judgments. We change no existing policy except that, in accordance with the House vote last week, we also say no more funds for this 30-day period for ACORN. There have been some objections by the minority to this process. They claim it is procedurally outrageous because we are attaching the continuing resolution to a specific appropriations subcommittee bill. This is certainly not out of the ordinary.

In fact, in September of 2006, our friends on the other side of the aisle, when they controlled this House, attached the continuing resolution to the defense bill. I have the roll call on that if anyone cares to take a look at it. If you do, you would find out there were only two Members of the other party who voted against it, and in the Senate, the vote was 100 to nothing in support of it.

So there is no difference in what we are doing today, but there is a difference in how we do it. We are up front with what we are doing. We included this action in the conference notes, and voted on it in the conference. That was certainly not the case in 2006 when the action of adding the CR was not flagged or noticed in any way during the conference or in the conference notes. I have a copy of those conference notes here if anyone wishes to see them. So the action that was taken then was simply taken after the fact in contrast to our doing it up front and in full view. So I believe that, in comparison to that, this action is, certainly, totally transparent.

Now I need to take this opportunity to note one other point: Until last night, we were not in a position to move other appropriations bills because of a dispute between the House and the Senate over how to deal with for-profit earmarks. As I think the membership knows, we have put in place in the last few years significant reforms to the earmark process. When we took over control of the Congress in 2007, we put in place a moratorium on earmarks for that year until we could reform the process and make it much less susceptible to wasting taxpayers' money. Since then, including this year's bills, we have cut the dollar amount of earmarks by 50 percent. We require every Member to request earmarks publicly, ending the practice of anonymous earmarks in the House, and to certify that they have no financial interest.

This year, we have gone one step further. Recognizing the potential for abuse in sole-source contracting, we have insisted that all House earmarks designated for for-profit entities must undergo a competitive bidding process. We still allow those entities to be named so we can help, for instance, small businesses get a foot in the door so that they can be noticed by Federal agencies, which all too often simply notice people with whom they are familiar in their inside processes, but we nonetheless require that those entities still submit a bid and compete in a fair competition.

The Senate did not do that this year, and up until last night, was objecting to even allowing the House to follow this policy. Last night, we reached an agreement that will allow us to proceed with House earmarks subject to that new policy.

There is still one small area of disagreement that remains. There are a small number of projects, approximately 5 percent, which have been included in both the House and Senate bills. Until last night, the other body was refusing to allow those to be competed. Under the agreement we reached this year and this year only, those projects will be dealt with according to Senate policy. Next year and thereafter, they will be managed by House policy. So they, too, will be subjected to competition next year.

We reached this agreement because the other body insisted that, because they had proceeded all year under their policies, it was too late to change the rules of the game for them. We recognize that changing policies at this point would be a procedural problem for the other body. We do appreciate their agreement that, starting next year, we can all agree on how to handle for-profit projects and that they will be handled in accordance with the House procedures.

This will enable us to now proceed to conference on a number of other appropriations bills which have been passed by the Senate: We have had a motion to go to conference on energy and water. We expect next week, after two small matters are resolved, to also be able to go to conference on the Agriculture bill. We hope that, within a week, we will be able to resolve a few remaining differences on the Homeland Security bill and to also go to conference on that and other bills as the Senate grinds through them in their processes.

So, having reported that to the House, I would simply urge an ''aye'' vote for the legislation before us, and would simply note that, given the calendar, a vote against this proposition would be a vote to shut down the government.

With that, I thank the gentlewoman for the time.

Mr. ADERHOLT. Madam Speaker, I yield 4 minutes to the distinguished gentleman from Kentucky (Mr. ROGERS), who is the ranking member of the Homeland Security subcommittee.

Mr. ROGERS of Kentucky. I thank the gentleman for yielding me the time.

Madam Speaker, I have no problem with the bill that is before us, the Legislative Branch appropriations bill. I think the chairman and the ranking member have done an excellent job with that bill.

However, I have to register my objection to considering the funding bill for Congress and for putting off the bill that funds our homeland security and including it in the continuing resolution.

For almost 7 years, we've had a near-perfect track record of getting the Homeland Security appropriations bill done before funding for the rest of the government. It has taken bipartisan wrangling and compromise, but we've always produced a bill that the President could sign almost unanimously before the other bills.

Why? Because Congress considered the security of the Nation as paramount. This year should be no different.

We've preconferenced the Homeland Security bill with our Senate counterparts. We could produce a bill for the President to sign in a matter of days. Yet the leadership says no. Include Homeland Security in a continuing resolution, and put it off. Instead, first pass funding for the Congress. Our pay is more important than defending our country.

Mr. OBEY. Would the gentleman yield for a question?

Mr. ROGERS of Kentucky. Not at the moment. I will later.

On June 24 of this year, the House wrapped up consideration of the Homeland Security bill, and passed it with 389 votes in this body. Three weeks later, the Senate passed their version of the bill with a near unanimous vote. So it has been more than 2 months since both bills were passed. Since August, staff has been diligently reconciling these two bills, reaching bicameral, bipartisan agreements. We could have produced a finished bill for this body to consider a month ago. Yet leadership refused to allow it to happen.

So I stand here today very concerned, Madam Speaker. There is virtually no excuse to punt this vital security spending bill and to fund the Department of Homeland Security under a continuing resolution. Instead of actually doing our work and fulfilling the security needs of our Nation, we are placing a priority on Congress' own budget, putting Homeland Security spending on ice, taking the next few Mondays and Fridays off, and basically waiting around until October until we get further direction from on high.

That is as indefensible, Madam Speaker, as it is dangerous. The security and safety of our citizens should be our number one priority. Look around you. We face complex cybersecurity challenges, emerging threats from overseas, terrorist cells operating

on our soil, and increasing violence along the southwest border, which is already claiming U.S. lives.

The fiscal 2010 Homeland Security bill will infuse much needed increases to our efforts to bolster our border security, to track down illegal immigrants, to protect our critical infrastructure, to replace the aging Coast Guard fleet, and to improve the preparedness of our first responders.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ADERHOLT. I yield the gentleman an additional 2 minutes.

Mr. ROGERS of Kentucky. Why must our brave Homeland Security professionals wait while we bicker and delay here in the House? Real security demands commitment—commitment from this body and commitment from the Nation's leadership.

I know my subcommittee chairman, DAVID PRICE, and I are ready to finish the work of our bill, and we could do it in a matter of hours, if not days. So I am disgusted, Madam Speaker. I apologize for that, but I think we should reconsider the decision that has been made by leadership to put off funding for the Nation's homeland defense and, instead, to take up funding for this body.

So I will have to vote ''no'' on the bill, although, I think the Legislative appropriations is okay.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I yield 30 seconds to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Madam Speaker, I would simply note, in light of the gentleman from Kentucky's comments, there are at least seven outstanding issues on homeland security that, to my knowledge, have yet to be resolved. One is the border fence. Another is the National Bio and Agricultural Defense Facility. There is an argument about where that's supposed to go. We have the Gitmo issue. We have immigration issues. We have FEMA.

If the gentleman wants to resolve those by agreeing with our position on each of them, I would be happy to see them go to conference right now.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. WASSERMAN SCHULTZ. I yield the gentleman an additional 2 minutes.

Mr. OBEY. The fact is that no one has suggested that they delay the Homeland Security bill in any manner whatsoever. We are noting that there are significant substantive differences. Under the rules of the body, we can't bring a conference bill back to this House until we've reached agreement on all of those differences.

Mr. ROGERS of Kentucky. Will the gentleman yield?

Mr. OBEY. So I think it's patently preposterous to suggest that this bill is being delayed in any way.

The only thing that is delaying it is honest disagreement and, until last night, the disagreement that we had with the Senate which precluded us from bringing up virtually any other bill. Thankfully, that is now gone.

Mr. ROGERS of Kentucky. Will the gentleman yield?

Mr. OBEY. No, I will not. The gentleman would not yield to me. I don't see any reason to yield to him.

Mr. ADERHOLT. I yield the gentleman from Kentucky an additional 2 minutes.

Mr. ROGERS of Kentucky. Well, in response to the distinguished chairman of the Appropriations Committee, if the gentleman would have allowed the Homeland Security conference to proceed—I mean we passed these bills 2 months ago, the House and Senate. We've had 2 months. Yet the gentleman has not allowed conferees to be appointed to consider the Homeland Security bill. In the meantime, staff and Members have been working with our Senate counterparts. We are in agreement. There are no remaining issues. We're ready to go. Ready to go.

□ 1100

Ms. WASSERMAN SCHULTZ. Madam Speaker, I yield myself 1 minute just to point out that with the greatest respect to the gentleman from Kentucky, the Legislative Branch appropriations bill before us being used as a vehicle for the continuing resolution was the most ready to go. There were no outstanding issues at all.

The gentleman from Wisconsin has just indicated a number of issues remaining on the Homeland Security bill. We are 5 days from the end of the fiscal year with an intervening weekend included in those 5 days. It is simply a matter of making sure that we are not shutting the government down.

I appreciate the good work of my colleague, Mr. ADERHOLT, and the members of the minority on getting this bill, the Legislative Branch appropriations bill, in the best possible position to serve as a vehicle to keep the government open.

I reserve the balance of my time.

Mr. ADERHOLT. Madam Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. HENSARLING), who is a senior member of the Budget Committee.

Mr. HENSARLING. I thank the gentleman for yielding.

Madam Speaker, we have a continuing resolution well hidden in a Legislative Branch conference report. Why are we voting on a continuing resolution, Madam Speaker? We are voting on a continuing resolution because this Congress and this President have spent too much money, and now they want more.

Already this President and this Congress have passed into law a $1.1 trillion stimulus plan which, by the way, since it was passed, we have had almost 3 million more join the unemployment ranks, the highest unemployment rate in almost a quarter of a century. But that stimulus plan weighed in at $9,746 per household.

Next this Congress and this President signed into law, passed into law an omnibus costing $410 billion, $3,511 per household.

The bailouts continue. Madam Speaker, another $30 billion for AIG, almost $30 billion for Fannie Mae and Freddie Mac, not to mention $60 billion for GM and Chrysler. The serial bailouts continue.

What has all this spending brought us, Madam Speaker? It has brought us the Nation's first, first trillion-dollar deficit, and a deficit that increased 10 fold, 10 fold, in just 2 years.

On top of this now the President and the Congress want a $3.6 trillion budget and a trillion-dollar nationalized health care plan that we cannot afford, meaning that the national debt will triple, triple in the next 10 years.

Madam Speaker, under this spending plan, we are borrowing 43 cents on the dollar, mainly from the Chinese, and sending the bill to our children. If the spending, if the borrowing, if the deficits do not stop, this will be a Congress that will ensure that it's just a matter of time before the Chinese initiate foreclosure proceedings on our Nation.

We cannot let that stand.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Madam Speaker, what we just heard came from a Member of the then-majority party, which turned $6 trillion in inherited projected surpluses into a $2 trillion deficit. We heard that from a Member of the party that provided $2 trillion in tax cuts primarily aimed at the wealthiest people in the country, all paid for with borrowed money, from the same folks who gave us almost $1 trillion in spending on the most ill advised war in the country's history, also paid for with borrowed money.

They ran the country's economy into the ditch with record collapse of consumer spending and record collapse of unemployment. Then they are now complaining when Mr. Obama and the majority party are now trying to pull the country out of the ditch.

Someone else can take that seriously if they want, but I won't be one of them.

Mr. ADERHOLT. Madam Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. NEUGEBAUER), who is a senior member of the Financial Services Committee.

Mr. NEUGEBAUER. Madam Speaker, I rise today on behalf of the taxpayers of the 19th Congressional District and all across America. They are angry, Madam Speaker, about the spending and the borrowing that's going on in Washington.

At a time when they are cutting back to make ends meet, paying down their credit cards, saving more, working hard to provide for their families, they don't understand why their government isn't doing the same thing. They don't understand why the government is not only spending all of their tax dollars, but also borrowing almost 50 cents for every dollar that they spend.

This bill before us increases spending for the legislative branch by 5.7 percent. I don't know about other Members in the House, but I think it's pretty hard to explain to the taxpayers why we are increasing our budget by 5.7 percent and the American people are cutting their budgets.

The only explanation I can think of is that Congress doesn't get it. Well, the American people get it. Like them, I don't understand why we are increasing the legislative branch budget when the deficit is going to hit $1.6 trillion this year, projected to be $1.3 trillion next year.

This bill includes provisions to continue funding for programs as we complete the remaining annual spending bills, but I would advocate that Congress go ahead and finish the job that it started.

The problem is that these annual spending bills are set forth to increase our spending by 8.9 percent this year. This spending increase would come on top of an 8.6 percent increase last year, a nearly $1 trillion economic stimulus package, and a $700 billion financial bailout.

Instead of passing bills to increase spending at a time when we have added $1 trillion to our national debt this year, Congress should, at a minimum, freeze spending at this level.

Had we gone through normal order, I offered an amendment that would have frozen spending for the coming year and saved the American taxpayers $43 billion. It's a start, Madam Speaker.

I urge members to vote against this bill.

Mr. ADERHOLT. Madam Speaker, I yield back the balance of our time.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I want to again thank the gentleman from Alabama and my colleagues on the other side of the aisle, as well as the members of our subcommittee, for the good work that they have done on developing this Legislative Branch appropriations bill.

We have a good solid product to make sure that we can move the legislative branch institutions forward and to preserve the legacy of the Capitol complex and its institutions for future generations. We also are going to make sure that we keep the government running.

I am hopeful that my colleagues, both on the other side of the aisle as well as on my side of the aisle, will vote for this bill. A vote against this bill would jeopardize the security and safety of our citizens. Shutting the government down is not a responsible action.

Mr. LATHAM. Madam Speaker, here we are on the Floor of the House again, with less than a week to go before the end of the fiscal year, and the majority is not prepared to send a single, finalized appropriation bill to the President for signature. Where is the change that was promised?

In addition to the legislative bill before us today, we have four significant funding bills that have passed both the House and Senate, and are ready to go to conference or whatever we call conferences these days: Agriculture, Energy and Water, Homeland Security and Transportation/HUD. These are bills that contain important funding for all of our districts, including monies for new and important initiatives that might help the economy.

Over the course of this FY–2010 funding cycle, the majority has run a process that has prevented spending bills from being perfected through the amendment process, primarily to avoid tough votes.

That stunted process has allowed the funding bills to be rammed through the House. Yet, with closed Rules, an 80-seat majority in the House and a 20-seat majority in the other Body, the congressional leadership still cannot manage to move the appropriation bills. As my children used to say, "what's wrong with this picture?"

Ladies and gentlemen, I suggest that what is wrong with this picture is a continuation of what has been going on for the last several months and it is not about the last administration.

Right now, we are: sitting on a 9.6% unemployment rate; struggling with CBO deficit projection numbers that are off the charts for the next several years; suffering the fiscal effects of a gross misallocation of Stimulus bill funds that mostly went to expanding 73 existing government programs and adding 30 new ones for select constituencies; and procrastinating over a healthcare situation about which all agree something must be done, but which the majority refuses to consult the minority or produce a product.

And today, the majority is determined to perpetuate this craziness with a "cooked" appropriation process to temporarily fund the government because the House and Senate cannot get their respective acts together.

No wonder, we heard noisy demonstrations at town hall meetings and in Washington. Folks, the noise from outside the Washington Beltway is not just a response to the healthcare fiasco though that is certainly a part of it.

The noise is part of a steadily growing response to what people rightly perceive to be those running the government in Washington not paying attention to their concerns and fears about spending and the paths we are taking.

This continuing resolution exercise today is just one more example that the majority intends to keep ignoring those concerns.

Mr. HOLT. Madam Speaker, I rise today in support of the Legislative Branch Appropriations bill for Fiscal Year 2010, which will also allow for continuation of government functions through October 31, 2009.

Through this spring and into the summer, the House has worked diligently to approve all 12 regular appropriation bills. Yet, our colleagues on the other side of the rotunda have not finished their work and so today we must approve continued funding for all government operations which are scheduled to expire on September 30, 2009. I hope that we will be able to reach agreement with our Senate colleagues and complete all regular appropriations bills and need no more continuing resolutions.

I regret that the Legislative Branch Appropriations bill does not include funding for the revival of the Office of Technology Assessment, OTA. When OTA operated it provided Congress with assistance in identifying and assessing the consequences of science and technology in a very useful manner and timeframe.

While I was unsuccessful this year reinstating funding for the OTA, I will continue to fight for the revival of OTA because it would strengthen Congress as an institution, elevate the discourse on matters affected by science and technology, and allow Members to more effectively carry out their duties as the people's representatives.

Another point troubles me greatly. This bill contains in Section 163 a provision to deny funding to ACORN or its allied organizations. I must note that a number of questions have been raised about the constitutionality of this section, and I share these concerns. Article I Section 9 of the Constitution of the United States is explicit that, "No Bill of Attainder or ex post facto Law shall be passed." Thus, it is unconstitutional for Congress to pass legislation declaring an individual or a group guilty and sanctioning them without benefit of a trial. Without doubt, the revelations about ACORN presented on the internet and television recently are cause for concern and indicate possible illegality and misuse of funds. Reports on television, however, are not cause for Congress suddenly to become a part of the judicial branch of government and declare guilt and mete out punishment without any legal proceedings. The Congressional Research Service has been asked to look into this question, and concluded that a court would most likely "find that it violates the prohibition against bills of attainder."

Mr. TOWNS. Madam Speaker, I would like to thank Chairman OBEY for his assistance, and Representative WASSERMAN SCHULTZ of Florida and the members of the conference committee for their hard work in putting together this conference report. Included is a provision of great importance to the Postal Service, over 600,000 postal employees, and 300 million postal customers, who are also our constituents. This conference report includes language from H.R. 22, the United States Postal Service Financial Relief Act of 2009, a bill reported out of the Oversight and Government Reform Committee on July 10 and passed by the full House on September 15.

This provision will allow the United States Postal Service to lower its 2009 payment into the retiree health benefits fund from $5.4 billion to $1.4 billion. It does not provide any taxpayer funds to the Postal Service. The language was originally included in H.R. 22, a bill that has been properly vetted and amended by the House Oversight and Government Reform Committee. In line with calls for a more fiscally responsible government, the provision lowering the Postal Service payment does not score. For these reasons, the House passed H.R. 22 by an overwhelming margin of 388 to 32.

The Postal Service faces an unprecedented crisis. Mail volume is projected to drop to 175 billion pieces in fiscal year 2009, from a high of nearly 213 billion pieces. The Postal Service anticipates a loss of more than $7 billion by end of fiscal year 2009. The losses were driven by the nationwide economic recession, diversion of mail to electronic alternatives, and also by the aggressive payment schedule for retiree health benefits required by the Postal Accountability and Enhancement Act. Its fiscal year 2008 payment total for current and future

retiree health benefits was roughly $7 billion. The Postal Service has paid $10 billion into the trust fund over the past 2 years. It suffered a combined loss of $7.9 billion over those 2 years. Without the onerous payments into the trust fund, the Postal Service would have made a net profit of more than $4 billion over that period.

Reducing the size of the payment into the trust fund for 2009 will bring the postal payment closer to the $1.6 billion amount recommended by the Postal Service Inspector General, while permitting the Postal Service to survive the economic crisis. Many large companies in the private sector have also temporarily reduced pension and retiree benefit contributions in order to ride out similar, difficult financial circumstances.

I would like to thank Representatives MCHUGH of New York and DAVIS of Illinois for introducing this bill and for their hard work and patience in navigating the bill through the House. Further, I would like to thank the House Democratic leadership and the Budget Committee for working with us to help advance the bill to the floor. Also, I would also like to recognize Chairman LYNCH of Massachusetts for his leadership on the subcommittee and being a tireless advocate for the Postal Service and its employees. Additionally, I would like to thank the Gentlemen from California and Utah, Representatives ISSA and CHAFFETZ, for their help in securing bipartisan support for H.R. 22.

In the coming months, our committee will continue to provide close oversight of the Postal Service, including studying the business model of the Postal Service to help determine what longer-term changes may be necessary.

I am confident that upon enactment of H.R. 22 the Postal Service will be able to meet its financial obligations for this year.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 772, the previous question is ordered.

The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 217, nays 190, not voting 25, as follows:

[Roll No. 739]

YEAS—217

Abercrombie
Adler (NJ)
Altmire
Andrews
Arcuri
Baldwin
Barrow
Bean
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Edwards (TX)
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Himes
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Jackson (IL)
Johnson (GA)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Langevin
Larsen (WA)
Larson (CT)
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murtha
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Rogers (AL)
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schauer
Schiff
Schrader
Schwartz
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wu
Yarmuth

NAYS—190

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Baird
Barrett (SC)
Bartlett
Barton (TX)
Becerra
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Davis (KY)
Deal (GA)
Dent
Dreier
Driehaus
Duncan
Edwards (MD)
Ehlers
Ellison
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Goodlatte
Granger
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hinojosa
Hoekstra
Hunter
Inglis
Jackson-Lee (TX)
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
Kilpatrick (MI)
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kratovil
Kucinich
Lamborn
Lance
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Massa
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
McNerney
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Nadler (NY)
Neugebauer
Nye
Olson
Paul
Paulsen
Pence
Perriello
Peters
Petri
Pitts
Platts
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schakowsky
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Towns
Turner
Upton
Velázquez
Walden
Wamp
Westmoreland
Whitfield
Wittman
Wolf
Woolsey
Young (AK)
Young (FL)

NOT VOTING—25

Ackerman
Baca
Berry
Blunt
Capuano
Clarke
Culberson
Delahunt
Doyle
Graves
Higgins
Hill
Israel
Issa
Johnson, E. B.
Jones
Loebsack
Mica
Nunes
Poe (TX)
Scott (GA)
Speier
Sullivan
Wilson (OH)
Wilson (SC)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1133

Mr. TAYLOR, Mrs. EMERSON, Messrs. GRIFFITH, TOWNS, ELLISON, Ms. SCHAKOWSKY, Ms. VELÁZQUEZ, and Ms. WOOLSEY changed their vote from ''yea'' to ''nay.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. LOEBSACK. Madam Speaker, during rollcall vote No. 739 on Conference Report to H.R. 2918, I was unavoidably detained. Had I been present, I would have voted "yea."

Mr. HINOJOSA. Madam Speaker, during rollcall vote No. 739 on the Conference Report to H.R. 2918, I mistakenly recorded my vote as "nay" when I should have voted "yea."

Stated against:

Ms. CLARKE. Madam Speaker, on rollcall No. 739, had I been present, I would have voted "nay."

Mr. POE of Texas. Madam Speaker, on rollcall No. 739. I was inadvertently detained. Had I been present, I would have voted "nay."

Mr. WILSON of South Carolina. Madam Speaker, I submit to the RECORD the following remarks regarding my absence from a vote which occurred on September 25. I was in a meeting with constituents and unable to make the vote. Listed below is how I would have voted if I had been present.

H.R. 2918—On Agreeing to the Conference Report for Legislative Branch Appropriations Act, FY 2010 (Roll no. 739)—"nay."

PERSONAL EXPLANATION

Mr. NUNES. Madam Speaker, on the legislative day of Friday, September 25, 2009, I was unavoidably detained and was unable to cast a vote on a number of rollcall votes. Had I been present, I would have voted: rollcall 738—"nay"; rollcall 739—"nay."

PERSONAL EXPLANATION

Mr. MICA. Madam Speaker, I was unavoidably detained and was unable to vote on rollcalls 738 and 739. Had I been present, I