

Our constituents all over this country are hurting, and I really hope we can put aside partisanship and put them first. We can get an important two-for because job creation is also deficit reduction. When we make sure our fellow Americans can take care of their families, we will also be making sure America can begin to take care of its debt.

SOCIAL SECURITY IS NOT A PONZI SCHEME

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

Ms. FUDGE. Mr. Speaker, I spend a lot of time at home talking to my senior citizens. On one of my visits home, they gave to me a package of 25,000 signatures, asking if I would pledge to support Social Security. I want them to know that I am going to pledge to do that. I also want to say to them that, yes, we need to make some changes, but it is not a Ponzi scheme. I want for them to understand that those who get by keep food and shelter because of Social Security. It is not a Ponzi scheme.

Yes, we need to make some changes, but do you know what, Mr. Speaker? We just need to raise the cap. We don't need to say that it can't be fixed, that it's broken. We need to raise the cap. Again, I am going to say it is not a Ponzi scheme. It is something that hardworking Americans deserve when they have finally retired after working for 25 or 30 or 40 years. It is not a Ponzi scheme.

□ 1230

LET'S WORK TOGETHER AS AMERICANS

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Before I begin, Mr. Speaker, I cannot help but acknowledge that we are just days away from memorializing those lost on 9/11, and I am reminded of that time some 10 years ago and how this body drew together.

I don't know if our leadership has thought of it, but I think it would be more than appropriate if we went to the steps of the Capitol and sang again "God Bless America." I hope we can do that because we did that together.

Tonight, I hope we can be together as the President commands the attention of the American people. I hope we can be together to lift up the concept of Make It in America, rebuild America, put our small businesses and inventors and geniuses back to work. I hope we can come together with the FAA reauthorization so Houston, Texas, won't lose \$90 million in airport construction.

I hope that we can come together and recognize that when we do a supplemental to help our friends with the wildfires in Texas, my constituents,

others, and LLOYD DOGGETT's constituents and all in the northeast, that we are coming together to place jobs. Mr. Speaker, there is nothing more bipartisan than putting America back to work.

Thank you, Mr. President.

JOBS

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

Mr. CLAY. Mr. Speaker, I rise to ask our friends in the majority to put their country ahead of their party and join us by enacting the Make It in America jobs agenda.

Jobs is not a Democratic issue or a Republican issue. Putting America back to work is what we all should be fighting for. When working families hurt, America hurts, and what elevates them lifts up the entire Nation.

We must pass without delay a reauthorization of the vital highway and transit bill. We need to enact the Make It in America agenda to strengthen our manufacturing, technological, and industrial base.

We need to build up America's infrastructure by putting people to work, rebuilding our roads, bridges, railways, ports, schools and airports; and we need to speed disaster assistance to hard-hit communities without injecting partisan politics into the process.

The time for political games is over and the time for jobs is now.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 8, 2011.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 8, 2011 at 9:27 a.m.:

That the Senate agreed to without amendments H. Con. Res. 74.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

ELECTING A CERTAIN MEMBER TO A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Ms. FOXX. Mr. Speaker, by direction of the Republican Conference, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 395

Resolved, That the following named Member be and is hereby elected to the following standing committee of the House of Representatives:

(1) COMMITTEE ON SMALL BUSINESS.—Mr. SCHILLING.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 2218, EMPOWERING PARENTS THROUGH QUALITY CHARTER SCHOOLS ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 1892, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2012

Ms. FOXX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 392 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 392

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2218) to amend the charter school program under the Elementary and Secondary Education Act of 1965. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

SEC. 2. (a) At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1892) to authorize appropriations for fiscal year 2012 for

intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this resolution and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Permanent Select Committee on Intelligence. After general debate the bill shall be considered for amendment under the five-minute rule.

(b) In lieu of the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of the Rules Committee Print dated August 31, 2011. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived.

(c) No amendment to the amendment in the nature of a substitute made in order as original text shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution and amendments en bloc described in subsection (f).

(d) Each amendment printed in part B of the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(e) All points of order against amendments printed in part B of the report of the Committee on Rules or amendments en bloc described in subsection (f) are waived.

(f) It shall be in order at any time for the chair of the Permanent Select Committee on Intelligence or his designee to offer amendments en bloc consisting of amendments printed in part B of the report of the Committee on Rules not earlier disposed of. Amendments en bloc offered pursuant to this subsection shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the chair and ranking minority member of the Permanent Select Committee on Intelligence or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

(g) At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. A motion to proceed with regard to a joint resolution of disapproval specified in

subsection (a)(1) of section 3101A of title 31, United States Code—(a) shall be in order only if offered by the Majority Leader or his designee; and (b) may be offered even following the sixth day specified in subsection (c)(3) of such section but not later than the legislative day of September 14, 2011.

□ 1240

The SPEAKER pro tempore. The gentlewoman from North Carolina is recognized for 1 hour.

Ms. FOXX. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Ms. FOXX. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Ms. FOXX. House Resolution 392 provides for a structured rule providing for consideration of H.R. 2218, the Empowering Parents Through Quality Charter Schools Act, and H.R. 1892, the Fiscal Year 2012 Intelligence Authorization Act.

My colleagues on the House Education and the Workforce Committee and I have been working to reauthorize the Elementary and Secondary Education Act. H.R. 2218, Empowering Parents Through Quality Charter Schools, is just one of a series of bills the committee has considered this year.

During committee consideration, this legislation received strong bipartisan support, including that of the committee's ranking Democrat member, GEORGE MILLER. H.R. 2218 reauthorizes the charter school program and modernizes it by allowing the replication or expansion of high quality charter schools in addition to the creation of new charter schools.

The charter school program is important to ensure that parents and students have choice in education. With this bill, the House Education and the Workforce Committee has begun the bipartisan process of reauthorizing ESEA, and I urge my colleagues in the full House to support this rule in favor of the bill.

The rule also provides for consideration of H.R. 1892, the Intelligence Authorization Act for Fiscal Year 2012.

Mr. Speaker, the intelligence community plays a vital role in our national security and defense. The bill was reported out of committee by a voice vote, and the committee has worked with the Senate to develop a bipartisan, bicameral bill. Therefore, I urge my colleagues to support the bill.

Under this rule, the Rules Committee has made it in order to consider six Democrat amendments and three Republican amendments to the Intel-

ligence Authorization bill. We have also made in order five Democrat amendments, two bipartisan amendments, and one Republican amendment to the charter school bill.

I am pleased to work with my colleagues on the Rules Committee to report rules for floor debate and the consideration of legislation that promotes transparency and participation.

Mr. Speaker, I again urge my colleagues to vote in favor of this rule, and I reserve the balance of my time.

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

Mr. Speaker, today we will be discussing two good bills. Both bills under this rule are bipartisan bills. One will support students across this Nation, give parents better choices, improve the quality of our charter schools in our country; and so, too, we will improve and enhance the intelligence gathering of our Nation that keeps us safe under the authorization bill.

The Quality Charter Schools Act will improve our global economic standing by improving student access to quality and effective public charter schools.

I find, Mr. Speaker, sometimes it is necessary to help educate some of our colleagues on the definition of what charter schools are. Charter schools are established by school districts or other authorizers. They are public schools and have to accept all students equally. The concept of these schools is that they have site-based management. So, again, they are public schools with site-based management. That, in brief, is the definition of a charter school.

Now, that is not better or worse than a district running a school. It can be better; it can be worse. And as we look across the country, we see examples of good charter schools and bad charter schools. Just because something is a charter school certainly doesn't mean it is good.

What we've tried to do with this bill is improve the quality of the authorizing practices of the States and the districts as they go into: A, initially evaluating charter schools and making sure they serve at-risk students and show demonstrated success in closing the achievement gap; and, B, making sure that they follow through on what their charter contains.

A charter is a synonym for a contract. Effectively, these schools operate through contracts with public authorities, namely authorizers, States, State charter institutes, regions, and school districts, and they are able to operate under those contracts and fulfill their role as public schools.

What are charter schools not? And I sometimes hear from my colleagues, is this corporate control of our schools? Is this some for-profit thing? No, it is actually irrelevant to that discussion, the discussion of charter schools.

Sometimes for-profit companies are brought in as vendors to run schools. Now, this can happen with school districts just as surely as it can happen with charter schools. Some of the larger instances of this have been school

districts because, of course, charter schools are much more mom and pop. But that is a separate discussion about what vendors can and cannot be brought in to actually run public schools.

In the State of Colorado, as an example, we don't allow any for-profit institutions to hold a charter. Now, certainly we don't restrict charters to school districts, and they bring in a variety of vendors. I think every school district in the country uses private, for-profit textbook vendors as an example. But we would be against managing out of D.C. what vendors they bring in. In fact, charter schools and school districts have great discretion about what vendors they use.

But what this bill does is it effectively ups the ante on the accountability, the oversight, and also assisting with the growth of quality charter schools. Many charter schools across the country focus on particular areas of learning or emphasize particular aspects of curriculum. We have excellent art charter schools, college prep charter schools, Montessori charter schools, core knowledge, English language acquisition, outdoor learning, and education charter schools.

They can function more independently than a large district because they do have site-based management that allows for operational flexibility. They can have different school calendars, different school days, and different curriculums. This freedom allows the charters to function autonomously in areas that can benefit children's success in school.

And again, with experimentation, not everything you try is going to work. And, of course, for every example of a charter school that successfully serves at-risk kids, there are also counter-examples of charter schools that are doing as poorly, or more so, than some of the failing neighborhood schools that the children were in before.

I have direct experience founding and running several charter schools in Colorado that filled particular education niches. I founded and served as superintendent of New America School. When I saw that many school districts in my State were dropping funding for older students that were still learning English and there weren't the types of programs to keep new immigrants in high school through a diploma, I approached several school districts about approving a charter school for this population, for 16- to 21-year-old English language learners. We were granted several charters. New America School now operates in Colorado and New Mexico and has served thousands of English language learners, helping them achieve a high school diploma through meeting their real-life needs.

Again, we really worked backwards from where the customers were. Why weren't these students in school in the first place? Many of them had real-life obstacles. They had day jobs; so they needed a night school. Forty percent of

the young women had children; so they needed either on-site daycare or some sort of daycare voucher that we were able to help them supply.

And just as importantly, we made sure that every member of the staff, the teachers at the school, every single one of them, is passionate about helping new immigrants learn English; and that is what brought them to our school and actually improved the faculty morale because they were able to practice their passion rather than it being an afterthought as it was in some of the other conventional schools.

I also founded the Academy of Urban Learning, which is focused on educating homeless students in Denver.

Right here in Washington, D.C., we have seen the success of several excellent charter schools that have outperformed other public schools, including the KIPP schools.

So we have seen across this country, as a result of the charter school movement, great experimentation, some successes and some failures. It's time, 10 years on, to learn from our experiences with charter schools and replace the Federal authorizing act with one that can really up the ante, take the learning that has occurred over the last decade into account and improve both the quality of charter schools generally and the quantity of good charter schools across our country.

□ 1250

This bill would update the existing Federal initiatives. We provide critical investment in quality alternatives. The bill carves out 15 percent of the funding for facilities, capital, and credit enhancements, and the remaining 80 percent would go to start new charter schools. The bill would require States to provide 90 percent of their grants to charter school authorizers and operators. It also incorporates much of the language from a bill that Mr. PAULSEN of Minnesota and I introduced last session and this session, the All-STAR Act, which would add for the first time Federal law State-level funding for expansion of successful charter schools.

So, again, when we have examples of what works in public education, why not do more of it? Yes, we want to turn around failing schools. Yes, we need to improve upon what doesn't work. And yes, we need to hold charter schools that are not working fully accountable under the law. But when we have an example of something that works, we should support serving more kids. As a simple example, in my State and district, the Ricardo Flores Magon Academy in Westminster is a K-8 charter school that opened just 4 years ago. I'm glad, by the way, that one of the amendments made in order under this rule is an amendment from Mr. PAULSEN and I that would specify that schools that have 3 years of demonstrated success are eligible for expansion grants, because this school has only been around for 4 years. It has an extended year, extended day program.

It provides after-school tutoring, full-day kindergarten. Every student studies chess and tennis. The student population maps the kind of a traditional at-risk population, with 95 percent Latino, 86 percent English language learners, 93 percent free and reduced lunch. This means these are poor and working families. Yet, the Ricardo Flores Magon Academy has scored far above the State average, including our wealthy suburban districts like some of the other areas that I represent, in the past 3 years. They scored 95 to 100 percent proficient in math, between 77 and 97 percent proficient in reading and writing, and for third- and fifth-graders they've averaged 20 percent higher than the State averages. Other successful charter schools in Colorado, like the Denver School of Science and Technology, have also achieved positive outcomes with low-income students.

I'm sure we'll have the opportunity to talk about many of the amendments made in order under this bill. We did in the Rules Committee propose an open rule for these bills, and it would have been nice to have a more thorough discussion, which is why I'll be opposing this rule. But I am glad I did make in order several amendments, including one of mine.

Mr. Speaker, this rule also brings another very important bill to the floor, the Fiscal Year 2012 Intelligence Authorization Act. This bill continues the recent bipartisan tradition of passing authorization bills in order to reform and conduct oversight of our intelligence community. Every Member of this body believes strongly in keeping our country safe. When we're discussing the threats to our Nation and the war on terror, the front line of that war is our intelligence-gathering apparatus and our intelligence community. In this time of budget constraint we know we need to spend our money wisely. I've often argued that instead of wasting hundreds of billions of dollars invading countries preemptively, we should use our force selectively, including targeted collection of intelligence about where threats arise.

This bill makes a balanced compromise between budget realities and our national security need. This authorization did find savings in various aspects of the intelligence community. It proposes to curb post-personnel growth while protecting our capabilities. While it invests in select high-priority needs, it also achieves savings by handling contractors similar to the way the President handles pay for civilian employees.

Mr. Speaker, I'm glad that this body was able to come together with both of the committees of jurisdiction, Intelligence and Education and Workforce, around strong bipartisan compromise under these two bills. And while I wish we had the opportunity to further discuss additional recommendations for amendments on the floor, I am appreciative that in fact there will be a robust discussion with regard to the charter school bill under this rule.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I want to thank the gentleman from Colorado for his support of the bill and support of the concept of charter schools. I want to congratulate him on his involvement and say that I think this is a great example of bipartisan cooperation.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, it is my honor to yield 3 minutes to the gentleman from Massachusetts, a colleague of mine on the Rules Committee, Mr. MCGOVERN.

Mr. MCGOVERN. I thank the gentleman for yielding.

Mr. Speaker, I would like to talk just for a couple of minutes about a serious matter that relates to the Intelligence bill that we will later consider.

For the past decade, Colombia's intelligence agency, the Department of Administrative Security, or the DAS, has engaged in illegal activities. Created to investigate organized crime, insurgents, and drug traffickers, the DAS instead provided paramilitary death squads with the names of trade unionists to be murdered and carried out illegal surveillance on journalists, human rights defenders, political opposition leaders, and Supreme Court judges. American cash, equipment, and training to help shut down drug trafficking may have been used for spy operations, smear campaigns, and threats against civil society leaders in Colombia. Several U.S. agencies aided the DAS—the State Department, Pentagon, DEA, CIA, and DIA—even as scandal after scandal after scandal became publicly known. It was only in April, 2010, when U.S. Ambassador William Brownfield suspended U.S. aid to the DAS, diverting those resources to the Colombian National Police.

Yesterday, Congresswoman SCHA-KOWSKY and I sent a letter to the Secretaries of State and Defense, the U.S. Attorney General, and the CIA Director, asking them to provide Congress with a comprehensive report on all forms of U.S. aid to the DAS and to tell us what the DAS used the aid for. It's not too much to ask, Mr. Speaker. There has been a shocking lack of oversight over all the U.S. aid that poured into the DAS over the past decade. Getting to the bottom of this is what oversight is all about. Colombia appears to be doing its part. The Attorney General is carrying out an aggressive investigation and series of prosecutions. Six former high-ranking intelligence officials have confessed to crimes. More than a dozen other operatives are on trial, with more still under investigation. President Santos has promised to dismantle the DAS and replace it with a new intelligence agency. But in the meantime, the old structures still remain. Witnesses cooperating with the Attorney General find themselves and their families threatened, and human rights defenders even now are still under surveillance.

Mr. Speaker, I'm sure that U.S. intentions were good, but I also believe the DAS was generally up to no good. I

find it impossible to understand how the State Department and Embassy officials can say with certainty that absolutely no U.S. aid funding was ever used by the DAS for criminal purposes. Congress must insist on safeguards to ensure that no funding, equipment, training, or intelligence-sharing with any Colombian intelligence agency is used for illegal surveillance or criminal activities now and in the future.

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

Mr. POLIS. I yield the gentleman an additional 30 seconds.

Mr. MCGOVERN. The administration or Congress must prohibit any further funding for the DAS, including aid in the pipeline, until the Attorney General has completed all investigations and prosecutions, finds out who ordered these illegal activities, and President Santos has completely dismantled the current agency. I ask the committee chairman and ranking member to guarantee the Members of this House that no further aid will be provided to the DAS, and if that prohibition is not explicitly in this bill, that they will work with the Senate to include it in the final conference report.

[From the Los Angeles Times, Sept. 2, 2011.]

COLOMBIA'S SPREADING SCANDAL

The U.S. provided nearly \$6 billion as part of Plan Colombia, an anti-narcotics and counterinsurgency program. But did the money also pay for human rights abuses?

The United States has long considered Colombia its strongest ally in Latin America. Over the last eight years it has provided the Colombian government with nearly \$6 billion as part of Plan Colombia, an ambitious anti-narcotics and counterinsurgency program that has often been held up as a model of cooperation.

But recent reports in the Washington Post suggest that U.S. assistance intended to combat drugs and terrorism was diverted to Colombian intelligence officials, who used it instead to spy on judges, journalists, politicians and union leaders.

The Post also reported that the United States was aware of the spying, including illicit wiretapping. Whether that is true is unclear. State Department officials say no one at the U.S. Embassy in Bogota knew about the wiretaps. And President Juan Manuel Santos, who took office last year after the spying controversy erupted, has also denied that the United States had any role in the growing scandal.

That will do little to quell questions about U.S. involvement, given Plan Colombia's troubled past. A United Nations human rights investigator concluded last year that a large number of Colombian military units were involved in shooting innocent young men and falsely identifying them as rebels in an effort to boost body counts. The extrajudicial killings were alleged to have been carried out by army units that had been vetted by the U.S. State Department and cleared to receive U.S. funding.

And last year, then-U.S. Ambassador William Brownfield announced that all assistance to Colombia's Department of Administrative Security was being suspended indefinitely following disclosures in the Colombian media that indicated widespread spying abuses. Since then, Colombian authorities have arrested 28 officials, including former President Alvaro Uribe's chief of staff, in connection with the scandal.

Colombia's government has vowed to dismantle the intelligence agency, and the Santos administration and attorney general

have been courageous in investigating the scandal. Now it's up to the United States to move quickly to determine how much aid was provided to the agency and what it was used for. The U.S. must show the same resolve as Colombia has in ferreting out the truth.

CONGRESS OF THE UNITED STATES,
Washington, DC, September 7, 2011.

Hon. HILLARY RODHAM CLINTON,
Secretary of State, Department of State, Washington, DC.

Hon. LEON E. PANETTA,
Secretary of Defense, Department of Defense, Washington, DC.

ERIC H. HOLDER, JR.,
U.S. Attorney General, Department of Justice, Washington, DC.

General DAVID H. PETRAEUS,
Director, Central Intelligence Agency, Washington, DC.

DEAR SECRETARY CLINTON, SECRETARY PANETTA, ATTORNEY GENERAL HOLDER AND DIRECTOR PETRAEUS, We write to request a comprehensive accounting of U.S. assistance to the Colombian government's Department of Administrative Security (DAS) during the period of August 7, 2002 to August 7, 2010. Specifically, we request a full accounting of all funds, training, lethal and non-lethal equipment, intelligence- and information-sharing, technical assistance, facilities construction and any other aid provided to the DAS, its officials, its employees or any of its contractors during this period, whether in Colombia, the U.S., or at other facilities. We further request the information indicate any such aid or information provided to the National and International Observations Group of the DAS.

As you know, the Colombian Attorney General's Office is undertaking an aggressive investigation and series of prosecutions of illegal activities carried out by the DAS during these years. Six former high-ranking intelligence officials have confessed to crimes and more than a dozen other agency operatives are on trial, and several more are under investigation by the Attorney General or by a special legislative commission of the Colombian Congress.

These investigations have revealed a vast illegal network of surveillance of nearly all sectors of civil society, including human rights defenders, political party leaders, journalists and members of the Colombian Supreme Court engaged in investigations of elected officials with alleged ties to paramilitary groups or who engaged in corrupt practices. These illegal operations were also connected to threats received by many of the individuals under surveillance, and in some cases the DAS shared information with paramilitary and other violent actors that resulted in the assassinations of trade unionists and other rights defenders.

Recent articles in the Washington Post (8/21/11) assert that U.S. aid may be implicated in these abuses of power. We are concerned that former President Alvaro Uribe has made public statements claiming the reporters who wrote these articles are terrorist sympathizers (*simpatizantes del terrorismo*), going so far as to characterize one reporter as a terrorist ally (*ocultador del terrorismo*), language that increases the level of threat under which journalists work in Colombia. We strongly urge you to make clear to the former president that such statements are unacceptable and ask that he retract them.

We believe it is important to set the record straight in a clear and transparent manner by providing Congress with a comprehensive report on all forms of U.S. assistance to the DAS. We also believe it is important to provide Congress with this information in as

rapid a manner as possible, but assuredly prior to when Congress begins debate on the U.S.-Colombia Free Trade Agreement.

To the maximum extent possible, the information included in this comprehensive report should be provided in an unclassified format; if necessary, a classified annex should be made available for review by all Members of Congress. We further ask that you inquire and coordinate with your counterparts in other departments and agencies that might have been working with the DAS (e.g. Treasury/Internal Revenue Service) to ensure that the report is indeed comprehensive.

Thank you for your serious attention to this request. We look forward to your timely response and the receipt of this comprehensive report regarding all forms of U.S. support for the DAS over the past decade.

Sincerely,

JAMES P. MCGOVERN,
Member of Congress.

JANICE D. SCHAKOWSKY,
Member of Congress.

Ms. FOXX. Mr. Speaker, I yield such time as he may consume to the distinguished chairman of the Rules Committee, the gentleman from California (Mr. DREIER).

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. I thank my friend for yielding.

Mr. Speaker, I would like to begin by congratulating my friend on his very strong and passionate commitment and let him know that I share our desire to ensure that human rights are recognized in Colombia and anyplace in the world. I worked with him in the past when he was a staff member working for Mr. Moakley on this issue in El Salvador. It is imperative that we resolve it and ensure that our tax dollars are not being used for any kind of nefarious purposes.

Mr. Speaker, having said that, I want to rise in strong support of this rule. I do it because it's been a long time since we've had the occurrence that we did yesterday in the House Rules Committee. We just came back, as we all know, from this 5-week district work period of August, and we had the first meeting in the Rules Committee.

□ 1300

In that meeting, we began with the chairman of the Education and Workforce Committee, Mr. KLINE, and the ranking member of that committee, Mr. MILLER; the chairman of the Permanent Select Committee on Intelligence, Mr. ROGERS, and the ranking member, Mr. RUPPERSBERGER, coming before the Rules Committee and offering bipartisan proposals on both charter schools for the Education Committee, obviously, and the authorization bill from the Intelligence Committee. In fact, I quipped at one point during the Rules Committee that maybe we should have a 5-week break between each Rules Committee meeting so that we can, in fact, come together in a bipartisan way and deal with these critically important issues.

I have to say, Mr. Speaker, it is a great day, especially as we prepare, in

just a little less than 7 hours, to hear from the President of the United States on an issue that Democrats and Republicans alike say needs to be addressed. We all know, from having been in our States over the past 5 weeks, that job creation and economic growth are the top priorities for the American people. We all represent constituents who are hurting. I have friends who have lost their homes, their businesses, their jobs, and we want to make sure that we get our economy back on track.

It's my hope that the example that we're going to have today as we begin consideration of the charter schools bill and then tomorrow as we deal with the intelligence bill—and obviously the bill that we're going to be considering today, because of the President's speech tonight, will have to carry on into next week, so we will obviously have this continued bipartisan spirit on the issue of charter schools next week. I believe, Mr. Speaker, that we're in a position where we can use these two as a model to address this issue of job creation and economic growth.

Now, there is recognition that there are a wide range of views on the issue of job creation and economic growth, and we were reminded by the Senate minority leader just today of the proverbial Einstein directive that the definition of insanity is doing the same thing over and over and over again and expecting a different outcome.

I think that many of us—most all Republicans and some Democrats—have come to the conclusion that this notion of dramatically increasing spending, which is what we went through with the stimulus bill and several other issues, is not, in fact, the panacea that we have. And, frankly, I don't believe that there is an absolute silver bullet, there is not an absolute panacea, but I do believe that we need to try to put into place an effort that will reduce the regulatory burden imposed on those who are seeking to create jobs in this country. That's one of the proposals that we have. And again, I hope that we can work with the President on that issue.

There has also been recognition that, since the Japanese have reduced their top rate on job creators, we in the United States of America have the highest tax rate on job creators—it's the corporate tax rate—of any country in the world. Now, I realize that obviously we know there are corporations that, through the tax structure that we have today, don't pay that 35 percent rate, but I think that we need to make sure that we close loopholes and reduce that top rate. And I'm not the only one who has spoken in support of that. Former President Bill Clinton has spoken in support of that idea. President Barack Obama has spoken in support of that idea.

And I know that, as I look at my friends on the other side of the aisle—at this moment I'm looking at one who

shares my view. I'm not going to name names, Mr. Speaker, but I'm looking at one who does share my view and another who might share my view as well on this issue. So there is a bipartisan consensus that if we can reduce that top rate on job creators, we have the potential to create jobs and also—and I know my friends on both sides of the aisle share this notion—generate an increase in the flow of revenues to the Federal Treasury, thereby dealing with this tremendous fiscal problem that we have.

We have our joint select committee that is going to be dealing with the issue of deficit reduction. And we know that economic growth would be the single best way to generate the revenues that we need to pay down the debt and deal with the overall fiscal challenges we have and have the resources necessary for the priorities that are out there.

Another issue, building on what was said by my friend from Worcester earlier, he mentioned the issue of Colombia. I happen to believe that if we look at the pending trade agreements that have been, unfortunately, languishing for 4 years, we need to make sure that we bring those forward. I am very encouraged by the fact that the President of the United States has indicated his willingness to do that. I also want to congratulate Speaker BOEHNER and Leader CANTOR for the letter that they sent to the President saying we want to find these areas of agreement, and the trade issue is one of them.

I don't speak for every single Republican, but I speak for most all Republicans who believe very, very strongly that the notion of opening up new markets around the world for job creation and economic growth here in the United States, creating union and non-union jobs is something that would take place if we were to pass the Korea, Colombia, and Panama agreements.

Mr. Speaker, there are many people who believe that somehow passing these agreements will open up a flood of foreign products coming into the United States, undermining the ability to create jobs here in the United States, when, in fact, the opposite will be the case because Korea, Colombia, and Panama today have, by and large, free access to the U.S. consumer market. That's a good thing. It's a good thing because it allows that single mother who is trying to make ends meet, going to Wal-Mart or Kmart or Target or wherever, to buy products that are affordable. That's a positive thing. That's a good thing for our economy.

What we need to do is we need to recognize that now we need to open up those markets so that while things come in from Korea, and Colombia especially, we need to do what we can to get into their markets. There are 40 million consumers in Colombia.

Manufacturing jobs will be created here. Caterpillar, John Deere, Whirlpool, other great manufacturing companies here in the United States would have access to those markets.

And on the Korea deal, Mr. Speaker, it will be the single largest bilateral free trade agreement in the history of the world, allowing us to have the ability to sell our automobiles and other products into the Korean market.

So this is an area where I believe that, again, recognizing that union and nonunion jobs will be created here in the United States, that this can be an area of bipartisan agreement, and I know that the President will clearly talk about the imperative of these in the address he's going to be giving right behind me early this evening.

What we're dealing with today, Mr. Speaker, is a very positive thing on the issue of charter schools, and I laud my friend from Colorado, who has done such a great job in starting charter schools and improving charter schools.

I also want to comment on the statement that was made in the Rules Committee yesterday by the former chairman and now the ranking member of the Education Committee, Mr. MILLER, who said that for many years he was a strong opponent of charter schools and now, for many years, he has been a strong proponent of charter schools, recognizing that we can go through a learning process here. And I quipped that one of our former colleagues said that ours is one business where you can never admit to having learned anything because, obviously, if you admit to having learned anything, you've flip-flopped.

The fact is we all are learning and we should be proud of the fact that we've learned. I congratulate—I probably will hurt my friend Mr. MILLER by praising him here, but I will say that the process that he has gone through on this issue of charter schools is something that I believe is a very, very good and positive thing. It's something that we all need to learn from, that experience that he had on the issue of charter schools, to be willing to listen to our colleagues on both sides of the aisle on a wide range of issues.

That is why I think that this rule, enjoying bipartisan support—we have allowed many more Democratic amendments than Republican amendment in the rule itself. We're going to have a free-flowing debate on this issue, and then of course the very important intelligence authorization bill. Then tonight, I hope we can have again these areas of agreement so that we can get our fellow Americans who have been losing their homes, their businesses, and their jobs back on track.

□ 1310

Mr. POLIS. I yield myself 30 seconds to respond.

Mr. Speaker, the gentleman from California laid down an excellent framework for the potential of the Joint Select Committee on Deficit Re-

duction to accomplish their mandate; namely, bringing down tax rates by eliminating loopholes in a way that effectively eliminates expenditures in the Tax Code. For whether something is a subsidy or a tax credit, it is very much an expenditure.

With that, Mr. Speaker, I yield 2½ minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I want to join with my colleague, first of all, to wish the President well and to work together in a bipartisan manner to put Americans back to work, put them to work now, and keep them working.

I am supportive of the Intelligence authorization bill for a number of reasons dealing with the issue of investing in new positions to select high priority needs as FBI surveillance, so increasing the personnel. I'm concerned about the cuts in personnel. The language is very appropriate. In these days, as we celebrate 9/11, I'm concerned about what is appropriate.

I'm also interested in moving forward on diversity. We should ensure that our intelligence community reflects the diversity of America, from African Americans to Asians, Latinos, Muslims, people speaking different languages, to be more effective to protect this country.

The DNI is going to conduct a review to determine the security implications of moving intelligence systems. I think that is important. I think it is important, as well, to collect information about drug trafficking. And I certainly think it's important to again, as I said, talk about the question of the work force.

I am concerned about the requests that I understand may be in the bill on information about Guantanamo Bay detainees, information that could undermine our security. And I am questioning the value of making the Director of the National Security Agency, a Senate conferee, to juxtapose that person in the midst of controversial politics.

But I am glad, and I thank Mr. POLIS for his leadership on charter schools. I'm proud to say that I've been to the Victory Charter School in Texas, in Houston, the Harmony Charter School, the KIPP Charter School, the Yes Charter School, and a school district, a public system that I am working with, and I love public schools, I am a product of public schools. The North Forest Independent School District, it's finding its way to embrace and coalesce with charter schools.

What is the call for that? It is the education of our children with the most important level of education ever, excellence. It is for our children to pass tests, but it is for our children to think and to create and to invent. And I think we can work with charter schools, in particular, who are focusing on science, technology, engineering, and math where there are young people who are actually doing medical center level research, cures by middle schoolers and high schoolers.

So I hope that we will deal with the Intelligence bill. I associate myself with the gentleman from Massachusetts. I'm concerned about the human rights violations in Colombia, the monies that may be going to the DAS, and the killing of trade unionists. It's all right to be a neighbor, but it is horrible to take intelligence funds and be part of the killing of trade unionists.

Ms. FOXX. I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2½ minutes to the whip, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman from Colorado. I also thank the gentleman from North Carolina as well.

Mr. Speaker, while I would prefer us to be addressing a reauthorization of No Child Left Behind, today's legislation reflects bipartisan support for innovation in public schools and improving educational opportunities for students who still lack access to a high-quality education.

I know this rule that we are dealing with deals with both bills. I am for the rule. I think it's a rule that provides for two pieces of legislation that enjoy bipartisan support.

The Chesapeake Public Charter School, a K-8 school located in my district, has developed a year-round school model which embeds the arts and environmental studies throughout its curriculum. This school hopes to, one day, expand its successful model through its existing charter with our local school system and would be able to do so with funding from this bill.

As we consider this bill today, it's unfortunate that after 9 months in session, however, we are still not bringing jobs bills to this floor. So today, and throughout the fall, Democrats will offer Make It in America amendments at every opportunity to highlight ways we can create jobs and strengthen our economy.

Today, Democrats are proposing two Make It in America amendments. I would say parenthetically that Mr. GARAMENDI had an excellent amendment. It wasn't made in order. He's going to ask that we get to it by the previous question.

Congressman LUJÁN's amendment, however, focuses on sharing best practices in instruction and professional development in the STEM subjects to develop a more competitive and highly skilled work force. America needs that.

And Congresswoman DAVIS' amendment reminds us that the primary objective of this bill is to use the innovation of charter schools to improve educational outcomes so all students can make it in America.

The jobs of the future require a high-quality elementary and secondary education, which lead to high-quality post-secondary education and training components. We need to make sure that we are preparing students for the diversity of jobs that awaits them, the jobs that will bring home good wages, the jobs that will improve our economy in the long term.

I believe charter schools can play a valuable role in that objective, which is why I urge my colleagues to support this legislation.

Mr. LEWIS of California. Will the gentleman yield?

Mr. HOYER. I yield to the gentleman from California.

Mr. LEWIS of California. I appreciate that. We've got a great charter school dealing with science and technology in Apple Valley, California.

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

Mr. POLIS. I yield the gentleman an additional 30 seconds.

Mr. LEWIS of California. It's a fabulous school, and that model is working with our local people creating opportunities for jobs, et cetera. I like your idea. I may very well join you in some of those amendments, but at least join you in supporting this bill.

Mr. HOYER. Reclaiming my time, when I speak about Make It in America, there is not a person on this floor, the most conservative, the most liberal, and everybody in between, who is not for our young people and all of our people making it in America. I'm hopeful that we can forge a bipartisan coalition to promote legislation which will promote making it in America.

Mr. LEWIS of California. Will the gentleman further yield?

The SPEAKER pro tempore. The time of the gentleman from Maryland has again expired.

Ms. FOXX. Mr. Speaker, I yield 30 seconds to the gentleman from California (Mr. LEWIS).

Mr. LEWIS of California. Presuming that, I mean, this is really a good idea. If we can get all the teachers unions in California to join us in this sponsoring of charter schools, then I'd really get excited about it.

Mr. POLIS. Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to make Mr. GARAMENDI of California's amendment in order.

I would like to yield 3 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Mr. Speaker, yesterday I proposed to the Rules Committee an amendment about making it in America, one more way we can build jobs here in this country by using our own tax money.

In the charter schools legislation there is some \$300 million a year authorized for the construction of charter schools, the enhancement, the improvement of those schools. Now, where will the material come from? Where will the heating and air conditioning systems be manufactured? Where will the lumber, the concrete, the other materials, the high-tech equipment come from? Will it be American-made, or will it be made over in China and imported into the United States?

It seems to me we're about to use \$300 million of our tax money, that is

the American taxpayers' money, to build some schools, or to improve some charter schools. All well and good. But why don't we create some jobs in addition to that? Why don't we put into this bill an amendment that simply says that the Secretary of Education, in prioritizing the grants, shall give higher priority to those proposals that would use American-made equipment, American-made jobs?

We can, and I thank my colleague from California, Mr. LEWIS, for agreeing that we ought to be making it America. This amendment was rejected for reasons unknown to me by the Rules Committee, perhaps known to them. And if Mr. DREIER were here, or maybe I should ask Ms. FOXX, why was this objected to? Why was it not made possible to put this amendment on the floor so that we can create American jobs?

I would note that we're 247 days into this session, and not one bill has been put forward by the Republican majority to advance jobs. Here's a little chance for us to do it.

□ 1320

Ms. FOXX. I yield myself such time as I may consume.

Mr. Speaker, I would only say to the gentleman from California that Republicans have passed many, many bills in this session that would help to create jobs in this country.

I did a little research this morning on what has happened with bills that have gone over to the Senate. A total of 28 bills have passed the House and the Senate and been sent to the President for his signature. Of those, only six were substantive bills. One of those was the 1099, one was the continuing resolution, one was DOD appropriations, a couple of bills were bills that came from here, one on lead for toys.

I think the gentleman from California needs to look to the other body to see what is happening to the bills that are passing out of the House that would create hundreds of thousands of jobs for Americans.

The problem is not in the House. The problem is in the Senate, that as one headline said and one Senator said, the Senate is moribund, and I believe that's where the problem lies. It is not with Republicans in the House.

With that, I reserve the balance of my time.

Mr. POLIS. I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Speaker, the urgent priority of this country, and it should be of this Congress, is to get Americans back to work. There is not a corner of this country that's not been severely afflicted by the unemployment crisis in this country.

Mr. GARAMENDI proposes that we take a simple idea and put it into this bill, and I think he's absolutely right.

Here's the idea. If we spend a significant amount of money, I think it's \$300 million, for the purpose of retrofitting and maybe building some schools around the country, let's give a preference to schools that use American-made products and American-made goods over those that do not. I think that's a very commonsense idea. So if a school is going to put in solar panels to become more energy efficient and they can either buy the solar panels from a company here in the United States or one in Asia, let's favor the school that buys the solar panels from the United States to create jobs here. This is a simple and good idea. It should be on the floor so that we could debate it.

Now, the dialogue I just heard was it's the Senate fault or it's this one's fault. With all due respect to all of our colleagues, Mr. Speaker, the days of whose fault it is are over. Long since over. And the time has long since passed for us to get to work passing commonsense legislation that puts the American people back to work. Mr. GARAMENDI has proposed just such a commonsense piece of legislation.

I would urge people to vote "no" on the previous question so we can consider Mr. GARAMENDI's amendment.

The SPEAKER pro tempore. The gentleman from Colorado has 6½ minutes remaining. The gentlewoman from North Carolina has 14½ minutes remaining.

Ms. FOXX. Mr. Speaker, I continue to reserve the balance of my time.

Mr. POLIS. I would like to yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. I thank the gentleman for yielding.

I rise also to support the effort of my colleague Mr. GARAMENDI to require that materials made in America be used to construct and renovate the charter schools that we're talking about in this legislation.

We have a serious issue in this country, in case the Republicans haven't noticed, that we need to create as many jobs as we can. And anybody who has made a speech about job creation these days, talking about making it in America is a definite applause line. I would just like to recommend that. Making it in America is something that really has resonated with people all around this country.

Why would we take taxpayer dollars, when we could spend it on products that are made right here, including the building materials that we need to upgrade, to create more schools in our country, and buy products that are made overseas and support jobs that are outside of our country?

The issue in this bill of creating more schools is so important. In the United States, schools on average are 40 years old and actually in need of an estimated \$500 billion in repairs and upgrades.

I'm actually introducing a piece of legislation next week that would provide \$100 billion dollars to repair, renovate, modernize America's schools

and would create 400,000 construction and 250,000 maintenance jobs alone.

But in addition, what we should be doing is rejecting this previous question that's up before us so that we can make a good bill even better. This is a bipartisan effort. We've heard from the other side of the aisle that these are good ideas. Let's make it better. Vote "no" and let's add the Garamendi amendment.

Ms. FOXX. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time to close.

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

Mr. Speaker, the Intelligence Authorization Act is not perfect. There are some provisions that have already received a veto threat from the President that need to be amended. Thankfully, the chairman and the ranking member have worked together to submit a manager's amendment that would do just that.

It is vital that this manager's amendment pass because of two provisions in particular.

The first would make the Director of the National Security Agency a Senate-confirmed position. This would unnecessarily politicize one of our most critical intelligence needs. Traditionally, this position has already been indirectly subject to confirmation through the Senate's confirmation of military officers who have been promoted into the position. We can't afford to damage the management of the intelligence community in this manner.

The second provision would modify the reporting requirements regarding Guantanamo detainees. This would require the Director of National Intelligence to provide State Department cables to the Intelligence Committees. While effective oversight is an essential role of Congress, we also must not interfere with the ability of the State Department to conduct effective diplomatic negotiations. Therefore, I call on my colleagues to support the manager's amendment as well as the amended version of the underlying bill.

I also want to thank, with regard to the Charter School bill, Chairman KLINE and Ranking Member MILLER for their excellent work both on the bill as well as their manager's amendment that would improve the bill in a wide variety of ways, including prioritizing States that authorize charters to be their own School Food Authority so that they can serve healthy meals to their students, including transportation considerations to help ensure that kids have access, and that choice is made more meaningful by ensuring that families who don't have the ability to carpool or transport their kids to school also have choices within the public education system.

This truly bipartisan bill and manager's amendment really exemplifies what the House can do to support good public education and improve student outcome.

I agree with my colleague, Mr. HOYER, who said that this is a start. While many of us would rather see a full reauthorization of ESEA, this is a very promising start to what will hopefully be a very productive session with regard to education, one of the most important goals of this Congress as well as absolutely necessary to improve the economy in the long run.

Unfortunately, one of the amendments disallowed by the Republican majority under this rule is one that I proposed to help facilitate charter schools in obtaining Federal competitive grant funding by adding priority for States that allow charter schools to be LEAs, or Local Education Agencies. Effectively, my amendment would have reduced paperwork and overhead. If the school districts and charter schools agree, the charter schools themselves could effectively function as their own fiscal agent for Federal purposes and to compete for Federal grants.

What happens now, and it works in most cases 9 out of 10 times—unfortunately it's the cases where it doesn't work out that cause the difficulty—is charter schools have to go through their LEA, their authorizing institute, or their school district in order to apply for Federal grants.

What does this mean? It means there's another set of bureaucrat's eyes that have to see every proposal, another person that has to sign off. Sometimes this can lead to unnecessary delays. At worst, it can lead to missing deadlines if funding applications are submitted to districts and not turned around in enough time to meet Federal deadlines for grant funding.

So it would be nice to continue to work on this with the committee, and I think that many of us would like to see charter schools recognized as LEAs for purposes of Federal funding.

□ 1330

I am proud to say that, in my home State of Colorado, we were able to get this fixed in the last legislative session, and now charter schools are recognized as LEAs. In fact, about half of the States allow charter schools to be LEAs for Federal purposes.

A key goal of the bill is to ensure charter schools have equitable funding as well. Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to make in order an amendment by Mr. GARAMENDI of California, one which would give priority to eligible entities working with charter schools that plan to use materials made in America for the construction or renovation of school facilities. Once again, it would make that amendment in order and allow for a discussion and vote by the House on that amendment. Republicans blocked this germane amendment last night in the Rules Committee by a party-line vote.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment into the RECORD, along with ex-

traneous material immediately prior to the vote on the previous question.

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

There was no objection.

Mr. POLIS. Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question so we can help American workers and allow this House to deliberate on an amendment that deserves debate in this body.

I urge a "no" vote on the rule as well, having left off several amendments that would otherwise improve these bipartisan bills.

I yield back the balance of my time. The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 392 OFFERED BY
MR. POLIS OF COLORADO

At the end of the resolution, add the following new sections:

SEC. 4. Notwithstanding any other provision of this resolution of this resolution, the amendment printed in section 5 shall be in order as though printed after the amendment numbered 8 in Part A of the report of the Committee on Rules if offered by Representative Garamendi of California or his designee. That amendment shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent.

SEC. 5. The amendment referred to in section 4 is as follows:

AMENDMENT TO H.R., AS REPORTED OFFERED
BY MR. GARAMENDI OF CALIFORNIA

Page 21, after line 24, insert the following:

"(3) PRIORITY.—In awarding grants under subsection (a), the Secretary shall give priority to eligible entities that demonstrate a plan to require charter schools receiving assistance under subsection (a) to use materials that are made in America for the construction and renovation of facilities."

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution ... [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here’s how the Republicans describe the previous question vote in their own manual: “Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule ... When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

In Deschler’s Procedure in the U.S. House of Representatives, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority’s agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. FOXX. Mr. Speaker, I urge my colleagues to vote for the rule.

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 226, nays 176, not voting 29, as follows:

[Roll No. 693]

YEAS—226

Adams	Blackburn	Cantor
Aderholt	Bono Mack	Capito
Akin	Boustany	Carter
Alexander	Brady (TX)	Cassidy
Amash	Brooks	Chabot
Austria	Broun (GA)	Chaffetz
Bartlett	Buchanan	Coble
Barton (TX)	Bucshon	Coffman (CO)
Benishek	Buerkle	Cole
Berg	Burton (IN)	Conaway
Biggert	Calvert	Costa
Billray	Camp	Cravaack
Bilirakis	Campbell	Crawford
Black	Canseco	Crenshaw

Davis (KY)	Johnson (IL)
Denham	Johnson (OH)
Dent	Johnson, Sam
DesJarlais	Jones
Diaz-Balart	Jordan
Dold	Kelly
Dreier	King (IA)
Duffy	King (NY)
Duncan (SC)	Kingston
Duncan (TN)	Kinzinger (IL)
Ellmers	Kline
Emerson	Labrador
Farenthold	Lamborn
Fincher	Lance
Fitzpatrick	Landry
Flake	Lankford
Fleischmann	Latham
Fleming	LaTourette
Flores	Latta
Forbes	Lewis (CA)
Fortenberry	LoBiondo
Fox	Long
Franks (AZ)	Lucas
Frelinghuysen	Luetkemeyer
Gallegly	Lummis
Gardner	Mack
Garrett	Manzullo
Gerlach	Marchant
Gibbs	McCarthy (CA)
Gibson	McCaul
Gingrey (GA)	McClintock
Gohmert	McCotter
Goodlatte	McHenry
Gosar	McKeon
Gowdy	McKinley
Granger	McMorris
Graves (GA)	Rodgers
Graves (MO)	Meehan
Griffin (AR)	Mica
Griffith (VA)	Miller (FL)
Grimm	Miller (MI)
Guinta	Mulvaney
Guthrie	Murphy (PA)
Hall	Myrick
Hanna	Neugebauer
Harper	Noem
Harris	Nugent
Hartzler	Nunes
Hastings (WA)	Nunnelee
Hayworth	Olson
Heck	Palazzo
Hensarling	Paulsen
Herger	Pearce
Herrera Beutler	Pence
Himes	Petri
Huelskamp	Pitts
Huizenga (MI)	Platts
Hultgren	Poe (TX)
Hunter	Pompeo
Hurt	Pospey
Issa	Price (GA)
Jenkins	Quayle

NAYS—176

Ackerman	Conyers
Altmire	Cooper
Andrews	Costello
Baca	Courtney
Baldwin	Critz
Barrow	Crowley
Bass (CA)	Cuellar
Becerra	Cummings
Berkley	Davis (CA)
Berman	Davis (IL)
Bishop (GA)	DeFazio
Bishop (NY)	DeGette
Blumenauer	DeLauro
Boren	Deutch
Boswell	Dicks
Brady (PA)	Dingell
Bralley (IA)	Doggett
Brown (FL)	Donnelly (IN)
Butterfield	Doyle
Capps	Edwards
Capuano	Ellison
Cardoza	Engel
Carnahan	Eshoo
Carney	Farr
Carson (IN)	Fattah
Castor (FL)	Filner
Chandler	Frank (MA)
Chu	Fudge
Ciilline	Garamendi
Clarke (MI)	Gonzalez
Clarke (NY)	Green, Al
Cleaver	Grijalva
Clyburn	Matsui
Cohen	Hahn
Connolly (VA)	Hanabusa

Reed	McDermott
Rehberg	McGovern
Reichert	McIntyre
Renacci	McNerney
Ribble	Meeks
Rigell	Michaud
Rivera	Miller (NC)
Roby	Miller, George
Roe (TN)	Moore
Rogers (AL)	Moran
Rogers (KY)	Murphy (CT)
Rogers (MI)	Nadler
Rohrabacher	Napolitano
Rokita	Olver
Rooney	Owens
Ros-Lehtinen	Pallone
Ross (FL)	Pascrell
Royce	Pastor (AZ)
Runyan	Payne
Ryan (WI)	Pelosi
Scalise	Perlmutter
Schilling	Peters
Schmidt	Peterson
Schock	Pingree (ME)
Schweikert	Polis
Scott (SC)	
Scott, Austin	Bachmann
Sensenbrenner	Bachus
Sessions	Barletta
Shimkus	Bass (NH)
Shuster	Bishop (UT)
Simpson	Bonner
Smith (NE)	Burgess
Smith (NJ)	Clay
Smith (TX)	Culberson
Southerland	Giffords
Stearns	
Stivers	
Stutzman	
Sullivan	
Terry	
Thompson (PA)	
Thornberry	
Tiberi	
Tipton	
Turner	
Upton	
Walberg	
Walden	
Walsh (IL)	
Webster	
West	
Westmoreland	
Whitfield	
Wilson (SC)	
Witman	
Wolf	
Womack	
Woodall	
Yoder	
Young (IN)	

Price (NC)	Shuler
Quigley	Sires
Rahall	Slaughter
Rangel	Smith (WA)
Richardson	Speier
Richmond	Sutton
Ross (AR)	Thompson (CA)
Rothman (NJ)	Thompson (MS)
Roybal-Allard	Tierney
Ruppersberger	Tonko
Rush	Towns
Ryan (OH)	Tsongas
Sánchez, Linda T.	Velázquez
Sanchez, Loretta	Vislosky
Sarbanes	Walz (MN)
Schakowsky	Wasserman
Schiff	Schultz
Schrader	Waters
Schwartz	Watt
Scott (VA)	Waxman
Scott, David	Welch
Serrano	Wilson (FL)
Sewell	Woolsey
Sherman	Yarmuth

NOT VOTING—29

Green, Gene	Marino
Hinojosa	Miller, Gary
Hirono	Neal
Holden	Paul
Honda	Reyes
Hoyer	Roskam
Johnson (GA)	Stark
Lewis (GA)	Van Hollen
Lungren, Daniel E.	Young (AK)
	Young (FL)

□ 1358

Mr. WALZ of Minnesota, Ms. ESHOO, Mr. DICKS, Ms. LORETTA SANCHEZ of California, Ms. HOCHUL, and Ms. SEWELL changed their vote from “yea” to “nay.”

Mr. WOODALL changed his vote from “nay to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:
Mr. HINOJOSA. Mr. Speaker, on rollcall No. 693, had I been present, I would have voted “nay.”

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

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

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered. The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayeas 237, noes 163, not voting 31, as follows:

[Roll No. 694]

AYES—237

Adams	Buchanan	Cooper
Aderholt	Bucshon	Costa
Akin	Buerkle	Cravaack
Alexander	Burgess	Crawford
Amash	Burton (IN)	Crenshaw
Bachus	Calvert	Cuellar
Bartlett	Camp	Davis (CA)
Barton (TX)	Campbell	Davis (KY)
Benishek	Canseco	Dent
Berg	Cantor	DesJarlais
Biggert	Capito	Diaz-Balart
Billray	Carney	Dold
Bilirakis	Carter	Donnelly (IN)
Black	Cassidy	Dreier
Blackburn	Chabot	Duffy
Bono Mack	Chaffetz	Duncan (SC)
Boustany	Coble	Duncan (TN)
Brady (TX)	Coffman (CO)	Ellmers
Brooks	Cole	Emerson
Broun (GA)	Conaway	Eshoo

Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Henger
Herrera Beutler
Hinojosa
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell

NOES—163

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costello

Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCauley
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, George
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Herrera Beutler
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble

Courtney
Critz
Crowley
Cummings
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchev
Hochul
Holt
Inslee
Israel

Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Long
Ros-Lehtinen
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Speier
Stearns
Stivers
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (IN)

Pallone
Pascarell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush

Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Sutton
Thompson (CA)

Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—31

Austria
Bachmann
Barletta
Bass (NH)
Bishop (UT)
Bonner
Culberson
E.
Denham
Giffords
Green, Gene
Griffin (AR)

Hirono
Holden
Honda
Hoyer
Lewis (GA)
Lungren, Daniel
E.
Lynch
Marino
McClintock
Miller, Gary

Neal
Paul
Reyes
Roskam
Smith (NJ)
Stark
Sullivan
Van Hollen
Young (AK)
Young (FL)

□ 1404

So the resolution was agreed to.
The result of the vote was announced as above recorded.
A motion to reconsider was laid on the table.

Stated for:
Mr. DENHAM. Mr. Speaker, on rollcall No. 694 I was inadvertently detained. Had I been present, I would have voted "aye".

Stated against:
Mr. GENE GREEN of Texas. Mr. Speaker, on rollcall Nos. 693 and 694, had I been present, I would have voted "no."

PERSONAL EXPLANATION

Mr. BASS of New Hampshire. Mr. Speaker, on rollcall votes 693 and 694, my votes were not recorded. Had I been recorded, I would have voted in the affirmative on both ordering the previous question and adoption of the rule providing for consideration of H.R. 2218, to amend the charter school program under the Elementary and Secondary Education Act; and for consideration of H.R. 1892, to authorize appropriations for FY 2012 for intelligence activities of the U.S. Government, the Community Management Account, and the CIA Retirement System.

EMPOWERING PARENTS THROUGH QUALITY CHARTER SCHOOLS ACT

Mr. KLINE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2218.

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

There was no objection.
The SPEAKER pro tempore. Pursuant to House Resolution 392 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2218.

□ 1405

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 consideration of the bill (H.R. 2218) to amend the charter school program under the Elementary and Secondary Education Act of 1965, with Mr. WOMACK in the chair.

The Clerk read the title of the bill.
The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Minnesota (Mr. KLINE) and the gentleman from California (Mr. GEORGE MILLER) each will control 30 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. KLINE. Mr. Chairman, I rise today in support of H.R. 2218, and I yield myself such time as I may consume.

The Empowering Parents through Quality Charter Schools Act is a key component of our efforts to reform the Nation's education system and ensure more students have access to a quality learning experience. I join my colleagues on both sides of the aisle who have been strong proponents of charter schools for the breadth of opportunities they offer students and parents.

These innovative institutions empower parents to play a more active role in their child's education and offer students the priceless opportunity to escape underperforming schools. They also open doors for educators to experiment with the fresh teaching methods uniquely geared to meeting the needs of their individual students.

The stories of charter school success are impressive. Students who previously had little hope have been inspired by excellent teachers to reach new heights. The tales of groundbreaking programs and initiatives at local charter schools have motivated surrounding public schools to improve. Parents have witnessed children of all backgrounds transition from struggling to excelling as a result of their charter school education.

Unfortunately, there are not enough charter schools to meet demand and hundreds of thousands of students remain on wait lists each year.

□ 1410

The legislation we consider today takes important steps to encourage and support the establishment of more high-quality charter schools in communities across the United States.

The bipartisan Empowering Parents through Quality Charter Schools Act will consolidate funding under the Federal Charter School Program into the existing State grant program. This will allow State educational agencies, State charter school boards, and governors the freedom to award subgrants to support new charter schools as well as replicate or expand high-quality charter schools.

To ensure States are facilitating the growth and expansion of charter schools, this act will give funding priority to those that lift arbitrary caps on the number of charter schools permitted in the State. The legislation