

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."

