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# Congressional Record

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WASHINGTON, TUESDAY, MARCH 29, 2011

No. 43

## House of Representatives

The House met at 2 p.m. and was called to order by the Speaker.

### PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Cherry blossoms draw thousands of visitors to the Capitol city, Lord. Their silent beauty causes busy residents to stop their frenzied motion and simply gaze for a moment. Reflected in pools or clustered together on lawns, wrinkled with age, their new life displays a unified motion of gentle friendship.

Today, in our prayer, Lord, we offer voice to their song of spring and praise You and bless You for this momentary revelation of Your unique mystery and the blessing upon this Nation. Lord, this powerful gift of the Japanese people invites us to pray for our friends in their hour of need and suffering. Spring's fragile beauty will not be manipulated or contained for very long. In and through this passing glimpse of glory, the truth of Your promise is revealed. So, we learn the importance of Your timing and the art of subtle cohesion in natural forces.

Lord, grant us patience that You will have Your way with us now and always.

Amen.

### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas (Mr. BURGESS) come forward and lead the House in the Pledge of Allegiance.

Mr. BURGESS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. POE of Texas) laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,  
Washington, DC, March 17, 2011.

Hon. JOHN A. BOEHNER,  
The Speaker, 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 March 17, 2011 at 6:52 p.m.:

That the Senate agreed to H. Con. Res. 30.  
With best wishes, I am,  
Sincerely,

ROBERT F. REEVES,  
Deputy Clerk.

### COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

MARCH 16, 2011.

Hon. JOHN BOEHNER,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to clause 5(a)(4)(A) of rule X of the Rules of the House of Representatives, I designate the following Members to be available to serve on investigative subcommittees of the Committee on Ethics during the 112th Congress:

Zoe Lofgren of California  
Ben Chandler of Kentucky  
John P. Sarbanes of Maryland  
Terri A. Sewell of Alabama  
Paul Tonko of New York  
Ben Ray Lujan of New Mexico  
David N. Cicilline of Rhode Island  
William R. Keating of Massachusetts  
Adam B. Schiff of California

Yvette D. Clarke of New York  
Best regards,

NANCY PELOSI,  
Democratic Leader.

### ROTARY INTERNATIONAL ASSISTS JAPAN

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, all Americans have provided sympathy for the people of Japan due to the massive earthquake and tsunami, but I was grateful to learn last week at the Lexington Rotary Club, led by President Nick Pizzuti, that The Rotary Foundation is taking direct action. Special Assistant Bill Walker of the Second District Office is a dedicated Lexington Rotarian. The Rotary Japan and Pacific Islands Disaster Fund has been established for donations online worldwide. Rotary International President Ray Klinginsmith of Kirksville, Missouri, is promoting the people-to-people assistance in the best tradition of Rotary with his creed: Building Communities, Bridging Continents. Japan is a leading Rotary nation, and it is fitting the incoming RI president-nominee to continue the relief assistance is Sakuji Tanaka of the Rotary Club of Yashio, Saitama, Japan.

As a Rotarian, I appreciate Rotarians worldwide, with hundreds of new clubs in formerly Communist countries from Bulgaria to Slovakia to Russia making a difference with Service Above Self. As with Polio Plus, Rotarians can achieve humanitarian assistance which creates worldwide records for effectiveness.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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### CONGRATULATING BELLARMINE KNIGHTS

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

Mr. YARMUTH. Mr. Speaker, in Louisville, we have a lot to be proud of—the Kentucky Derby, the Louisville Slugger, Muhammad Ali—and now the NCAA Division II Men's Basketball Champion Bellarmine Knights.

Led by Coach Scott Davenport, the Knights finished their regular season with 24 wins, won their second consecutive conference title, and stormed through the NCAA tournament to bring home the university's first national championship. The Knights corralled Mustangs and tamed Mavericks. And on Saturday, led by all-tourney players Jeremy Kendle and Justin Benedetti, Chris Dowe's 16 points, Luke Sprague's double-double, and clutch free throws from Hobbs and Holmes, the Knights grounded a Jet and sent the Seaside's packing. The Knights are true student athletes who overcame injuries and adversity bound together by trust—trust in their abilities and trust in each other. And let's not forget the trust and support of the fans who traveled by the busload nearly 900 miles to cheer on their Knights.

Mr. Speaker, I ask that you join me today in congratulating Coach Davenport, the team, and the entire Bellarmine community on its 2011 NCAA national championship. This was a victory that made history—and on behalf of everyone in Louisville, we're proud to call the Knights our hometown heroes and national champions.

### MR. PRESIDENT, AMERICA NEEDS ANSWERS

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

Mr. BURGESS. Mr. Speaker, last night, the President took to the airwaves and talked to the Nation about the international efforts that America is leading in Libya. This comes almost 2 weeks after the President gave his approval for the United States to be involved in the action in Libya. The President discussed the United States' interest in the conflict, the limited involvement of the United States military, and the role of other countries. What the President failed to deliver was a clear articulation on what is America's role in this conflict. Putting our men and women in harm's way while not knowing the specifics of how and why is not just unacceptable, it is dangerous.

Mr. President, you need to be more forthcoming. The American people need more information. The American people certainly deserve answers. The explanation last night was disappointing, and we find ourselves even more frustrated as specific information was not provided. What is the exit strategy? What is the endgame? What

are our goals? How are we going to ensure that the next government of Libya is not even more hostile than the current regime?

The President does need to follow through with his actions. We need to have the resolve to see this through. The President waited too long to address the Nation. Certainly, the Congress needed to be involved. And certainly the American people needed to be involved.

□ 1410

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

### AIRPORT AND AIRWAY EXTENSION ACT OF 2011

Mr. PETRI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1079) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1079

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Airport and Airway Extension Act of 2011".

#### SEC. 2. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.

(a) FUEL TAXES.—Subparagraph (B) of section 4081(d)(2) of the Internal Revenue Code of 1986 is amended by striking "March 31, 2011" and inserting "May 31, 2011".

(b) TICKET TAXES.—

(1) PERSONS.—Clause (ii) of section 4261(j)(1)(A) of the Internal Revenue Code of 1986 is amended by striking "March 31, 2011" and inserting "May 31, 2011".

(2) PROPERTY.—Clause (ii) of section 4271(d)(1)(A) of such Code is amended by striking "March 31, 2011" and inserting "May 31, 2011".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on April 1, 2011.

#### SEC. 3. EXTENSION OF AIRPORT AND AIRWAY TRUST FUND EXPENDITURE AUTHORITY.

(a) IN GENERAL.—Paragraph (1) of section 9502(d) of the Internal Revenue Code of 1986 is amended—

(1) by striking "April 1, 2011" and inserting "June 1, 2011"; and

(2) by inserting "or the Airport and Airway Extension Act of 2011" before the semicolon at the end of subparagraph (A).

(b) CONFORMING AMENDMENT.—Paragraph (2) of section 9502(e) of such Code is amended

by striking "April 1, 2011" and inserting "June 1, 2011".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on April 1, 2011.

#### SEC. 4. EXTENSION OF AIRPORT IMPROVEMENT PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Section 48103 of title 49, United States Code, is amended by striking the 2 paragraphs designated as paragraph (8) and inserting the following:

"(8) \$2,466,666,667 for the 8-month period beginning on October 1, 2010."

(2) OBLIGATION OF AMOUNTS.—Subject to limitations specified in advance in appropriation Acts, sums made available pursuant to the amendment made by paragraph (1) may be obligated at any time through September 30, 2011, and shall remain available until expended.

(3) PROGRAM IMPLEMENTATION.—For purposes of calculating funding apportionments and meeting other requirements under sections 47114, 47115, 47116, and 47117 of title 49, United States Code, for the 8-month period beginning on October 1, 2010, the Administrator of the Federal Aviation Administration shall—

(A) first calculate funding apportionments on an annualized basis as if the total amount available under section 48103 of such title for fiscal year 2011 were \$3,700,000,000; and

(B) then reduce by 20 percent—

(i) all funding apportionments calculated under subparagraph (A); and

(ii) amounts available pursuant to sections 47117(b) and 47117(f)(2) of such title.

(b) PROJECT GRANT AUTHORITY.—Section 47104(c) of such title is amended by striking "March 31, 2011," and inserting "May 31, 2011,".

#### SEC. 5. EXTENSION OF EXPIRING AUTHORITIES.

(a) Section 40117(l)(7) of title 49, United States Code, is amended by striking "April 1, 2011," and inserting "June 1, 2011,".

(b) Section 44302(f)(1) of such title is amended—

(1) by striking "March 31, 2011," and inserting "May 31, 2011,"; and

(2) by striking "June 30, 2011," and inserting "August 31, 2011,".

(c) Section 44303(b) of such title is amended by striking "June 30, 2011," and inserting "August 31, 2011,".

(d) Section 47107(s)(3) of such title is amended by striking "April 1, 2011," and inserting "June 1, 2011,".

(e) Section 47115(j) of such title is amended by striking "April 1, 2011," and inserting "June 1, 2011,".

(f) Section 47141(f) of such title is amended by striking "March 31, 2011," and inserting "May 31, 2011,".

(g) Section 49108 of such title is amended by striking "March 31, 2011," and inserting "May 31, 2011,".

(h) Section 161 of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 47109 note) is amended by striking "April 1, 2011," and inserting "June 1, 2011,".

(i) Section 186(d) of such Act (117 Stat. 2518) is amended by striking "April 1, 2011," and inserting "June 1, 2011,".

(j) The amendments made by this section shall take effect on April 1, 2011.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. PETRI) and the gentleman from Massachusetts (Mr. CAPUANO) each will control 20 minutes. The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. PETRI. Mr. Speaker, I ask unanimous consent that all Members have 5

legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 1079.

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

There was no objection.

Mr. PETRI. Mr. Speaker, I would like to include in the CONGRESSIONAL RECORD the exchange of letters concerning H.R. 1079 between the Committee on Ways and Means and the Committee on Transportation and Infrastructure.

COMMITTEE ON WAYS AND MEANS,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, March 22, 2011.

Hon. JOHN MICA,  
Chairman, Committee on Transportation and Infrastructure, 2165 Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN MICA: I am writing concerning H.R. 1079, the "Airport and Airway Extension Act of 2011," which is expected to be scheduled for floor consideration the week of March 28, 2011.

As you know, the Committee on Ways and Means has jurisdiction over the Internal Revenue Code. Sections 2 and 3 of this bill amend the Internal Revenue Code of 1986 by extending the current Airport and Airway Trust Fund (AATF) expenditure authority and the associated Federal excise taxes to May 31, 2011. In order to expedite H.R. 1079 for floor consideration, the Committee will forgo action on the bill. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation. In that regard, I would note that the Committee on Ways and Means recently favorably reported H.R. 1034, the "Airport and Airway Trust Fund Financing Reauthorization Act of 2011," which would provide a similar, but longer-term reauthorization, through September 30, 2014, of the AATF expenditure authority and associated excise taxes.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 1079, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration.

Sincerely,

DAVE CAMP,  
Chairman.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,  
Washington, DC, March 23, 2011.

Hon. DAVE CAMP,  
Chairman, Committee on Ways and Means, 1102 Longworth House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 1079, the "Airport and Airway Extension Act of 2011." The Committee on Transportation and Infrastructure recognizes the Committee on Ways and Means has a jurisdictional interest in H.R. 1079, and I appreciate your effort to facilitate consideration of this bill.

I concur with you that forgoing action on H.R. 1079 does not in any way prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this bill or similar legislation in the future, and I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

Finally, I appreciate your decision to forgo further consideration on H.R. 1034, the "Air-

port and Airway Trust Fund Financing Reauthorization Act of 2011," which would provide a longer-term reauthorization of the Airport and Airway Trust Fund expenditure authority and associated excise taxes. This bill was sequentially referred to the Committee on Transportation and Infrastructure.

I will include our letters on H.R. 1079 in the Congressional Record during House Floor consideration of the bill. Again, I appreciate your cooperation regarding this legislation and I look forward to working with the Committee on Ways and Means as the bill moves through the legislative process.

Sincerely,

JOHN L. MICA,  
Chairman.

Mr. Speaker, I yield such time as he may consume to the principal author of the bill and the chairman of the Transportation Committee, our colleague from the State of Florida, JOHN MICA.

Mr. MICA. Mr. Speaker and my colleagues, this is an extension of what would be known as the "aviation bill." I come before the House asking for one extension under the leadership of the new majority in Congress. I also come to the floor to explain the history of how we got here today with 17 extensions.

In 2001, I had the honor and privilege of being named the chair of the Aviation Subcommittee. Not knowing what the future would hold, of course, all of our lives changed on September 11, 2001, and mine did, too.

In 2003, we passed a 4-year authorization: The Federal Government must provide authorization and set the policy for the operation of our Nation's aviation system and for the FAA, which is the primary and lead agency. The bill that we passed in 2003 sets forth the policy and the funding for all the projects and everything eligible for Federal participation. It authorizes all the programs. When we did that again in 2003, we did a 4-year bill.

In 2007, the bill that I helped author and that we brought before the Congress—again after the fateful days of 2001, after the tragedy, and again after the difficulty the aviation industry saw from 2001 to 2003—the bill that expired in 2007, the 4-year bill, was extended some 17 times. That is shameful and irresponsible that we find ourselves in a situation where we haven't passed policy.

Now, why is this important?

Most of the emphasis in this Congress should be on getting people back to work. If we have people working, most of our problems are solved. The States would have revenue, and the Federal Government would have revenue. Yet it's absolutely amazing, when you have the aviation industry, which accounts for 9.2 percent of our gross domestic product and activity in the United States—9.2 percent—that the Federal Government and Congress did not have in place a long-term policy and blueprint, which is set forth in that authorization legislation. So 17 times we've come to the floor, and there have been these short-term ex-

tensions of the bill that we passed originally in 2003 and that expired in 2007. That's the situation we find ourselves in.

Now, several weeks ago, we did pass in the Transportation and Infrastructure Committee a long-term 4-year bill. The Senate has acted, the other body, and they've passed a bill. If it had been just our committee, we probably could have had the bill up a little bit quicker, but we do rely on several other committees to add input into this process. We have the Science, Space, and Technology Committee, which just before we left last week completed their portion of the bill. We have the Ways and Means Committee, which also has part of the financial responsibility, the Ways and Means' responsibility, in the legislation for the extension, and they finished their work.

We do need a little bit more time to come to conference, and I pledge an open conference. In the past, legislation has been decided behind closed doors. I hope this to be an open process. This extension will run us through May 31, I believe, of this year, the end of May, and it is my hope that the first bill that we can get done will be done with this one extension for, again, authorizing all of our aviation programs for the Nation.

So that's the situation we find ourselves in. We need to pass this legislation because the current 17th extension expires at the end of this week, and we must have this in place to make certain that we can even function in any manner, even though we don't have all the details of new legislation in place, which I pledge to do in the next 60 days.

With that explanation, I would like to thank the chairman of the Aviation Subcommittee, the gentleman and our leader on aviation issues, Mr. PETRI.

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

Mr. Speaker, I rise in support of H.R. 1079, the Airport and Airway Extension Act of 2011.

As you heard, this is the 18th short-term extension for FAA programs. With the enactment of a long-term FAA reauthorization in sight, as the chairman has just mentioned—and we all look forward to that—I want to echo my colleague's hopes that this will be the last short-term extension. I know, if we have to have one, we'll probably do one, but we all hope that it's the last one we do.

Without the enactment of this bill, the FAA's funding, programs, and expenditure authority would lapse on March 31. This clean and straightforward extension will keep the FAA operating at current funding levels for another 2 months, through May 31. It will give Congress time to work out the long-term reauthorization. Yet I want to be clear: While I support this short-term extension bill, I have serious concerns about H.R. 658, the long-term

FAA reauthorization bill, which I expect the House may try to take up this week.

In fiscal year 2010, the FAA's major programs were funded at approximately \$16 billion. H.R. 658, the FAA Reauthorization and Reform Act of 2011, is a 4-year reauthorization that would reduce the FAA's annual funding to approximately 2008 appropriation levels, \$14.9 billion, for the remainder of 2011 and then each year through fiscal year 2014. H.R. 658 would effectively cut, roughly, \$1 billion annually and almost \$4 billion total below current funding levels for FAA's budget over the next 4 years. These proposed cuts will have dire consequences on our Nation's infrastructure, jobs, and the economy.

Mr. Speaker, in February, the House Aviation Subcommittee held a hearing for industry stakeholders to testify about FAA reauthorization. In response to a question that I posed, witnesses representing the aerospace industry, general aviation manufacturers, general aviation pilots, airports, air traffic controllers, and FAA managers all testified that Congress could not cut \$1 billion annually from the FAA's budget without harming safety-sensitive programs or hampering the industry. At the same hearing, Ms. Marion Blakey, the FAA administrator under President George W. Bush, stated: "The prospect is really devastating to jobs and to our future."

Every \$1 billion of Federal investment in infrastructure creates or sustains approximately 35,000 jobs. Yet H.R. 658 would cut the airport improvement grants for runway construction and safety enhancements by almost \$2 billion. Cuts to airport improvement grants alone would cost the Nation 70,000 jobs.

□ 1420

So let's be clear about one thing: The FAA reauthorization bill that we will consider later this week will not create jobs; it will destroy them. Although much work is ahead of us, I'm optimistic that Congress will be able to enact a long-term bill and we will not be considering a 19th short-term extension this summer. For the present, however, this particular extension, this bill before us today, I support, and I urge my colleagues to support it.

I yield back the balance of my time.

Mr. PETRI. I would just like to observe to my colleague, we will have plenty of opportunity to defend and debate the overall reauthorization later this week. The reauthorization bill is broadly supported by the industry affected. We may differ on some portions of it, but one of the major features of the reauthorization is to put in place a strengthened framework and benchmarks for NextGen; and as that new technology is deployed, almost every expert we've had testifying before the committee has said it will markedly increase the efficiency and safety of the aviation industry and reduce fuel

use by some 25 percent, helping the environment and our import situation as well.

In any event, I would like to mention that the current reauthorization extension, the short-term extension before us, has bipartisan support. I would urge my colleagues in both parties to support it.

I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. PETRI) that the House suspend the rules and pass the bill, H.R. 1079.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mrs. BIGGERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 839 and to insert extraneous material thereon.

The SPEAKER pro tempore (Mr. PETRI). Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

#### THE HAMP TERMINATION ACT OF 2011

The SPEAKER pro tempore. Pursuant to House Resolution 170 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. 839.

□ 1425

#### 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. 839) to amend the Emergency Economic Stabilization Act of 2008 to terminate the authority of the Secretary of the Treasury to provide new assistance under the Home Affordable Modification Program, while preserving assistance to homeowners who were already extended an offer to participate in the Program, either on a trial or permanent basis, with Mr. POE of Texas 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 gentlewoman from Illinois (Mrs. BIGGERT) and the gentleman from Massachusetts (Mr. FRANK) each will control 30 minutes.

The Chair recognizes the gentlewoman from Illinois.

Mrs. BIGGERT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 839, the Home Affordable Modi-

fication Program, or HAMP, Termination Act and commend my colleague from North Carolina (Mr. MCHENRY) for introducing this bill.

H.R. 839, the HAMP Termination Act, would put an end to the poster child for failed Federal foreclosure programs. Announced by the administration in February 2009 and launched in March 2009, the program has languished for 2 years, hurt hundreds of thousands of homeowners, and must come to an end.

According to the Congressional Budget Office, this bill would save \$1.4 billion over 10 years. To date, the HAMP program has already consumed \$840 million of the more than \$30 billion of TARP funds that were set aside for the program. For this extraordinary investment, the administration predicted that 3 to 4 million homeowners would receive help.

Sadly, for many American homeowners, the program has been an abysmal failure. In fact, HAMP has hurt more homeowners than it has helped. The program has completed about 540,000 mortgage modifications. Another 740,000 unlucky homeowners had the rug pulled out from under them: their modifications were cancelled. Even the Government Accountability Office, GAO, commented that "more borrowers have had their trial modifications cancelled than have received permanent modifications."

Earlier this month, on March 2, the Financial Services Subcommittee on Insurance, Housing, and Community Opportunity received testimony from the Special Inspector General for the Troubled Asset Relief Program, SIGTARP, Neil Barofsky. He exposed the most hazardous failing of the program, noting that "there have been countless published reports on HAMP participants who end up worse off for having engaged in a futile attempt to obtain the sustainable relief that the program promised. Failed trial modifications often leave borrowers with more principal outstanding on their loans, less home equity, depleted savings, and worse credit scores." He continued by saying that "worst of all, even in circumstances where they never missed a payment, they may face back payments, penalties, and even late fees that suddenly become due on their 'modified' mortgages and that they are unable to pay, thus resulting in the very loss of their homes that HAMP was meant to prevent."

Mr. Chairman, many of my own constituents, like homeowners around the country, were lured into HAMP with the promise of relief. In the end, these misled homeowners ended up with no permanent modification, tens of thousands of dollars deeper in debt. One of my constituents reported that after many, many months under a trial modification, he was rejected from the program and immediately handed a bill for \$42,000 in back payments, penalties, and late fees. How is that an effective foreclosure protection?

HAMP has been plagued by problems from the start and is beyond mere reform. Numerous oversight bodies, including the GAO, have cited time and time again that Treasury has failed to respond to recommendations to “increase the transparency, accountability and consistency of the program.” Last year, the Congressional Oversight Panel, or COP, noted that “because Treasury’s authority to restructure HAMP ended on October 3, 2010, the program’s prospects are unlikely to improve substantially in the future.”

□ 1430

COP also stated that “billions of taxpayer dollars will have been spent to delay rather than prevent foreclosures.” It is clear that the administration has no intention of fixing the numerous problems in its flagship foreclosure program, a fact which has not gone unnoticed by the public.

Americans for Tax Reform submitted testimony for our March 2 hearing, stating that “HAMP has been the U.S. Treasury and Department of Housing and Urban Development’s primary spending program for combating foreclosures, and the program has been a costly failure.”

Headlines around the country agree. A recent Washington Times article said that “Obama’s helping hand hoodwinks homeowners; government mortgage assistance can be worse than nothing.” A recent Wall Street Journal article was entitled “Housing Market Masochism; the latest bad idea to raid banks and delay a home-price recovery.”

We need to break down the barriers that have delayed the housing market recovery, including expensive and ineffective programs that have hurt so many homeowners. Unfortunately, programs like HAMP were set up in haste and have done little to restore stability in the market.

We need to stop funding programs that don’t work with money that we don’t have. Out-of-control Federal spending is hurting our economic recovery. Our Nation faces a \$14.2 trillion national debt, and economists agree that reducing government spending will create a more favorable environment for private sector job growth. That’s exactly what unemployed Americans and homeowners need: a job and a paycheck, not a handout or other failed taxpayer-funded government programs.

I reserve the balance of my time.

Mr. FRANK of Massachusetts. I yield 3 minutes to a member of the committee, the former mayor of Somerville, Massachusetts (Mr. CAPUANO).

Mr. CAPUANO. I thank the gentleman for yielding.

Mr. Chairman, this is a program that I’m the first to admit has not lived up to what our hopes were. This program we had hoped would help several million people. Thus far we’ve only helped about 550,000 people. I fully admit that this program, like all the other fore-

closure programs, could use a healthy dose of reconsideration and improvement, and I’m happy to work with that.

But to simply repeal all of these programs is to walk away from individual homeowners, walk away from neighborhoods.

In this particular case, last week before the break, we walked away from neighborhoods. We walked away from cities and counties all across the country. In this case, we’re walking away from homeowners.

In this particular bill, as I said, this program, short of what we had hoped, it has still helped 550,000 homeowners to keep their homes, 550,000 with approximately another 150,000 on trial as we speak. And 550,000 homes, just as a point of information, is more owner-occupied homes than exist in at least 17 different States. Wyoming, Alaska, Utah, Nevada, New Mexico, Nebraska, and on—all individually have fewer homes in the entire State than this program has helped. Yet we’re going to walk away.

Every single State in this Nation has homeowners who have been helped. In Illinois, 29,000 homes have been saved; in North Carolina, 10,000 homes; in my own State, 12,000 homes and counting.

Again, I’m not going to defend the specifics or every single aspect of this program that has been put together, and I am happy to work with anyone to make it better, to help more people to keep their homes, keep their families together. But to simply walk away without offering an alternative means we don’t care; this Congress doesn’t care if you lose your home, period. Well, I understand that that’s what some people want to say. They’re entitled to do that. They’re duly elected and have the power and authority to do that. But I just can’t imagine they could look at the individual constituents in their district and say to their face, We don’t care.

And if you feel that strongly about it, then you should not just repeal the program prospectively; you should repeal it retroactively and tell the 550,000 people whose homes have been saved, We didn’t mean it, it was a mistake, we didn’t support it then, and as far as we’re concerned, you can leave your home tomorrow.

Now, I understand if that makes me a bleeding-heart liberal according to some people, so be it. Call me any name you want. But if you have the courage and the audacity to look at your own constituents and tell them forget it, you don’t care, I would encourage you to do so.

Mrs. BIGGERT. I yield 5 minutes to the gentleman from North Carolina (Mr. MCHENRY), the sponsor of this bill.

Mr. MCHENRY. I thank the gentleman for yielding the time.

The HAMP Termination Act, which is the legislation before us today, ends what I believe to be a failure of a government program. Not just a failure to help those 3 to 4 million homeowners

that the Treasury originally set out to assist, and they’ve fallen well short of it—just over 500,000 mortgage modifications have taken place in the 2 years it’s been in existence. Not only has it been a failure in terms of the metrics they set up to achieve the goal; it’s been a failure for the very people who enter into the program and yet are pushed out.

Now, I want my colleagues to understand what this government program does. The HAMP program, the Home Affordable Mortgage Program, brings folks in who are having trouble making their mortgage payments. They bring folks in, and they will give them a verbal modification for their mortgage. And what has happened—and this is what my constituents tell me and this is what the hard facts and the data indicate as well—is that a majority of those folks that enter into this program are actively harmed by this Federal program. Actively harmed. They are left materially worse off.

And let me quote from the Special Inspector General for TARP, Mr. Neil Barofsky, who is a very independent-minded individual. He said that people who apply for modifications via HAMP sometimes “end up unnecessarily depleting their dwindling savings in an ultimately futile effort to obtain the sustainable relief promised by the program guidelines. Others, who have somehow found ways to continue to make their mortgage payments, have been drawn into failed trial modifications that have left them with more principal outstanding on their loans, less home equity, or a position further underwater, and worse credit scores. Perhaps worst of all, even in circumstances where they never missed a payment, they may face back payments, penalties, and even late fees that suddenly become due on their modified mortgages that they are unable to pay, thus resulting in the very loss of their home that HAMP is meant to prevent.”

“Treasury’s claim that every single person who participates in HAMP gets a ‘significant benefit’ is either hopelessly out of touch or a cynical attempt to define failure as success.”

Those are the words of the Special Inspector General designated to oversee this program and to report to Congress and the public on the success or failures of Federal programs and ways to fix them.

Now, sadly, in the 2 years of this program and over 1½ years of criticism of this program, the Treasury has refused to fix it. My colleagues on the other side of the aisle have not offered legislation to fix it when they were in the majority. So we’re left with what is required today, which is to root out this Federal program that spends our taxpayer dollars, yet hurts more people than it helps.

One of my constituents from Hickory said, “We’ve been in the HAMP program since February of 2010 and still have no answer. We’re being charged

late fees and we were reported to the credit bureau. We've been underwater since April and on trial payments for 6 months, which was only supposed to be 3 months. We have not yet received an answer."

This is a Federal program. If the private sector were doing this, there would be lawsuits. If the private sector were doing that, my friends on the other side of Congress in particular would be filing legislation to make sure they were unable to do that.

Instead, my colleagues on the other side of the aisle and this administration are defending a failed program. And they refused to reform it. They refused to change. They refused to improve it. They refused to do anything to it except defend it. And I believe, indeed, as the Special Inspector General said, it may be a cynical attempt to define failure as success.

So I ask my colleagues to vote for this legislation and remove this costly, ineffective, and painful government program.

□ 1440

Mr. FRANK of Massachusetts. I yield 3 minutes to the gentlewoman from New York (Mrs. MCCARTHY), a member of the committee.

Mrs. MCCARTHY of New York. Mr. Chairman, let me say something first. In the beginning of this program, we didn't have any service. That means there were no people out there to help those that were trying to apply. But we have seen encouraging signs in the economy; yet we are still on a long path towards economical recovery. Many of my constituents are still facing hardship, including trying to keep their homes.

When the housing crisis hit, the private sector responded by turning their backs on those that needed the help. As a result, Congress stepped in and created housing programs to hold the industry accountable and to help these families weather the worst housing crisis that we have seen in generations.

Now, thanks to the leadership of the President and the Democratic-controlled 111th Congress, we are seeing more and more servicers adopting their own programs, largely based on the eligibility criteria within the programs such as HAMP.

The past few weeks my colleagues on the other side of the aisle have brought bills to the floor to terminate these programs, claiming they have done more harm than good to the homeowner and that struggling homeowners are in better hands with the private companies that contributed to the housing crisis in the first place. Most of the homeowners got in trouble because the private sector is the one that got them in the problems.

I disagree with that and point to constituents who have reached out to my office for help because their servicers were not being responsive.

The bill before us totally terminates the HAMP program; however, it pro-

jects assistance to the homeowners in a trial or a permanent modification.

My amendment, which was not made in order, would have expanded that provision to include homeowners who, on or before March 1 of this year, submitted required paperwork for HAMP or had made a verified request to their servicers seeking that modification.

My district office has heard from dozens and dozens of my constituents who have been waiting for up to 16 months, 16 months for a response from their servicer regarding the eligibility for HAMP. They reach out to my office at the point of total frustration due to the lengthy response time when they have submitted the required paperwork. I shudder to think what the response rate would have been without this program in place.

It's very disheartening that my colleagues on the other side of the aisle would like to shut down these distressed homeowners before they have even a chance to qualify for the assistance.

The HAMP program was by no means perfect. Everybody agrees on that. Nor was it meant to be permanent. We all agree on that. Instead, it was meant to hold the mortgage service industry accountable and responsive to those that needed the assistance.

At a time when our housing market is still very fragile and foreclosures continue to occur in record numbers, instead of terminating these programs, we should be trying to improve them.

During the markup in committee, when we were trying to improve, we asked our colleagues, all right, let's not terminate it; let's try and fix some of the things that are not right.

The CHAIR. The time of the gentlewoman has expired.

Mr. FRANK of Massachusetts. I yield the gentlewoman an additional minute.

Mrs. MCCARTHY of New York. Supporting efforts to terminate these housing assistance programs means turning your back on your own constituents.

Mr. Chairman, we have our disagreements. There's no two ways about it. But with that being said, to judge a program from the beginning when we couldn't get servicers, now we are getting servicers, now we are getting people to be responsive on getting people to stay in their homes.

And think about it: All these homes that are being lost to families, where are they supposed to go? In New York, you can't find an apartment, so what are we doing, making more people homeless?

It was not the fault of the homeowners. I agree, there were many people that shouldn't have probably bought a house for \$700,000 or \$800,000. The majority of us here in Congress couldn't even afford something like that. They should have never been given a mortgage. All of us, when we bought our homes, had to go through the third degree. How much money do you earn? Can you pay the insurance? Can you pay your taxes?

That's why we also put legislation in there to have the servicers help them.

Mrs. BIGGERT. Mr. Chairman, if I might inquire how much time is remaining on both sides.

The CHAIR. The gentlewoman from Illinois has 19½ minutes remaining. The gentleman from Massachusetts has 23 minutes remaining.

Mrs. BIGGERT. I reserve the balance of my time.

Mr. FRANK of Massachusetts. I yield 2 minutes to the gentleman from Delaware (Mr. CARNEY).

Mr. CARNEY. Mr. Chairman, I rise today to oppose this ill-advised effort to repeal the Home Affordable Modification Program. Instead, we ought to be focusing on how we can move together, Democrats and Republicans, to address the foreclosure crisis and keep families in their homes.

Since the housing bubble burst, over 9 million Americans have gone into foreclosure. In my little State of Delaware, annual foreclosure filings nearly tripled over the past few years. And we aren't even one of the worst, hardest hit States.

Now, one thing is clear. We can't help every one of these homeowners. Every situation is different; and, frankly, not every homeowner can or should be helped. And most of the help should come from the banks and mortgage servicers, but they are not doing nearly enough in the State of Delaware.

What is incredible to me is that, with the HAMP Termination Act, our friends on the other side of the aisle have decided not to help at all; and that will mean a more direct path to foreclosure for thousands of families.

The claim is that HAMP has hurt more people than it has helped. That is simply a ridiculous charge. Back in my home State of Delaware, the HAMP program has helped 1,600 homeowners, by far the most effective government program. That's 25 percent of the homeowners who filed for foreclosure last year.

And I know a little bit about this. I served as the chair of the foreclosure task force when I was lieutenant governor for over a year.

And the best course, the best result we know is for the private banks, as I said, and the servicers to make the modifications necessary, for the private sector to shoulder the bulk of the burden. But they're just not doing it. And so public officials need tools to help out, and HAMP is one of the best tools we have.

The real question here is whether you believe there is an appropriate role for government at all to help homeowners facing foreclosure through no fault of their own. It's okay to use taxpayers funds to bail out the banks, but my friends on the other side don't want to use a small amount to help homeowners.

Mrs. BIGGERT. I yield myself 30 seconds.

The gentleman from Delaware talks about his State. Let me just say that

in Illinois, if we look back quarter by quarter, HAMP permanent modifications, for example, in the second quarter of 2010 were 167,000; but the proprietary were 331,883. The next quarter, 97 HAMP and 346,910. And it goes on. And I think that's something to keep in mind, that the private sector can do it better.

The CHAIR. The time of the gentleman has expired.

Mrs. BIGGERT. I yield myself another 30 seconds.

The private sector, out of 4.1 million modifications, 3.5 million of those were private sector, and the rest of the 550. And that doesn't include the 750,000 modifications that were made by HAMP that were canceled.

I reserve the balance of my time.

Mr. FRANK of Massachusetts. I yield myself 90 seconds to say that that is an extraordinary bit of illogic we have just heard. The private sector, nothing in the existence of HAMP in any way retards people from going to the private sector.

If you listen to the gentlewoman, you would get this fantasy picture that people were being restrained by the Federal Government not to go to the private sector, go to HAMP.

In fact, HAMP is also the private sector. That's part of the problem. It is also a private sector decision with no coercion by the government. Some people wish there was more.

But, yes, it is true the private sector has done the easy ones on its own. And anybody who wants to go to the private sector and get it does not have to go to HAMP. But there is no requirement that people go to HAMP.

And this set-up that it's a choice, you have to go to one or the other, people are free to go to the bank. If the bank won't do it, then they may go to HAMP. So this is an absolutely illogical notion that one blocks the other.

The other point is that HAMP is the Federal Government bringing people into contact with the private sector. It is still ultimately a private sector decision.

Part of the problem here is that it remains voluntary. I wish we had passed in this House bankruptcy. You know, you can go bankrupt for anything but your primary residence. And my Republican friends overwhelmingly blocked that from happening. And absent that, we don't have the leverage with the private sector we'd like to have. But it is in every case the private sector that decides. And if it is a relatively easy one to do, the private sector does it without any hindrance.

□ 1450

If there is a problem, then you go into the HAMP.

The other point is, and I have been waiting to hear, Members have said more people are harmed than helped. That statistic appears nowhere in the record, and I wait to see it explained.

I reserve the balance of my time.

Mrs. BIGGERT. I yield 2 minutes to the gentleman from Pennsylvania (Mr. FITZPATRICK).

Mr. FITZPATRICK. Mr. Chairman, I rise today in support of H.R. 839, the HAMP Termination Act.

I was sent to the Nation's capital like so many Members of the 112th Congress, to do something about cutting back on wasteful Washington spending, to do something about the \$14 trillion national debt. And in pursuing this goal, we have made many difficult decisions about funding government programs. At a time when families and businesses across Pennsylvania are being asked to do more with less, we cannot continue ineffective Federal spending. Like so many programs hatched in Washington, HAMP has been one of those programs that, while well intentioned, has grossly missed its mark.

Established in 2009 to assist homeowners seeking to avoid foreclosure, of the \$30 billion allocated to the program, only a fraction has been spent. And of the homeowners expected to be helped through the program, only one-eighth have seen any permanent modification.

Despite the fact that U.S. taxpayers have given lenders an average of \$20,000 for each participating homeowner, there is nothing that prevents a lender from still foreclosing after the modification. That means that the bottom line of the HAMP program is this: False hope for homeowners who see the Federal Government send thousands to big lenders only to lose their homes a few months later.

According to the Special Inspector General of TARP programs, "there have been countless published reports of HAMP participants who end up worse off for having engaged in a futile attempt to obtain the sustainable relief that the program promised. Failed trial modifications often leave borrowers with more principal outstanding on their loans, less home equity, depleted savings, and worse credit scores."

As we work to rein in government spending, to create certainty, confidence and, ultimately, jobs, this program, well intentioned as it is, has not been tax dollars well spent.

I urge my colleagues to support the bill.

Mr. FRANK of Massachusetts. I yield 3 minutes to another member of the committee, the gentleman from Indiana (Mr. CARSON).

Mr. CARSON of Indiana. Over the last few years, the United States has faced a devastating economic crisis.

As a result of the economic downturn, many homeowners have lost their homes or are at imminent risk of foreclosure. That is why the Obama administration launched the Federal Home Affordable Modification Program: to stem the escalating tide of home foreclosures and the disastrous impact it has on families and their communities.

HAMP's purpose is to help eligible homeowners avoid foreclosure by providing them with permanent loan modifications to terms they can afford.

Although this program is far from perfect, it has helped more than 600,000 families lower their mortgage payments and stay in their homes. H.R. 839, the HAMP Termination Act of 2011, will end this program and is the latest effort by House Republicans to end foreclosure avoidance and mitigation programs.

With forecasts showing that there will be 3 million foreclosures nationwide this year and the housing turnaround not expected for at least 3 years, Republicans have yet to offer any alternative to help solving our housing crisis.

Republicans have also failed to address the impact this crisis is having on minority communities. An estimated 17 percent of Latino families and 11 percent of African American families have lost their homes or are at imminent risk of losing their homes.

Eliminating support for distressed homeowners at this point in time would be disastrous for neighborhoods trying to recover from the foreclosure crisis. Instead, we should focus our efforts on ways to make HAMP a useful, wide-reaching program with meaningful goals, goals such as pushing lenders to reduce the principal on loans that are underwater and give struggling homeowners real relief.

I urge opposition to this misguided bill.

Mrs. BIGGERT. I yield such time as he may consume to the chairman of the Financial Services Committee, the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. I thank the gentlewoman.

As Republicans and Democrats, let's talk about what this bill does. This bill shuts down a Federal program which spends money. Every dime of that money, of the over 1,000 million dollars, has already been spent, and they have authorized \$29 billion more to be spent. Now, that's taxpayer money; and that is money that, in 2008, we promised the American people, when the banks paid it back, that it would go into the Treasury. That was a promise that we made. So this bill keeps that promise, and that's that the money will be returned to the Treasury.

Now, why do we make that promise and why do we defend that promise today on the floor of the House? Because, ladies and gentlemen, we are spending our children and grandchildren into financial oblivion. We are threatening the national security of this country.

Now, where do I get such a fact as that? Why do I say that it is a threat to national security, which I said last week and I was criticized?

Well, let me quote Defense Secretary Robert Gates when he said 2 months ago, "this country's dire fiscal situation and the threat it poses to American influence and credibility around the world will only get worse unless the U.S. Government gets its finances in order."

And I was told, well, that didn't say that it was a threat to our national security. But following that statement, Admiral Mike Mullen made this statement, the Chairman of our Joint Chiefs of Staff, "The most significant threat to our national security is our debt." In case you weren't listening, let me say that again. "The most significant threat to our national security is our debt." Now, that wasn't a Republican on the floor of the House. That was the Joint Chiefs of Staff's Mike Mullen.

We are spending \$1.42 for every \$1 we get. We are borrowing 42 cents of that. Twelve percent of our debt is owed to the Chinese. Every day we write the Chinese a check for \$120 million. They could buy the most advanced strike jet fighter in the world and still have \$20 million to put in their pocket each day. In 1970, only 19 percent of our national debt was owed to other countries; today, it approaches 50 percent.

Now, let's not talk about whether we can afford this program; let's talk about whether our children and our grandchildren can, because—let's not kid ourselves—we can't pay it back. Now, do we want to spend \$30 billion of our children's and our grandchildren's money?

□ 1500

First of all, should we do that morally? But let's just assume that you say yes, we should do this with our children and grandchildren's money. Well, who should we pay that money to?

You talked about the banks. Where does this money go? It goes to the banks. Every dime of it is paid to a bank. You have a borrower, you have a lender. As many of you have correctly said, and I agree with you, people loaned homeowners money they couldn't afford to pay back. And is that the taxpayers' fault? Should they pick up the bill? No. It is the bank's, or it may be the homeowner's. But the people that ought to pay it back are not the taxpayers, and if it can't be paid back, the banks ought to take the loss.

You talk about the homeowners, but it is the banks that will be paid. And you talk about 500,000 Americans that have been helped. You didn't mention almost 1 million that have been made worse off. Now, again, is that some mean Republican saying they are worse off? No.

Today, March 29, a letter from the largest national Hispanic civil rights and advocacy organization in the United States. Do you know who that is? It is La Raza. What did they say? Let me quote what the largest, and I think we would all agree, a very liberal organization, what did they say?

I urge you to vote "yes" on this legislation, they said. "Structural flaws, especially the voluntary nature of HAMP, have resulted in an abysmal performance by mortgage servicers and hundreds of thousands of families losing their homes to foreclosure unnecessarily." They say this program has re-

sulted in hundreds of thousands of American homeowners losing their homes.

Now, are they the only people who have said this? No. Our own Inspector General, our own Neil Barofsky, SIGTARP, who was put in charge of monitoring this program, what did he say? Let me quote what he said. "HAMP benefits only a small portion of distressed homeowners, offers others little more than false hope, and in certain cases causes more harm than good." When did he say that? He said it this month before our committee. This month.

How about the Congressional oversight panel, a majority of which are Democrats. What did they say? They said billions of taxpayer dollars—billions, billions—will have been spent to delay rather than prevent foreclosures.

Now, that is not Republicans who are getting some crazy idea that this program isn't working. No. It is Democrats.

And who has President Obama appointed to temporarily run the Consumer Financial Protection Bureau? Well, it is Elizabeth Warren, we all know the answer to that. What does Elizabeth Warren say about this program? Let me quote what she said. Just the facts. Not SPENCER BACHUS, not PATRICK MCHENRY, not JUDY BIGGERT. No. Elizabeth Warren, who works out of the White House and who is in charge of consumer protection. Here is what she said, December 14th: "Because Treasury's authority to restructure HAMP ended on October 3, 2010, the program's prospects are unlikely to improve substantially in the future." In other words, they are not going to improve this program.

So let's end by saying this. We say shut it down. You say mend it. Let's mend this program. Why? Let's not pretend. We are not talking about mending. We are talking about pretending. The Treasury, according to Elizabeth Warren, doesn't even have the ability to do that.

The administration itself, not someone here, but your administration, Laurie Maggiano, a Treasury official, said at the Mortgage Banking Conference February 24, just a month ago, "You won't see any major new programs coming out. We may tweak around the edges, but our primary objective in 2011 is excellence in the program we have." Well, there has been no excellence in the program. It has failed. The largest Hispanic group in America has said, end this program.

But I tell you what, our grandchildren and children would say this, and you continue to say, and I agree with you, we have got 13 million American families underwater with their mortgages, and you want to pick and choose 500,000 of those to help. What about the others? Should the Federal Government pay everybody's mortgage that is behind?

Why, one out of four American families are underwater on their home. You

have got, it just came out yesterday: 13 million vacant houses in America, and almost immediately you come up with a cash-for-keys program where you are going to buy these abandoned properties from the banks, from the speculators.

I don't think you have listened to the American people. I don't think you heard what they said in November. This program has been criticized ever since its inception. You haven't mended it. You are talking about mending it today.

Where is your bill to mend it? Is there a bill to amend it? Have you introduced it? Is there a bill?

Mr. FRANK of Massachusetts. Will the gentleman yield?

Mr. BACHUS. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Yes, we are introducing legislation to make sure that the taxpayers are off the hook.

Mr. BACHUS. You will be?

Mr. FRANK of Massachusetts. We have introduced a bill to restore a provision that was knocked out by Republicans.

Mr. BACHUS. Is the gentleman saying you will be?

Mr. FRANK of Massachusetts. It has been filed.

Mr. BACHUS. What, today? Was it filed today, or Monday?

Mr. FRANK of Massachusetts. No, last week. Last week.

Mr. BACHUS. Last week. Two years—

Mr. FRANK of Massachusetts. The gentleman doesn't want an answer, apparently.

Mr. BACHUS. I reclaim my time. One thousand million dollars and \$29 billion of authorization, 2 years of a failed program, and the week before we come to the floor, you file a bill. You file a bill. I'm sorry to say to the ranking member, you can file the bill, we will take a look at it, but we are ending this failure.

Mr. FRANK of Massachusetts. I yield myself 2 minutes.

I regret the chairman's refusal to allow me to answer the question he asked.

Yes, we just filed the bill because we are restoring a provision that was in the financial reform bill. The gentleman, who has shown very little regard for the taxpayer in his own vote sending money to Brazilian cotton farmers—and, by the way, I wish he had listened to Secretary Gates and Admiral Mullen and not voted to force on them money for weapons systems they didn't want. They said those things when they tried to get the Congress not to give them weapons they didn't want, but many of my Republican friends, the majority, disregarded that.

But in the TARP legislation we said that in 2013, when this program ends, any penny that was spent and not returned to the taxpayers will come from the banks, will come from the hedge

funds. And we can anticipate Republican opposition to that, because in the financial reform bill last summer, already passed, not recently introduced, we say that for many of these programs to recover the costs of the foreclosure mitigation and dealing with the results of foreclosure, we would get it from large financial institutions. The Republicans objected to that, and the Republicans insisted in the Senate that it be knocked out. So every time we have tried to get money from the large financial institutions to pay for the costs of the damage their irresponsibility inflicted, the Republicans have opposed it.

Again, when it came to Brazilian cotton farmers or weapons the Pentagon didn't want or infrastructure in Afghanistan or Iraq Security Forces, all of the things the gentleman from Alabama voted for that comes out of the taxpayers' hide, and then he votes against and opposes our legislation already passed and just reintroduced to have the large financial institutions pay for this. So his concern for taxpayers comes into play when we are trying to help people who are in need, but it is not in play when we are talking about heavy defense contractors, Brazilian and American cotton farmers, or the large financial institutions, because he and his fellow partisans have consistently fought every effort we have made to get the large financial institutions to bear this cost. But we do have still, as people will hear later, provisions to do that.

□ 1510

Mrs. BIGGERT. May I request again the time remaining, Mr. Chairman?

The CHAIR. The gentlewoman from Illinois has 5 minutes. The gentleman from Massachusetts has 15½ minutes.

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

Mr. FRANK of Massachusetts. I yield 5 minutes to the gentleman from North Carolina (Mr. MILLER).

Mr. MILLER of North Carolina. Mr. Chairman, I rise to oppose this bill, but I do so with mixed feelings because I have been one of the critics of the HAMP program.

The members of the majority have pointed out correctly that this program has been widely criticized for more than 2 years. It has been criticized by the congressional oversight panel, by the SIGTARP (Special Inspector General for the Troubled Asset Relief Program), by La Raza, by Elizabeth Warren, and, yes, by me. But I have not criticized it for the reasons that the gentleman from Alabama gave. If this bill is keeping a promise, it is not a promise made in open to the American people, it is keeping a promise made in secret to the banks, because the costs of this program are not going to come out of the pockets of the American people. This comes out of the TARP program. That legislation said that any money not recovered by 2013 has to be recovered from the financial

industry, and whoever's present in 2013 has to propose to Congress exactly how it is we're going to get that money back.

They can afford it. Thirty percent of all corporate profits are in the financial sector. They can more than afford it.

The gentleman from Alabama frequently says that he hates visiting debt on his grandchildren, and I believe him when he says it, but I have good news for him. Unless his grandchildren take a job on Wall Street in the next 2 years, they are not going to have to pay this debt. This debt, if Congress does keep its promise to the American people, will not come from the American people. It will come from Wall Street. It will come from the people who created the mess that we are now trying to clean up.

But I have criticized this program because it is not as effective as it should be. It has gone on for 2 years. It is not what we need. The problem, however, has not been what government has made banks do. This program has been run by the banks. It has not been run by the government. It has been run by the banks. Every horror story about a homeowner's being abused is being abused by a bank, the bank handling the mortgage, not by the Department of the Treasury, not by the Federal Government.

So, of course, when they come to see a Republican Member of Congress, the Republican Member of Congress says, "Oh, isn't it terrible what the Federal Government made that poor bank do to you." No, the Federal Government didn't make the banks do that.

My criticism of this program and my criticism of the Obama administration in how they have run this program is not that they've made banks do what they've done, but they have let banks do what they've done. This program can work if there are some tough rules that are really enforced, tough on the banks.

The gentleman from Massachusetts mentioned earlier the bankruptcy proposal 3 years ago. I introduced that bill. I have been trying to put rules, requirements, on the banks that they let people out, that they try to begin to let people out in a very orderly, logical, fair way, through judges, through a judicial process, to begin to get control of the collapse of the housing market.

Something has got to happen to stop the continuing fall of housing values. Something has got to happen to end the cycle of foreclosures and diminished home values and more foreclosures. Republicans have offered nothing to do that. We know something can work. We know that we can design a program that will work, because it has been done before.

In the New Deal, one of the most successful programs in the New Deal was the Home Owners' Loan Corporation which bought mortgages, modified them, worked with homeowners, tai-

lored the mortgages to something the homeowner could buy for those homeowners who really could afford a house, the house that they were in but not the mortgage that they had, and most historians say that program saved the housing market in the Great Depression and saved the middle class.

We have got to make something work. There are rules on the horizon. There is now a pending settlement negotiation for the violations of law by the banks in how they've managed mortgages. It is with States attorneys general and it is with the Federal regulatory agencies. Some on the Republican side have publicly pressured the Federal agencies to lay off the banks. I really cannot tell much difference between what they are doing in the pressure they are putting on banks and the regulatory agents in an enforcement matter and what happened a generation ago with the Keating Five. But they're doing it. They're saying, "Lay off our buddies the banks. Don't come down too hard on them." But there is a real possibility the result of that settlement will be some tough rules, and there is now rule-making authority. There is now a cop on the block. The CFPB has the authority to develop rules for banks in how they manage mortgages.

But something has to work. This has not been working. It can be fixed. It has to be fixed. Something has to work.

Mrs. BIGGERT. I yield 1 minute to the gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. I thank my colleague for yielding, and responding to my colleague from North Carolina, Mr. Coleman, I would say that we agree: The HAMP program is a failure. I think there is bipartisan agreement on that. Even the SIGTARP, Mr. Barofsky, says, "The Treasury Department is so content with the wretched, shameful status quo, they refuse to even acknowledge the program is a failure." We agree. It's a failure. Although it sounds like, at the end of the day, he is going to vote to defend a failed program.

Secondly, I would remind my colleague that this program actually writes checks to those evil banks that he talks about, with those evil profits that he talks about, to the tune of about a billion dollars. So this program is actually cutting checks to banks.

Third and finally, that TARP money is actually the taxpayer, the American people's money, not the banks' money, and we owe it to the American people to give them back that money.

Mr. FRANK of Massachusetts. How much time do I have remaining, Mr. Chairman?

The CHAIR. The gentleman from Massachusetts has 10½ minutes.

Mr. FRANK of Massachusetts. I yield 3 minutes to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Chairman, this bill is just like saying, "You know what, you said you were going to give

us a loaf of bread, but you only gave us a slice. So because you didn't give us the whole loaf, we're going to take all of the bread away, even the slice."

Because the program isn't as successful as it could be, we ought to be getting in here and doing something about all the foreclosures across America as opposed to what the majority wants to do, which is get rid of even the meager program that exists.

This is unresponsive government. This is government that is turning its back and folding its arms on the American people. We've got 4 million foreclosures, and may end up with 7 million, and yet instead of trying to make a program work, we just get rid of the whole thing. This is a really sad day and a big mistake.

If you want to get up here and criticize the HAMP program, you can do that. But you know what: The HAMP program has come up with more than 600,000 active modifications. That's not nearly enough of what we need, but it has done something. Rather than get the program right, we abandon all those people who are underwater, all those people who are in foreclosure. That is a shame, and it's wrong.

Now let me say, Mr. Chairman, the fact is that this program, this HAMP program that we're terminating today, this program, doesn't do anything to put Americans back to work. It doesn't do anything at all. The Republican majority has been here for 13 weeks and all they've done is cut programs that could put people to work. They haven't tried to fix anything that's not working. They've just tried to cut back on what America needs.

So that we will be in a position when people aren't working, they won't be paying taxes, we won't be even addressing this deficit because of the Republican no jobs agenda. It's really too bad. We were sent here to do something about jobs. We were sent here to do something about foreclosures. We're not doing anything about either, because the Republican majority refuses to address it.

One of the biggest problems with the HAMP program, now that we're on that subject, is that we did just allow incentives. We didn't really make the banks and the services do what they should do, which is to readjust these mortgages. People bought at bubble prices based on Republican majority decisions to not regulate, to abandon consumer protection, and this bubble market created expansive and big prices. The loans people got, we didn't see consumers get protected from no doc, low doc, NINJA loans. We didn't see any protection for the American taxpayer with any of these financial regulations involving derivatives. And yet when the bubble burst, the people are there to try to pick up the pieces.

But what does the Republican majority do? They just take away the one slice that might help some people instead of trying to do something to help the American people.

I hope the American people are watching this debate today, Mr. Chairman. I just hope they take careful note of who is on the side of the American neighborhood, who is on the side of the American people, and who's trying to take away that American Dream.

□ 1520

The CHAIR. The gentlewoman from Illinois has 4 minutes remaining.

Mrs. BIGGERT. Mr. Chairman, I have no further requests for time, and I reserve the balance of my time.

Mr. FRANK of Massachusetts. I yield 3 minutes to the gentleman from North Carolina (Mr. WATT).

Mr. WATT. I thank the gentleman for yielding.

As best I can discern, the argument about the HAMP program is we should terminate it because it's run inefficiently. That seems a fairly strange argument for most of us around here because we know that there are inefficiencies in every department of the government. If you use that as the touchstone for terminating programs, we would close down the entire Defense Department; we would close down the Department of Commerce; we would close down the Department of Health and Human Services. We would go right down the list and close them all because every one of the departments and every program has some inefficiencies in them. You don't solve the problem by closing a program. You solve the problem by trying to correct the problems that exists.

This is a whole new philosophy for this group of people, because when the Securities and Exchange Commission was not equipped to fine the Bernie Madoff episode, their answer to it was let's cut out the SEC or let's reduce this budget, not make it more efficient so that it can stop the kind of fraud and abuse that was taking place, let's just starve it to death. That's the same philosophy that's being applied in this context, Mr. Chairman. Because the program is inefficient, which all of us agree it has been, their answer is let's close it down. Ours is to make the program more efficient and work for the purposes for which it was intended; and that's what we ought to be devoting our attention to today, not terminating the program.

Mrs. BIGGERT. I yield 15 seconds to the gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. I will respond to my colleague, Mr. Chairman, that, if we can't eliminate this failed program, what program can we eliminate?

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself the balance of my time.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Well, let me begin with my friend from North Carolina. \$150 million a year to Brazilian cotton farmers, which the gentleman voted for. Now, what we could have done was, instead of giving them \$150 million—

Mr. MCHENRY. Will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from North Carolina.

Mr. MCHENRY. Mr. Chairman, I didn't vote for the farm bill.

Mr. FRANK of Massachusetts. No, the question was not the farm bill. It was the amendment from the gentleman from Wisconsin to cut out \$150 million that is being voted subsequent to the farm bill to the cotton farmers of Brazil.

We had an amendment offered by the gentleman from Arizona (Mr. FLAKE) and the gentleman from Wisconsin (Mr. KIND) not to pay \$150 million a year to Brazilian cotton farmers. We were told that we had to do that because otherwise we would be in trouble. But we had an alternative. We could have knocked \$150 million out of the subsidy to American cotton farmers. That's \$300 million a year that we are losing.

We have the second engine on the F-35. My friend on the other side, the gentleman from Alabama, quoted the Secretary of Defense and the Chairman of the Joint Chiefs of Staff saying national security is at risk, but then they vote against him and force on him money he doesn't want. The gentleman from Alabama voted for a second engine. The administration, at the request of Secretary Gates, said he'd veto the bill if that happened. So it does seem to me a little odd to quote the Secretary of Defense and the Admiral, the Chairman of the Joint Chiefs of Staff, about the problems of debt and then vote for money over their objection.

So those are things I would do. Brazilian cotton farmers, I would have limited the amount that we pay others.

There's a couple of other major flaws here. We've heard several times from people on the majority side that more people are hurt than helped by HAMP. That appears nowhere in anybody's testimony. Neil Barofsky didn't say it. La Raza didn't say it. They said some people are hurt.

I will yield if the gentleman wants to point to any document that says more people were hurt than helped.

Mr. MCHENRY. I thank the gentleman for yielding.

There are 800,000 people that are given temporary modifications, verbal modifications, that are kicked out of the program. Those are the people that have their credit dinged and—

Mr. FRANK of Massachusetts. Reclaiming my time, the gentleman quoted Barofsky, quoted La Raza. Those figures are nowhere in there. And their credit is not worse off because they're in the program. That's the fundamental flaw. What they are saying is—and people have said, the gentlewoman from Illinois—go to the private sector.

The problem, by the way, that La Raza has is this is too much private sector. La Raza's problem here is that the problem is that it leaves too much to the private sector. The private sector does the easy stuff. The notion that

more people are hurt than helped is simply nonexistent.

By the way, we've always heard from my Republican friends that we shouldn't be the nanny state, to let people make choices. No one is forced to go into this program. If they can go into another program, they can make it better.

The final point I want to make is this. Yes, there is a question about who pays for it. Under the TARP bill that we passed, it is mandated that in 2013 we get money from the financial institutions for this. In the financial reform bill that passed the House, we had a provision that required that that assessment be made right away. In the conference report on financial reform, we had an assessment on the financial institutions, those above \$50 billion in assets, except hedge funds above \$10 billion. We have had three legislative efforts to assess these costs on the financial institutions. The Republicans have opposed every one, unfortunately, with some success; although, we still have one left.

The final point I would make is this. Yes, the HAMP program has a lot of problems. Solutions cannot be more elegant than the problems they seek to resolve. The absence of any program leaves people worse off. The Republicans successfully defeated efforts to give bankruptcy powers. They have successfully opposed efforts to make the banks pay for this. So they set up a program which, thanks to them, at least for now, looks like it comes from the taxpayers—although we'll be able to recover that money—which has no leverage over the private sector, and then they object to it.

So I would say again, Mr. Chairman, look at the votes on subsidizing Brazilian cotton farmers or a second engine or money for infrastructure in Afghanistan or security in Iraq. Billions of dollars collectively in all those programs, which my Republican friends, including the advocates on the other side of killing this program, voted for. We have a program here that will be paid for by assessments on the large financial institutions if the Republicans aren't successful and once again go to their rescue. It is a program that people go to voluntarily. They have a right to go purely to a private sector program. If that doesn't work, they can go in here.

It has not helped everybody. The fact that some people didn't get a modification here I regret, and I wish we'd give them more power, but it doesn't mean they are worse off. A few are worse off. Nobody quoted and said a majority were worse off. I hope the program is continued.

Mrs. BIGGERT. I yield the remainder of my time to the gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. I appreciate my colleague yielding, and I certainly appreciate the rhetoric used on the floor. I respect my colleagues. I respect their opinion.

I think people of good will created this program; I really do. The intent was to help homeowners. But 2 years after the fact, we're left with the cold, hard facts that this program has hurt more people than it's helped: a Federal Government program that brings people in, destroys their credit, takes their savings, and at the end of the day takes their home. It offers hope, but it isn't able to deliver it. It's false hope that this program delivers.

I would point to the Special Inspector General's report from January 26, 2011. On page 11: A combined total of more than 792,000 trial and permanent modifications have been canceled.

I would also point my colleague to the Treasury Department's monthly report on their housing programs.

□ 1530

Of the trial modifications that are canceled, those are the individuals who are brought in, given verbal modifications, and strung out for a period of months, some for 3, 6 months. I've had constituents tell me they've been in this trial modification period for up to a year. At the end of the day, these people are kicked out after their savings have been taken, and they're left with nothing, not even their homes, not their credit ratings, not their savings.

It's a Federal Government program that's doing this. This is so objectionable at its core, and I have my colleagues on the other side of the aisle saying that they're bleeding heart liberals—right?—and they're making their arguments. Well, let me see if this actually burns your bleeding hearts.

A constituent of mine from Kings Mountain says, "They keep requesting the same information over and over again. They have supposedly been working with me to get approved under the Make Home Affordable Modification for over 14 months now. The person handling my case returned my call to tell me that they've declined my request for a modification because I was unemployed. I've never been unemployed. I've been with the same employer for over 5 years now, and that has not changed through this whole process. After sending her the proof of my income, she now says that I do not qualify because I am so behind on my payments. I would not be behind on my payments if they would have let me continue to pay them."

Can you believe this is a Federal program? If that doesn't tear at your heart, if you don't see the tears of your constituents who have been put through the wringer of this Federal program—this Federal program—then I would say that every program must be acceptable then no matter how much harm it's doing.

I know that we're better than that. I think the folks on the left and the right who have analyzed this program, who have done a bipartisan, non-partisan analysis of this and research,

have shown that it has been a failure. It is this Congress' responsibility to end a failure of a program and to make sure that the Federal taxpayers, the American people, don't continue to write the check for a program that destroys people's lives and that has hurt more people than it has helped.

I encourage my colleagues to vote "yes" on this bill.

Mr. TOWNS. Mr. Chair, I rise today to urge my colleagues to vote no on H.R. 839 "The HAMP Termination Act of 2011". This bill would prohibit new mortgage loan modifications under the Home Affordable Modification Program (HAMP) which has assisted over 600,000 people. The program works with loan servicers and borrowers to allow hard working people to stay in their homes.

Mr. Chair, my home state of New York has over 140,000 households with at least one member of that household out of work. We must invest in programs that give relief to families that have lost income in this great recession through no fault of their own. HAMP entitles qualified homeowners to reduced mortgage payments at a sustainable debt to income ratio of 31 percent. This program also provides incentives to loan investors and servicers for every permanent loan modification. These incentives allow homeowners in distress the ability to stay in their homes and to continue making payments on time.

I realize that this program is not perfect and that there are still some outstanding issues that must be addressed in order to make HAMP more efficient and effective. However H.R. 839 would simply prevent any future attempt by this congress to address those concerns. Mr. Chair, we were sent to Congress to solve problems. We must deal with the current foreclosure crisis by using every tool in our arsenal to make sure people can afford to stay in their homes.

It is my hope that Members of Congress from both sides of the aisle will work together to make sure the American dream of homeownership is viable in 2011. We must work together to solve the major challenges of our day and we must do so in a bipartisan manner.

H.R. 839 is not the answer to our nation's foreclosure crisis. I urge my colleagues to vote no on this measure.

Ms. HIRONO. Mr. Chair, I rise in strong opposition to H.R. 839, the Home Affordable Modification Program (HAMP) Termination Act.

The House majority supports H.R. 839 and other bills that would end new and existing foreclosure mitigation programs, turning their backs on the middle class families in our country.

Instead of coming up with practical ways to improve these programs, or establishing new initiatives that assist homeowners and stabilize the housing market, my colleagues on the other side of the aisle support immediate termination of these programs without working to address the housing crisis and its effect on the nation's economy.

Most of us would agree that HAMP has not been nearly as successful as initially hoped. Since this program started, about 5 million foreclosures have been completed. HAMP is far from reaching the targeted goal of assisting 3 to 4 million homeowners: nearly 1.5 million homeowners have received a trial HAMP

modification, but only about 600,000 have had their mortgages permanently modified under HAMP.

On March 28th, fifty of my colleagues and I sent a letter to Treasury Secretary Geithner to share our concerns about HAMP, including (1) establishing a single point of contact requirement for mortgage servicers; (2) suspending the foreclosure process when the borrower makes a request for a loan modification; (3) providing for an independent review of loan modification denials; and (4) urging the Treasury Department to begin levying fines and penalties against servicers who fail to follow program rules. These reforms are essential to ensure that HAMP becomes a more successful and effective program.

While HAMP has been far from perfect, the program has had its share of successes. About 30,000 additional homeowners are receiving a permanent HAMP modification every month.

Moreover, the Office of the Comptroller of the Currency reports that the re-default rate for the program's permanent modifications at six months was about half that of other modifications, and nearly 85 percent of homeowners who received a permanent HAMP modification remain in their modification a year later. This program has also set important mortgage industry standards to address the magnitude of this housing crisis and ensure that struggling homeowners get the help that they need to stay in their homes.

If it were not for HAMP, there is no question that even more homes in my congressional district would have been subject to foreclosure. A constituent from Hilo on the island of Hawaii contacted me desperate for assistance. At 72 years old, he has a medical condition and lives on a fixed income. This constituent has no substantial debt and put in over \$300,000 of his savings into his home. His bank ignored his pleas for help, and he was on track to getting a foreclosure notice until he received assistance from HAMP.

Another constituent, a disabled veteran living in Volcano on the island of Hawaii, tried for over two years to get help from her lender, to no avail. It was only as a result of the Making Home Affordable foreclosure prevention services that she was able to get a permanent loan modification, which saved her \$500 a month and lowered her interest rate by over two percentage points.

These are only two of the personal and heart-wrenching stories that I've heard from people in my congressional district who are struggling to stay in their homes. The bottom line is that HAMP provides yet another lifeline for these families. Terminating HAMP would effectively end a lifeline to tens of thousands of homeowners.

I urge my colleagues to vote against this misguided bill.

Mr. POSEY. Mr. Chair, I rise today in support of H.R. 839, the HAMP Termination Act.

As you know, this bill would terminate the failed Home Affordable Modification Program (HAMP), while still protecting assistance for homeowners who were already extended an offer to participate in the program. If passed, it would save taxpayers \$1.4 billion.

HAMP was established under the Troubled Assets Relief Program (TARP) and was aimed at helping homeowners modify their loans. The Administration rolled out HAMP with the goal of assisting three to four million home-

owners, yet the program has fallen far short of that goal, assisting only 500,000 borrowers and at a cost much higher than anticipated. In fact, this program is hurting more homeowners than it is helping. Many trial modifications ultimately end up being cancelled—putting borrowers in a worse financial position than they were before they applied for HAMP assistance. Too many found HAMP to be less than helpful, and ended up owing back payments, interest, and fees in one lump sum once their modification request is rejected.

Numerous government watchdogs—including the Government Accountability Office, the Special Inspector General for TARP, and the Congressional Oversight Panel—are all on record labeling HAMP as ineffective. Unfortunately, as I've witnessed in Financial Services Committee hearings and on the House floor, the Administration has been unwilling to accept these objective analyses and terminate the program, instead choosing to throw good money after bad.

I believe when we see valuable tax dollars being spent on a flawed program we must terminate those programs. A dollar saved here is one less dollar borrowed and put on the tab of future generations.

Washington is on an unsustainable path. Out-of-control government spending has caused a massive increase in borrowing and the national debt is now a record \$14 trillion. Facing a \$1.5 trillion deficit for the third year in a row, the time is past due for Washington to make tough decisions so that our nation's financial future will be secure. All across America, families are doing more with less, and it is time for Washington to do likewise. Fiscally responsible Americans know the budgetary challenges we face and are supportive of the steps we are taking to stop the waste.

Mr. Chair and my colleagues, I ask that you join me in support of H.R. 839, the HAMP Termination Act. Together, let's stand with the American people and get Washington's spending spree under control.

Mr. VAN HOLLEN. Mr. Chair, today's bill represents the fourth piece of legislation we have considered in as many weeks to withdraw assistance from struggling homeowners, worsen the foreclosure crisis and further weaken the middle class.

Specifically, H.R. 839 proposes to terminate the Home Affordable Modification Program, or HAMP. HAMP is a voluntary program with strict and sensible guidelines that has already provided permanent loan modifications to 600,000 American households, including over 17,000 in my home state of Maryland—and is expected to help another 30,000 Americans stay in their homes every month through the end of next year. Furthermore, HAMP's standards have now been largely adopted and standardized across the mortgage industry, thereby benefiting millions of additional homeowners outside the program itself.

HAMP is not a silver bullet, and it will not help everyone. For example, it is not available for mortgages over \$729,750, for second homes, for investment properties or for vacant houses. Additionally, HAMP is not for homeowners who can afford to pay their mortgages without government assistance—or for homeowners who could not afford to pay their mortgages even with government assistance. But for the estimated 1.4 million Americans who are eligible for the program, HAMP is a lifeline that can make all the difference.

Mr. Chair, as we struggle to pull ourselves out of the worst economic downturn since the Great Depression, it makes little sense to terminate a targeted and effective foreclosure prevention program like HAMP when so many of our fellow Americans still face completely avoidable foreclosure.

I urge a no vote.

Mr. BACA. Mr. Chair, I rise in opposition to H.R. 839—the HAMP Termination Act.

HAMP is far from perfect—and we all are aware of some of the problems it has experienced since it began.

But it has helped over 500 thousand homeowners gain mortgage modifications.

And—it is expected to help another 500 thousand homeowners gain modifications over the next two years.

These modifications have resulted in real savings for American families.

In fact—the median savings for homeowners who have received a modification is \$537 a month.

I know much has been made by my friends on the other side, about how some advocacy organizations—like NCLR—support the termination of HAMP.

I understand the frustration of these groups. HAMP is a voluntary program. Treasury could have pushed our financial regulators harder to comply with standards. And—we have yet to see a comprehensive plan to punish the bad actors.

But terminating HAMP—without any alternative plans to assist struggling homeowners—is wrong.

Unfortunately, Republicans are eager to turn control of loan modifications over to the same banks who got us in this mess to begin with.

Before HAMP, homeowners who were lucky enough to get a modification would often pay more per month.

Now—we have standardized the modification market, and are expanding HAMP's reach.

Make no mistake—HAMP is not perfect.

But it does give us a framework to build from.

And doing nothing is not a viable alternative.

I urge my colleagues to oppose this effort to deny mortgage assistance to over a half a million Americans.

Vote no on H.R. 839.

Mr. TURNER. Mr. Chair, I rise today in support of H.R. 839, the HAMP Termination Act. The foreclosure crisis facing our nation is far from over. Families across the nation who face the threat of losing their homes need help they can count on and hope for a better future. Unfortunately, the Home Affordable Modification Program, better known as HAMP, has failed to deliver on both counts.

According to The New York Times, in 2010 Fannie Mae and Freddie Mac took over a foreclosed home approximately every 90 seconds. By the end of December, they owned 234,582 homes. They spend 10 million dollars in just one month to have the lawn of each home mowed twice!

To try and help those who are suffering most, both the Bush and Obama Administrations created programs to help families who are at risk of losing their homes. One of these programs was the Home Affordable Modification Program which we will end with the enactment of the bill before us today.

In the face of such a large crisis it is our responsibility to terminate programs that falsely

raised the hopes of so many, but were poorly designed and help only a very few. While the administration has allocated \$75 billion for HAMP, it failed to perform under any honest observation.

When the Administration announced the program they estimated it would help between three and four million homeowners. As of December 2010, only 521,630 HAMP modifications have been made permanent. I am concerned that for every one of these success stories there are so many more that have been kicked out of the program, since nearly 800,000 modifications have been canceled since the start of the program. Temporary modifications offer little help to homeowners who do not receive permanent ones, and they end up losing their homes anyway. In addition, the Treasury Department reports that about 20 percent of the borrowers who had their modifications made permanent are now 60 days or more behind on their mortgages.

Why would a program that was designed to help so many homeowners fall so short? Perhaps it's because the program was not designed to help homeowners facing foreclosure. On June 22, 2010, Secretary Geithner testified before the TARP Oversight Panel regarding HAMP and stated "This program was not designed to prevent foreclosures."

Programs that were not designed to help families keep their homes deserve termination. Programs that kick many more qualifying families out of the program than are assisted by the program deserve termination. Programs that have such a high redefault rate among the families that are helped by the program are fundamentally flawed and deserve termination.

I ask my colleagues to join me in supporting this bill to terminate a program that has fallen so short of its laudable goals.

Ms. BROWN of Florida. Mr. Chair, I rise today to oppose this spurious legislation to eliminate a program that has just begun to help our constituents recover from the horrible housing crisis that has taken hold of our communities.

This program has helped more than 600,000 families stay in their homes while helping neighborhoods avoid the associated blight that comes with vacant and foreclosed homes.

The legislation allowed hard-working American families in danger of losing their homes to refinance into lower-cost government-insured mortgages they can afford to repay.

Florida has had over 82,000 permanent and trial modifications under this program. This is over 82,000 families who do not have to worry about where they are going to sleep tomorrow. 82,000 families who know where their kids are going to go to school tomorrow.

I was able to hold foreclosure workshops in cities and towns throughout my district to help these families at risk of losing their homes. With this program's help, these families were able to stay in their homes, keeping neighborhoods intact.

I believe that more money should be used to keep people in their homes. To the administration's credit, they attempted to create other programs that would do that. The Republican majority has spent the last weeks attempting to eliminate those programs also.

Eliminating this program without a replacement program for the people on the front lines of this recession is heartless and should be criminal.

Defeat this legislation and vote to keep people in their homes and our communities living and vibrant.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 839

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

*This Act may be cited as the "The HAMP Termination Act of 2011".*

**SEC. 2. TERMINATION OF AUTHORITY.**

*Section 120 of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5230) is amended by adding at the end the following new subsection:*

*"(c) TERMINATION OF AUTHORITY TO PROVIDE NEW ASSISTANCE UNDER THE HOME AFFORDABLE MODIFICATION PROGRAM.—*

*"(1) IN GENERAL.—Except as provided under paragraph (2), after the date of the enactment of this subsection the Secretary may not provide any assistance under the Home Affordable Modification Program under the Making Home Affordable initiative of the Secretary, authorized under this Act, on behalf of any homeowner.*

*"(2) PROTECTION OF EXISTING OBLIGATIONS ON BEHALF OF HOMEOWNERS ALREADY EXTENDED AN OFFER TO PARTICIPATE IN THE PROGRAM.—Paragraph (1) shall not apply with respect to assistance provided on behalf of a homeowner who, before the date of the enactment of this subsection, was extended an offer to participate in the Home Affordable Modification Program on a trial or permanent basis.*

*"(3) STUDY OF USE OF PROGRAM BY MEMBERS OF THE ARMED FORCES, VETERANS, AND GOLD STAR RECIPIENTS.—*

*"(A) STUDY.—The Secretary shall conduct a study to determine the extent of usage of the Home Affordable Modification Program by, and the impact of such Program on, covered homeowners.*

*"(B) REPORT.—Not later than the expiration of the 90-day period beginning on the date of the enactment of this subsection, the Secretary shall submit to the Congress a report setting forth the results of the study under paragraph (1) and identifying best practices, derived from studying the Home Affordable Modification Program, that could be applied to existing mortgage assistance programs available to covered homeowners.*

*"(C) COVERED HOMEOWNER.—For purposes of this subsection, the term 'covered homeowner' means a homeowner who is—*

*"(i) a member of the Armed Forces of the United States on active duty or the spouse or parent of such a member;*

*"(ii) a veteran, as such term is defined in section 101 of title 38, United States Code; or*

*"(iii) eligible to receive a Gold Star lapel pin under section 1126 of title 10, United States Code, as a widow, parent, or next of kin of a member of the Armed Forces person who died in a manner described in subsection (a) of such section.*

*"(4) PUBLICATION OF MEMBER AVAILABILITY FOR ASSISTANCE.—Not later than 5 days after the date of the enactment of this subsection, the Secretary of the Treasury shall publish to its Website on the World Wide Web in a prominent location, large point font, and boldface type the following statement: 'The Home Affordable Modification Program (HAMP) has been termi-*

*nated. If you are having trouble paying your mortgage and need help contacting your lender or servicer for purposes of negotiating or acquiring a loan modification, please contact your Member of Congress to assist you in contacting your lender or servicer for the purpose of negotiating or acquiring a loan modification.'"*

The CHAIR. No amendment to the committee amendment is in order except those printed in part A of House Report 112-34. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered 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.

AMENDMENT NO. 1 OFFERED BY MR. HANNA

The CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 112-34.

Mr. HANNA. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, after line 6, insert the following new section (and redesignate the succeeding sections accordingly):

**SEC. 2. CONGRESSIONAL FINDINGS.**

The Congress finds the following:

(1) According to the Department of the Treasury—

(A) the Home Affordable Modification Program (HAMP) is designed to "help as many as 3 to 4 million financially struggling homeowners avoid foreclosure by modifying loans to a level that is affordable for borrowers now and sustainable over the long term"; and

(B) as of February 2011, only 607,600 active permanent mortgage modifications were made under HAMP.

(2) Many homeowners whose HAMP modifications were canceled suffered because they made futile payments and some of those homeowners were even forced into foreclosure.

(3) The Special Inspector General for TARP reported that HAMP "benefits only a small portion of distressed homeowners, offers others little more than false hope, and in certain cases causes more harm than good".

(4) Approximately \$30 billion was obligated by the Department of the Treasury to HAMP, however, approximately only \$840 million has been disbursed.

(5) Terminating HAMP would save American taxpayers approximately \$1.4 billion, according to the Congressional Budget Office.

The CHAIR. Pursuant to House Resolution 170, the gentleman from New York (Mr. HANNA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. HANNA. Mr. Chairman, this amendment would add a findings section detailing the flaws of the Home Affordable Modification Program, or HAMP. It would also state that terminating HAMP would result in significant savings for the American taxpayers.

I filed this amendment during Sunshine Week, which highlights the importance of open government. In keeping with the spirit of transparency, this amendment would include within the bill the specific reasons why we should end the failed HAMP program.

The HAMP program was designed to assist between 3 and 4 million homeowners. However, as of February, only 607,000 active permanent mortgage modifications were made under HAMP. While \$30 billion was obligated by the Treasury to HAMP, only \$1.04 billion has been disbursed. Furthermore, the Special Inspector General for TARP reported that HAMP offers many homeowners "little more than false hope and in certain cases causes more harm than good." The program does not fulfill its intended purpose of helping American homeowners. It delays rather than prevents foreclosure.

This program was flawed from the beginning. According to The Wall Street Journal, the number of applications canceled far exceeds those that were approved, and the number of applications continues to slow. I agree with the Journal's assessment, which also pointed out that keeping people in homes they cannot afford is bad policy. Incentivizing mortgage servicers to do just that only exacerbates our housing crisis. Moreover, the private sector is better equipped to deal with the problem, and they have modified nearly double the number of loans themselves without government involvement.

My amendment concludes that ending this ineffective program would save taxpayers \$1.4 billion, which is according to the Congressional Budget Office. This is one step toward restoring fiscal discipline to our Federal Government.

Too often, our constituents receive biased or incomplete information on the issues we are discussing in Congress, thus making it difficult for them to make informed assessments of our work. Including additional facts on the intended consequences of legislation is beneficial to the public. That is why I urge support for the Hanna amendment and the underlying bill.

I yield back the balance of my time.

Mr. ELLISON. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. ELLISON. I rise in opposition to the gentleman from New York's amendment and in opposition to the underlying bill today.

Mr. Chairman, the middle class is shrinking, and deficits are rising because Republicans are giving a pass to special interests who cheated American homeowners and wrecked our economy. This is the 13th week of the Republican-controlled Congress. Republicans continue to ignore the people's top priority, which is jobs. Instead of working to keep middle class families in their homes, the Republican plan is to foreclose on the American middle class. The American people sent us here to protect the dream, not to destroy it,

not to perpetuate a Wall Street nightmare. Democrats are standing with the American people to create good-paying American jobs and to keep Americans in their homes.

This legislation is just the latest attempt by the Republican majority to end foreclosure programs to help middle class Americans. The majority's housing plan is very simple: foreclose on the middle class. Now that millions of families have already lost their homes, their plan is to hand out foreclosure notices to everybody else.

What's the Republican answer if you lose your home to foreclosure? So be it. What's the Republican answer if your neighbors lose their homes? So be it. What's the Republican answer if you lose your job? So be it.

Mr. Chair, I would like to yield 20 seconds to the gentleman from New York for a question. I am offering the gentleman 20 seconds because I want to ask him a question.

Does the gentleman want to answer the question?

Mrs. BIGGERT. The gentleman is not here.

Mr. ELLISON. How many jobs does this amendment create?

Mrs. BIGGERT. This legislation is to reiterate what the Congressional Budget Office says about—

Mr. ELLISON. Reclaiming my time, the gentlelady hasn't told me the jobs that this amendment, this bill, is going to create.

Mr. MCHENRY. Will the gentleman yield?

Mr. ELLISON. I yield to the gentleman from North Carolina.

How many jobs is this amendment going to create or is this bill going to create?

Mr. MCHENRY. Certainly, a multibillion-dollar Federal program doesn't create any real private sector jobs.

Mr. ELLISON. I reclaim my time.

"No jobs" is the answer from the gentleman from North Carolina. I appreciate his candor.

Mr. MCHENRY. Will the gentleman yield?

Mr. ELLISON. Let me just finish here.

Mr. MCHENRY. If the gentleman would yield, I would be happy to explain.

The CHAIR. The gentleman from Minnesota controls the time.

Mr. ELLISON. We are here for the specific purpose of trying to create some jobs and to help the American people create their own dreams. That's about jobs. We've been here 13 weeks, and the majority caucus, Mr. Chair, hasn't created one single job.

I asked the gentleman from North Carolina how many jobs this bill is creating, and he just went off on a tangent somewhere. Now, I'm looking for some kind of a number. I'll even take an estimate.

How many jobs does this bill create?

I yield to the gentleman.

Mr. MCHENRY. When you cut Federal spending, you create private sector

jobs. When you tax people more, you get less private sector growth.

Mr. ELLISON. I reclaim my time.

Look, we are supposed to be creating jobs around here, Mr. Chair, and we're not creating anything.

□ 1540

The fact is we get spin and we get imaginary arguments and we get failed and flawed economic theory but no answer to the fundamental question, which is, when are the jobs going to start arriving around here?

Mr. Chair, it is a pretty simple question: How many jobs does this bill create? How many families will this bill help keep in their homes? In fact, Mr. Chair, I have three major studies here with me today which I would like to enter into the RECORD which state very clearly that the Republican spending bill eliminates nearly 1 million jobs. The Economic Policy Institute study shows that the Republican spending bill, H.R. 1, will cut nearly 1 million American jobs. Mark Zandi of Moody's Analytics said that the Republican spending bill will cut 1 million jobs. A report from Goldman Sachs says that the Republican spending bill will cut nearly 1 million jobs.

Why is the Republican majority against jobs? Why won't they take a moment to do something about jobs?

[From the Economic Policy Institute, Feb. 9, 2011]

REPUBLICAN PROPOSAL TO 'RIGHT OUR FISCAL SHIP' THROWS MORE WORKERS OVERBOARD  
(By Rebecca Thiess)

Update: Since this piece was posted last week, the magnitude of discretionary funding cuts for the duration of this fiscal year proposed by House Republican leadership has grown substantially, especially considering the short time frame for implementation. After the House Appropriations Committee detailed \$74 billion in cuts last Wednesday, a number of conservative members demanded \$26 billion in additional cuts to make good on the "Pledge to America," bringing the total level of cuts relative to President Obama's FY 2011 budget request to \$100 billion. A full \$100 billion cut to discretionary spending would likely result in job losses on the order of 994,000, using OMB's GDP projections (CBO's projections are based on current law) and assuming a fiscal multiplier of 1.5.

The new GOP budget proposes cutting non-security discretionary spending by \$81 billion relative to the president's \$478 billion request for 2011. Non-security discretionary cuts of this magnitude would likely result in job losses of just over 800,000. (2/15/2011)

Today the Republican-led House Appropriations Committee released a list of 70 proposed funding cuts to government operations for the rest of fiscal year 2011. The cuts included in the committee's proposal are extensive in both their depth and reach. In total, House Republicans propose funding the government at a level \$74 billion below President Obama's FY 2011 budget request. Of that cut, \$58 billion (over three-quarters) would apply to non-security discretionary spending.

Included on the chopping block are a \$224 million cut to Amtrak, a \$256 million cut in assistance to state and local law enforcement, an \$889 million cut for energy efficiency and renewable energy programs, a \$1

billion cut to the National Institute for Health, a \$1.3 billion cut to community health centers, and a \$1.6 billion cut to the Environmental Protection Agency. All cuts can be seen proportionally, below:

Cuts of this magnitude will undermine gross domestic product performance at a time when the economy is seeing anemic post-recession growth. Cuts in the range of \$74 billion will lead to the loss of roughly 700,000 jobs. The domestic discretionary reduction of \$58 billion will result in the loss of around 590,000 jobs, as we demonstrate in this briefing paper.

Like Paul Ryan's budget outline, as we stress in this related piece, the proposal suggests Americans take on unnecessary pain with no long-term gain. While \$58 billion represents a 12% reduction to the nonsecurity discretionary budget, it only represents 4% of the total 2011 deficit, and less than 2% of total spending as projected by the Congressional Budget Office. In other words, changes to the short-term budget picture would be inconsequential at best, and there would be practically no benefit at all regarding the longer-term budget trajectory. Meanwhile, associated job losses would certainly magnify the ongoing labor market crisis, which has now experienced 21 straight months of unemployment over 9%.

Appropriations Committee chairman Hal Rogers has stated that he has a unique opportunity to "right our fiscal ship." In reality, the nonsecurity discretionary budget is not adding to our long-term debt instability. If anything, the GOP efforts to extend tax cuts for the wealthiest 2% of Americans and water down the estate tax have made our fiscal ship a leakier vessel (according to the Center on Budget and Policy Priorities, these tax policies will have a two-year deficit impact of \$139 billion). The proposed program cuts not only fail to offset that lost tax revenue, but they also target programs that exist to promote innovation, global competitiveness, and community and safety-net services. This is an effort to cut helpful and innovative programs and services traditionally opposed by conservatives, disguised as an effort to promote fiscal responsibility. It would reduce jobs, it would hurt millions of people, and it would barely dent our long-term budget picture.

[From Moody's Analytics, Feb. 28, 2011]

#### A FEDERAL SHUTDOWN COULD DERAIL THE RECOVERY

(By Mark Zandi)

Odds are uncomfortably high that the federal budget impasse will prompt a government shutdown.

The Obama administration has shown significant spending restraint in its recent budget, but House Republicans want deeper cuts.

While cuts and tax increases are necessary to address the nation's long-term fiscal problems, cutting too deeply before the economy is in full expansion would add unnecessary risk.

The House Republicans' proposal would reduce 2011 real GDP growth by 0.5% and 2012 growth by 0.2 percentage points. This would mean some 400,000 fewer jobs created by the end of 2011 and 700,000 fewer jobs by the end of 2012.

A government shutdown lasting longer than a couple of weeks would do much more damage to the economy.

Lawmakers are likely to split the difference between the administration and House Republican proposals. This isn't ideal fiscal policy, but the economy will be able to manage through it.

A compromise could send an encouraging signal about the more serious budget battles to come.

The political war is intensifying over the federal budget. Lawmakers are at loggerheads over how to cut government spending, raising prospects that government services will halt temporarily while the debate is resolved. Significant government spending restraint is vital, but given the economy's halting recovery, it would be counterproductive for that restraint to begin until the U.S. is creating enough jobs to lower the unemployment rate. Shutting the government for long would put the recovery at risk, not only because of the disruption to public services but also because of the potential damage to consumer, business and investor confidence.

#### THE NEAR-TERM FIGHT OVER FUNDING

Washington's most immediate battle is over near-term government spending. The catalyst is the chance of a federal shutdown March 4, when current funding will run out. The Obama administration's recently unveiled budget plan calls for significant spending restraint through the remainder of this fiscal year, but House Republicans want even greater cuts. Their proposal would cut spending by about \$100 billion more than in the administration's plan and would put spending \$60 billion below fiscal 2010 levels.

It is laudable that policymakers are focused on reining in government spending. Much greater cuts will be needed, along with tax increases, to address the nation's daunting long-term fiscal challenges. Even under the most optimistic assumptions, the current fiscal year's deficit will exceed \$1.3 trillion, equal to 9% of GDP. If the economy continues to improve as anticipated, and there are no significant policy changes, the deficit will shrink over the next few years, settling around a level equal to 5% of GDP. This is the so-called structural budget deficit. Left alone, it will cause interest payments on the nation's debt to balloon, producing a fiscal crisis. Policymakers will eventually need to cut annual spending and/or raise taxes to shrink the deficit by \$400 billion, bringing it down to a sustainable level at no more than 2.5% of GDP.

#### TOO MUCH CUTTING TOO SOON

While long-term government spending restraint is vital, and laying out a credible path toward that restraint very desirable, too much cutting too soon would be counterproductive. The economy is much improved and should continue to gain traction, but the coast is not clear; it won't be until businesses begin hiring aggressively enough to meaningfully lower the still-high unemployment rate. The economy is adding between 100,000 and 150,000 per month—but it must add closer to 200,000 jobs per month before we can say the economy is truly expanding again. Imposing additional government spending cuts before this has happened, as House Republicans want, would be taking an unnecessary chance with the recovery.

This is particularly true given the added threat presented by rising oil prices. Unrest in the Middle East has pushed up the price of crude oil by about \$10 per barrel; West Texas Intermediate is selling for almost \$100 per barrel, and a gallon of regular unleaded gasoline has risen to about \$3.25 nationwide. If sustained, these prices will shave about 0.2% from real GDP growth in 2011, a disappointing but manageable outcome. If oil prices approach \$125 per barrel, and gasoline reaches \$4 per gallon, growth will slow sharply and unemployment will begin rising again. Should fuel prices return to their all-time high near \$150 per barrel for oil and \$4.50 per gallon for gasoline, the economy would sink back into recession. Such a price spike seems unlikely, but handicapping events in the Middle East with any precision is practically impossible.

#### POLICY AT ODDS WITH ITSELF

Additional spending cuts would also be at cross-purposes with the government's other economic policies. The Federal Reserve is holding short-term interest rates close to zero and purchasing hundreds of billions of dollars in long-term Treasury bonds, in an effort to hold down long-term interest rates. The Fed's credit-easing efforts are scheduled to continue through June, and the central bank is likely to keep interest rates near zero through 2011. Monetary authorities clearly remain nervous about the economy's near-term prospects.

The tax cuts and benefit extensions lawmakers agreed to late in 2010 are also providing substantial temporary support to the economy. In addition to extending marginal personal tax rates for two years, the deal provided for a 2% payroll tax holiday in 2011, an extension of emergency unemployment insurance benefits through the end of the year, and—perhaps least appreciated in terms of its economic impact—the expensing of all business investment this year. The deal ensured that fiscal policy, which would have significantly weighed on the economy in 2011, will be largely neutral instead. Fiscal restraint was appropriately put off until 2012, when the expansion is likely to be in full swing.

While the government spending cuts proposed by House Republicans for this fiscal year mean only modest fiscal restraint, this restraint is meaningful. If fully adopted, the cuts would shave almost half a percentage point from real GDP growth in 2011 and another 0.2 percentage point in 2012. There would be almost 400,000 fewer U.S. jobs by the end of 2011 than without the cuts and some 700,000 fewer jobs by the end of 2012. The fallout will extend into next year because it takes time for budget cuts to filter through the economy. In all likelihood, the proposed House cuts would not undermine the current recovery; still, it is not necessary to take the chance.

#### NO CROWDING OUT YET

This wouldn't be true if the current budget deficits were crowding out private investment, but they aren't. Business demand for credit has recovered modestly, and households continue to lower their debt obligations. Interest rates also remain extraordinarily low. Some of this is due to the Fed's credit easing, but global investors also remain willing buyers of U.S. debt even at low interest rates. Ten-year Treasury bonds are yielding 3.5%, fixed mortgage rates are near 5%, and borrowing costs for below-investment grade, or "junk", corporate bonds are 8%—about as low as they have ever been. Global investors won't remain avid buyers of U.S. debt for long if policymakers don't tackle the nation's long-term fiscal problems; yet markets today appear unconcerned about the near-term deficits.

This could change if policymakers remain deadlocked and the government suffers a prolonged shutdown. The 1995–1996 experience suggests that a brief shutdown need not be disruptive; in those years, nonessential functions of the government were stopped briefly twice after the Clinton administration and the Newt Gingrich-led House reached an impasse. By that measure, a week-long shutdown in mid-March of 2011 would cost the economy about 0.2% in annualized real growth in the first quarter. Growth would rebound in the second quarter, and there would be no discernible impact by year's end.

A shutdown that lasted into April would be a problem, however. Not only would this disrupt a wide range of government operations and significantly cut the output of government workers, but the hit to confidence

could be serious. Consumer, business and investor sentiment is much improved from the depths of the recession, but it remains extraordinarily fragile. A government shutdown lasting more than a week or two could easily undermine confidence as questions grow about policymakers' ability to govern. This would be fodder for a new recession.

#### HITTING THE DEBT CEILING

Even more disconcerting would be a shutdown emerging from an impasse about the federal debt ceiling. Judging from the Treasury's near-term financing needs, the current debt ceiling will become a binding constraint on government operations no later than June. The longer it takes Congress to raise the ceiling, the greater the fallout on financial markets and the economy. Global investors who own Treasury debt will receive their interest and principal payments, but, the spectacle of legislative gridlock on this issue may convince markets that U.S. policymakers will have even more trouble making hard future policy choices. Interest rates could spike, stock prices and the value of the U.S. dollar could fall, and the economy would suffer severe harm.

While these dark scenarios highlight the threat of a serious policy misstep in the next several weeks, the very seriousness of the threat improves chances that policymakers will come to terms. The most likely scenario is thus a political compromise that roughly splits the difference between the administration and House Republican proposals, with spending cuts in fiscal 2011 of closer to \$30 billion.

This isn't ideal fiscal policy, but the economy will be able to manage through it. And if the compromise is reached relatively gracefully, it could send an encouraging signal that policymakers can navigate the much more difficult budget battles still to come.

GOLDMAN SACHS

(By Alec Phillips)

Proposals to cut federal spending, the possibility of a government shutdown, and the escalated debate over state employee compensation has increased interest in the effect of fiscal policy on growth, after last year's fiscal package briefly neutralized the expected drag from federal fiscal policy.

Federal spending cuts deserve the most attention. They are the most likely of these issues to occur, and could have the largest magnitude. The assumption we incorporated into our recently revised budget estimates—discretionary spending cuts of \$25bn and \$50bn below the CBO baseline for FY2011 and FY2012 respectively—would shave nearly one percentage point off of the annualized rate of real GDP growth in Q2, but would fade quickly with a negligible effect on growth by year-end.

The related risk of a temporary federal government shutdown could also lead to a fiscal drag on growth, but this appears to be a lower probability scenario. We estimate that each week that the federal government is shut down would reduce federal spending by around \$8bn, and could reduce real GDP growth by as much as 0.8 pp at an annualized rate in the quarter it occurred, but would provide a lift to growth in the following quarter as federal activity returned to the previous level.

The policies that several state governments are debating related to state employee compensation and organization appear to have—at least in the short term—little potential macroeconomic effect. We assume that state governments will cut spending or raise taxes no more than necessary to balance their budgets. This amount will be determined by the level of tax receipts avail-

able to pay for spending, not political negotiations.

Fiscal drag is quickly reemerging as a focus, only a couple of months after an agreement to extend tax cuts and unemployment benefits appeared to have neutralized most of the drag from federal fiscal policy for most of 2011. We see federal spending cuts as the most important near-term risk. The possibility of a government shutdown is a significant but less likely factor, while the debate over state employee compensation seems unlikely to have a meaningful near-term macroeconomic effect.

Federal spending cuts would result in additional fiscal drag: In our recently updated budget deficit estimates, we have assumed that Congress will reduce discretionary spending by \$25bn below the Congressional Budget Office's (CBO) baseline for FY2011, and another \$25bn (for a total of \$50bn below the baseline) for FY2012 (for more on these assumptions and our budget estimates, see "The US Budget Outlook: Better, but Not Good Enough," US Economics Analyst 11/05, February 4, 2011). By contrast, the House of Representatives passed legislation over the weekend to cut spending for FY2011 by \$60bn from current levels (the House hasn't yet addressed FY2012). Both scenarios would add to the drag from federal fiscal policy on growth:

1. The modest spending cuts we assume in our own budget forecast would lead to renewed fiscal drag. Since spending cuts could be enacted no earlier than next month, when the current fiscal year will be nearly half over, \$25bn in cuts would require spending in the second half of FY2011 to be reduced by \$50bn at an annual rate. Since the cut would be phased in abruptly, it could result in a drag on growth in Q2 by as much as one percentage point (pp), but would quickly fade over the next two quarters as spending stabilizes at a lower level, with little effect versus current policy on the rate of real GDP growth by year end.

2. The spending cut package that passed the House of Representatives would have a deeper effect. Under the House passed spending bill, the drag on GDP growth from federal fiscal policy would increase by 1.5pp to 2pp in Q2 and Q3 compared with current law. However, we don't see this scenario as likely; while we expect discretionary spending to be cut, the current House proposal doesn't appear viable in the Senate, and the president has already threatened a veto.

A federal shutdown poses less risk, as long as it is brief. A federal shutdown can potentially occur when one or more of the 12 annual appropriations bills have not been enacted for the current fiscal year. Usually, Congress provides temporary funding through a "continuing resolution" (CR) until appropriations have been enacted, but from time to time, particularly when control of government is divided, this does not happen and funding lapses. When this occurs, any agency or cabinet department without funding in place for the current fiscal year must cease non-essential operations. So far, Congress has not enacted any of the annual appropriations bills for the fiscal year that began October 1, so a shutdown would affect virtually all non-essential programs. That said, the potential for a federal shutdown probably does not present a major risk:

1. While the possibility of a shutdown is real, it isn't that likely. We wrote more extensively on the key fiscal developments over the next few months last week (see "The Federal Budget Process Gets Underway," US Daily, February 17, 2011). The bottom line is that while rhetoric has escalated regarding spending cuts and the threat of a shutdown, we expect both sides to try to avoid one if possible, with the most likely solution appearing to be a short-term extension of funding at slightly reduced levels.

2. The effect of a shutdown is narrower than the term implies. Even in the most protracted government shutdown to date, from November 13 to 19, 1995 and again from December 15, 1995 to January 6, 1996, the majority of federal employees kept working. In the first episode in November 1995, about 40% of federal employees excluding the postal service were furloughed; in the December lapse the share of furloughed employees dropped to less than 15%, since Congress had managed to enact some appropriations legislation between the two shutdowns. If a shutdown occurred next month, it would probably affect nearly all agencies and departments, since no appropriations legislation has been enacted so far this year. But even so, this would imply that only around 40% of federal employees would be affected.

3. A shutdown lasting more than a week could be meaningful. If Congress fails to renew the continuing resolution that is set to expire on March 4, the lapse seems likely to be fairly short. After all, there have been several short government shutdowns over the last few decades, but only two lasting more than three days. But a lapse of more than a few days, particularly toward the end of the quarter, could be more important. If funding lapsed, non-essential services would shut down immediately, representing around \$8bn per week in missed federal spending, assuming that 40% of federal employees (not including the postal service) and their activities are deemed non-essential. This would equate to \$32bn in annualized terms, or around 0.2% of GDP for each week of shutdown. Pulling this spending out of Q2 would reduce the contribution to quarterly GDP growth from federal activity by a little over 0.8pp at an annualized rate for each week the shutdown lasted, though if the shutdown ended long enough before the end of the quarter it is quite possible that some of the missed activity could be made up, reducing the overall hit to growth. Otherwise, the return to previous spending levels following a one-week shutdown would actually increase growth in the following quarter by 0.5pp and by smaller amounts in subsequent quarters until most of the effect is reversed.

State budget negotiations seem likely to have the least effect: Debate over state employee compensation and the related issue of collective bargaining and other organizational issues among state employee unions have begun to make headlines in a number of states—Wisconsin, Ohio, and Indiana are the latest. While these issues are important for the longer-run fiscal health of state and local governments, in the short-term their balanced budget requirements make revenue shortfalls the most important factor driving their fiscal stance over the coming fiscal year (for most states, this begins in July). Political decisions will determine how spending cuts are distributed, and will also determine the mix of tax hikes and spending cuts, but are much less likely to change the overall amount of tightening that will occur. So while we continue to expect around 0.5pp in drag this year from state and local fiscal retrenchment, recent developments don't seem likely to change this in either direction.

#### PARLIAMENTARY INQUIRY

Mr. ELLISON. Mr. Chairman, I have a parliamentary inquiry.

The CHAIR. The gentleman will state his parliamentary inquiry.

Mr. ELLISON. Does the author of the amendment need to be on the floor for his amendment?

The CHAIR. The gentleman from New York had yielded back all of his time.

Mr. ELLISON. So what is the answer to the question? Is that "no"?

The CHAIR. The gentleman has no time remaining.

Mr. ELLISON. I reserve the balance of my time.

The CHAIR. The gentleman from Minnesota has the only time remaining.

Mr. ELLISON. Well, let me close, then.

We've seen 13 weeks of the Republican majority. The American people made changes and expected jobs. They've gotten zero jobs bills at all. What they've seen is a Republican agenda that cuts 1 million jobs, cuts 1 million jobs, and on this critical issue of Americans keeping their homes, the Republican majority has nothing but to take away the small programs that exist. This is a shame, and I hope the American people are watching this debate today, Mr. Chairman.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. HANNA).

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

Mrs. BIGGERT. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 2 OFFERED BY MR. ELLISON

The CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 112-34.

Mr. ELLISON. Mr. Chairman, Congressman QUIGLEY has an amendment at the desk, and I rise to offer his amendment on his behalf.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, after line 6, insert the following new section (and redesignate the succeeding sections accordingly):

SEC. 2. CONGRESSIONAL FINDINGS.

The Congress finds that—

(1) the Home Affordable Modification Program (HAMP) was first announced in February 2009 and became active in March 2009;

(2) HAMP provides financial incentives to mortgage servicers, borrowers, and investors to facilitate mortgage modifications that lower borrowers' monthly mortgage payments to no more than 31 percent of their monthly income;

(3) as of February 25, 2011, \$1.04 billion of HAMP funding has been disbursed;

(4) as of January 31, 2011, there were 539,493 active permanent modifications and 145,260 active trial modifications, for a total of 684,753 currently active modifications; and

(5) each currently active modification has cost the Department of Treasury approximately \$1,518.80.

The CHAIR. Pursuant to House Resolution 170, the gentleman from Minnesota (Mr. ELLISON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. I yield myself as much time as I may consume.

Mr. Chairman, it's important that the American people are well aware

that the Republican majority has had 13 weeks to introduce some kind of jobs bill, and they have introduced exactly none. Instead, what they've done is, we read the Constitution, and that's good except for we should probably do it on our own time. And then we have pursued an effort to cut American jobs, and now that we're dealing with housing programs, in the midst of the worst foreclosure crisis since the Great Depression, the Republican majority has nothing to offer except to take away the little program that does work.

The Republican majority's quick to say, oh, those 600,000 people who did get a modification, that's nothing, but to those people that's a lot. To those people, that's home. A responsible majority would say, well, how can we double the numbers, how can we triple them, how can we help Americans stay in their homes? But that's not what we have.

What we have today in America's Congress is a Republican plan to foreclose on the American dream. And so Congressman QUIGLEY offers some very commonsense findings that should be contained within this legislation that point out the fact that as of February 25, \$1.04 billion of HAMP funding has been disbursed; that as of January 31, there have been about 500,000-plus active and permanent modifications, about another 145,000 active trial modifications, for a total of well over 600,000 currently active modifications. The record should reflect that, Mr. Chairman, because the record should tell the truth. The record should tell the truth, yes, about problems that need fixing but also about the success that has happened.

It's a shame if we can't pass this very simple commonsense amendment, and we need to pass it today.

I reserve the balance of my time.

Mr. MCHENRY. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MCHENRY. Well, let's talk about the substance of the amendment. If the sponsor will not, I intend to. The sponsor of the amendment and the amendment here says that it costs about \$1,500 per mortgage modification. That is, in fact, not the case. The substance of this amendment is extremely deceptive and flawed. In fact, the statistics used within it are not even the dissenting views of the Democrats on the Financial Services Committee. They're not even the views of the Treasury Department. The Treasury Department testified in front of the Congressional Oversight Panel and said that the permanent modifications under HAMP would cost about \$20,000. This amendment says \$1,500. On its face it's false. I would encourage my colleagues to vote against it.

I reserve the balance of my time.

Mr. ELLISON. To clearly correct the record, paragraph 5 says each current active modification has cost the De-

partment of the Treasury approximately \$1,518. That's an accurate statement, and I think the gentleman ought to read the documentation much more clearly because, to date, that has been the cost, and it's an accurate statement.

But my question is even deeper than that. What is the Republican majority going to do about the massive foreclosure crisis in America today? My question is, do you all stand by the proposition that it's just laissez faire economics, and that while we have socialism for the banks, we have hardcore capitalism for the American people? That's the question I'd like to hear the majority answer today. But this is an accurate statement. This has been, up till now, the existing cost of Mr. QUIGLEY's amendment for each modification.

I reserve the balance of my time.

Mr. MCHENRY. I would say that his dissenting views are dissenting from the ranking member of Financial Services, Mr. FRANK and his staff. \$7,500 is what they claim. The Treasury Department claims \$20,000.

My colleague also said that this is a little program. That's absolutely absurd, Mr. Chairman. That's absurd. It's a \$29.5 billion program of our taxpayer dollars. But you know, I think he needs to understand something, and my colleague needs to understand what this program is actually doing to people.

You ask my constituent from Hickory who is in the HAMP program: We've been in the HAMP program since February of 2010 and still have no answer. We're being charged late fees, and we've been reported to the credit bureau. We've been in underwater since April and on trial payments for 6 months, which is only supposed to have been 3 months. We've not received an answer.

Another constituent from Stanley said, We've paid payments every month, but now we're being told we're behind in payments because it was not the original monthly amount on our original loan, but it's the amount we were told to pay in 2010. How can we be behind?

I've heard from constituents that tell the same story. It is reduced monthly trial payments. They've been rejected due to eligibility issues or lost documentation. By payments being reduced in the trial payment period, they've ended up defaulting on their mortgage. This is a Federal program that's actively harmed them.

□ 1550

I would ask my colleague to look at the substance of the facts of this program and admit it's been a failure and vote to repeal and end this program.

I reserve the balance of my time.

Mr. ELLISON. Mr. Chairman, I would like to point out that, in fact, the number \$1,518 is accurate for the cost up until to date. That's how much the program has cost. Projected costs are a different matter. And I think if the

gentleman digs into the facts, he'll learn that.

But, again, let's talk about the bigger issue at work here. We're talking about a system in which, under Republican control, we have not regulated markets, have not pursued consumer protection, consumers getting into no-doc, low-doc loans, being taken advantage of by unscrupulous individuals whom the Republican majority refused to regulate. Under Republican majorities in Congress and in the White House, this chicken has come home to roost and has wreaked havoc on the American economy. And instead of trying to do something about it, the Republican majority is not doing anything about it.

It's one thing to get up here and say: You know what? That program isn't working very well, and here's somebody who thinks it doesn't work well. I'm quite sure that that story you read is probably true; but, you know what? There are a lot of people whom it did help. And more than that, why don't we fix it? What is the majority's program to deal with foreclosure? Do they have one, or do they just have criticism for what other people propose?

It's easy to be a critic. I'd rather write a critique to a movie than make one. I think making one is tougher, even a bad one. But being a critic is always easy, and the worst movie is better than the best review.

So let me just say, the Republican majority has a responsibility to respond to the American people. They have a responsibility to do something about foreclosures. And I'm hoping to hear somewhere, sometime, today, that they're ready to do something in favor of the American people.

The Republican no-jobs agenda has been exposed, Mr. Chair. The American people know they haven't done anything to create jobs or to protect homes. All they want to do is criticize programs that could use some improvement. They'd rather just get rid of them altogether.

I yield back the balance of my time.

Mr. MCHENRY. I would say, Mr. Chairman, my colleague is right. It is easy to be a critic of this program because it is an epic failure.

I yield such time as she may consume to my colleague from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. I thank the gentleman for yielding.

We keep talking about jobs, jobs, jobs. We've talked about that for several years now—jobs, jobs, jobs. What we are trying to do is to create an environment that we will be able to have the private sector create the jobs.

We need to stop funding programs that don't work with money that we don't have. And out-of-control Federal spending is hurting our economic recovery so that we can have those jobs. We've got a \$14.2 trillion national debt. And economists agree that reducing government spending will create a more favorable environment for pri-

vate sector growth and the ability to create jobs. We've got so much uncertainty there right now that we have got to stop the spending and stop the taxing and all the things that could happen.

So exactly what unemployed Americans want and what homeowners want and need is a job and a paycheck, not a handout or another failed taxpayer-paid government program.

I would urge my colleagues to oppose this amendment and stop talking about the jobs. Let's focus on the substance of these amendments.

The CHAIR. The gentleman from North Carolina has 15 seconds remaining.

Mr. MCHENRY. In closing, Mr. Chair, I would encourage my colleagues to understand that when government taxes more and spends more, it crowds out private sector job creation and growth. We're about growing jobs in this Congress, and I urge my colleagues to get on board.

The CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. ELLISON).

The amendment was rejected.

AMENDMENT NO. 3 OFFERED BY MR. CANSECO

The CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 112-34.

Mr. CANSECO. Mr. Chairman, I have an amendment made in order under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, after line 3, insert the following new paragraph:

“(3) DEFICIT REDUCTION.—

“(A) USE OF UNOBLIGATED FUNDS.—Notwithstanding any other provision of this title, the amounts described in subparagraph (B) shall not be available after the date of the enactment of this subsection for obligation or expenditure under the Home Affordable Modification Program of the Secretary, but should be covered into the General Fund of the Treasury and should be used only for reducing the budget deficit of the Federal Government.

“(B) IDENTIFICATION OF UNOBLIGATED FUNDS.—The amounts described in this subparagraph are any amounts made available under title I of the Emergency Economic Stabilization Act of 2008 that—

“(i) have been allocated for use, but not yet obligated as of the date of the enactment of this subsection, under the Home Affordable Modification Program of the Secretary; and

“(ii) are not necessary for providing assistance under such Program on behalf of homeowners who, pursuant to paragraph (2), may be provided assistance after the date of the enactment of this subsection.”.

Page 5, line 4, strike “(3)” and insert “(4)”.

Page 6, line 13, strike “(4)” and insert “(5)”.

The CHAIR. Pursuant to House Resolution 170, the gentleman from Texas (Mr. CANSECO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CANSECO. I thank my colleague from North Carolina (Mr. MCHENRY)

for offering this bill that eliminates a wasteful and ineffective program.

Mr. Chairman, I am offering an amendment to this bill that will ensure that every dime of savings that comes from terminating the program will go back to the Treasury to reduce the debt of our country.

Our country finds itself in the middle of a spending-driven fiscal crisis. And back in November, the American people sent a message that was loud and clear: Stop the out-of-control spending in Washington.

For 2 years, the motto in Washington was “spend now, worry later.” This is unfair to future generations who will inherit a bankrupt country if we don't act.

It's only appropriate that we in this Congress begin our work by cutting programs that simply don't work. The Home Affordable Modification Program, or HAMP, has hurt the very people it was intended to help by giving them false hope.

In his most recent quarterly report to Congress, the Inspector General of TARP stated that the HAMP program “continues to fall dramatically short of any meaningful standard of success.” That, Mr. Chairman, is Washington-speak for “failure.”

The program has done nothing to halt foreclosures. In fact, home foreclosures in the United States have risen from 2.3 million in 2008 to 2.9 million in 2010. HAMP is not only a bad deal for homeowners, it's a bad deal for taxpayers as well. Every child born in America today is responsible for over \$45,000 of our national debt. It is simply unacceptable for Washington to continue spending money on a program that doesn't work.

For 2 years, Washington acted as if it didn't have a spending problem. And as we look around the world at countries who now find themselves in fiscal nightmares because of out-of-control government, we have to take a look in the mirror.

The most dangerous words in America right now are “it can't happen here,” but just take a look at the facts:

Moody's has recently downgraded the debt of Spain, a country that is expected to run a budget deficit equal to 6 percent of GDP in 2011;

Today, Portugal and Greece were downgraded by the S&P because of overspending and budget deficits;

And now the United States is expected to run a much greater deficit of 9.8 percent of GDP in 2011;

Admiral Mullen, the Chairman of the Joint Chiefs of Staff, has stated that the most significant threat to our Nation and our national security is our debt.

So make no mistake about it: It can happen here, and it will happen here unless something is done.

I just returned from a constituent workweek in my district, the 23d District of Texas. I had many town hall meetings and conversations with constituents, and all the while I heard

over and over again their concerns of our exploding national debt.

□ 1600

Speaking with one constituent, who is an example of every constituent that I spoke to, Will and Debbie Brenson, are most concerned about their grandchildren, Katlin and Taylor, what kind of a country are they going to inherit, certainly, not with the opportunities that they had to build their small business in Fair Oaks, Texas.

If we don't change course, we will be guilty of committing an intergenerational theft, the likes of which no country has ever seen. We'll be the first generation of Americans to ever leave the next generation with a diminished future.

My colleagues on the other side of the aisle often feel that only government can steer our economy on the right course, but we now know just how wrong that argument is. Unemployment is at an unacceptable 8.9 percent, and over 13 million Americans remain unemployed.

We are on track for our third straight \$1 trillion deficit, and we don't have much to show for it. We have to put an end to wasteful spending, and we must reduce the debt for future generations.

Mr. MCHENRY's bill, and my amendment, with them we will stop wasting taxpayer dollars on failing programs and ensure that any savings from termination are not recycled into yet another program. The savings will go towards paying down our country's exploding debt.

I urge passage of my amendment.

I yield back the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I have the right to close, and I am my only speaker.

The CHAIR. Does the gentleman wish to claim time in opposition?

Mr. FRANK of Massachusetts. Yes, I claim the time in opposition, and I'm the only speaker, so I will reserve my time.

The CHAIR. The gentleman from Massachusetts has the only time remaining.

Mr. FRANK of Massachusetts. Has the gentleman used up all the time?

The CHAIR. The time of the gentleman from Texas has expired.

Mr. FRANK of Massachusetts. I apologize. I heard him say reserve, and I misunderstood that.

I will say about this amendment that it is harmless and perfectly okay for people to claim credit for what's already been done, kind of like going to a taxidermist and shooting the bear.

If this amendment didn't happen, the same result would be there. But here's the result: temporarily this comes out of tax funds. But because it's TARP money, it's subject to a—and by the way, we passed an amendment that says it goes back to the Treasury temporarily.

I say "temporarily" because over Republican objections, and I hope they're

going to relent in these, we put into the TARP legislation language that says that in 2013 whatever hasn't been paid back from the TARP to the general Treasury will be assessed to financial institutions.

What that means is that if this does have a net cost to the Treasury, in 2013 the President in power at that time will be directed to send us legislation to require that this come out of the large financial institutions, that is, nothing from the Treasury.

Now, I say I'm worried about it because we've had two further instances of this which the Republicans have opposed. We've just had a package of four bills. Two of them came out of the financial reform bill, their financing did help for the unemployed homeowners and the neighborhood stabilization program.

In the version of the bill that we put first in the conference, that money was to be recovered by an assessment on banks with \$50 billion or more and hedge funds with \$10 billion or more; and Republican opposition to it killed it.

So, yes, it is true that temporarily, now, the unemployed homeowners and the neighborhood stabilization come out of the Treasury. We have filed legislation, and I just refiled it last week, but it goes back to where we were in July that would take it from the large financial institutions.

Similarly, by the way, in the financial reform bill we had a provision that said, over Republican objections, that the FDIC would immediately assess the amount that we thought we would need for the TARP on the large financial institutions.

So let's be very clear. If we carry out our promises and commitments, this money will not come out of the taxpayer; it will come out of the TARP. It will come out of the large financial institutions.

I can't say the same for certain other wasteful spending. Members on the other side insisted, for example, in overriding the objection of Secretary Gates to the second engine. Now, the gentleman from Texas voted with Secretary Gates and me, and I appreciate that.

But a majority of Republicans voted to give him the second engine, even though he said he'd tell the President to veto the bill. People disregarded, a majority in the House, on both sides, the request that the Osprey be killed.

In other words, people cite Secretary Gates and cite Admiral Mullen, but we still hear on the Republican side criticism of them for trying to live up to their own words when they say, well, we're going to limit military spending.

I don't think it is a reasonable policy to cite their worries about the deficit and then override them in specific cases. And we also have, of course—and here the Pentagon wanted it, I think they were wrong—\$1.2 billion my colleagues voted for—I voted against it—to spend money to build up the secu-

rity forces of Iraq. You talk about money not being well spent. At its worst, I cannot imagine anyone thinking that any foreclosure program here would be spent worse than it is being spent in Iraq.

By the way, the Inspector General did say he was critical of the program. When asked by the gentleman's Texas colleague, Mr. GREEN of Houston, he said, no, he would not abolish it. He specifically said he wouldn't abolish it. He was asked that in the hearing and said no.

And we have consistently heard from the other side a statistic they have never yet validated, that more people were harmed than helped. None of the people they quote say that.

Yes, it's a program that's difficult because we wouldn't do bankruptcy and we have left the voluntary decision in the hands of the private sector. That's why this argument that the private sector can do it better is so nonsensical. It is the refusal of the private sector to fully participate in this program in its full spirit that's been the problem.

Mr. CANSECO. Will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from Texas.

Mr. CANSECO. Are you in favor of the amendment or opposed to the amendment?

Mr. FRANK of Massachusetts. I am indifferent. Well, I'm against the amendment. I take it back. I am against the amendment because I had to be against the amendment to get the time to speak. So I am against the amendment.

But I'm not against the amendment on substantive grounds. I'm against it on aesthetic grounds. I hate to clutter things up with an amendment that doesn't do anything.

Well, let me go back to the substance. The substance is that we have a false claim that this is because of the taxpayers, when the TARP will make sure that it doesn't come out of the taxpayers, the TARP legislation.

And Members who vote to send money, \$1.2 billion, to build up the security forces of Iraq, please don't have them tell me, Mr. Chairman, that they're for efficient spending. The security forces in Iraq.

How about Afghan infrastructure? The majority voted to send money to Afghanistan for infrastructure. There is a great mark of efficiency.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CANSECO).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. MILLER OF NORTH CAROLINA

The CHAIR. It is now in order to consider amendment No. 4 printed in part A of House Report 112-34.

Mr. MILLER of North Carolina. Mr. Chair, I seek to offer the amendment as the designee of Mr. INSLEE of Washington.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 6, before the period insert “, EFFECTIVENESS OF PROGRAM, AND REPLACEMENT PROGRAM”.

Page 5, line 8, before “determine” insert “(i)”.

Page 5, line 9, after “by” insert “homeowners meeting the criteria under the terms of such Program for eligibility for assistance under such Program, the effectiveness of such Program, and the impact of such Program on such eligible homeowners, including the extent of usage by”.

Page 5, line 11, before the period insert the following: “, (ii) identify improvements to the Program and best practices under the Program, and (iii) determine the need, and appropriate guidelines and standards, for a mortgage modification program of the Secretary to replace the Home Affordable Modification Program that is (I) based on the guidelines and standards for such Program, with appropriate improvements as identified by the study, and (II) available to homeowners who meet the criteria under the terms of such Program for eligibility for assistance under such Program”.

Page 5, lines 16 and 17, strike “paragraph (1)” and insert the following: “subparagraph (A), identifying the improvements to and best practices under the Home Affordable Modification Program identified pursuant to the study, setting forth the Secretary’s determination of the need for, the appropriate guidelines and standards for, the mortgage insurance program determined pursuant to the study,”.

Page 5, line 21, before the period insert the following: “and to the mortgage insurance program identified and described pursuant to subparagraph (A)(iii)”.

Page 6, after line 12, insert the following: “(D) IMPLEMENTATION.—Upon the expiration of the 90-day period beginning upon the submission to the Congress of the report required under subparagraph (B), the Secretary shall, only to the extent that amounts for such purpose are provided in advance in appropriations Acts, implement the mortgage insurance program described in such report pursuant to subparagraph (A)(iii) through issuance of appropriate guidelines and standards set forth in the report.”.

The CHAIR. Pursuant to House Resolution 170, the gentleman from North Carolina (Mr. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. MILLER of North Carolina. Mr. Chairman, first I want to assure the gentleman from Texas that if he’s worried about the debt burden that children being born today face, with respect to this program, unless one of those children takes a job on Wall Street within the next two years, like the talking baby in the ETrade ads, they really are not going to have to pay for this program. This program is going to come from the financial sector. That was a promise made in the TARP legislation; and unless they plan to break that promise, and I’m beginning to get the feeling that they are, this is not going to be a cost borne by innocent taxpayers, but by the industry that created the mess.

Now, many people have criticized the TARP program, including me. The Congressional Oversight Panel has; the Special Investigator, Inspector General

for the TARP program; yes, a lot of people have criticized the program.

Unlike Republicans, a lot of us have been trying to figure out a way to make it work. I have offered several suggestions.

□ 1610

I have criticized it continuously for 2 years and said what we should be doing instead, and on what we should be doing instead there has been a deafening silence from Republicans.

We know we can do something. We know we have to do something. The foreclosures and the drop in home values are grinding down the middle class. The value they have in their home, the equity they have in their home is the bulk of their life savings. So when their home goes down in value, their life savings go away. We have got to get control of this. We know we can make something work because we have the tool. One of the most successful programs in the New Deal got control of the foreclosure crisis then, and the Federal Government made a profit from the program.

And there is reason to think that there will be real rules, real enforceable rules soon. There are settlement talks pending on enforcement action by States Attorney Generals and by the Federal agencies for the violations of law by the biggest banks that handled most of these mortgages, which Republicans have opposed; and there are rules in the offing from the CFPB, the Consumer Financial Protection Bureau, which they have also proposed, something that really will make this work.

Mr. INSLEE’s amendment is much the same. It requires a pullback, a hard look at the program and what will make it work, what are the guidelines that need to make it work, what are the standards that need to make it work, and requires that those suggested changes be implemented in the program.

I urge adoption of the amendment.

Mr. MCHENRY. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MCHENRY. I think this is a fundamentally flawed amendment.

What this amendment essentially does is say that the last agency in government that we had asked to conduct a review of this program would be in charge of the review of the program and would be in charge of designing a new program, even though the previous program they designed is flawed and harmful and a failure, and immediately report back to Congress a program that is basically the same.

Look, Ronald Reagan once said: The closest thing to eternal life is a Federal program. That quote is this amendment. I ask my colleagues to oppose it.

I reserve the balance of my time.

Mr. MILLER of North Carolina. I yield back the balance of my time.

Mr. MCHENRY. I would say that you read a quote from the Special Inspector General from TARP, Mr. Barofsky: “The basic idea of a well-run government program is to have clear goals, have a plan to meet these goals, measure progress along the way against these goals, change your program when necessary so you can still achieve those goals.

“But this is how the TARP has been implemented and, in particular, this program within TARP: set goals. Ignore goals entirely. Hope for the best. When the best is different, change your goals and say you never really meant it when you had those goals. Pretend that the program is a success, even though it is not meeting these goals.”

That is Mr. Barofsky’s analysis of Treasury’s implementation. I would ask my colleague, if that is in keeping with his expectations for a new government program, then, I would submit, that is what they will come up with.

This Treasury has defended TARP and defended HAMP, and in particular HAMP, which has been roundly criticized even by La Raza, which has been a tried and true liberal activist for a long time. But Treasury has been defending it. Why? I’m not sure. But instead of reforming the program, instead of fixing the program, they refuse to do it; and so we must end it.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. MILLER).

The amendment was rejected.

AMENDMENT NO. 5 OFFERED BY MS. WATERS

The CHAIR. It is now in order to consider amendment No. 5 printed in part A of House Report 112-34.

Ms. WATERS. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, line 2, strike the last closing quotation marks and the last period.

Page 7, after line 2, add the following:

“(5) NOTIFICATION TO HAMP APPLICANTS REQUIRED.—

“(A) IN GENERAL.—Not later than 30 days after the date of the enactment of this subsection, the Secretary of the Treasury shall inform each individual who applied for the Home Affordable Modification Program and will not be considered for a modification under such Program due to termination of such Program under this subsection—

“(i) that such Program has been terminated;

“(ii) that loan modifications under such Program are no longer available;

“(iii) of the name and contact information of such individual’s Member of Congress; and

“(iv) that the individual should contact his or her Member of Congress to assist the individual in contacting the individual’s lender or servicer for the purpose of negotiating or acquiring a loan modification.”.

The CHAIR. Pursuant to House Resolution 170, the gentlewoman from California (Ms. WATERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. WATERS. Mr. Chairman, I rise in strong support of my amendment, which is a commonsense provision that provides transparency and clarity for distressed homeowners.

My amendment would require the Secretary of the Treasury to send a letter to HAMP applicants that they will not be considered for a modification due to termination of the program, and that they can contact their Member of Congress for assistance in negotiating with or acquiring a loan modification from their servicer.

I raise this amendment because my friends on the opposite side of the aisle have the majority in the House, and they will probably prevail on this amendment; but I think that we have a responsibility to say to our constituents what we are doing and what we are not doing.

Many of them have just begun to learn about the loan modification program, the HAMP program, and all of a sudden it is going to be pulled out from under them if this amendment prevails and if it passes on the opposite side of the aisle and in the Senate, et cetera; and the constituents need to know exactly what we have done.

Now, I worked with Mr. MCHENRY on this amendment and we worked out some language that he thought was fair, and I believe we do have his support. That is not to say that I support the bill because I don't support this amendment. I don't support this bill that would literally dismantle the HAMP program.

Yes, there are criticisms about this program. I and others would have liked for it to have been broader, for it to have helped more people. But don't forget, over 600,000 people have been helped. I know the target was 3 million to 4 million people, and we certainly haven't come close to that.

But to do away with this program would leave the American taxpayers who have gotten into loans, oftentimes tricked into these loans, misled into these loans by the loan initiators, the banks and the mortgage companies that told them that they could help them get a mortgage even though these were exotic products, these were teaser loans, these were no doc loans, these were loans that were going to reset and cause the taxpayer to be in a loan that they could not afford.

Many innocent people trying to live the American Dream signed on the dotted line. And also there was a lot of fraud involved where some of these loan initiators signed on the dotted line for the homeowner or the would-be homeowner. And so we have this crisis, this subprime crisis that we have been going through, and there is a lot of misery out there, people who were just trying to own a home who now find themselves in foreclosure.

The banks were not helping with loan modification, so we had to come up with something. The administration came up with the HAMP program. It is a voluntary program. But they signed

on to these agreements with the banks to say that they would do loan modifications under certain conditions. And the administration had to do this because the banks were not helping out the homeowners. As a matter of fact, the banks said: Well, we don't have anything to do with this anymore. It is up to the servicers.

What a lot of people don't know is who is the servicer. The servicer is simply in most cases a company that is owned by the bank. They own their own servicing company, which means that once the mortgage is signed on by the homeowner, they now give it to this other company that they own, these servicers; and the servicers have the responsibility for collecting on the mortgage, for collecting on late fees, for collecting on attorney fees, and for doing loan modifications. But the homeowners couldn't get to them. HAMP is supposed to help them get to them.

These servicers have gotten away with being unregulated for all of these years. As a matter of fact, there are no standards for servicers. If you call one bank, they will send you to their loss mitigation department. What they don't tell you, banks such as Bank of America, their loss mitigation is an offshore operation. You may be talking to somebody in India who has got this little cookie-cutter sheet which says: How much money do you make? How many times have you been late on your payment? Let's figure out how not to give you a loan modification, but maybe to give you a few months to catch up. But loss mitigation means a lot of different things in all of these different banks, if you are lucky enough to get to the servicer.

The CHAIR. The time of the gentlewoman has expired.

Ms. WATERS. I would just simply ask for support for transparency and support to keep this program going.

□ 1620

Mrs. BIGGERT. I claim the time in opposition, even though I am not opposed to the amendment.

The CHAIR. Without objection, the gentlewoman from Illinois is recognized for 5 minutes.

There was no objection.

Mrs. BIGGERT. I just have a question for the sponsor of this amendment. You have had several amendments in several of these bills, and I wanted to make sure this is the same as what you and Mr. MCHENRY agreed to.

Ms. WATERS. Yes, this is absolutely the same thing we agreed to.

Mrs. BIGGERT. You are just asking for this amendment, not to change the bill or anything?

Ms. WATERS. I beg your pardon?

Mrs. BIGGERT. You are just asking for support of this amendment and not for anything concerning the bill?

Ms. WATERS. This amendment is a transparency amendment that I worked on with Mr. MCHENRY, where

our constituents would be notified and have an opportunity.

Mrs. BIGGERT. Reclaiming my time, we accept the amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. WATERS).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MS. JACKSON  
LEE OF TEXAS

The CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 112-34.

Ms. JACKSON LEE of Texas. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:  
**SEC. 3. STUDY.**

(a) IN GENERAL.—Not later than the end of the 60-day period beginning on the date of the enactment of this Act, the Secretary of the Treasury shall begin a study to identify what aspects of the Home Affordable Modification Program were successful and most effectively carried out the original purpose of the Program.

(b) REPORT.—Not later than the end of the 6-month period beginning on the date of the enactment of this Act, the Secretary shall issue a report to the Congress containing—

(1) all findings and determinations made in carrying out the study required under subsection (a); and

(2) legislative recommendations for a new mortgage modification program that could more successfully and effectively achieve the original purpose of the Home Affordable Modification Program.

The CHAIR. Pursuant to House Resolution 170, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. I thank the chairman very much, and I thank my colleagues very much as well.

As we come to the floor of the House, I know that Members on both sides of the aisle are committed to knowing the facts. We want to know the facts when we go to town hall meetings when our constituents pose very deliberative questions. We want to give them numbers. We want to be able to reason with them. And one of the deliberative aspects of legislation is that you fix it; you don't end it.

So I rise today to ask my colleagues to support my amendment, an amendment that I think makes common sense. It is an amendment that thoughtful Members can support. It is an amendment that, whether you are Republican or Democrat, you want to know what works.

My amendment would call on the Secretary of the Treasury to commission a study that would identify what aspects of the HAMP program were successful and effectively carried out the original intent of the program. It would then require the Secretary to issue a report to Congress containing all findings and determinations of the

study and legislative recommendations for a new mortgage modification program that could more successfully and effectively achieve the original purpose of the Home Affordable Modification Program.

We have to thank the administration for recognizing that people were literally on their knees. There is no doubt that we have different philosophies. My friends on the other side of the aisle, they keep talking about the deficit and the depressing aspect of the \$1 trillion debt. We keep talking about invest and grow the economy. When you grow the economy, you have the ability to pay down on your debt; you have the ability to address the question of the debt ceiling. So my question is: Why wouldn't you want to know the best practices?

Let me give you some of the myths that have been presented. One suggestion is that this legislation that we have before us to end the HAMP program will prevent another \$30 billion from going to one of these programs. That is inaccurate. The repeal of this program will, in essence, save only \$1.437 billion. That is all that it will save. But, more importantly, what you will have is you will throw homeowners into the streets when the major asset for Americans, middle class, hard-working Americans, is their home. Let's find out the best practices and make this work.

The monthly rate of new loan approvals would have to triple in order to approximate the amount cited by the chairman of this committee, suggesting \$30 billion. Actually, we expect the rates are, instead, likely to modestly decline. So you are not going to have that much savings and it is not going to, in essence, blow up with so many people using it that you are going to use this amount of money.

One Republican has suggested that the program goes to private lenders. Well, for every dollar that the HAMP program has paid out, homeowners have received from lenders \$5 in reduced mortgage payments. Most of the program funds do not go to lenders but go directly to homeowners as incentives on the on-time mortgage payments. It is giving individuals a leg up.

It is interesting that we would not want to focus on the best practices when, if you look at this map, you will see that every single State has received a HAMP impact, someone has a mortgage problem that the HAMP program has helped.

Now, can we fix it? Yes, we can make it better. But let me tell you about a person by the name of Laurel. She indicated how this program has helped her. "Well, my income has not fully come back." She was unemployed. "I am making much less than I was making before, so it has been a difficult time. With the modification, my mortgage payment has gone down \$800 and I am able to make my payment on time. I have been able to remain in the home that I love, and that has provided me

with great stability. I am extremely grateful that I received the modification."

She has saved an asset that contributes to the economy. What would be the result of ending the modification program? I can tell you what the result would be. The result would be that Laurel would dump another home onto the market that no one could buy, that would bring down the quality of the neighborhood and the house appraisal prices of the neighborhood and, therefore, add another dent to the economy.

Invest and grow. And the question is, all of my friends who are there on the other side of the aisle, here is a document that is 15 pages long that shows that your district, your cities, have been impacted positively by the HAMP program. Job growth is picking up. Invest and grow jobs should be the mindset of the American Congress, for that is what we were sent back to Washington to do.

There is no doubt that we have a collective commitment to bringing down the debt. There is a collective commitment to doing that, and we can look reasonably at what and how to do it. But when you don't even have the best practices or know why you are repealing something, and right now people are in the middle of addressing this question of modifying their mortgage.

I ask my colleagues to support my amendment because it does in fact provide a lifeline, and it invests in the economy, creates jobs and stabilizes the middle class.

With regard to the HAMP program, I would like say, "Mend it, don't end it!"

The HAMP program has not been perfect, but it has helped a considerable number of Americans modify their mortgages in order to prevent foreclosure and keep their homes and livelihoods that they work so hard for day in and day out.

The White House agrees—The White House has indicated that the President will veto the HAMP termination bill if it passes.

As written, this bill would prohibit new mortgage loan modifications under the Home Affordable Modification Program, (HAMP), which is funded under authority generally referred to as TARP, pursuant to the "Emergency Economic Stabilization Act of 2008" (also known as EESA). Despite termination of the program, this bill would grandfather in assistance to homeowners who, prior to the date of enactment, had already been extended an offer to participate in HAMP, either on a permanent or trial basis.

I am here before you today to offer an amendment that I believe will greatly enhance this bill by making it a vehicle that providing us, the Members of Congress, with very useful information. If H.R. 839 were to pass, terminating the HAMP program, my amendment would call on the Secretary of the Treasury to commission a study that would identify what aspects of the HAMP program were successful and effectively carried out the original intent of the program.

It would then require the Secretary to issue a report to Congress containing all findings and determinations of the study, and legislative recommendations for a new mortgage

modification program that could more successfully and effectively achieve the original purpose of the Home Affordable Modification Program.

Parliamentarian ruled that the amendment is germane.

Congressional Budget Office, CBO, found that there is no cost associated with my amendment.

If the HAMP program is terminated, we will still be left to deal with the problem of foreclosed homes in a recovering, yet very fragile, housing market. With the unemployment rate still hovering at an uncomfortably high rate, Americans are still dealing with the difficulties of making ends meet. Although our economy is slowly but surely on the path to recovery, Americans struggling to find work will still be faced with the painful reality of losing their home, although now, without an avenue for assistance with refinancing.

To avoid another slump in the housing market, and to avoid dealing yet another blow to our fragile economy, if H.R. 839 becomes law, it will be necessary for us to consider a new mortgage refinance and modification program in the future to prevent stalling the recovery of the housing market, or even worse, allowing it to crumble once again. If that day were to come, it would be most useful to have firm facts and strong statistics about what methods are proven to be most effective in solving the problems associated with high foreclosure rates and ensuring that home loan modifications are both permanent and successful.

The HAMP program was put in place by the Obama Administration in early 2009 with the intent to modify mortgage loans in order that distressed borrowers might have a better chance at making payments and holding onto their homes. The program has successfully modified over 500,000 million mortgages to prevent foreclosure and keep homeowners in their homes. While well intentioned HAMP program has encountered some difficulties—not yet reaching the goal set by the Obama Administration of helping 3 to 4 million homeowners.

Nonetheless, the program has effectively helped a number of homeowners with successful loan modifications that allowed them to keep their homes. To date, there are 539,493 homeowners with permanent HAMP loan modifications.

New permanent HAMP modifications have averaged around 29,000 per month over the last six months of 2010. Therefore, assuming a modestly declining rate from this, a reasonable estimate is that program participation will double by the end of next year, for a cumulative total of 1.1 million homeowners. Based on this estimate, the bill would deny modifications to more than a half million homeowners at risk of foreclosure.

This is a sign, that despite its problems, there are some positive and effective aspects of the HAMP program that should be considered when we look to replace the HAMP program if H.R. 839 is passed terminating this program. My amendment would call for a detailed study that would highlight these best practices, while also ensuring that those aspects of the program which may have hampered its initial success are not repeated.

There are a number of reasons the program has not met the original Obama Administration goal of helping 3 to 4 million homeowners,

some of which are actually sound and appropriate aspects of the program. HAMP appropriately excludes different categories of borrowers—including investors, owners of second homes, homeowners whose mortgages are unsustainable even with HAMP assistance, and homeowners that can pay their mortgage without government assistance. These particular categories of borrowers are either unlikely to refinance successfully, or are not those who the HAMP program originally intended to help—those borrowers who are in dire need of assistance to keep from losing their home.

Another reason the HAMP program has not reached its desired goal is because banks and other mortgage servicers were understaffed and unprepared to carry out loan modifications—resulting in widespread complaints about lost files, non-responsiveness, etc. Furthermore, legally, mortgage holders can not be forced to reduce mortgage payments. Programs have had to be voluntary, incentivizing lenders to reduce mortgage payments in lieu of foreclosing on the loan.

One of the more fundamental flaws in the HAMP Program was that it does not take certain circumstances into consideration. For instance, the program does not account for second mortgages than many homeowners may have on their property. As a result, some homeowners have ended up paying more than they originally owed, an outrageous thought considering the intended goal of the program. The study and report that would result from my amendment would bring these types of issues to light to ensure that a new program would better achieve the goals set by the Obama Administration.

**Temporary Modifications**—There were many temporary modifications that did not result in permanent modifications but . . . the Obama Administration says 50 percent of those who got temp modifications received permanent modifications in the private market (so this means HAMP temporary modifications did in fact help homeowners)

These types of strengths and weaknesses are invaluable pieces of information. My amendment would simply ensure that Congress would be privy to an official report containing this information and determinations from those experts who have worked most closely with the HAMP program since its inception.

With that, Mr. Chair, I ask that this committee strongly consider accepting my amendment. Thank you again for the opportunity to testify.

Mr. MCHENRY. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MCHENRY. Mr. Chairman, I am not sure what my colleague from Texas has heard at her town hall meetings, but what I have heard from my constituents, I have one resident of Stanley, North Carolina, who said, "We have paid payments every month." Now, I say to my colleague, I have read this before, but I wasn't sure if you were on the floor for this. But one constituent of mine said, "We have paid payments every month. But now we are being told we are behind in our payments because it is not the original

monthly payment on our original loan, but it was an amount we were told to pay in 2010. How can we be behind?"

I would ask my colleagues to read the Special Inspector General's report, "The Details of Failures of HAMP." I ask my colleagues to listen to their constituents. More people in America, I would remind my colleagues, more people in America, close to 800,000 Americans, have been actively harmed and left worse off under this Federal program than have actually been helped.

My colleague points to a laudable survey of the positives. The survey doesn't detail the destroyed lives that this HAMP program has pushed on people, has created.

So, this amendment, the reason why I rise in opposition is because this amendment is similar to ones we have had in committee that we rejected in committee. This directs the Treasury to conduct a study of HAMP and would be completely counterproductive. The reason why it would be completely counterproductive is over the last 6 months we have seen the Treasury Department engage in a frantic 6-month media campaign for this program. They won't admit it is a failure; although, the rest of the world is largely saying it is a failure. They even have offered a veto threat on this legislation.

The Special Inspector General, Mr. Barofsky, said just earlier this week, "This Treasury Department is so content with the wretched, shameful status quo, they refuse to even acknowledge that the program is a failure." And that is why simply to offer the Treasury to study this really is beneath the House.

□ 1630

I yield back the balance of my time. The CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

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

Ms. JACKSON LEE of Texas. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 7 OFFERED BY MS. MATSUI

The CHAIR. It is now in order to consider amendment No. 7 printed in part A of House Report 112-34.

Ms. MATSUI. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:  
**SEC. 3. CONTINUED REPORTING ON MORTGAGE MODIFICATIONS.**

Section 110 of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5220) is amended by adding at the end the following new subsection:

“(e) CONTINUED REPORTING ON MORTGAGE MODIFICATIONS.—

“(1) FINDINGS.—The Congress finds that—

“(A) the data on mortgage modifications collected from mortgage servicers and lend-

ers and made available to the public pursuant to the guidelines of the Home Affordable Modification Program has been a valuable tool for increasing transparency; and

“(B) that the public would be served by having such servicers and lenders continue to report information on mortgage modifications.

“(2) IN GENERAL.—Each mortgage servicer and mortgage lender who participated in the Home Affordable Modification Program shall, monthly, disclose on a World Wide Web site owned by such servicer or lender, the following information:

“(A) The number of requests for mortgage modifications that the servicer or lender has received.

“(B) The number of requests for mortgage modifications that the servicer or lender has processed.

“(C) The number of requests for mortgage modifications that the servicer or lender has approved.

“(D) The number of requests for mortgage modifications that the servicer or lender has denied.

“(3) REPORT TO THE CONGRESS.—At the time a mortgage servicer or mortgage lender discloses information pursuant to paragraph (1), such servicer or lender shall also issue a report to the Congress containing such information.

“(4) RULEMAKING.—The Secretary of the Treasury shall issue such regulations as may be necessary to carry out this subsection, including regulations for the protection of the privacy interest of those individuals seeking mortgage modifications with the servicer or lender, including the deletion or alteration of the applicant's name and identification number.”

The CHAIR. Pursuant to House Resolution 170, the gentlewoman from California (Ms. MATSUI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

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

Mr. Chairman, I rise today to offer an amendment to H.R. 839, the HAMP Termination Act, that calls on mortgage lenders to continue to publicly report basic home loan modification information.

Because of an amendment I offered to the Dodd-Frank Wall Street Reform and Consumer Protection Act which passed the house unanimously last Congress, mortgage lenders and services participating in the Home Affordable Modification Program are required to report basic loan modification information to the Department of the Treasury. Due to the enactment of my amendment, we now know that 2.5 million Americans have applied to participate in the Home Affordable Modification Program, and well over 600,000 of those applicants began permanent modifications.

In the Sacramento region, over 9,000 of the nearly 12,000 homeowners who have applied for permanent modifications have been approved, providing assistance to thousands of homeowners in my district. This information is crucial to accountability and transparency and for this Congress to measure the performance of the mortgage industry.

The amendment I offer today requires the same basic home loan modification reporting to continue, such as the number of applications they receive, the number of applications processed, or the number of modifications they approve or deny.

In its current form, H.R. 839 would eliminate HAMP, and, as a result, financial institutions who received HAMP taxpayer funds would no longer be obligated to continue reporting such basic information to the public.

Mr. Chairman, the foreclosure crisis was the root cause of the dire economic situation. It led to the near collapse of our financial system, increased unemployment, and caused the housing and credit crisis. Sadly, there are still millions of American homeowners facing foreclosure, and my home district of Sacramento, California, has been hit especially hard by this crisis.

During the last few years, I have been to foreclosure workshops in my district where I have met with constituents who are facing losing their home. I was recently contacted by Joan, a constituent of mine who would have lost her house without assistance from HAMP. Joan paid her bills on time and was current on her mortgage when her son was diagnosed with a psychiatric disorder that rendered him unable to work. When her adult son moved in with her shortly after, Joan was no longer able to provide for him and make her mortgage payments at the same time and sought assistance. With proper assistance, Joan received a low interest rate HAMP loan and now is able once again to make her mortgage payments on time.

Joan shared with me that her home was saved due to the HAMP program and that her son would have been homeless without it. She said, "I have no words to express my feelings of gratitude for my loan modification."

Mr. Chairman, I've heard a significant number of similar stories in Sacramento. It is essential that we require lenders to continue to report their loan modification activities. We need to know how many Joans are out there struggling but seeking assistance. We need to know whether lenders are doing all they can.

Mr. Chairman, this amendment will ensure a level of transparency and accountability continue. I urge my colleagues to support this commonsense transparency amendment.

I reserve the balance of my time.

Mr. MCHENRY. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MCHENRY. I appreciate the gentlelady offering this amendment. Unfortunately, I must rise in opposition to it.

The requirements in this amendment are both cumbersome and unnecessary. It requires servicers and lenders to provide information regarding proprietary information on their entire portfolio of

loans, not just HAMP. The reporting requirement for, quote, requests for modifications is undefined in the amendment and is, therefore, unworkable based on the research that we have done.

It's unclear why this new role is necessary in the contractual negotiations between private citizens and private companies. Furthermore, servicers already provide results of their modification efforts to the HOPE NOW Alliance as well as in their annual reports without disclosing proprietary information. In fact, the HOPE NOW Alliance reports servicers having completed 961,355 proprietary modifications in 2008; 1,172,490 proprietary modifications in 2009; and 1.2 million in 2010.

Now I might add, this is many multiples in the private sector in terms of mortgage modifications than have been provided under the HAMP government funded program that we're discussing here today and trying to eliminate here today, the program that has hurt just shy of 800,000 Americans, destroyed their credit, taken their savings and, at the end of the day, taken their homes. I would encourage my colleagues to vote against this amendment.

I reserve the balance of my time.

Ms. MATSUI. I yield myself the balance of my time.

Mr. Chairman, I just want to say that these basic reporting requirements are not new. It's about HAMP. Every financial institution receiving HAMP funds from the TARP program is currently required to report this information today.

The current industry reporting requirements have played a significant role in providing a sense of transparency and accountability, and that's what we're talking about, transparency and accountability in our efforts to help homeowners and stabilize our housing market. Requiring basic information to be reported will provide this Congress with the information to make future decisions on loan modification programs as well as monitor the performance of the mortgage industry.

Mr. Chairman, I ask my colleagues to join me in supporting this important amendment to bring clarity and transparency to the mortgage industry.

I yield back the balance of my time.

Mr. MCHENRY. Mr. Chairman, in closing, I would encourage my colleagues to vote "no" on this amendment. The reporting requirements my colleague references are required by the servicers that are participating in HAMP, and they are required to disclose the information related to the Federal program, HAMP.

This amendment goes much further and requires these servicers to disclose hundreds of thousands of other modifications that are in the private sector. We know the aggregate number. What is being requested here is detailed information that is not correct for personal privacy and is not proper in keeping with the hundreds of thousands of

private transactions going on across this country.

I urge my colleagues to vote "no."

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Ms. MATSUI).

The amendment was rejected.

AMENDMENT NO. 8 OFFERED BY MRS. MALONEY

The CHAIR. It is now in order to consider amendment No. 8 printed in part A of House Report 112-34.

Mrs. MALONEY. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:

**SEC. 3. FINDINGS.**

The Congress finds the following:

(1) As of January 2011, active trials and permanent Home Affordable Modification Program (HAMP) modifications had been initiated in all 50 States and the District of Columbia, including—

- (A) 4036 active trials and permanent HAMP modifications in Alabama;
- (B) 291 active trials and permanent HAMP modifications in Alaska;
- (C) 32159 active trials and permanent HAMP modifications in Arizona;
- (D) 1527 active trials and permanent HAMP modifications in Arkansas;
- (E) 161181 active trials and permanent HAMP modifications in California;
- (F) 9349 active trials and permanent HAMP modifications in Colorado;
- (G) 8604 active trials and permanent HAMP modifications in Connecticut;
- (H) 1166 active trials and permanent HAMP modifications in the District of Columbia;
- (I) 2130 active trials and permanent HAMP modifications in Delaware;
- (J) 82230 active trials and permanent HAMP modifications in Florida;
- (K) 25120 active trials and permanent HAMP modifications in Georgia;
- (L) 2656 active trials and permanent HAMP modifications in Hawaii;
- (M) 2640 active trials and permanent HAMP modifications in Idaho;
- (N) 36907 active trials and permanent HAMP modifications in Illinois;
- (O) 6785 active trials and permanent HAMP modifications in Indiana;
- (P) 1761 active trials and permanent HAMP modifications in Iowa;
- (Q) 1639 active trials and permanent HAMP modifications in Kansas;
- (R) 2622 active trials and permanent HAMP modifications in Kentucky;
- (S) 3774 active trials and permanent HAMP modifications in Louisiana;
- (T) 1925 active trials and permanent HAMP modifications in Maine;
- (U) 22028 active trials and permanent HAMP modifications in Maryland;
- (V) 17039 active trials and permanent HAMP modifications in Massachusetts;
- (W) 22716 active trials and permanent HAMP modifications in Michigan;
- (X) 12108 active trials and permanent HAMP modifications in Minnesota;
- (Y) 2641 active trials and permanent HAMP modifications in Mississippi;
- (Z) 7284 active trials and permanent HAMP modifications in Missouri;
- (AA) 764 active trials and permanent HAMP modifications in Montana;
- (BB) 917 active trials and permanent HAMP modifications in Nebraska;
- (CC) 17860 active trials and permanent HAMP modifications in Nevada;

(DD) 3175 active trials and permanent HAMP modifications in New Hampshire;  
 (EE) 22105 active trials and permanent HAMP modifications in New Jersey;  
 (FF) 2190 active trials and permanent HAMP modifications in New Mexico;  
 (GG) 30955 active trials and permanent HAMP modifications in New York;  
 (HH) 12663 active trials and permanent HAMP modifications in North Carolina;  
 (II) 116 active trials and permanent HAMP modifications in North Dakota;  
 (JJ) 15379 active trials and permanent HAMP modifications in Ohio;  
 (KK) 1624 active trials and permanent HAMP modifications in Oklahoma;  
 (LL) 7452 active trials and permanent HAMP modifications in Oregon;  
 (MM) 14302 active trials and permanent HAMP modifications in Pennsylvania;  
 (NN) 3539 active trials and permanent HAMP modifications in Rhode Island;  
 (OO) 6526 active trials and permanent HAMP modifications in South Carolina;  
 (PP) 273 active trials and permanent HAMP modifications in South Dakota;  
 (QQ) 7124 active trials and permanent HAMP modifications in Tennessee;  
 (RR) 17961 active trials and permanent HAMP modifications in Texas;  
 (SS) 6405 active trials and permanent HAMP modifications in Utah;  
 (TT) 565 active trials and permanent HAMP modifications in Vermont;  
 (UU) 16738 active trials and permanent HAMP modifications in Virginia;  
 (VV) 13387 active trials and permanent HAMP modifications in Washington;  
 (WW) 1040 active trials and permanent HAMP modifications in West Virginia;  
 (XX) 6793 active trials and permanent HAMP modifications in Wisconsin; and  
 (YY) 349 active trials and permanent HAMP modifications in Wyoming.

(2) As of January 2011, 1,493,107 additional trial modifications were started under the HAMP Program.

(3) As of January 2011, 607,607 additional permanent modifications were started under the HAMP Program.

(4) By voting to terminate the Home Affordable Modification Program without a suggested replacement, the Congress is voting to terminate a program that may have helped to modify an additional 2,867,420 delinquent mortgages in the United States.

The CHAIR. Pursuant to House Resolution 170, the gentlewoman from New York (Mrs. MALONEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

□ 1640

Mrs. MALONEY. Mr. Chair, for everyone that cares about the issues of poverty, housing, economic growth, and community life, the last couple of weeks have brought some troubling news. Wednesday came the news that purchases of new U.S. homes declined last month to the slowest pace on record, and new home prices dropped to the lowest level since December, 2003. And yet over the past 2 weeks, House Republicans have said with their votes again and again that their policy to help homeowners is to just give up; to throw in the towel and to say that there's just nothing that Congress can do or will do to address the problem to help struggling American families. They have already voted to terminate three Federal programs that help

Americans who are struggling to stay in their homes. And now we are considering yet another one that has helped more than 32,000 New Yorkers stay in their homes—over 600,000 across our great country.

What bothers me is that they are leading the effort to eliminate these programs, voting against them, and yet they have no plans of their own to address the foreclosure crisis that is hurting neighborhoods and disrupting lives throughout their country, like the jobs bills they said they would have. We have yet to see them. The only initiative to help housing is to eliminate the programs that are already there.

The HAMP program has been successful in helping, as I said, over 600,000. And with over 30,000 mortgages modified each month nationally, HAMP is continuing to provide relief to struggling families across this country. My amendment will add findings to the bill with the number of trial and permanent modifications stated under the HAMP program. The findings will also state the number of seriously delinquent mortgages in the U.S. that may be eligible for HAMP modifications but won't be because the program is being terminated. I believe it is important for the public to understand State by State the number of mortgages—the number of families—who are still in their homes because of the HAMP program. Families are saving an average of over \$500 per month on their mortgage payments. This amounts to nearly \$5 billion in savings since the program started. These are real families and real savings. If our friends who have proposed to terminate this program want to talk about savings, they should think about the number of people in these States who have benefited from HAMP and are now saving money every single month. They should also think about the number of seriously delinquent mortgages out there that are on the verge of foreclosure. Currently, over 2 million families in our country are in this situation. Many of these could be eligible to participate in the HAMP program. But by terminating it now, our friends are saying that these families are on their own. The numbers speak for themselves, and I think it is important that we highlight how we have helped families across this country and how many more are not going to be helped or are not being helped by terminating and closing this program.

So I urge my colleagues to support my amendment and to oppose the underlying bill, and I will place in the RECORD a statement of administration policy from the Executive Office of President Barack Obama in support of the HAMP program, urging a “no” vote on the efforts by the Republican majority.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,

Washington, DC, March 29, 2011.

STATEMENT OF ADMINISTRATION POLICY

H.R. 839—HAMP TERMINATION ACT

(Rep. McHenry, R-NC, and 8 cosponsor)

The Administration strongly opposes House passage of H.R. 839 which would eliminate the Department of the Treasury's Home Affordable Modification Program (HAMP). This program offers eligible homeowners an opportunity to lower their mortgage payments, helping individuals avoid foreclosure and leading to the protection of home values and the preservation of homeownership. The Administration is committed to helping struggling American homeowners stay in their homes, and has taken many steps over the last two years to stabilize what was a rapidly-declining housing market. As tens of thousands of responsible American homeowners struggling with their mortgages receive permanent assistance each month from HAMP, the Administration believes that continuation of HAMP is important to the Nation's sustained economic recovery.

If the President is presented with H.R. 839, his senior advisors would recommend that he veto the bill.

MAKING HOME AFFORDABLE PROGRAM  
 SERVICER PERFORMANCE REPORT THROUGH  
 JANUARY 2011

HAMP ACTIVITY BY STATE

State	Active Trials	Permanent Modifications	Total	% of Total
AK	63	228	291	0.0
AL	927	3,109	4,036	0.6
AR	337	1,190	1,527	0.2
AZ	5,837	26,322	32,159	4.7
CA	32,617	128,564	161,181	23.5
CO	1,762	7,587	9,349	1.4
CT	1,759	6,845	8,604	1.3
DC	247	919	1,166	0.2
DE	454	1,676	2,130	0.3
FL	18,570	63,660	82,230	12.0
GA	5,553	19,567	25,120	3.7
HI	607	2,049	2,656	0.4
IA	388	1,373	1,761	0.3
ID	602	2,038	2,640	0.4
IL	7,803	29,104	36,907	5.4
IN	1,505	5,280	6,785	1.0
KS	379	1,260	1,639	0.2
KY	556	2,066	2,622	0.4
LA	977	2,797	3,774	0.6
MA	3,542	13,497	17,039	2.5
MD	4,545	17,483	22,028	3.2
ME	452	1,473	1,925	0.3
MI	4,651	18,065	22,716	3.3
MN	2,201	9,907	12,108	1.8
MO	1,536	5,748	7,284	1.1
MS	571	2,070	2,641	0.4
MT	176	588	764	0.1
NC	2,649	10,014	12,663	1.8
ND	26	90	116	0.0
NE	198	719	917	0.1
NH	670	2,505	3,175	0.5
NJ	4,738	17,367	22,105	3.2
NM	476	1,714	2,190	0.3
NV	3,697	14,163	17,860	2.6
NY	7,022	23,933	30,955	4.5
OH	3,325	12,054	15,379	2.2
OK	401	1,223	1,624	0.2
OR	1,547	5,905	7,452	1.1
PA	3,124	11,178	14,302	2.1
RI	719	2,820	3,539	0.5
SC	1,377	5,149	6,526	1.0
SD	66	207	273	0.0
TN	1,601	5,523	7,124	1.0
TX	4,381	13,580	17,961	2.6
UT	1,330	5,075	6,405	0.9
VA	3,364	13,374	16,738	2.4
VT	125	440	565	0.1
WA	2,927	10,460	13,387	2.0
WI	1,474	5,319	6,793	1.0
WV	209	831	1,040	0.2
WY	61	288	349	0.1
Other*	1,136	1,097	2,233	0.3

\*Includes Guam, Puerto Rico and the U.S. Virgin Islands.

I reserve the balance of my time.  
 Mr. McHENRY. Mr. Chair, I rise in opposition to the amendment.

The CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MCHENRY. Thank you, Mr. Chairman.

The amendment fails to highlight that there are more failed modifications than successful permanent modifications. In fact, in the dissenting views from the Financial Services Committee Democrats, of which my colleague from New York (Mrs. MALONEY) signed, along with 14 of her Democrat colleagues, it states that, in their view, 570,000 homeowners would be assisted under HAMP if the program were allowed to continue. This amendment, however, states that that number is 2.8 million. This differs from the facts of her own party. And I think both numbers are much higher than what have been agreed upon by the Congressional Oversight Panel of TARP. Their numbers are much, much lower.

I think if you use my colleague's words and figures, it's fair to say that those are grossly inflated and go well beyond what is reasonable, what is serious, and what is agreed upon in the private sector, or by even most of her Democrat colleagues. So I would urge my colleagues to vote against that.

I reserve the balance of my time.

Mrs. MALONEY. The number of over 2 million delinquent mortgages in the United States is the range of people that could be eligible, who could apply for the program, but not all of them would qualify. You have to reach certain standards to qualify to enter the program. So this is the range of the people who could be helped.

The difficulty with my Republican colleagues is that they have no alternative. They're abolishing a program without coming forward with any idea to help themselves. As Mark Zandi said in his recent report, housing remains fragile in America. And housing is roughly 25 percent of our economy. So to the extent that we can help people stay in their homes, thereby not only helping that family but helping their community and helping their country, helping to stabilize the housing prices around that house so it doesn't become delinquent and abandoned, pulling down the values in the communities, this is an important program. And it should be continued. It's no taxpayer dollars used. It's from the TARP program, funded by the banks. This is an effort to help the overall economy.

The Acting CHAIR (Mr. WOMACK). The time of the gentlewoman from New York has expired.

Mr. MCHENRY. Mr. Chairman, in closing, I would quote from page 17 of the dissenting views of the Financial Services Committee Democrats, of which my colleague, Mrs. MALONEY, signed on. Page 17, "A reasonable estimate is that the program participation will double by the end of next year," which, I might add, is a bit ambitious. I'll just continue with the quote. "A reasonable estimate is that the program participation will double by the end of next year, for a cumulative total of 1.1 million homeowners. Based on

this estimate, the bill would deny modification for more than a half million homeowners at risk of foreclosure." I might add, the statistics also bear out that for every half a million that are helped in this program, you're actively hurting about 800,000 Americans.

So what the opposition on the other side of the aisle is doing is saying we should continue failure, we should endorse failure. In fact, we should continue to hurt people by keeping this program open. And that, under their view, it means that you'll have 800,000 Americans that will be left worse off because this program exists—worse off. Their credit depleted, their home taken, their credit rating destroyed. I think that is highly inappropriate, Mr. Chairman. That's why I oppose this amendment.

I yield the balance of my time to my colleague from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. I thank the gentleman for yielding.

My colleague from New York and many of the colleagues from that side of the aisle have been saying that if we end this program, there will be nothing. That simply isn't true. Of the 4.1 million mortgage modifications that were completed, 3.5 million were done by the private sector with no government program and not a dime from the taxpayers. There's also the Home Affordable Refinance Program, or HARP, for homeowners with government-backed Fannie Mae and Freddie Mac loans. And don't forget about the Hardest Hit Fund. According to the Treasury Web site, the President established this in February, 2010, to provide targeted aid to families in States hard hit by the economic and housing market downturn. That includes \$1.5 billion that went to the hardest hit States—California, Arizona, Florida, Nevada, and Michigan. Another \$600 million went to another set—North Carolina, Ohio, Rhode Island, and South Carolina. And finally, \$2 billion was distributed to 17 States and the District of Columbia.

□ 1650

In 2008, \$300 million in guarantees was committed for HOPE for Homeowners, a voluntary FHA program. Only 200 loans have been modified in this program, but it does exist; \$475 million has been appropriated to Neighborhood Works for foreclosure counseling for homeowners. Finally, there are countless local, State, and private sector initiatives.

We have to stop funding programs with money that we don't have. Let's make that clear. With that, I would urge opposition to this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Mrs. MALONEY).

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

Mrs. MALONEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New York will be postponed.

AMENDMENT NO. 9 OFFERED BY MS. LORETTA SANCHEZ OF CALIFORNIA

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part A of House Report 112-34.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:

**SEC. 3. SENSE OF CONGRESS.**

The Congress encourages banks to work with homeowners to provide loan modifications to those that are eligible. The Congress also encourages banks to work and assist homeowners and prospective homeowners with foreclosure prevention programs and information on loan modifications.

The Acting CHAIR. Pursuant to House Resolution 170, the gentlewoman from California (Ms. LORETTA SANCHEZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I yield to the gentleman from California (Mr. GEORGE MILLER) for a unanimous consent request.

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

Mr. GEORGE MILLER of California. I thank the gentlewoman for yielding.

Mr. Chairman, it is with great regret but with clear intent that I rise in opposition to continuing the Federal Home Affordable Modification Program, known as HAMP, without significant changes.

HAMP was designed to help millions of homeowners who had fallen victim to the financial crisis of 2008 and to the collapse of the housing market; but regrettably, at this time, it is not working under its current structure.

On behalf of struggling homeowners in my congressional district trying to avoid foreclosure and stay in their homes, I have gone to great lengths to encourage the Obama administration to recognize the serious shortcomings of the HAMP program, shortcomings that have been well documented by numerous independent and authoritative sources.

But the administration has been unable to successfully respond to the legitimate criticisms of HAMP and as a result the administration faces opposition to its program today on the floor of the House not only from those who oppose everything this administration does for purely partisan reasons but also from representatives like me who have genuinely sought to work with the administration to improve this program.

I hope that my vote today is understood clearly by the administration as one more effort on my part, on behalf of my desperate constituents, to get the administration to recognize the urgency of the housing crisis and

respond to it accordingly. I appreciate that much hard work has already been done. I know that many people are involved in this effort and many hours have been dedicated to the problem. But in the case of ongoing foreclosures nationwide and the abuses homeowners face from banks and mortgage servicers, all the hard work and effort has not been sufficient and more must be done.

Homeowners in my community and across the country are being lied to, chewed up, and abused by banks and servicers in an arbitrary and capricious system that has stripped them of their homes and their livelihoods. In my district, people who are in need of substantial help in their fights against the big banks are simply not getting it. Hard as I try with my staff, and hard as my colleagues try with their staff, we cannot do enough on our own.

Make no mistake—Republicans in Washington are not on the side of homeowners in this fight. They're using the problems with HAMP as an excuse to once again oppose the Obama administration, just as they have opposed the Obama administration on every step it has taken to rescue the economy, for purely partisan reasons. Regrettably, the Republican approach to the housing crisis is to cut and run, to starve the economy of the investments it needs to create jobs and get the economy—and the housing market—back on its feet. Their bill today does nothing to help the housing crisis and it would deprive the administration of funds that could be used to help homeowners. But their bill does one thing that I do support—it sends a message that homeowners are not getting the help they need from HAMP and that HAMP must be significantly improved or replaced in order to offer the kind of help distressed homeowners need.

So far, such improvements have not taken place. And I see no sign that they will. And left with no choice but to register one more complaint by voting to end HAMP.

I hope today's vote is understood clearly as a wake-up call to the administration that HAMP is not good enough today to earn my support and that it must be strengthened immediately or replaced by a program that does work. I hope my vote sends the message that banks and servicers are responsible for the abuse that is taking place in today's housing market and that we intend to hold them accountable for their behavior, and that we are committed to helping struggling homeowners survive and recover from this crisis.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, since my colleagues on the other side of the aisle are ending the Home Affordable Modification Program, my amendment simply states that the Congress should encourage the banks to provide our qualifying neighbors with loan modifications. It also encourages the banks to provide our friends and families with information on foreclosure prevention and loan modification.

My Republican colleagues say that the Home Affordable Modification Program is not helping enough people. Well, it didn't help all the people. That's true. I know people who went and tried to get their loans modified, and it didn't work for them; but there have been quite a few who have been helped. I want to give you some examples just in my own area.

For example, there is this couple in Garden Grove, California. The husband became unemployed. He was a construction worker; and as we all know, construction was the first industry to fold. Well, the family fell behind on their mortgage payments despite the fact that they are extremely frugal and had been saving money for emergencies.

After some time, the husband found a job. Of course it paid less, and they are still unable to pay their full mortgage. They owed \$8,825 in missed payments with late fees; plus, they had a balance of \$482,000 on their mortgage. Thanks to the modification program, the debts were forgiven, and the balance was dropped by \$87,000 so that they have a new balance.

Even with the loss of income, they are very thankful that they can keep their home and that they have a mortgage payment that they can make. The Home Affordable Modification Program allowed this family to keep their home.

A family from Santa Ana was close to losing their home due to financial hardship as the husband's hours and income were reduced. So to make ends meet, he supplemented his primary job with a part-time job. These are not people who are asking for handouts. These are people who are trying to figure out a way to hold onto their homes and to keep stability with their children. The gentleman really wanted to keep his home, so he worked with a counseling agency to formulate a budget that was affordable to him. Thanks to the loan modification program, his payment was reduced, and the family can stay in their home. That's one more family in Santa Ana that is in their home today.

Then there was this couple who worked for a school district. The budget restraints in the State forced them to have furloughs, which took a significant toll on their income. There was a couple from Anaheim who was using their unused sick and vacation days just so they could get that check in order to make the mortgage. Thanks to the loan modification program, the couple was able to permanently modify their loan and keep their home. Their monthly mortgage payment was reduced, and it made it more affordable. Even with an income reduction, this is another couple, another family, who is still in their home.

Those are only three of the success stories we've had. I know I have worked very hard with my housing agencies and with people in putting on forums and talking to people and giving information and calling them in and getting the banks to try to modify these loans. This is a 5-year process at home that we have been working on. I don't know, maybe the rest of my colleagues didn't do this or didn't know how to do it or they weren't as successful, but we have had success. So we have families who are in their homes.

It is my hope that my Republican colleagues will reconsider this bill.

Let's work together to find solutions for people because when you keep families in their homes, the stability of the family stays intact; and when you have that in particular, if you have children, they need that stability.

I yield back the balance of my time. Mrs. BIGGERT. Mr. Chairman, I rise in opposition to the amendment, even though I am not opposed.

The Acting CHAIR. Without objection, the gentlewoman from Illinois is recognized for 5 minutes.

There was no objection.

Mrs. BIGGERT. We will accept the amendment.

I have had similar occurrences in my district where actually one gentleman had to pay back \$42,000 worth of late fees as well as the penalties and the difference between the loan modification. That's where I think this program has failed.

Yet I think your amendment is a sense for Congress to encourage the banks to work with our constituents and to provide loan modifications to those who are eligible. It also encourages banks to work with our constituents and to provide them with the best services. It encourages the banks to assist prospective homeowners with foreclosure prevention and counseling.

I think this is a help in the private sector and encourages the private sector to do this, so we would accept this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. LORETTA SANCHEZ).

The amendment was agreed to.

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

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MCHENRY) having assumed the chair, Mr. WOMACK, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 839) to amend the Emergency Economic Stabilization Act of 2008 to terminate the authority of the Secretary of the Treasury to provide new assistance under the Home Affordable Modification Program, while preserving assistance to homeowners who were already extended an offer to participate in the Program, either on a trial or permanent basis, had come to no resolution thereon.

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#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 p.m.), the House stood in recess until approximately 6:30 p.m.

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□ 1830

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro

tempore (Mr. WOODALL) at 6 o'clock and 30 minutes p.m.

**REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 471, SCHOLARSHIPS FOR OPPORTUNITY AND RESULTS ACT**

Mr. BISHOP of Utah, from the Committee on Rules, submitted a privileged report (Rept. No. 112-45) on the resolution (H. Res. 186) providing for consideration of the bill (H.R. 471) to reauthorize the DC opportunity scholarship program, and for other purposes, which was referred to the House Calendar and ordered to be printed.

**THE HAMP TERMINATION ACT OF 2011**

The SPEAKER pro tempore. Pursuant to House Resolution 170 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 839.

□ 1835

**IN THE COMMITTEE OF THE WHOLE**

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 839) to amend the Emergency Economic Stabilization Act of 2008 to terminate the authority of the Secretary of the Treasury to provide new assistance under the Home Affordable Modification Program, while preserving assistance to homeowners who were already extended an offer to participate in the Program, either on a trial or permanent basis, with Mr. POE of Texas in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole rose earlier today, amendment No. 9 printed in part A of House Report 112-34, offered by the gentleman from California (Ms. LORETTA SANCHEZ), had been disposed of.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part A of House Report 112-34 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. HANNA of New York.

Amendment No. 6 by Ms. JACKSON LEE of Texas.

Amendment No. 8 by Mrs. MALONEY of New York.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

**AMENDMENT NO. 1 OFFERED BY MR. HANNA**

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. HANNA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

**RECORDED VOTE**

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 247, noes 170, not voting 15, as follows:

[Roll No. 194]

**AYES—247**

Adams	Gibson	Nunes
Aderholt	Gingrey (GA)	Nunnelee
Akin	Goodlatte	Olson
Alexander	Gossar	Palazzo
Altmire	Gowdy	Paul
Austria	Granger	Paulsen
Bachmann	Graves (GA)	Pearce
Bachus	Graves (MO)	Pence
Barletta	Griffin (AR)	Peterson
Bartlett	Griffith (VA)	Petri
Barton (TX)	Grimm	Pitts
Bass (NH)	Guinta	Platts
Benishek	Guthrie	Poe (TX)
Berg	Hall	Pompeo
Berkley	Hanna	Posey
Biggett	Harper	Price (GA)
Bilbray	Harris	Quayle
Bilirakis	Hartzler	Quigley
Bishop (UT)	Hastings (WA)	Reed
Black	Hayworth	Rehberg
Blackburn	Heller	Reichert
Bonner	Hensarling	Renacci
Bono Mack	Herger	Ribble
Boren	Herrera Beutler	Richardson
Boustany	Huelskamp	Rigell
Brady (TX)	Huizenga (MI)	Rivera
Brooks	Hultgren	Roby
Broun (GA)	Hunter	Roe (TN)
Buchanan	Hurt	Rogers (AL)
Bucshon	Issa	Rogers (KY)
Buerkle	Jenkins	Rogers (MI)
Burgess	Johnson (IL)	Rohrabacher
Burton (IN)	Johnson (OH)	Rokita
Calvert	Johnson, Sam	Rooney
Camp	Jones	Ros-Lehtinen
Canseco	Jordan	Roskam
Cantor	Kelly	Ross (FL)
Capito	King (IA)	Royce
Cardoza	King (NY)	Runyan
Carter	Kingston	Ryan (WI)
Cassidy	Kinzinger (IL)	Scalise
Chabot	Kline	Schilling
Chaffetz	Labrador	Schmidt
Chandler	Lamborn	Schock
Coble	Lance	Schweikert
Coffman (CO)	Landry	Scott (SC)
Cole	Lankford	Scott, Austin
Conaway	Latham	Sensenbrenner
Costa	LaTourette	Sessions
Cravaack	Latta	Shimkus
Crawford	Lewis (CA)	Shuster
Crenshaw	Lewis (GA)	Simpson
Cuellar	LoBiondo	Smith (NE)
Culberson	Long	Smith (NJ)
Davis (IL)	Lucas	Smith (TX)
Davis (KY)	Luetkemeyer	Southerland
Denham	Lummis	Stearns
Dent	Lungren, Daniel	Stivers
DesJarlais	E.	Stutzman
Diaz-Balart	Mack	Sullivan
Dold	Manzullo	Terry
Dreier	Marchant	Thompson (PA)
Duffy	Marino	Thornberry
Duncan (SC)	McCarthy (CA)	Tiberi
Duncan (TN)	McCaul	Tipton
Ellmers	McClintock	Turner
Emerson	McCotter	Upton
Farenthold	McHenry	Walberg
Fincher	McKeon	Walden
Fitzpatrick	McKinley	Walsh (LL)
Flake	McMorris	Webster
Fleischmann	Rodgers	West
Fleming	Meehan	Westmoreland
Flores	Mica	Whitfield
Forbes	Miller (FL)	Wilson (SC)
Fortenberry	Miller (MI)	Wittman
Fox	Miller, Gary	Wolf
Franks (AZ)	Mulvaney	Womack
Galleghy	Murphy (PA)	Woodall
Gardner	Myrick	Yoder
Garrett	Neugebauer	Young (AK)
Gerlach	Noem	Young (FL)
Gibbs	Nugent	Young (IN)

Ackerman	Green, Al	Olver
Amash	Green, Gene	Owens
Andrews	Grijalva	Pallone
Baca	Gutierrez	Pascarell
Baldwin	Hanabusa	Pastor (AZ)
Barrow	Hastings (FL)	Payne
Bass (CA)	Heck	Pelosi
Becerra	Heinrich	Perlmutter
Berman	Higgins	Peters
Bishop (GA)	Himes	Pingree (ME)
Bishop (NY)	Hinchee	Polis
Blumenauer	Hinojosa	Price (NC)
Boswell	Hirono	Rahall
Brady (PA)	Holden	Richmond
Braley (IA)	Holt	Ross (AR)
Brown (FL)	Honda	Rothman (NJ)
Butterfield	Hoyer	Roybal-Allard
Capps	Inslee	Ruppersberger
Capuano	Israel	Rush
Carnahan	Jackson (IL)	Ryan (OH)
Carney	Jackson Lee	Sánchez, Linda
Carson (IN)	(TX)	T.
Castor (FL)	Johnson (GA)	Sanchez, Loretta
Chu	Johnson, E. B.	Sarbanes
Cicilline	Kaptur	Schakowsky
Clarke (MI)	Keating	Schiff
Clarke (NY)	Kildee	Schrader
Clay	Kind	Schwartz
Cleaver	Kissell	Scott (VA)
Clyburn	Kucinich	Scott, David
Cohen	Larsen (WA)	Serrano
Connolly (VA)	Larson (CT)	Sewell
Cooper	Lee (CA)	Sherman
Costello	Levin	Shuler
Courtney	Lipinski	Sires
Critz	Loebsock	Smith (WA)
Crowley	Lofgren, Zoe	Stark
Cummings	Lowe	Sutton
Davis (CA)	Luján	Thompson (CA)
DeFazio	Lynch	Thompson (MS)
DeGette	Maloney	Tierney
DeLauro	Markey	Tonko
Deutch	Matheson	Towns
Dicks	Matsui	Tsongas
Dingell	McCarthy (NY)	Van Hollen
Doggett	McCollum	Velázquez
Donnelly (IN)	McDermott	Visclosky
Doyle	McGovern	Walz (MN)
Edwards	McNerney	Wasserman
Ellison	Meeks	Schultz
Eshoo	Michaud	Waters
Farr	Miller (NC)	Watt
Fattah	Miller, George	Weiner
Filner	Moore	Welch
Frank (MA)	Murphy (CT)	Woolsey
Fudge	Nadler	Wu
Garamendi	Napolitano	Yarmuth
Gonzalez	Neal	

**NOT VOTING—15**

Campbell	Gohmert	Reyes
Conyers	Langevin	Slaughter
Engel	McIntyre	Speier
Frelinghuysen	Moran	Waxman
Giffords	Rangel	Wilson (FL)

□ 1858

Messrs. WALZ of Minnesota, CRITZ, SHERMAN, Ms. BASS of California, and Messrs. NEAL, HINOJOSA, and BACA changed their vote from “aye” to “no.”

Messrs. GRAVES of Missouri and SMITH of New Jersey changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

**AMENDMENT NO. 6 OFFERED BY MS. JACKSON LEE OF TEXAS**

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 182, noes 239, not voting 11, as follows:

[Roll No. 195]

AYES—182

Ackerman	Gonzalez	Napolitano
Andrews	Green, Al	Neal
Baca	Green, Gene	Oliver
Baldwin	Grijalva	Pallone
Barrow	Gutierrez	Pascarell
Bass (CA)	Hanabusa	Pastor (AZ)
Becerra	Harris	Payne
Berkley	Hastings (FL)	Pelosi
Berman	Heinrich	Perlmutter
Bishop (GA)	Herrera Beutler	Peters
Bishop (NY)	Higgins	Pingree (ME)
Blumenauer	Himes	Polis
Boren	Hinchesy	Price (NC)
Boswell	Hinojosa	Quigley
Brady (PA)	Hirono	Rahall
Braley (IA)	Holden	Richardson
Brown (FL)	Holt	Richmond
Butterfield	Honda	Ross (AR)
Capps	Hoyer	Rothman (NJ)
Capuano	Inslee	Roybal-Allard
Cardoza	Israel	Ruppersberger
Carnahan	Jackson (IL)	Rush
Carney	Jackson Lee	Ryan (OH)
Carson (IN)	(TX)	Sanchez, Linda T.
Castor (FL)	Johnson (GA)	Sanchez, Loretta
Chandler	Johnson, E. B.	Sarbanes
Chu	Jones	Schakowsky
Cicilline	Kaptur	Schiff
Clarke (MI)	Keating	Schrader
Clarke (NY)	Kildee	Schwartz
Clay	Kind	Scott (VA)
Clyburn	Kissell	Scott, David
Cohen	Kucinich	Serrano
Connolly (VA)	Langevin	Sewell
Cooper	Larsen (WA)	Sherman
Costa	Larson (CT)	Sires
Costello	Lee (CA)	Slaughter
Courtney	Levin	Stark
Critz	Lewis (GA)	Stearns
Crowley	Lipinski	Sutton
Cummings	Loeb sack	Thompson (CA)
Davis (CA)	Lofgren, Zoe	Thompson (MS)
Davis (IL)	Lowe y	Tierney
DeFazio	Lujan	Tonko
DeGette	Lynch	Towns
DeLauro	Maloney	Tsongas
Deutch	Markey	Van Hollen
Dicks	Matheson	Velazquez
Dingell	Matsui	Visclosky
Doggett	McCarthy (NY)	Walz (MN)
Donnelly (IN)	McCollum	Wasserman
Doyle	McDermott	Schultz
Edwards	McGovern	Waters
Ellison	McIntyre	Watt
Engel	McNerney	Weiner
Eshoo	Meeks	Welch
Farr	Michaud	Wilson (FL)
Fattah	Miller (NC)	Woolsey
Filner	Miller, George	Wu
Frank (MA)	Moore	Yarmuth
Fudge	Murphy (CT)	
Garamendi	Nadler	

NOES—239

Adams	Bono Mack	Conaway
Aderholt	Boustany	Cravaack
Akin	Brady (TX)	Crawford
Alexander	Brooks	Crenshaw
Altmire	Broun (GA)	Cuellar
Amash	Buchanan	Culberson
Austria	Bucshon	Davis (KY)
Bachmann	Buerkle	Denham
Bachus	Burgess	Dent
Barletta	Burton (IN)	DesJarlais
Bartlett	Calvert	Diaz-Balart
Barton (TX)	Camp	Dold
Bass (NH)	Canseco	Dreier
Benishkek	Cantor	Duffy
Berg	Capito	Duncan (SC)
Biggert	Carter	Duncan (TN)
Bilbray	Cassidy	Ellmers
Bilirakis	Chabot	Emerson
Bishop (UT)	Chaffetz	Farenthold
Black	Coble	Fincher
Blackburn	Coffman (CO)	Fitzpatrick
Bonner	Cole	Flake

Fleischmann	Latta	Roe (TN)
Fleming	Lewis (CA)	Rogers (AL)
Flores	LoBiondo	Rogers (KY)
Forbes	Long	Rogers (MI)
Fortenberry	Lucas	Rohrabacher
Foxx	Luetkemeyer	Rokita
Franks (AZ)	Lummis	Rooney
Gallegly	Lungren, Daniel	Ros-Lehtinen
Gardner	E.	Roskam
Garrett	Mack	Ross (FL)
Gerlach	Manzullo	Royce
Gibbs	Marchant	Ryunan
Gibson	Marino	Ryan (WI)
Gingrey (GA)	McCarthy (CA)	Scalise
Goodlatte	McCaul	Schilling
Gosar	McClintock	Schmidt
Gowdy	McCotter	Schock
Granger	McHenry	Schweikert
Graves (GA)	McKeon	Scott (SC)
Graves (MO)	McKinley	Scott, Austin
Griffin (AR)	McMorris	Sensenbrenner
Griffith (VA)	Rodgers	Sessions
Grimm	Meehan	Shimkus
Peters	Guinta	Mica
Guthrie	Guthrie	Miller (FL)
Hall	Hanna	Miller (MI)
Hanna	Harper	Miller, Gary
Hartzer	Hartzler	Mulvaney
Hastings (WA)	Hastings	Murphy (PA)
Hayworth	Heck	Myrick
Heck	Heller	Neugebauer
Heller	Hensarling	Noem
Hergert	Hesler	Nugent
Huelskamp	Huelskamp	Nunes
Huizenga (MI)	Hultgren	Nunnelee
Owens	Palazzo	Olson
Pompeo	Paul	Owens
Pompeo	Hunter	Palazzo
Posey	Hurt	Paul
Price (GA)	Issa	Paulsen
Quayle	Jenkins	Pearce
Reed	Johnson (IL)	Pence
Rehberg	Johnson (OH)	Peterson
Reichert	Johnson, Sam	Petri
Renacci	Jordan	Pitts
Ribble	Kelly	Platts
Rigell	King (IA)	Poe (TX)
Rivera	King (NY)	Pompeo
Roby	Kingston	Posey
	Kinzinger (IL)	Price (GA)
	Kline	Quayle
	Labrador	Reed
	Lamborn	Rehberg
	Lance	Reichert
	Landry	Renacci
	Lankford	Ribble
	Latham	Rigell
	LaTourette	Rivera
		Roby

NOT VOTING—11

Campbell	Giffords	Reyes
Cleaver	Gohmert	Speier
Conyers	Moran	Waxman
Frelinghuysen	Rangel	

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). One minute remains in this vote.

□ 1903

Mr. MEEHAN changed his vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MRS. MALONEY

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Mrs. MALONEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 173, noes 249, not voting 10, as follows:

[Roll No. 196]

AYES—173

Ackerman	Gonzalez	Neal
Andrews	Green, Al	Oliver
Baca	Green, Gene	Pallone
Baldwin	Grijalva	Pascarell
Barrow	Gutierrez	Pastor (AZ)
Bass (CA)	Hanabusa	Pelosi
Becerra	Harris	Perlmutter
Berman	Hastings (FL)	Pingree (ME)
Bishop (GA)	Heinrich	Polis
Bishop (NY)	Higgins	Price (NC)
Blumenauer	Himes	Quigley
Boswell	Hinchesy	Rahall
Brady (PA)	Hinojosa	Reyes
Braley (IA)	Hirono	Richardson
Brown (FL)	Brown (FL)	Holden
Butterfield	Holt	Richardson
Capps	Honda	Rothman (NJ)
Capuano	Hoyer	Royal-Allard
Carnahan	Inslee	Ruppersberger
Carney	Israel	Rush
Carson (IN)	Jackson (IL)	Ryan (OH)
Castor (FL)	Jackson Lee	Sanchez, Linda T.
Chu	(TX)	Sanchez, Loretta
Cicilline	Johnson (GA)	Sarbanes
Clarke (MI)	Johnson, E. B.	Schakowsky
Clarke (NY)	Kaptur	Schiff
Clay	Keating	Schrader
Clyburn	Kildee	Schwartz
Cohen	Kind	Schwartz
Connolly (VA)	Kissell	Scott (VA)
Conyers	Kucinich	Scott, David
Costello	Langevin	Serrano
Courtney	Larsen (WA)	Sewell
Critz	Larson (CT)	Sherman
Crowley	Lee (CA)	Slaughter
Cuellar	Levin	Smith (WA)
Cummings	Lewis (GA)	Stark
Davis (CA)	Lipinski	Sutton
Davis (IL)	Loeb sack	Thompson (CA)
DeFazio	Lowey	Thompson (MS)
DeGette	Lujan	Tierney
DeLauro	Lynch	Tonko
Deutch	Maloney	Towns
Dicks	Markey	Tsongas
Dingell	Matsui	Van Hollen
Doggett	McCarthy (NY)	Velazquez
Donnelly (IN)	McCollum	Visclosky
Doyle	McDermott	Walz (MN)
Edwards	McGovern	Wasserman
Ellison	McIntyre	Schultz
Engel	McNerney	Waters
Eshoo	Meeks	Watt
Farr	Michaud	Weiner
Fattah	Miller (NC)	Welch
Filner	Miller, George	Wilson (FL)
Frank (MA)	Moore	Woolsey
Fudge	Murphy (CT)	Wu
Garamendi	Nadler	Yarmuth
	Napolitano	

NOES—249

Adams	Broun (GA)	Denham
Aderholt	Buchanan	Dent
Akin	Bucshon	DesJarlais
Alexander	Buerkle	Diaz-Balart
Altmire	Burgess	Dold
Amash	Burton (IN)	Dreier
Austria	Duffy	Duffy
Bachmann	Camp	Duncan (SC)
Bachus	Canseco	Duncan (TN)
Barletta	Cantor	Ellmers
Bartlett	Capito	Emerson
Barton (TX)	Cardoza	Farenthold
Bass (NH)	Carter	Fincher
Benishkek	Cassidy	Fitzpatrick
Berg	Chabot	Flake
Berkley	Chaffetz	Fleischmann
Biggert	Chandler	Fleming
Bilbray	Coble	Flores
Bilirakis	Coffman (CO)	Forbes
Bishop (UT)	Cole	Fortenberry
Black	Conaway	Foxx
Blackburn	Cooper	Franks (AZ)
Bonner	Costa	Gallegly
Bono Mack	Cravaack	Gardner
Boren	Crawford	Garrett
Boustany	Crenshaw	Gerlach
Brady (TX)	Culberson	Gibbs
Brooks	Davis (KY)	Gibson

Gingrey (GA)	Lungren, Daniel	Rogers (KY)
Goodlatte	E.	Rogers (MI)
Gosar	Mack	Rohrabacher
Growdy	Manzullo	Rokita
Granger	Marchant	Rooney
Graves (GA)	Marino	Ros-Lehtinen
Griffin (AR)	Matheson	Roskam
Griffith (VA)	McCarthy (CA)	Ross (AR)
Grimm	McCaul	Ross (FL)
Guinta	McClintock	Royce
Guthrie	McCotter	Runyan
Hall	McHenry	Ryan (WI)
Hanna	McKeon	Scalise
Harper	McKinley	Schilling
Hartzler	McMorris	Schmidt
Hastings (WA)	Rodgers	Schock
Hayworth	Meehan	Schweikert
Heck	Mica	Scott (SC)
Heller	Miller (FL)	Scott, Austin
Hensarling	Miller (MI)	Sensenbrenner
Herger	Miller, Gary	Sessions
Herrera Beutler	Mulvaney	Shimkus
Huelskamp	Murphy (PA)	Shuler
Huizenga (MI)	Myrick	Shuster
Hultgren	Neugebauer	Simpson
Hunter	Noem	Sires
Hurt	Nugent	Smith (NE)
Issa	Nunes	Smith (NJ)
Jenkins	Nunnelee	Smith (TX)
Johnson (IL)	Olson	Southerland
Johnson (OH)	Owens	Stearns
Johnson, Sam	Palazzo	Stivers
Jones	Paul	Stutzman
Jordan	Paulsen	Sullivan
Kelly	Pearce	Terry
King (IA)	Pence	Thompson (PA)
King (NY)	Peters	Thornberry
Kingston	Peterson	Tiberi
Kinzinger (IL)	Petri	Tipton
Kline	Pitts	Turner
Labrador	Platts	Upton
Lamborn	Poe (TX)	Walberg
Lance	Pompeo	Walden
Landry	Posey	Walsh (IL)
Lankford	Price (GA)	West
Latham	Quayle	Westmoreland
LaTourette	Reed	Whitfield
Latta	Rehberg	Wilson (SC)
Lewis (CA)	Reichert	Wittman
LoBiondo	Renacci	Wolf
Lofgren, Zoe	Ribble	Womack
Long	Rigell	Woodall
Lucas	Rivera	Yoder
Luetkemeyer	Roby	Young (AK)
Lummis	Roe (TN)	Young (FL)
	Rogers (AL)	Young (IN)

## NOT VOTING—10

Campbell	Graves (MO)	Speier
Frelinghuysen	Moran	Webster
Giffords	Payne	
Gohmert	Rangel	

## ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). One minute remains in this vote.

□ 1909

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. GRAVES. Mr. Chair, on rollcall No. 196, had I been present, I would have voted "no."

The CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. POE of Texas, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 839) to amend the Emergency Economic Stabilization Act of 2008 to terminate the authority of the Secretary of the Treasury to provide new assistance under the Home Afford-

able Modification Program, while preserving assistance to homeowners who were already extended an offer to participate in the Program, either on a trial or permanent basis, and, pursuant to House Resolution 170, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

## MOTION TO RECOMMIT

Mr. LARSEN of Washington. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. LARSEN of Washington. In its current form, I am opposed to the bill.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. LARSEN of Washington moves to recommit the bill H.R. 839 to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

In subsection (c)(1) of the matter proposed to be inserted by the amendment made by section 2 of the bill, strike "paragraph (2)" and insert "paragraphs (2) and (5)".

At the end of section 2 of the bill, strike the closing quotation marks and the last period and add the following new paragraph:

"(5) CONTINUATION OF PROGRAM FOR MEMBERS OF THE ARMED FORCES AND GOLD STAR RECIPIENTS.—

"(A) IN GENERAL.—After the date of the enactment of this Act and only to the extent that amounts are made available pursuant to the authorization of appropriations under subparagraph (C), the Secretary may provide assistance under the Home Affordable Modification Program on behalf of any homeowner who otherwise qualifies for assistance under such Program who is—

"(i) a member of the Armed Forces of the United States on active duty, including those members on active duty in Iraq or Afghanistan, or the spouse or parent of such a member; or

"(ii) eligible to receive a Gold Star lapel pin under section 1126 of title 10, United States Code, as a widow, parent, or next of kin of a member of the Armed Forces person who died in a manner described in subsection (a) of such section.

"(B) IDENTIFICATION OF AMOUNTS.—Not later than the expiration of the 180-day period beginning on the date of the enactment of this paragraph, the Secretary shall—

"(i) determine, in consultation with the Secretary of Defense and the Secretary of Veterans Affairs, the amount necessary to provide assistance under the Home Affordable Modification Program to the persons de-

scribed under clauses (i) and (ii) of subparagraph (A); and

"(ii) submit notice of such determination to the Congress that specifies such amount.

"(C) AUTHORIZATION OF APPROPRIATIONS.—Effective upon the submission to the Congress by the Secretary of the notice required under subparagraph (B), there is authorized to be appropriated, for assistance under the Home Affordable Modification Program only for persons described under clauses (i) and (ii) of subparagraph (A), the amount identified in such notice."

Mr. LARSEN of Washington (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. LARSEN of Washington. Mr. Speaker, this amendment does one simple thing:

It continues the Home Affordable Modification Program for members of the Armed Forces and Gold Star recipients.

Mr. Speaker, we all know the Home Affordable Modification Program has not performed to the original projections, but this is an effort that has provided 600,000 permanent loan modifications. Six hundred thousand American families are still in their homes because of this effort. I doubt these families would tell you it is not working.

Mr. Speaker, some will say that terminating this program won't affect those who have already received modifications or are working through a modification currently. Yet many more families still need help, especially military and gold star families.

Even though the economy is beginning to recover, the housing market is still struggling. HAMP is currently helping 30,000 additional families every month.

I would prefer that we keep this effort going for everyone. But if we are not about to, at a minimum we need to preserve this program for active military and gold star families.

Regardless of how anyone feels about the underlying legislation and regardless of how anybody feels about the funding for the original legislation, we can all agree that we owe our men and women in uniform a tremendous debt of gratitude for their service and sacrifice. While defending our country, servicemembers should not be afraid that their families will lose the roof over their heads, but that's the very situation in which a Navy sailor found himself last year as part of Operation Enduring Freedom.

Seven thousand miles from home, there was little he could do to help his spouse balance the stress of raising two children, of her work, and of household expenses. To top it off, their mortgage was about to jump to almost \$2,300 a month. But this family was able to find relief in the Home Affordable Modification Program. They applied for a trial

modification under HAMP and began making reduced payments. After a few months, their modification became permanent and reduced their monthly payment by almost \$400.

This program helps keep servicemembers and their families in their homes. Some will say that this bill includes a study on the best practices that could be applied to mortgage assistance programs to help members of our military. But, Mr. Speaker, you can't live in a study. A study does not put a roof over your head. A study doesn't provide shelter for your children. And a study won't help you pay your bills when your mortgage rate skyrockets.

Mr. Speaker, our servicemembers and gold star families don't need a stack of paper telling them the ways that we might help. They need actual help. As it currently stands, this bill takes something from our men and women in uniform, a mortgage assistance program, and gives them nothing in return.

My district includes two Navy bases, each home to thousands of servicemembers and their families. Additionally, the district has the Washington State National Guard and Reserve located there. I am proud to represent these men and women and am honored by the work they do each day. These men and women and their families sacrifice for our country. While they're protecting our families, the least we can do is protect their homes.

Let's be clear. The passage of this amendment will not prevent the passage of the underlying bill. If the amendment is adopted, it will be incorporated into the bill, and the bill will be immediately voted upon. We need to do all in our power to ensure the men and women who fight and die in our wars are able to keep their homes. It's very simple.

I urge my colleagues to vote "yes" on this final amendment.

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

Mr. MCHENRY. I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MCHENRY. Mr. Speaker, first of all, Veterans' Administration loans are not permissible under the HAMP program. They cannot go through the HAMP program in order to get relief of their mortgage. Furthermore, veterans are already covered under an effective program which is assistance to veterans with VA guaranteed home loans. That program is actually working.

The program that my colleague has offered this cynical motion to recommit for is merely a roadblock for us eliminating a failed government program.

I want to tell you, the Special Inspector General for TARP has said that HAMP recipients sometimes end up unnecessarily depleting their dwindling savings in an ultimately futile effort to

obtain the sustainable relief promised by the program guidelines. Others, who may have somehow found ways to continue to make their mortgage payments, have been drawn into failed trial modifications that have left them with more principal outstanding in their loans, less home equity, or a position further underwater and worse credit scores. Perhaps worst of all, even in circumstances where they never missed a payment, they may face back payments, penalties and even late fees that suddenly became due on their modified mortgages that they have been unable to pay. This Federal program that my colleagues on the other side of the aisle are standing up and defending leaves people with late fees, penalties under their modified mortgages, and oftentimes results in the loss of their very home.

Furthermore, I would tell my colleagues that some have been helped in this program. But for every one person that's been helped, there's more than one other person that has actively been harmed. They deplete their savings, they ruin their credit, and their house is taken from them.

□ 1920

And this is a government program. I ask my colleagues, do not subject our veterans, with this motion to recommit, to a failed program. We don't want our veterans to come home to a Federal program that is actively harming them. And that's what this recommit does.

Furthermore, I would say to my colleagues, if we can't vote to eliminate this Federal program, I ask you, what programs can we eliminate?

Vote against this recommit. Vote for final passage. Let's move on.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

Mr. LARSEN of Washington. 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 passage.

The vote was taken by electronic device, and there were—yeas 185, nays 238, answered "present" 1, not voting 8, as follows:

[Roll No. 197]  
YEAS—185

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

Carnahan  
Carney  
Carson (IN)  
Castor (FL)  
Chandler  
Chu  
Cicilline  
Clarke (MI)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly (VA)  
Conyers  
Cooper  
Costello  
Courtney  
Critz  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis (IL)  
DeFazio  
DeGette  
DeLauro  
Deutch  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Doyle  
Edwards  
Ellison  
Engel  
Eshoo  
Farr  
Fattah  
Filner  
Frank (MA)  
Fudge  
Garamendi  
Gonzalez  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hanabusa  
Hastings (FL)  
Heinrich  
Higgins  
Himes  
Hinchee  
Hinojosa  
Hirono

Holden  
Holt  
Honda  
Hoyer  
Inslie  
Israel  
Jackson (IL)  
Jackson Lee (TX)  
Johnson (GA)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kildee  
Kind  
Kissell  
Kucinich  
Langevin  
Larsen (WA)  
Larson (CT)  
Lee (CA)  
Levin  
Lewis (GA)  
Lipinski  
Loeb sack  
Lowey  
Lujan  
Lynch  
Maloney  
Markey  
Matheson  
Matsui  
McCollum  
McDermott  
McGovern  
McIntyre  
McNerney  
Meeke  
Michaud  
Miller (NC)  
Miller, George  
Moore  
Murphy (CT)  
Nadler  
Napolitano  
Neal  
Olver  
Owens  
Pallone  
Pascarell  
Pastor (AZ)  
Payne  
Pelosi  
Perlmutter  
Peters

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

NAYS—238

Adams  
Aderholt  
Akin  
Alexander  
Amash  
Austria  
Bachmann  
Bachus  
Barletta  
Bartlett  
Barton (TX)  
Bass (NH)  
Benishek  
Berg  
Biggert  
Bilbray  
Bilirakis  
Bishop (UT)  
Black  
Blackburn  
Bonner  
Bono Mack  
Boustany  
Brady (TX)  
Brooks  
Broun (GA)  
Buchanan  
Bucshon  
Buerkle  
Burgess  
Burton (IN)  
Calvert  
Camp  
Canseco  
Cantor  
Capito  
Cardoza  
Carter  
Cassidy  
Chabot  
Chaffetz

Coble  
Coffman (CO)  
Cole  
Conaway  
Costa  
Cravaack  
Crawford  
Crenshaw  
Culberson  
Davis (KY)  
Denham  
Dent  
DesJarlais  
Diaz-Balart  
Dold  
Dreier  
Duffy  
Duncan (SC)  
Duncan (TN)  
Ellmers  
Emerson  
Farenthold  
Fincher  
Fitzpatrick  
Flake  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxy  
Franks (AZ)  
Gallegly  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Goodlatte  
Gosar

Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Griffin (AR)  
Griffith (VA)  
Grimm  
Guinta  
Guthrie  
Hall  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (WA)  
Hayworth  
Heck  
Heller  
Hensarling  
Herger  
Herrera Beutler  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Issa  
Jenkins  
Johnson (IL)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Kelly  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kline  
Labrador  
Lamborn  
Lance

Landry	Nunnelee	Shock	Denham	King (NY)	Reichert	Loeb sack	Peters	Shuler
Lankford	Olson	Schweikert	Dent	Kingston	Renacci	Lowey	Pingree (ME)	Sires
Latham	Palazzo	Scott (SC)	DesJarlais	Kinzinger (IL)	Ribble	Lujan	Polis	Slaughter
LaTourette	Paul	Scott, Austin	Diaz-Balart	Kline	Rigell	Lynch	Price (NC)	Smith (WA)
Latta	Paulsen	Sensenbrenner	Dold	Labrador	Rivera	Maloney	Quigley	Stark
Lewis (CA)	Pearce	Sessions	Dreier	Lamborn	Roby	Markey	Rahall	Sutton
LoBiondo	Pence	Shimkus	Duffy	Lance	Roe (TN)	Matsui	Reyes	Thompson (MS)
Long	Petri	Shuster	Duncan (SC)	Landry	Rogers (AL)	McCarthy (NY)	Richardson	Tierney
Lucas	Pitts	Simpson	Duncan (TN)	Lankford	Rogers (KY)	McCollum	Richmond	Tonko
Luetkemeyer	Platts	Smith (NE)	Ellmers	Latham	Rogers (MI)	McDermott	Rothman (NJ)	Towns
Lummis	Poe (TX)	Smith (NJ)	Emerson	LaTourette	Rohrabacher	McGovern	Roybal-Allard	Tsongas
Lungren, Daniel E.	Pompeo	Southerland	Eshoo	Latta	Rokita	McIntyre	Ruppersberger	Van Hollen
Mack	Posey	Stearns	Farenthold	Lewis (CA)	Rooney	McNerney	Rush	Velázquez
Manzullo	Price (GA)	Stivers	Fincher	LoBiondo	Ros-Lehtinen	Meeks	Ryan (OH)	Visclosky
Marchant	Quayle	Stutzman	Fitzpatrick	Lofgren, Zoe	Roskam	Miller (NC)	Sánchez, Linda T.	Walz (MN)
Marino	Reed	Sullivan	Flake	Long	Ross (AR)	Moore	Sanchez, Loretta	Wasserman
McCarthy (CA)	Rehberg	Terry	Fleischmann	Lucas	Ross (FL)	Murphy (CT)	Sarbanes	Schultz
McCarthy (NY)	Reichert	Thompson (PA)	Fleming	Luetkemeyer	Royce	Nadler	Schakowsky	Waters
McCaul	Renacci	Thornberry	Flores	Lummis	Runyan	Napolitano	Schiff	Watt
McClintock	Ribble	Tiberi	Forbes	Lungren, Daniel E.	Ryan (WI)	Neal	Schrader	Waxman
McCotter	Rigell	Tipton	Fortenberry	E.	Scalise	Olver	Schwartz	Weiner
McHenry	Rivera	Turner	Fox	Mack	Schilling	Pallone	Scott (VA)	Whitfield
McKeon	Roby	Upton	Franks (AZ)	Manzullo	Schmidt	Pascrell	Scott, David	Wilson (FL)
McKinley	Roe (TN)	Walberg	Gallegly	Marchant	Schock	Pastor (AZ)	Serrano	Woolsey
McMorris	Rogers (AL)	Walden	Gardner	Marino	Schweikert	Payne	Sewell	Wu
Rodgers	Rogers (KY)	Walsh (IL)	Garrett	Matheson	Scott (SC)	Pelosi	Sherman	Yarmuth
Meehan	Rogers (MI)	Webster	Gerlach	McCarthy (CA)	Scott, Austin	Perlmutter		
Mica	Rohrabacher	West	Gibbs	McCaul	Sensenbrenner			
Miller (FL)	Rokita	Westmoreland	Gibson	McClintock	Sessions			
Miller (MI)	Rooney	Whitfield	Gingrey (GA)	McCotter	Shimkus			
Miller, Gary	Ros-Lehtinen	Wilson (SC)	Goodlatte	McHenry	Shuster			
Mulvaney	Roskam	Wittman	Gosar	McKeon	Simpson			
Murphy (PA)	Ross (FL)	Wolf	Gowdy	McKinley	Smith (NE)			
Myrick	Royce	Womack	Granger	Meehan	Smith (NJ)			
Neugebauer	Runyan	Woodall	Graves (GA)	Mica	Smith (TX)			
Noem	Ryan (WI)	Yoder	Graves (MO)	Michaud	Southerland			
Nugent	Scalise	Young (AK)	Griffin (AR)	Miller (FL)	Stearns			
Nunes	Schilling	Young (FL)	Griffith (VA)	Miller (MI)	Stivers			
	Schmidt	Young (IN)	Grimm	Miller, Gary	Stutzman			
			Guinta	Miller, George	Sullivan			
			Guthrie	Mulvaney	Terry			
			Hall	Murphy (PA)	Thompson (CA)			
			Hanna	Myrick	Thompson (PA)			
			Harper	Neugebauer	Tiberi			
			Harris	Noem	Tipton			
			Hartzler	Nugent	Turner			
			Hastings (WA)	Nunes	Upton			
			Hayworth	Nunnelee	Walberg			
			Heller	Olson	Walden			
			Hensarling	Owens	Walsh (IL)			
			Herger	Palazzo	Webster			
			Herrera Beutler	Paul	Welch			
			Huelskamp	Paulsen	West			
			Huizenga (MI)	Pearce	Westmoreland			
			Hultgren	Pence	Wilson (SC)			
			Hunter	Peterson	Wittman			
			Hurt	Petri	Wolf			
			Issa	Pitts	Womack			
			Jenkins	Platts	Woodall			
			Johnson (IL)	Poe (TX)	Yoder			
			Johnson (OH)	Pompeo	Young (AK)			
			Johnson, Sam	Posey	Young (FL)			
			Jones	Price (GA)	Young (IN)			
			Jordan	Quayle				
			Kelly	Reed				
			King (IA)	Rehberg				

ANSWERED "PRESENT"—1

Lofgren, Zoe

NOT VOTING—8

Campbell	Gohmert	Smith (TX)
Frelinghuysen	Moran	Speier
Giffords	Rangel	

□ 1938

Mr. ROYCE changed his vote from "yea" to "nay."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mrs. BIGGERT. 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—ayes 252, noes 170, answered "present" 1, not voting 9, as follows:

[Roll No. 198]

AYES—252

Adams	Bishop (UT)	Capito
Aderholt	Black	Cardoza
Akin	Blackburn	Carter
Alexander	Bonner	Cassidy
Altmire	Bono Mack	Chabot
Amash	Boren	Chaffetz
Austria	Boustany	Chandler
Bachmann	Brady (TX)	Coble
Bachus	Brooks	Coffman (CO)
Barletta	Broun (GA)	Cole
Bartlett	Buchanan	Conaway
Barton (TX)	Bucshon	Cooper
Bass (NH)	Buerkle	Costa
Benishkek	Burgess	Cravaack
Berg	Burton (IN)	Crawford
Berkley	Calvert	Crenshaw
Biggert	Camp	Culberson
Bilbray	Canseco	Davis (KY)
Bilirakis	Cantor	DeFazio

Ackerman	Costello	Hastings (FL)
Andrews	Courtney	Heck
Baca	Critz	Heinrich
Baldwin	Crowley	Higgins
Barrow	Cuellar	Himes
Bass (CA)	Cummings	Hinchesy
Becerra	Davis (CA)	Hinojosa
Berman	Davis (IL)	Hirono
Bishop (GA)	DeGette	Holden
Bishop (NY)	DeLauro	Holt
Blumenauer	Deutch	Honda
Boswell	Dicks	Hoyer
Brady (PA)	Dingell	Inslee
Braley (IA)	Doggett	Israel
Brown (FL)	Donnelly (IN)	Jackson (IL)
Capps	Doyle	Jackson Lee (TX)
Capuano	Edwards	Johnson, E. B.
Carmahan	Ellison	Johnson, E. B.
Carney	Engel	Keating
Carson (IN)	Farr	Kildee
Castor (FL)	Fattah	Kind
Chu	Filner	Kissell
Cicilline	Frank (MA)	Kucinich
Clarke (MI)	Fudge	Langevin
Clarke (NY)	Garamendi	Larsen (WA)
Clay	Gonzalez	Larson (CT)
Cleaver	Green, Al	Lee (CA)
Clyburn	Green, Gene	Levin
Cohen	Grijalva	Lewis (GA)
Connolly (VA)	Gutierrez	Lipinski
Conyers	Hanabusa	

NOES—170

ANSWERED "PRESENT"—1

Kaptur

NOT VOTING—9

Butterfield	Gohmert	Rangel
Campbell	McMorris	Speier
Frelinghuysen	Rodgers	
Giffords	Moran	

□ 1945

Mr. CLEAVER changed his vote from "aye" to "no."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN EN-GROSSMENT OF H.R. 839, THE HAMP TERMINATION ACT OF 2011

Mr. BACHUS. Mr. Speaker, I ask unanimous consent that, in the engrossment of H.R. 839, the Clerk be authorized to correct section numbers, punctuation, and cross-references and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill, to include striking "paragraph (1)" on page 5, line 16, and inserting in lieu thereof "subparagraph (A)".

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

There was no objection.

RE-REFERRAL OF H.R. 1148, STOP TRADING ON CONGRESSIONAL KNOWLEDGE ACT

Mr. BACHUS. Mr. Speaker, I ask unanimous consent that H.R. 1148 be re-referred primarily to the Committee on Financial Services and additionally to the Committees on Agriculture, House Administration, Judiciary, Ethics, and Rules.

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

There was no objection.

### HONORING THE ELLIS ISLAND TARTAN

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

Mr. LANCE. Mr. Speaker, I rise today in honor of the 10th annual celebration of Tartan Day on Ellis Island.

The tartan is the definitive symbol of Scotland. No other fabric or pattern is so steeped in tradition, and for the past 10 years, Tartan Day on Ellis Island has promoted Scottish history, heritage, and culture under the leadership and guidance of the Clan Currie Society, one of the largest Scottish heritage organizations in the United States. This year, the Clan Currie Society will be unveiling a new American tartan, the Ellis Island tartan, in honor of National Tartan Day on April 6.

The American tartan's fabric is steeped in colors that represent the experiences of all of those who have traveled to the United States over the last century in search of the American Dream. The tartan's blue illustrates the great Atlantic Ocean, the copper-green in honor of the Statue of Liberty, red signifying the bricks of the historic buildings on Ellis Island, and the gold representing America's golden door, walked through by millions as they looked to this new land as the land of opportunity.

I ask all of my colleagues to join me in honoring and congratulating Mr. Bob Currie and the entire Clan Currie Society in the unveiling of this American tartan, the Ellis Island tartan, and for their years of hard work honoring and recognizing the contributions that Scots and Scottish Americans have made to our great Nation.

### CONGRATULATIONS TO THE MOUNT VERNON HIGH SCHOOL BASKETBALL CHAMPIONSHIP

(Mr. ENGEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ENGEL. Mr. Speaker, I am proud to represent the entire city of Mount Vernon, New York, and today I rise to congratulate the Mount Vernon Knights high school basketball team for winning the New York State Federation Tournament of Champions, Class AA. They beat Christ the King from New York City, the winner of last year's championship, 84-78 in overtime on Sunday in Albany, New York.

Jabarie Hinds led his team with 14 of his 31 points in the fourth quarter and overtime to earn MVP honors as Mount Vernon won its fifth State Federation title in program history.

Congratulations also to Coach Bob Cimmino on his fourth championship. His team won their last 10 games and snapped the 12-game winning streak of Christ the King.

Mount Vernon showed its grit and determination by coming back after being down 20-11 after one quarter and

33-28 at the half. The Knights took the lead with less than 1 minute in regulation and never trailed after that.

Other high scorers for Mount Vernon were Khalid Samuels with 21 points and Isaiah Cousins with 12.

Mount Vernon, representing the Public High School Athletic Association in Westchester, got to the title game with a 70-63 win over Boys and Girls High School of New York City in Saturday's semifinal round.

Congratulations to these players and their coach. While March Madness has gripped the rest of the Nation, in Mount Vernon we are very proud of our Knights. I am sure these champions have a bright future and will look back proudly at their accomplishment in the years to come.

□ 1950

### WAR IN THE NAME OF HUMANITY

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, the Middle East is in turmoil. Citizens are in revolt and are ousting their dictators. One of the worst rulers is Muammar Qadhafi in Libya. Qadhafi is so bad, the President has involved the United States military in support of the rebels there.

However, Secretary of Defense Gates has stated our national security interest is not at risk in Libya. So why are we there?

It seems to me this war is being waged under a new "Doctrine of Humanity." In other words, the United States will now decide when to drop bombs on another country in the name of humanity when a ruler we don't like acts against humanity. This fuzzy emotional doctrine ultimately gives a President the unilateral ability to intervene militarily anywhere the President doesn't like the way a foreign ruler treats his people.

The President needs to clarify this doctrine of "War in the Name of Humanity." What constitutional authority gives the President the right to enter another country's civil war when our national security is not at risk? America needs some answers.

And that's just the way it is.

### OBAMA'S LACK OF LEADERSHIP ON LIBYA

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

Mr. FLEMING. Mr. Speaker, with regard to the "kinetic military action" in Libya, it appears the tail is wagging the dog. The President first says we won't go but Qadhafi must. Then he says we must go but not Qadhafi. He consults the Arab league before his own Congress and then telegraphs to the enemy our mission limitations, yet does not clearly define the mission or

goals to the American people. Then he bombs people and calls it a humanitarian act.

I'm sorry, Mr. Speaker. I don't understand this new value system the President is asking us to accept. Let me suggest instead that our President in future conflicts consult the American people and Congress first, then build a coalition, then lead that coalition with a clearly defined mission, taking nothing off the table rather than being pressured into action by other world leaders.

### CONGRATULATING PENN STATE UNIVERSITY ON 20TH ANNIVERSARY OF UNDERGRADUATE EXHIBITION

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to congratulate Penn State University on the 20th anniversary of the Undergraduate Exhibition.

Last year the House passed House Resolution 1654, a measure expressing support for designation of the week of April 11, 2011, as Undergraduate Research Week. This week recognizes the importance of undergraduate research and encourages colleges and universities, businesses, and other organizations to recognize the occasion.

It is fitting that this week coincides with Penn State's 20th annual Undergraduate Exhibition, scheduled April 12 and 13. Penn State's annual Undergraduate Exhibition communicates and celebrates these same priorities: that research and development of critical thinking are fundamental to American competitiveness and our success as a Nation. Penn State continues to thrive as one of the top research universities in the country through programs such as the Undergraduate Exhibition which encourage participation of undergraduate students in research and creative endeavors.

I congratulate the students, teachers, and staff at Penn State for their tireless pursuit of knowledge and creativity.

### THE NORFORK AND GREERS FERRY NATIONAL FISH HATCH- ERIES

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

Mr. CRAWFORD. Mr. Speaker, I rise today to enter into the CONGRESSIONAL RECORD Arkansas House Resolution 1014 that was recently passed on February 24 of this year by the Arkansas House of Representatives.

Fish hatcheries at the Norfolk and Greers Ferry Dams are vital components of the economy in north central Arkansas. They provide vital fish stock not only to Arkansas' waterways but to Arkansas' neighbors as well, and

they help draw sportsmen and outdoor enthusiasts from all over the world.

State of Arkansas  
88th General Assembly  
Regular Session, 2011

By: Representatives Linck, Hopper, Benedict

House resolution—Requesting that the President of the United States and the Arkansas congressional delegation support and continue the immediate and future funding of the Norfolk and Greers Ferry National Fish Hatcheries.

Subtitle—Requesting that the President of the United States and the Arkansas congressional delegation support and continue the immediate and future funding of the Norfolk and Greers Ferry National Fish Hatcheries.

Whereas, the United States Fish & Wildlife Service plans to cut the budgets for the trout hatcheries below Norfolk and Greers Ferry dams; and

Whereas, these fish hatcheries provide the foundation for Arkansas's world-renowned trout fishery waters that produce a total economic impact of well over one hundred fifty million dollars (\$150,000,000) annually but only cost taxpayers approximately one million five hundred thousand dollars (\$1,500,000) annually to operate. The hatcheries at Norfolk and Greers Ferry dams alone generate five million five hundred thousand dollars (\$5,500,000) in federal tax revenues, roughly three dollars and sixty-five cents (\$3.65) for every one dollar (\$1.00) invested; and

Whereas, seventy-five (75) years ago, north Arkansas's White River was arguably the best smallmouth bass stream in America. Fisherman came from all over the country to experience once-in-a-lifetime float trips down the beautiful bluff-lined river; and

Whereas, upon a series of dams being built in the White River basin in the 1940s, the federal government assured the state's citizens that mitigation efforts would be included to offset the loss of the river's incredibly productive native fishery. The key component of this commitment was the construction of Norfolk National Fish Hatchery in 1955 near Norfolk Dam and the establishment of world-class trout waters below both Norfolk and Bull Shoals lakes; and

Whereas, a decade later, the trout hatchery at the base of Greers Ferry Dam provided the means for a similarly successful fishery to be established at the Little Red River in Greers Ferry; and

Whereas, these modest projects rank among the all-time success stories of our federal government because of the overall economic impact and return on investment they produce; and

Whereas, fish production at the Norfolk hatchery employs nine hundred ninety-four (994) individuals, and the Greers Ferry hatchery employs an additional seven hundred fifty-two (752) people; and

Whereas, dozens of resorts employing hundreds of individuals have been established in these world-class fishing areas because of the increase in tourism. The town of Cotter, Arkansas, for example, bills itself as "Trout Capital USA"; and

Whereas, trout fishing in the White River basin is worth about three times the annual flood losses prevented by Beaver, Table Rock, Bull Shoals, Norfolk, Greers Ferry, and Clearwater reservoirs, and these structures averted fifty-one million four hundred thousand dollars (\$51,400,000) in damages in the last fiscal year; and

Whereas, the electricity generated from Bull Shoals Lake and Norfolk Lake averages approximately one hundred million dollars (\$100,000,000) of electricity each year, but the trout fishery is worth an additional fifty percent (50%) more than that on an annual basis; and

Whereas, investment in the Norfolk and Greers Ferry fish hatcheries has consistently demonstrated positive returns for more than half a century. The federal government's goal to reduce the federal deficit and increase economic growth would be damaged, not enhanced, if funding for trout programs is reduced or eliminated to the detriment of its promise to Arkansas and to these small towns whose livelihood depends on the fish hatcheries; Now therefore, be it

*Resolved by the House of Representatives of the Eighty-Eighth General Assembly of the State of Arkansas*, That the President and Congress of the United States work together to continue the immediate and future funding of the national fish hatcheries at Norfolk and Greers Ferry dams and allow the investment in these hatcheries to continue to contribute to the economic vitality of these towns, the State of Arkansas, and the entire country. Be it further

*Resolved*, That the Chief Clerk of the House of Representatives forward official copies of this resolution to the President of the United States, to the Speaker of the House of Representatives and the President of the Senate of the United States Congress, and to all the members of the Arkansas Congressional Delegation with the request that this resolution be officially entered in the Congressional Record.

#### THE EPA

(Mr. AUSTIN SCOTT of Georgia asked and was given permission to address the House for 1 minute.)

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker and ladies and gentlemen, I rise today to speak about H.R. 872.

I was pleased to see this resolution pass the Agriculture Committee with a bipartisan vote. Not one single objection. I want you to think about that. Not one objection from a Democrat or a Republican in the Agriculture Committee.

It somewhat baffles me that we have to waste floor time in the U.S. House of Representatives to help the EPA understand that they're creating regulations that they themselves do not understand.

Mr. Speaker, the EPA already requires pesticide permits from every farmer, rancher, forest manager, State agency, city, county municipality, mosquito control districts, water districts, and golf courses, just to name a few of those that they require permits from. If we do not enact H.R. 872, the EPA would then require an additional Clean Water Act permit for pesticides. I will add again, Mr. Speaker, that many of these permits are already redundant as pesticide applications are already highly regulated under the FIFRA Act.

We all care about the environment, but these EPA regulations fail the common sense test, Mr. Speaker. That agency is on a regulatory path of the destruction of our economy. They are destroying our jobs, and they must be reined in.

Mr. Speaker, perhaps we need a permit for the EPA that says the EPA must understand a rule before they pass one.

#### FEDERAL REGULATIONS

The SPEAKER pro tempore (Mr. FLEISCHMANN). Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. CARTER) is recognized for 60 minutes as the designee of the majority leader.

Mr. CARTER. Mr. Speaker, once again we are going to talk about the fact that the regulators are kind of like the fox watching the henhouse. They just overreach everywhere. And we just heard an example of that actually. Mr. AUSTIN SCOTT was just up here talking about what is going on with this pesticide. We will talk a little bit about that today.

I have been trying for the last 6 or 8, I guess, months now to talk about some of the regulations that are being imposed upon people. You see these regulations and you see how onerous they are on both large and small businesses, and then we sit around and wonder why we're teetering around 9 percent unemployment in this country. It's because not only do folks have to wonder about are we going to raise taxes. Folks have to wonder about are we going to spend ourselves into the poor house. Folks have to wonder about a \$1.65 trillion deficit this year. They worry about all those things. They worry about how their children and grandchildren are going to pay off this massive accumulation of debt in this country that is coming down as a result of the policies of the last Congress, the Democrat-led Congress, and the Obama administration, and then you take that and you take on top of that the executive branch's regulations that they are putting on people, many of which are so onerous and make so little sense that, quite honestly, you wonder what's going on.

We've got a lot of things that have been going on, and we've got some tools that we're using to get rid of those things. And a tool that I have been talking about is using the Congressional Review Act to challenge some of these things, and we will talk a little bit about that. But first let's just go back and talk a little bit about what others are doing right now.

First off, tomorrow morning I am going to drop a bill, and this is kind of a nuclear weapon, if you will, of fighting regulations. Because of the continuous onslaught of regulations that seem to be designed to cause unemployment rather than to help with unemployment, I think it's time we just put a big old hold on the regulatory agencies and tell them that unless this is of major national importance, we don't think there ought to be any regulations for the balance of this Congress. So I am proposing a bill for the outright ban of all new Federal regulations through the remainder of the Obama administration until January 31, 2013.

□ 2000

This would remove, in this period of time when we're trying to bring our job

numbers up and bring our unemployment numbers down, this would give the country an opportunity to take, at least in one area, a deep breath and relax, that the regulators are not going to change the playing field on them halfway through a year or through a month.

There are so many regulations that we've talked about in the past few months and for the balance of this year that are surprises to everybody, and they're throwing big, big monkey wrenches in the machinery that drives our economy.

Now, if you read the newspapers or you hear people commenting on why aren't people creating jobs, why is capital investment on the sidelines, why are people holding on to their money instead of investing their money in their businesses or investing their money in some other people's businesses so we can grow this economy, they're sitting on the sideline and they're not participating.

And you will hear both sides of the aisle in this House talk about the trillions of dollars that are being held back from investment. You'll hear arguments made by the other side, by the Democrats in this House, that it's the greed of the big corporations that's doing this.

But then when you study the problem, it's not just the big giant corporations that are kind of sitting back and waiting. It's the small businessman. It's the guy that's got one shop, and he's thinking about adding on to that shop, and he may be thinking about adding one more machinist or one more salesman. But you know what? There are too many questions about what's over the horizon for them to take the chance of investing their money when they don't know what's going to happen. And as I explained as I started out, part of it is they wonder about the possibility of new taxes.

Secondly, because there's been a lot of talk from this administration about taxes, they're backing off of it now, but many of the things they do seem to change depending on which way the wind's blowing, and so they're worried about the possibility of new taxes.

They're worried about the fact that they can look at numbers, they read balance sheets, even the small businessmen can read balance sheets and profit and loss statements. And they look at this Federal Government and they say, my Lord. Just this year alone, based on President Obama's proposed budget for 2011, they're projecting about a \$1.6 trillion deficit this year.

And most businesspeople know what deficit means. And most of all of us do, but sometimes we think it's some big word coming out of Washington, not realizing what it really is. It means you're spending money you don't have. In fact, arguably, every time you buy something with your credit card, you're deficit spending. You don't have the cash in your pocket to buy the new

television set so you put it on your credit card. You borrow the money. You spend money that you don't have.

Now, if we were like the great State of Texas where we have a balanced budget requirement in the constitution in Texas, then the Texas legislature, they can't deficit spend. They can't spend money they don't have. They have a no-deficit spending provision in that constitution that says you get to spend what the projected revenues are, and that's it. And it's sometimes—and you ask the good members of our legislature, sometimes it's real tough to make things work. But you know what? They always somehow figure out a way to get it done. And this year is no exception.

It's tough in Texas. And they're doing the things we're trying to do here in this House. They are reducing their spending, as are States across the country. All you have to do is turn on the television. You see the issues in Wisconsin and Michigan and other places, and Minnesota—well, not Minnesota, Indiana, all these people are addressing it, New York, Virginia, they're addressing the fact that they've just got to cut back on their spending.

Well, we're addressing that fact too in this House right now. But the businessman looks at that and says, well, what's their track record? Well, our track record's not real good. In fact, our track record is such that they say odds are they're not going to do these cuts that are necessary to stop it.

Here's something kind of interesting. Right now, in H.R. 1, the Republican majority has set forth a series of cuts that total up to about \$63 billion. They've agreed now to about \$10 billion. So let's call it \$53 billion just kind of on the table out there waiting for some kind of action from the Senate. This is attached to a continuing resolution.

Now, that business owner back home, he looks at that and he says, let's see, \$63 billion—that's a tiny little bandaid on a gigantic rear end of an elephant, but that's the tax cuts that are being proposed, and they don't seem to be able to get those things. Not tax cuts. That's the spending cuts that are being proposed. They don't even seem to be able to do that. What in the world are they going to do about this \$1.6 trillion?

So he says, I don't think I want to play in that ballpark. That's too dangerous for me. I have a little savings in my back pocket to invest in my business. But now's not a good time. There's way too much debt floating around out there. There's way too much uncertainty about the economy floating around out there. I think I'll wait. So my plan to create one or two new jobs to grow my profits for my business is going to have to wait. Even though I may have the money to invest, it's going to wait because I don't feel the environment's good for it. It's another one of those unknowns that's

keeping capital and keeping the growing of the labor force from happening.

Finally, these regulations. When, as our friend from Georgia was just talking about—just take, for instance, the issue that has to do with this, these new regulations concerning pesticides that have come out. It came out and then it was—I think, some court has gotten involved in it.

But what they've done, basically, is told the people who use pesticides, and I think everybody knows, pesticides are to kill bugs that eat crops. That's kind of the general use for pesticides. So that means that your farmers, your ranchers, and some of your business people are going to be affected by this. And they look at it and say, wow. I used to have to have a permit. I got one. Now all of a sudden I've got to have a new permit. It's going to cost me some more money. They changed the rules in the middle of the game, and now I'm sitting here wondering what in the world am I going to do if they change the rules again.

So what am I going to do with my money? I'm going to keep it in my pocket. I'm not going to invest in my business. I'm not going to expand my farm. I'm not going to buy that new combine. I'm not going to trade for some more cattle. I'm basically going to sit where I am and hold pat. And I'm also not going to hire anybody to help me with those issues.

These are things that are typical of what causes the people who invest in the real world of private business, who employ two-thirds or more of the American public, to sit on the sidelines. So big business or small, if you don't understand the playing field, and there are people out there that can change your life at a whim, you get concerned about it. We've seen so many examples of that.

I'll just throw out the flex permitting Clean Air Act issues that are going on in Texas, which we've talked about before. After 15 years of using a flex permit in Texas, never a word said by the EPA, all of a sudden, out of the clear blue they decide, oh, you know what? I don't think we like that flex permit, so we're just going to do away with it, and we're going to change the rules.

Without going into what a flex permit is, it's very simple. If flex permit worked for your business 1 day and the next day you had to have a completely different permit with a whole new set of rules and a whole new set of obligations, you would be very concerned about the environment within which your business is being operated. And, by the way you'd be really upset when you realized that your clean air issues in your State where you're using a flexible permit, the clean air reductions have met the demands of the EPA and, in fact, probably exceed many, many States who don't go to a flexible permitting system.

□ 2010

For some reason, your State who is doing good has to change permits to do

like some of the States that aren't doing as good as your State. And you have to say to yourself, What is the motive for all this? Well, would you put your money into a project when something like that could happen to you?

We ask ourselves, Why have we been having unemployment in this country somewhere between 10 percent and 8.9 percent over the last 25 months? Well, part of it is the people who create the jobs, the real jobs, the jobs that make our economy grow, are the business people of this country; and for 25 months they have not been hiring because we have created a world of mistrust in what might happen to you that you couldn't even imagine as a result of actions of this Federal Government.

To me, the most important thing we have to do in this Congress right now is create jobs. It will change the very makeup of our Nation if we get our Nation back to work. And it is time for the government to get out of the way of small business, get out of the way of the entrepreneurs in this country, and give them the opportunity to create jobs. With all the playing defense that we are trying to do here in the House with the Congressional Review Act and other proposals that are out there, it seems to me we ought to just say, at least for a 2-year period, just, Time out. Time out. No more regulations. Just stop right where you are.

There are enough regulations in effect right now by the Federal regulatory agencies to fill this entire Chamber to the ceiling with books, so I don't think it would hurt us too much.

If it turns out it is a national emergency and you have such an issue that it is just so overwhelmingly necessary to come up with a regulation, then maybe we will put it out and submit it to Congress and let Congress make a determination about whether or not it is of that dire importance. But right now, just quit messing with us. Just get out of the way and let us have a chance to go do what we do best.

I forget who it was. I want to say it was Calvin Coolidge, but it was one of our past Presidents who said that the business of America is business. And it still is.

Two or three Saturdays ago, I was at South by Southwest, which is a very exciting activity that takes place in Austin, Texas, that not only promotes the live music industry, which is huge in Austin—it is the live music capital of the world—but, in addition, it promotes entrepreneurship among people with new great ideas. And great people, I talked to them and they were so exciting, such great young people, many of them in the high-tech industry, but in all of the industries. And those young people sat there and told me that, The one thing you can do that would hurt us the most is tax stock options and put up regulations that would prevent me doing what I need to do in my project. So, if the government

will stay out of my way and if you won't impose taxes on the very source of investment money that I am seeking as a new entrepreneur, if you don't do those two things and you stay out of the way, I have got an idea that can change this country. And many of them have just those ideas.

Some of the things we have now like Facebook, those things like that they made a movie about and all that stuff, all that was the idea of a young entrepreneur, and he got somebody to invest in it and, boom, it swept the world. So that's why I have got a moratorium on regulations.

But in addition, we have got a couple of folks that are taking off after regulations that are clearly hurting the opportunity to create jobs. The Regulatory Flexibility Act, RFA, is being proposed and requires Federal agencies to assess the economic impact of their regulations on small business. We have something like this now, but it is going to be expanded and made more clear. And, if the impact is significant, consider alternatives that are less burdensome. The agencies must balance the burdens imposed by the regulations against the benefits, and propose alternatives to the regulations which create economic disparities among different size entities.

The Small Business Committee has held hearings on the RFA and they are holding some tomorrow, on Wednesday, to discuss this agency compliance with the act. Bad regs are killing good jobs, and that is what I have been talking about, and here is the Small Business Committee looking at small business with really a focus on small business.

Now, why do you hear people talk about small business in Congress when you have got all these giant international corporations that our friends on the other side of the aisle love to talk about? Well, for one thing, seven out of 10 Americans get a job in small business. Small business creates seven out of 10 private sector jobs in the United States. Some of those private sector jobs are real well-paying jobs.

In fact, some of the people that I was talking to at this little entrepreneur group that I was with, they said, Well, the first ten people we will employ, we expect their salary range to be somewhere between \$100,000 and \$150,000 a year. Now, that's darned good jobs. But they are looking to hire highly skilled technical people to advance a concept they have in the high-tech industry.

What do we get from those concepts? Well, you have probably got a cell phone in your pocket. You may have the new Apple iPad sitting on your desk, or you may actually be communicating with a brand-new one which has a camera in it so you can talk to your spouse around the world or your friend around the world and both of you can see each other. These are all ideas that came from entrepreneurial thinking that began with one person with an idea.

The one thing Americans still have to sell is ideas, and we are the only in-

novative idea creators on Earth. Everybody else is good at copying, but we are the guys with the original thoughts. We don't want to kill that. We don't want regulations to kill it. And we don't want bad regs to keep this unemployment number above 8 percent, almost 9 percent.

Another act is H.R. 872. This is a bill about Congress battling a bad ruling by the Federal courts. The bill eliminates a costly and duplicative permitting requirement for the application of pesticides. That is what our friend from Georgia was talking about just a few minutes ago, Mr. SCOTT. This will now require a different type of permitting system and it will, quite honestly, place the burden on farmers, ranchers, and anybody who uses pesticides, I assume exterminators and so forth, and will put a huge burden on them. And the only thing you can do is clearly put a halt to this EPA new regulatory activity. Even though the court recently said, Well, we won't require this until October, it doesn't matter whether it is required today or whether it is required in October; whenever it is required, it is still a burden. So my friends on the Ag Committee are very, very serious about challenging the creation of this new regulation.

We have been using the Congressional Review Act, and we have got several things that we have dealt with on the Congressional Review Act. This is a law today. This law was created in the Clinton administration and has been used once, and that is the only time it has ever been used, which surprises me. But we are trying to use it on multiple bills that are out there that are creating a regulatory burden on individuals or industries of this country.

□ 2020

Last year, the Federal Government issued a total of 3,316 new rules and regulations, an average of 13 rules a day. Seventy-eight of those new rules last year were major rules. A major rule is a rule that may result in an annual effect on the economy of \$100 million or more, a major increase in costs or prices for consumers or significant adverse effects on the economy.

If it is a new rule, it is required under the Congressional Review Act that it be submitted to the committees of jurisdiction that cover that rule in the House and Senate and that they have the opportunity within 60 legislative days, that is days that the Congress is in session, not counting the days it is not in session. And if there is a vote, and let's say the House passes it and sends it to the Senate, then it only requires 30 Senators to cosponsor the bill to bring that vote to a full vote in the Senate.

Then we will have the opportunity to send some bad regulations that passed both the House and the Senate to the President, and he told us less than a month ago that one of his goals this year was to get rid of these onerous

regulations that are costing us jobs in America. And I think that if both this House and the Senate, the Senate across the way, if both those entities feel it is a bad rule, I think the President will look at it, and I am very hopeful that he will dispose of that rule. When I say this, we are not talking just about the EPA. There are a lot of rules out there, but EPA just seems to have more than their share right now.

I talked about the Flexible Permitting Act. We have filed a CRA challenge, a Congressional Review Act challenge, to the flexible permitting program. Chairman UPTON of the Energy and Commerce Committee has been or is holding hearings on the Clean Air Act and on this issue. That will be one issue that we are going to be working on trying to get done.

The FCC has a regulation for net neutrality. This rule grants the Federal Government new power to regulate the Internet, restricting access and stalling innovation. One of the things that those young people that I met with the other night, it was about 100 of them now, it is not a small group, they all said, most of them, that the Internet was a tool they were using to come up with good ideas or to promote their good ideas or to use the Internet for their good ideas; and they were very much opposed, as am I, to any regulation of the Internet.

The freedom of the Internet is a freedom of expression, a freedom of expression which creates a freedom of ideas, and the exchange of ideas creates innovation, which is the fuel to drive our economy. So Mr. GREG WALDEN is addressing this issue under the CRA of net neutrality.

HHS has a rule on medical loss ratio. This regulation will require all health care plans to pay a minimum of 80 percent of premiums toward health services, eliminating coverage for 47 percent of Americans in small group and individual health plans. This is an area which we have filed, my office and JOHN CARTER have filed this. However, I am going to have a lot of assistance from the medical professionals in this House in going forward on this medical loss ratio. It is a serious regulation which will seriously harm the advancement of health care in America.

Then we have a NESHAP rule for portland cement manufacturing industries. This has to do with cement kilns that make portland cement. "Portland" is not named after a town. It is a process whereby you make the cement that binds concrete to create concrete for this country. There are 18 cement kilns that are likely to close as a result of this. This kills good-paying jobs. The average paying job in one of these kilns starts at around \$60,000 to \$70,000 a year and goes up. These are good jobs.

Now, where are these jobs going to go? You have to have cement. A great number of the kilns that make portland cement have moved offshore al-

ready, and they are over in China and they are over in India and places like that where they have no regulation on particulates that go into the air. Meanwhile, we have actually reduced a lot of the things that go into the air under the present regulations. But these new regulations will move those American jobs out of the country to another country; and rather than help the air, because the same air is in India and China as is over here, it is all part of this great big place we call the world, we will still be polluting the air, but 10 times worse than we do under our current regulations in the United States, and we lose the jobs.

So we are going to seek a vote on portland cement manufacturing regulations. And the argument that this increases mercury pollution is absolutely false because we have evidence to show that mercury pollution, if it is in the United States, it is coming from offshore.

So all these things are things that are proposed right now. We have got charts over here to look at each one of them.

Here is the regulatory moratorium, an outright ban on Federal regulations. It removes the top obstacle to economic recovery. Business won't hire with ObamaCare and EPA regs hanging over their head.

The Regulatory Flexibility Act. The shaded areas indicate U.S. recessions. The 09 research—that is a word I can't read—organization. Look at this. This is what is happening from regulations. It is going up on the unemployment scale.

The RFA requires the Federal agencies to assess the economic impact on small businesses—we talked about that—to come up with alternatives, because unemployment rates are around or above 9 percent for the last 22 months, and it is time that we make these regulations be assessed, and seven out of 10 new jobs are created by these small businesses.

When you hear us talk about the Pesticide Act, very clearly there are the folks that are dealing with it right there, the farmers of America. It is duplicative. That means they already have a permit that allows them to put out these pesticides, and because of this ruling they are having to get another permit at another cost and meet other guidelines for these pesticides.

The Sixth Circuit we think with this Cotton Council versus the EPA made a bad ruling, and these higher costs to producers and consumers and the government are all built into this one bad regulation. This act that we talked about, 872, is to block this bad ruling. This is the kind of fight we have to have to prevent the regulators from getting so involved that they actually shut down our businesses.

Now, no one here, including me, I am certainly not, and I don't think anybody in this House, is proposing that we are going to do things that are harmful. It is not like they weren't al-

ready regulating that pesticide. They just came up with a new permit, new money to spend, new hoops to jump through in order to apply pesticides.

Here is what I have been talking about, the Congressional Review Act. It allows Congress to review every new Federal regulation issued by the government agencies and by passage of a joint resolution overrule that regulation. On these things I have been talking about, the House and the Senate both can go forward under this act, and we can put the brakes on some bad regulations.

Here are the ones I mentioned. The Texas flexible permitting program, the net neutrality rule, the medical loss ratio and the portland cement: those all can be addressed by this act, and many more.

□ 2030

But maybe we could save ourselves a whole lot of time and effort by just passing the newest proposal that I have put forward, and that is a law that says, time-out until 2013 on any regulations from the government, and let's just hold off and let's give this economy a chance to grow. And when it grows, we will prosper, we will get out of this mess we're in, and we will get back to being the America we all treasure and love.

It's not hard to imagine that if there's something really bad, of course, this House will protect it. But many of these things are people in closed rooms, some of which don't even understand the industry they're regulating, coming up with rules because they have a concept of government that is all government—all roads lead to Rome—all government leads to Washington, and that all government decisions and all life decisions should be made here, in Washington. There are people in this city, literally tens of thousands, maybe hundreds of thousands of people in this city, that believe that all life issues should be resolved by the Federal Government.

The perfect example that just really upsets me is the fact that, kind of randomly, when the opposite party, the Democrats, took over in the House, they decided to get rid of all the light bulbs in all the office buildings, and they put in these curly Q light bulbs all over everywhere. These lights, you turn some of them on, it takes you a good 20 count before the light even has enough light to see. That's very uncomfortable, especially in the bathroom. But we've got them. And if you take yours out and put the old incandescent light bulb in there, the next day you'll come back and the maintenance man will have taken it out and put one of those curly Q light bulbs back in there, because the government knows better what light bulbs you ought to have than you do. In fact, they passed a law that says you're not going to be able to have anything but those light bulbs.

They fail to realize that if you accidentally drop one of those light bulbs

onto the floor and it bursts, it's got mercury vapor in it—and some other nasty stuff I don't even know what it is—and all of a sudden you've got to call the hazardous material team to come in in hoods and suits and do a hazmat removal of that broken light bulb.

Now I'm sorry. I like to say that one of the things that we have a real shortage of in America, especially the America that's inside the Beltway in Washington, D.C., is common sense. But to put a hazardous material light bulb in to correct something that you have against a normal light bulb because you think it burns too much power is really not very cost efficient.

I am very pleased to see my friend, Mr. STEVE KING from Iowa, drift in here. If the gentleman has anything he wants to talk about here tonight, I would be glad to yield him some time.

Mr. KING of Iowa. I thank the gentleman from Texas, the good judge, who has taught me a few things about all of this. One of those things is sitting on the Judiciary Committee with the gentleman from Texas is, and I haven't learned it very well, but at least I saw the demonstration on how to listen. One of the common denominators of the judges from Texas that we have serving in this Congress is they are all good listeners. They also have heard a lot of stories, some the truth and some not, and they sort that out pretty well.

When I hear Judge CARTER come to the floor to tell us how it is, I'm pretty confident that he has listened really carefully and drawn a judgment as to what's the truth and what isn't and boiled it down to the essential facts of Constitution and law and common sense and rendered a verdict. So as I hear this verdict emerging here from the presentation this evening, it calls me to the floor to say thank you to the gentleman from Texas for bringing this up, for all the times that you've come to the floor and sometimes fought a lonely battle that turned out to stand on a good cause.

That's the way good things get started. It's usually one person starting this out and then truth seems to attract more people to a truthful and good and a just cause. I am interested in the gentleman's presentation here and not particularly informed but I came to listen. I would be happy to continue my listening.

Mr. CARTER. I will reclaim my time. I am just about through. I just wanted to point out, I don't have anything against fluorescent light bulbs. I've got a few fluorescent light bulbs in my workshop out in the garage, mainly because they just gave me more light for less money, not because of the electricity. But I made that choice. I think that's fine. If people want to choose to have all fluorescent light bulbs in their house, I think that's great. That's the America we love. But I don't think NANCY PELOSI or anybody else in this House of Representatives ought to be

telling us what kind of light bulbs we have to have. It doesn't make sense. It's not fair to you. You are a person of independent will. You are granted liberty and freedom by your Constitution, the Constitution of the United States, and those are just recording God-given rights and privileges. I don't see why we think we are the center of the universe for knowledge in this House to come up and tell you what kind of light bulbs you can have. Or what kind of energy that you can consume. Unless it comes out to be against the national interest. And I would argue right now with all the alternative energy, we haven't got anything to replace what we're using right now yet. But keep working on it and then we'll let us make the choice, let the American citizens make the choice as to what they want to do. I think that's good freedom. That's good liberty. That's what we are all about in this country, and that's why we prosper, because we give the individual the right to make his own choices. If he chooses to do something that harms others, we can put a stop to that. That's why we have laws. But if he doesn't, if he just wants to live his life the way he wants to live it, we don't have any business telling the individual how to live his life. And I would argue this stupid light bulb rule is one of those things. I will argue that until it is imposed completely as a mandate sometime next fall, I think. And then I guess the light bulb police will be coming after me.

But, seriously, this is the kind of things that we do by regulation, or impose our will on others, and in many instances it is done by bureaucrats who sit in Washington, D.C., and they probably have never even seen that plow that we just saw in that farm, except maybe they've seen it on television. But they've certainly not seen anybody out there sweating on an Iowa farm or a Texas farm operating what looks like is a disc harrow that's turning the soil there. And yet they're writing regulations to regulate this man's life. Maybe they're the right thing to do, but you wonder when they have one and they come up with another one that you have to still meet the first one, stack the second one on top of it, and it clearly serves no purpose.

These are all the kind of arguments that frustrate you. They're the kind of things that make the average businessman, the average farmer, rancher, decide to hold off on investing in America because he wants to know what America he's investing in, he or she is investing in. That is the real issue that is driving the fact that we are still sitting here right around 9 percent unemployment after all these months, over 25 months, we're sitting here with the same 8.9, which is as close to 9 as I want to get percent unemployment because the Americans that create the jobs are concerned about what's next.

I yield to the gentleman from Iowa.

Mr. KING of Iowa. I thank the gentleman from Texas.

As I listen to this presentation, a number of things occur to me about what happens when you have the Federal agencies and the Federal agencies are passing rules and regulations that even though there is a broad authority that's granted to those agencies by this Congress, some of the things that they do are beyond the imagination of the people that debated or voted for the bill in the first place.

I look at the Clean Water Act and the Endangered Species Act, which are more than 30 years old by now. They've turned into something way beyond the imagination of the people that passed them. The environmentalists that supported them then seemed to be on the edge of what would be considered mainstream. Looking back on that, they would be considered mainstream now. But the problem that we have, and particularly with EPA, would be that the mothers and fathers of the EPA employees that first implemented the rules and regulations of the Clean Water Act and the Endangered Species Act, now their children have picked this up and others from outside, a second generation of people.

□ 2040

They have come into these professions now with—like many young people do—and it's a very good thing to be idealistic and have a sense of a cause—but if you look at a law that was written in 1978, and you apply it with a vision of having a cause that you want to be championed for in 2011, quite often the second generation environmentalist is something entirely different than the first generation environmentalist. And they will interpret the law and write rules beyond the scope of the imagination of those who drafted it and ratified it and the President that signed it.

And so I deal with things back in an environmental perspective, having spent my life's work in the soil conservation business. We have gone out and done some drainage work. Mostly, it's been surface work, permanent practices—terraces, dams, and waterways—and I've envisioned that we would want to send all the raindrops down through the soil profile to purify that water in nature's intended way and keep the soil from washing down stream and ending up in the Gulf of Mexico.

And yet the regulations that come from some of the EPA initiatives are things such as—I can think of protected streams, an issue that came to many States, but it came to Iowa. It was one of the things that drew me into political life. They wrote a rule that said that these waters for these streams, these 115 streams that were designed to be protected for their natural riparian beauty, to quote the rule, some of them were drainage ditches that I had floated and walked those streams all through western Iowa. And some of those streams were just drainage ditches. There was no natural riparian left-over beauty because they

had all been changed. But they wanted to preserve them and protect them and call them endangered streams.

And so I began going to the hearings for the rules. And in the rules they wrote that these streams, and according to the geographical boundaries that are defined here, and—"waters hydrologically connected to them" shall be declared protected streams and shall be under the purview of the Department of Natural Resources, which regulates for the EPA. And I began to ask the question. And here's how language gets stretched. I asked the question, What does "waters hydrologically connected to" mean? And the regulators would stand before the public meeting and they would say, We don't know. You're here presenting a rule and you don't know what it means, "waters hydrologically connected to them." No, we don't know. Then take it out. We can't. Why can't you? We can't. How do you know you can't if you don't know what it means? Well, we're here to defend this rule.

So I followed that road show around the State, and they knew when I walked in actually the second meeting who I was and what I was there for. And I asked one question and I didn't get an answer. I just opened my mouth for the second question and they said, Only one question per person. And I said, I drove 2½ hours to get here. It's going to take me 2½ hours to get home. And I've got a lot more than one question. I'm going to stand here until I get them all answered.

Anyway, it came to this. They had decided what amounted to every square foot of the State of Iowa under rules that were "slippery" deceptive. And it was the language that said "waters hydrologically connected to." I know that moist soil will have in it a water content of 25, 28, 30 percent and still be fairly stable. So that would regulate us all the way up to the kitchen sink. Two water molecules touching each other are hydrologically connected. And that's one of the things that environmental extremists sought to impose upon us in the State that gave them all kinds of latitude.

And another one would be when they decided to declare wetlands by aerial photographs. And the aerial photographers would look down, take a shot, and if there were a certain amount of vegetation growing in the field, they declared it to be a wetland that otherwise would have been farmed.

And so there could be somebody missed with the herbicide on top of the hill and the foxtail would grow. It would show up in an aerial photograph. The Corps of Engineers would declare that to be a wetland on the top of the hill where water drained completely away. This is how government regulation gets out of hand and starts to take over the property rights of the individuals who have a right to use that property in a responsible way as a means of an income to produce crops, even if it happens to be cotton, which we don't have much of in my district.

So I just think here that this Congress should do this: we should bring every rule before this Congress for an affirmative vote before it can have the force and effect of law. We can do it en bloc. Bring them all in together. We need to give any Member an opportunity to divide a rule out and force a separate vote on it, and we need to give Members the opportunity to amend them.

And the gentleman from Kentucky (Mr. DAVIS) has a bill that addresses this in this fashion. It's not as broad in scope as I would go, but it is a very, very good start on getting this Congress under control and the regulators under control and giving Congress the authority that's vested in us in the Constitution rather than subcontracting it off to the agencies and letting them run this government at will.

So I appreciate the gentleman from Texas giving me an opportunity to vent myself on these frustrating issues. I appreciate your leadership.

Mr. CARTER. Reclaiming my time, our friend from Kentucky has been down here with me talking just about that act. I don't know if you were in when we first started this. I have just proposed, because I see this tidal wave of regulation, this hurry up and regulate everything you can in a hurry going on by the administration, I will tomorrow morning file a bill to declare a moratorium on all regulations. And they would have to come to Congress showing good cause why it's in the national interest for the good of all mankind that there be an exception to that moratorium so that we would basically just call a king's X, time out, and let's wait for the end of this administration and we'll see what happens in the next one. And by that time we can settle down and create a few jobs in this country because they wouldn't have to, at least for the next 2 years, worry about regulations. So I'll get you a copy of that. It's real simple: no regulations for the next 2 years.

Mr. KING of Iowa. If the gentleman would yield.

Mr. CARTER. Yes, I will.

Mr. KING of Iowa. If the title of that bill is the king's X bill, I'm going to be very interested in signing on.

Mr. CARTER. I like king's X.

I thank you, STEVE KING. You're a good friend for coming down here and joining me. I have gone over what I have to say here tonight. I just want to finish up by saying nobody is against doing the right thing. I'm against people who are creating regulations for the sake of regulations and damaging the people who are the job creators in this country. I'm for protecting the environment, but if you're belching out pollutants in China because you moved out of the United States because of onerous regulations and you weren't belching out those pollutants in America because we had a good Clean Air Act in place before you wrote the bad regulations, then you're not helping the environment at all by sending that

to an unregulated place in China or India.

So let's get real. Let's try to set up an environment in this Nation that creates jobs so Americans can go back to work. It's all about going back to work.

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

#### OBAMACARE

The SPEAKER pro tempore (Mrs. NOEM). Under the Speaker's announced policy of January 5, 2011, the gentleman from Iowa (Mr. KING) is recognized for 30 minutes.

Mr. KING of Iowa. I thank the gentlelady for recognizing me here on the floor of the House, Madam Speaker, and appreciate the privilege to address you. I came to this floor, one, to hear from Judge CARTER and to listen to the presentation that he made. And the other component of it is I came here to talk about one or perhaps two subject matters. One of them is ObamaCare, as one might imagine.

I would make this point that—first, Madam Speaker, if it's possible that there's anybody that doesn't know why ObamaCare is so bad, if they maybe haven't heard the argument in some time and they're forgetting about how bad ObamaCare is, and if they're starting to hear the language about what is redeemable about ObamaCare, I want to make it real clear: nothing. There is not one single component of ObamaCare that is worthy of us making any effort to do anything except to repeal it all, eradicate it all, pull it all out by the roots.

I listen to some Members of this Congress that will say, Well, don't you want your children to be on your insurance when they're 26? No. I raised them to grow up. I want them to take their own responsibility. If they can be elected to the United States Congress when they're 25, then I think that's a pretty good age to at least say you are free, on your own—well, first, you got your car keys when you were 16—your license, anyway.

□ 2050

Then you get to vote when you're 18 and choose the next leader of the Free World. Then you get to go out and, let me say, go into the tavern legally when you're 21 and get elected to the United States Congress when you're 25. Then they kick you off of Mommy and Daddy's insurance when you're 26? Somehow I think that delays the growing-up process.

I think that we need to have people growing up and taking personal responsibility at an early age rather than delaying it to a later age. If the States want to have it at 26, let them have it at 26. If insurance companies want to provide for that market, let them write the policies to provide for that market; but the Federal Government should not stick a mandate on this that requires all health insurance policies to keep the kids on until they're 26.

Let's just say there's a young person who gets elected to Congress, like—well, yes, I would think that there are some Members of the new class that would fit very close to that category. Would one really think that they would come in here at age 25 and transition from their parents' health insurance on over to the Federal opportunity of health insurance that they can access and pay their share of the premiums that come with this job of working in this Congress and maybe never have a window where they were responsible to go out in the marketplace and buy their own health insurance?

I think that's actually a bad idea, but if people want it, let them drive that through their States.

Some will say that we want to cover preexisting conditions so that children cannot be denied insurance on policies that their parents have. Well, that's a good idea, and it's one that can be sustained by demand in the marketplace. If that doesn't do it, it can certainly be sustained by mandates within the States, but it does not require, Madam Speaker, that the Federal Government get involved in mandating to the States, actually mandating to everybody in America, what shall be done with insurance.

So now I've used up, I think, the two things that had some popularity in ObamaCare. That's it—insurance for 26-year-olds and no denial because of preexisting conditions to children whose parents have policies.

If I want to go out and buy a policy that ensures that my children could stay on it, that policy is available in the marketplace. I will say this, that before ObamaCare wrecked the markets and drove out a number of health insurance companies, we had 1,300 health insurance companies in this country which were viable in the marketplace, competing, providing all kinds of policy varieties for customers to choose from—in fact, over 100,000 health insurance policy varieties and 1,300 companies. There were 100,000 policy varieties. We had plenty of competition. ObamaCare has driven out competition. It has not added to it. It has driven out competition. It has made it harder. It has driven up the cost of health care.

The indecision and the fear of what's happening has caused the entire health care industry to be frozen in place. Now they come along and say, Well, if you're not going to repeal it, can you accommodate me in some way?—perhaps in some way like granting them a waiver. I'm hearing individuals say, I want my waiver. They know that there have been 1,040 waivers to ObamaCare.

Madam Speaker, I know that there are people out there who are listening who maybe don't understand what that means. It is this: ObamaCare is the law of the land. It is imposed upon everyone in America. A law is to be applied to every individual in an equal fashion. We might sit in different categories.

We might have Medicare that applies differently to somebody who's 65 than it does to somebody who's 60 years old; but these are waivers to statutes and to individuals and to entities.

From my standpoint, it's unheard of, and where that authority came from I did not see coming; but this administration has found out that they pushed a law that's so bad—so bad—that they are granting waivers to companies, to entities, and to entire States, like the State of Maine.

Now we find out that one of the people who has taken credit for helping to write ObamaCare, the gentleman from New York, who, I believe, is a candidate for the mayor of New York City, is now calling for a waiver for the City of New York to ObamaCare. So maybe, if he gets his way, it won't be 1,040; it will be 1,041 waivers.

That's appalling to think that you would sit in a strategy meeting/session and try to drive a policy that, I believe, is flat out socialized medicine and argue that it's good for everybody in America because they're too ignorant to take care of their own health care and now find out that the policy is so ignorant you want a waiver from it for the largest city in America. That's appalling to think that that would happen.

1,040—1,040 waivers. Let me see. The IRS will enforce this. It will punish people with an extra penalty if they don't comply. Let me see. The E-Z formula. The E-Z form for the IRS is the 1040EZ. We've had 1040 waivers, 1,040 waivers. It's E-Z for them, Madam Speaker, but it's not going to be easy for anyone who doesn't get a waiver.

We have this thing called the equal protection clause. It's in the Constitution, the 14th Amendment. Everybody is going to be protected with equal protection. ObamaCare, itself, violates the equal protection clause because it gives some American citizens a different standard than others. I'm thinking of Florida and their Medicare Advantage, which they have an exemption from under ObamaCare. Even though the cornhusker kickback was removed because, actually, Nebraskans rejected it—to their great credit—Floridians didn't reject their exemptions so that they kept their Advantage. That was an existing policy that exempted them from the wipe-out of Medicare Advantage, which happened to people like Iowans, for example. The equal protection clause? Not hardly. It's a violation of the equal protection clause. It's an unconstitutional bill, ObamaCare.

But I forgot to tell you, Madam Speaker, all of the reasons why it's bad. It cannot be afforded. It's a \$2.6 trillion total outlay for the first full 10 years once it would be implemented, and it increases taxes almost to that much over that period of time. It cuts Medicare, which is going to have a huge increase from 40 million to 70 million recipients of Medicare over the next few years. That huge increase cuts Medicare by \$532 billion. It purports to

reform Medicare. While this cut we know has got to actually happen, it just simply calculates it into the CBO score.

We can't afford ObamaCare. It's unsustainable therefore. It will reduce the research and development. It will increase lines and delays. It will ration care, and it will take that care out of the cost of many people and put it on a mandate that will force more people into Medicaid, and there will be companies that will be forced off the coverage they now provide for their employees and force those people onto a program that's federally subsidized, where there is a fund that will fund their health insurance premiums, which is also unaffordable.

All these things are bad. There are so many bad things about ObamaCare that I don't think there is any one person in the country who could stand up in 30 minutes and list all of the bad things about ObamaCare. It boils down, though, to this: it's unaffordable. It's unsustainable. It reduces research and development. It reduces the quality and lengthens the lines. It delays the service. It rations the care.

It takes away one more thing. The most important thing about ObamaCare is this: I believe it is the unconstitutional takings of American liberty. It is unconstitutional in numbers of ways, three or four ways at least. American liberty is something that is precious; and to think that the Federal Government would step in and commandeer, usurp, the God-given liberty and right that we have to manage our own health care and turn it into a rationed service, according to formula, in which only government would decide who would get what service and when and who would be on the waiting list for surgery and who would be on the waiting list to die without surgery, is a result of ObamaCare. It cannot be argued or refuted.

They put you on a waiting list for a hip replacement, or they put you on a waiting list to die without. That's one of the things that happens. They don't seem to think that's what they're doing willfully, and I don't accuse them of willfully wanting to do that. It's a consequence of the thick-skulled action of people who believe that there is a Socialist model to produce their version of Utopia rather than the individual dynamics that come from people who have free choices.

But we are a vigorous people, Madam Speaker. We're a unique people. We're the kind of people who recognize from the beginning that our rights come from God. We are endowed by our Creator with certain unalienable rights. Among them are life, liberty, and the pursuit of happiness. That pursuit of happiness wasn't the pursuit of hedonism; it was the pursuit of perfection, just the pursuit of perfection—both intellectual and physical improvements. That's the pursuit of happiness in the Greek form, and that's what our Founding Fathers understood.

□ 2100

They're unique, vigorous people with rights that come from God, and of all the things that flow through with this, these rights, many of them laid out in our Bill of Rights: freedom of speech, religion, and the press; freedom to peaceably assemble and petition the government for redress of grievances; the right to keep and bear arms—the right to keep and bear arms; the property rights that are the Fifth Amendment; the right to protection of trial by jury, to be tried by a jury of your peers, and the right to protection against double jeopardy; the rights that are endowed to the States and then the people, respectively, in the Ninth and mostly the Tenth Amendment.

All of those are unique things to Americans. They don't apply to Western European democratic socialist states or, should I say, social democratic states. They don't apply to people in Canada. They don't have that same level of rights. They don't apply to people in Mexico or anyplace in this hemisphere or anyplace else on this planet. These rights, as understood and envisioned by our Founding Fathers, apply only to Americans. And they are the foundation of why Americans are a unique and vigorous people, and they're the foundation of why we are the unchallenged greatest Nation in the world. And we have a unique vigor, and that vigor comes from the foundation of these rights.

But, Madam Speaker, I would take the position this, that you could take all of these rights that we have, that we identify as coming from our Creator, from God, and you can bestow them upon any other people on the planet and ask them to go out and build a vigorous society that would match and mirror that of America, and I will submit that that effort would fail. It would fail no matter if they had unlimited natural resources, if they had free enterprise to no end, if they had a reverence for the Constitution the way we do.

You could take this package, this vision of American rights and Constitution, you could put it in the richest land in the world or the poorest and offer it to any people on the planet, and I will submit that they could not succeed in producing another country that has the vigor and the success that this country has. And I'm not standing here, Madam Speaker, taking credit for this. I'm standing here giving reverence to this gift that we have that is America.

And I will continue, that of all of the rights that are foundations of those beautiful marble pillars of American exceptionalism and the free enterprise component that goes along with it—property rights, freedom of speech, religion, and the press, and the list goes on—there's one other component that no other nation can have, and that is the unique vigor of the American people.

And we are a people that have been blessed by the vigor of every contributing, every donor civilization on the planet, no matter the country. The people that came here, the legal immigrants that came to the United States, came here with the vision of the American Dream. They were attracted to the vision of the American Dream. And so we were able to, by good sense of circumstance and forethought and vision, skim the cream of the crop off of every donor civilization on the planet: the people that had a vision, that had a dream, that had a vision, that wanted to test themselves, that wanted to build something that went beyond their generation; people that wanted to leave the world a better place than it was when they found it; people that wanted to prepare the ground for the next generation to farm, so to speak, and in some cases literally, these are the people that we got that came to America from every country, whether it would be England or Scotland or Wales or Poland or Germany or Italy or any of the countries on the planet, all across Asia, all across Central and South America; people that had a vision that they wanted to live free and breathe free and build something and have children and grandchildren that could benefit from their labors.

And their vision and their intuitiveness and their creativity and the entrepreneurial nature, they came to America, and that set up a natural filter, natural filter for people to save up enough money and to get passage to come to the United States. Some of them sold themselves for as long as 7 years of labor just to pay the passage to get here. That's a dream. You don't get any calls that come like that. You get people that are vigorous, and we attracted them, and that's the American spirit.

This vigorous American spirit is totally unsuitable for a social democracy or socialism or hardcore leftist communist Marxism or any of those other utopian philosophies that many of them emerged out of the non-English speaking portion of Western Europe, and their philosophies permeated a lot of the components of the globe because they're built upon class envy, but they're not built upon the truths of human nature nor are they built upon our rights coming from God.

And so here we are in this country, fantastic that we are the recipients of such gifts, and the gifts that we have and the vigor that we have, we need to understand what it's rooted in. And it's rooted in these freedoms and it's rooted in the filter, the filter that filtered out people that wanted to come here but didn't have quite the ambition to make it happen. It was hard to get here, and you had to have a dream to want to come here; and when you came here, we respected hard work and smart work and people that planned and invested and they were rewarded, and we admired them and raised our children to emulate them.

How many people like Donald Trump today, even though—like I said, I don't have anything bad to say about Donald Trump, not here into the RECORD. It's because he's been successful, people admire him. Bill Gates, because he's been successful. Steve Jobs, they admire him because he's been successful. They've been successful because they've been entrepreneurs. They've been creative. They've worked within the free market system. They have made our lives better and improved the quality of our lives and lowered the cost of the services that we need for our quality of life to be upheld and made those contributions and gotten rich in the process. That's the free enterprise system.

So here we are, these vigorous people, and some of the nanny state advocates here in this Congress—actually, it was a majority of them last year—decided they want to impose ObamaCare on us and take away our personal vigor. They wanted to take over the responsibility of managing our health care. What they finally did was, because ObamaCare is right now the law of the land, they nationalized our skin and everything inside it, a government takeover of my body. The government took my body over and the body of 308 million Americans, and now they're going to tell us when we get health care, under what conditions we get health care, that we must have their health insurance policy that they prescribe for us. They've taken away our individual responsibility. They've nationalized our skin and everything inside it.

And they had the audacity—and the President's fond of that word “audacity.” It was in the title of one of his books, “The Audacity of Hope.” The President of the United States had the audacity to impose a 10 percent tax on the outside of the skin that he nationalized inside of if you go into a tanning salon to turn yourself a little browner. That is a reach of the nanny state to impose a tax. They wanted to tax your non-Diet Coke. They want to manage our lifestyles in such a way that they will tax us if we eat fat foods and then presume we should get a discount if we eat healthy foods.

This is a nanny state personified. ObamaCare is so bad. It's bad because of all the things that I've listed about the cost and the quality and the lines and the rationing and the net result of all of that, Madam Speaker, but the worst part is it is an unconstitutional taking of American liberty. It takes from us the ability, the right to manage our own health care, and it must go.

And when that legislation was passed and signed into law—I believe the anniversary date was March 23 of this year—I laid awake most of the night and slept a little bit and got up in the middle of the night and drafted a piece of legislation to repeal ObamaCare. It was waiting at the door of the service team to be formally put into the form

of a bill when they opened up that morning.

Very interestingly, Congresswoman MICHELE BACHMANN of Minnesota had done the same thing, and her legislation came down within 3 minutes of mine, exactly the same 40 words that said we're going to repeal ObamaCare and, "as if it had never been enacted" were the last words in the bill. Forty words, repeal ObamaCare, gives the names of the bill, the numbers of the bill, et cetera, the last line, "as if it had never been enacted."

□ 2110

Rip it out by the roots, Madam Speaker.

Now, that was not necessarily unheard of, but there aren't many precedents in the history of Congress for repeal legislation to be filed actually the next day after a huge piece of legislation has been passed. But that is what we did, and we started down that path immediately, working to get signatures on the bill and building up the support to repeal ObamaCare.

By mid-summer we had a discharge petition. By the end of the 111th Congress, going into the election as the only part that counted, we had 173 signatures on my discharge petition, people that wanted to see ObamaCare repealed come to the floor, bypass the committee process, bypass the Speaker's ability to kill the bill before it got here, and bring it to the floor for a vote. We had 173; we needed 218.

And the message that went out across America was useful in that some Members of Congress that are here today will say straight up they wouldn't be here if it were not for the discharge petition and they could challenge their opponent to sign it. And almost every Democrat refused to do so. And now there are 87 new freshmen Republicans. Every single one has run on the repeal of ObamaCare. As far as I know, everyone has run on the defunding of ObamaCare. And I know that every single Republican in the House of Representatives voted for H.R. 2, which is the repeal of ObamaCare. And I know that every single Republican in the United States Senate voted to repeal ObamaCare. The language that we generated then is the language that emerged into H.R. 2. And today every Republican and some Democrats are on record voting to repeal ObamaCare.

Now, that didn't stop there. The strategy that I put together almost a year ago was this: that we needed to win the majority, which we did; bring the repeal of ObamaCare, which we did. It didn't succeed in the United States Senate, but behind that always was this majority here in the House of Representatives has an obligation to cut off all funding that would be used to implement or enforce ObamaCare.

And I have been consistent with that language all the way through last summer into last fall and past the election and beyond. Repealing ObamaCare,

then cut off the funding to ObamaCare. Stop the implementation of ObamaCare and stop the enforcement of it by shutting off the budget dollars and hold this waste of money to this unconstitutional bill of ObamaCare until such a time as we can elect a President who will sign the repeal.

The date for that to happen in my strategy is January 20, 2013, Madam Speaker. And that's the date that the next President of the United States will be inaugurated out here on the west portico of the Capitol Building.

And when that President stands there and takes that oath of office, it's my vision and my dream and my commitment to work towards it, I am going to ask him take your oath of office with pen in hand, Mr. President-elect, and I'm going to ask you to solemnly swear to preserve, protect, and defend the Constitution of the United States to the best of your ability so help you God. And once that statement is made and it's completed and the oath of office is finished and he's formally the President of the United States, and before that new President on January 20 of 2013 shakes the hand of Chief Justice John Roberts, I want that pen in his hand to come right down to the parchment, and I want him to sign the repeal of the ObamaCare right there on the podium of the west portico of the Capitol, right out there as the first act of the next President of the United States. That's my vision. That's my commitment.

But until then shutting off funding to ObamaCare is a must-do. And most of America knows by now that there is \$105.5 billion automatically appropriated in a deceptive way by the way the bill was drafted up in NANCY PELOSI's office, not going through committee, not having the work of the will of this Congress, but drafted up in her office and dropped on us with hardly any notice and certainly no time to inform the American people of what was in it, automatic, unprecedented in their scope, appropriations to the tune of \$105.5 billion, Madam Speaker.

And already it automatically appropriated in the 2010 budget. So that's \$18.6 billion and \$4.95 billion in the 2011 budget. It totals up to \$23.6 billion, already appropriated, almost all of it set aside for the purposes of implementing ObamaCare.

We must have a showdown. We must face the President down. If the President demands that ObamaCare be funded, what are we going to do? Say, no, Mr. President, that he vetoes legislation that would otherwise fund all of government?

And if President Obama does that or if HARRY REID continues to perform as his proxy and shuts off anything that we send over that way even though we've demonstrated our desire to keep the legitimate functions of government, all of them, functioning, if the President shuts it down or HARRY REID shuts it down and this government comes to a halt, here's the irony.

The irony is this: lights would go out in Federal offices around this land. Not all of them because essential services will keep going. But lights will go out. And as the lights go out in the non-essential service Federal offices, what will be going in the other offices? ObamaCare will continue even in a government shutdown to be implemented because there's \$23.6 billion sitting in their pot to spend out of to implement ObamaCare, and we could have shutdown after shutdown, and ObamaCare is implemented and implemented.

We must hold the line. We must stand on this principle. It is our obligation. It is unconstitutional. We take an oath to uphold the Constitution too. And that includes defending the Constitution and opposing unconstitutional legislation with every tool at our disposal.

The President and the Democrats, I believe, Madam Speaker, plan to shut this government down. That's why they agreed to a continuing resolution in December that funds the government until March 4. It was to bring this to a head. They wanted to box us into a corner and then blame Republicans for shutting the government down.

Well, it's real clear: Republican leadership wants to avoid a shutdown. It's clear to me that Democrats are determined to provide a shutdown and try to blame it on Republicans. And it's clear to me that if we fund all the functions of government except ObamaCare and if the President brings about a shutdown, it won't be the House Republicans; it will be HARRY REID as proxy for the President.

If that happens, what we're going to see happen here is the President of the United States could veto an appropriations bill that funds everything except ObamaCare. It would be a Presidential executive tantrum that he would be throwing. That tantrum that he would be throwing would be saying this: that his signature piece of legislation, ObamaCare, means more to him than all of the other legitimate functions of government combined.

That's the scenario that we are in. The American people will render a verdict when that day comes that there is that kind of a showdown. And it must come. The American people will render a verdict. They will side with us. They are not going to side with the President who has imposed ObamaCare when 62 percent of Americans want it repealed, 51 percent intensely want to do so, and only 24 percent want to keep it in any kind of a vigorous way.

So, Madam Speaker, I will say this: we have an obligation to stand and hold our ground. This showdown will come. It must come. If it doesn't, we will be capitulating to the President in every way that he's willing to fight. I say let's stand our ground now. Let's have our fight now. Let's get it over with, and let's get on with the business of the 112th Congress.

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

#### CONCERNS ABOUT LIBYA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from New Mexico (Mr. PEARCE) is recognized for 30 minutes.

Mr. PEARCE. Madam Speaker, I appreciate the opportunity to address the assembled body tonight.

As one of the few combat veterans in the U.S. Congress, I rise to express deep concerns about what we are doing in Libya at this moment.

Madam Speaker, we have committed the U.S. taxpayers and we've committed U.S. troops to engagements that have extended almost a decade. Having been involved in one of those long overseas engagements before in Vietnam, I know the strain that these actions place on our families and on our young soldiers, and I don't think that the administration has adequately thought out what we are doing and what we're asking the taxpayers of this country to do and the young people of this country to do, engaging in yet a third front with questionable ideas and questionable values at the heart of why we're engaging in the discussion.

□ 2120

I've been an ardent supporter of the war on terror. I believe that we're going to be committed to the war regardless if it is there in their back yard or in our back yard.

But I rise tonight to say that I'm adamantly opposed to extending our forces any further than what we've already extended them without asking our allies to provide their tax money and to put the lives of their young people on the line.

The entire world is benefiting from the sacrifices that this country is making to establish order and to establish some modicum of peace in regions that are not given naturally to such. And since the world benefits, then the world has a responsibility. So I think the President should be calling on our allies to fund the NATO mission and to provide the people, the personnel, and the weapons.

And, yet, as I look at a breakdown of the missions that have been flown and fought so far, I find a dominance of U.S. cost in lives, in hours, monetary resources and in morale.

As a veteran, I find it disturbing that we're in two wars and now intervening in a third with no end in sight. Our mission is unclear.

Having served in Vietnam at a time when our Nation was beginning to withdraw support for that war, and remembering being there in those countries when funding was made short and gasoline and fuel was taken from state-side missions in order to fly combat missions, I remember with dismay a Nation that was not fully supporting the combat troops.

I find these actions to be questionable on behalf of our Commander in Chief as it regards Libya. Despite his speech last night, President Obama simply raised more questions. He explained that America is different. I'm not certain of exactly how that rationale applies to putting young men and women in harm's way, but I don't think it is a deep enough explanation.

What is the time frame? The President has yet to clarify. Are we there to enforce a no-fly zone? Then let our friends and neighbors in the U.N., the United Nations, enforce the no-fly zone.

If we're there to enforce a no-fly zone, why then are we bombing ground troops? They don't affect the no-fly zone.

If the goal is to protect civilians, why did Secretary Clinton meet with the rebel leader in London? Why is Secretary Clinton calling for Mr. Qadhafi to step down if we're only enforcing the no-fly zone and protecting civilians?

This war is going to go back and forth, and already you see our leaders wondering if we can be out by the end of the year. And I wonder if we can be out by the end of the decade.

Now, make no mistake about it: if Libya had done something to harm us, to put our troops in danger, I would be 100 percent supportive, but I question extending us and our troops to one more war zone.

Why are we fighting a war that Secretary of Defense Robert Gates said bears no strategic interest to the U.S. and does not jeopardize our national security?

Why are we working on the side of the rebels?

Their own commander has stated that al Qaeda members who fought our troops in Iraq are now fighting Mr. Qadhafi. In Libya we're working with the same people we're trying to kill in Afghanistan.

Not only that, but it looks like we're arming those same troops. And I worry that our armaments supplied to troops in Libya will show up in the fight against Americans in Afghanistan and Iraq.

As a combat veteran, I find these concerns to be deeply disappointing in an administration who, for nearly 2 weeks, could not point to whether NATO, the U.S., France or the United Kingdom was in charge. This is poor management, a management I saw during the Vietnam war, with little sense of purpose and always a confusion about exactly why we were there and how long we would stay.

Humanitarian missions are admirable. However, sending troops into combat with no apparent overarching mission is dangerous. Everyone in this room remembers Somalia in 1993.

Why are we singling out Libya? There's a war going on in the Ivory Coast right now. Saudi troops have cracked down on protesters in Bahrain in recent weeks, with civilian deaths reported. Not a whisper of American intervention there.

According to the Genocide Intervention Network, since 2009 almost 1 million people have been displaced in ongoing fighting in the Democratic Republic of the Congo; 5.6 million civilians are estimated killed since 1996. Are we going to intervene there?

Saddam Hussein killed hundreds of thousands of his own people using mustard gas and other weapons. The President was totally opposed, as a Senator, to that war, despite the fact that it had congressional authorization. And, yet, here he is leading us into this new conflict.

The President needs to consider the fact that the mission is unclear, despite his speech last night. He needs to realize that America cannot intervene in wars where we face no threat to our national security and have no strategic interest. He should listen to his Secretary of Defense.

As we engage in this yet third conflict, we're going to continue to put budget pressure on a budget that is straining beyond belief. In this country, the greatest threat that we face right now is a mounting national debt that is almost \$15 trillion, almost the equivalent of our entire gross domestic product.

At the time when we're expending more resources and more dollars in a conflict that has to be yet determined as to its scope, purpose and length, we're straining our budget even further. And while we're conducting these outside forces to greater cost to our U.S. Government, we are conducting a war on the West in this country, in choking the West of jobs right now. So at a time when the cost to our government is increasing, we're choking down the tax resources by simply regulating and taxing jobs out of existence.

In the past 10 days, most of us were at home at work in our districts. I, like everyone else, made a lot of miles in the last 10 days. We drove almost 1,300 miles and did 20 and 30 and 40 events, meeting with people and listening to their concerns. And everywhere we heard the same concern: What are you doing about jobs?

And my sad report had to be that this government, instead of creating jobs, is, in fact, choking off jobs. This government is, in fact, making it impossible for employers to bring on new laborers to expand the workforce and create that sense of prosperity that this Nation has always had available to it.

And people would ask why. And they would also ask how, how's our government choking off jobs? They find it incredulous. They don't want to believe me when I say that in our speeches to begin with. How is our government choking off jobs?

So I use as an example the forest service. This Nation used to have a vibrant logging industry, a timber industry that employed hundreds of thousands. Just in New Mexico, a very small State, over 20,000 people made their living in the timber industry in New Mexico.

Today, no one makes their living in the timber industry in New Mexico. Over 20 mills have been idled. The woodcutters and the choppers no longer have work.

□ 2130

Our mountain communities that used to depend on logging now depend on tourism, which is a very distant second as it provides incomes for our families to live and pay their bills on.

Our government put an entire industry out of work in the 1970s with a regulation based around the spotted owl. The theory was that if we wanted to protect the owl, we had to limit all the activity in the forest; and so we simply killed the timber-cutting jobs in our national forests across the country, and nowhere did it hit harder than in New Mexico. Our government said you can no longer go into the forest and cut trees because we are going to reserve the entire amount of land for the spotted owl, and an industry was killed overnight.

Right now, in New Mexico, the oil and gas industry hires about the same number of people that the timber industry used to hire. About 23,000 people now work for oil and gas. We provide energy for much of the country. And yet those jobs now are at risk because the Fish and Wildlife Service just recently announced that they are going to list a lizard as an endangered species.

Now, keep in mind that this lizard is seen everywhere. But when people ask me what is so significant about this lizard, I tell them, well, you just can't count the lizards out there. You have to stop them, raise their arm, and count the number of scales between the elbow and shoulder underneath their arm. And the endangered lizard has one less scale or one more scale, I'm not sure which, than the other lizards. And people are saying: Wait. Your government would kill our jobs over one scale under a lizard's arm, his front leg? And they are simply aghast that, with 9.5 percent unemployment, that our government would be undertaking such punitive ways of interpreting the Endangered Species Act.

Now, my belief is that we can keep the spotted owl alive in our forests and cut timber, and my belief is it will make healthier forests. And so we have introduced a bill which simply says, yes, we want to keep the spotted owl alive in sanctuaries. We will keep 1,000 acres here, 1,000 acres over here. But in the million acres in between we are going to allow logging for the first time in a couple of decades. For the first time, the mountain communities that used to thrive on timber cutting have the opportunity for jobs.

But even more than that, as we cut trees, New Mexico is a very arid climate, and what used to happen is that fires would burn the trees down to where there were only about 50 per acre. So we were broad savannah lands with our natural forests and scattered

trees. You can visualize how many 50 per acre is. That would be widely spaced with grass in between. And when the rains would come, the water would soak in and recharge the aquifers, but also recharge the aquifers around our streams.

Since we have stopped cutting trees in our national forests, they now are crowded from 50 trees per acre to 2,500 trees per acre. And now the streams are running dry because the trees use up so much more water than the grasslands that were native to the region. Instead of percolating down, the water is now soaked up by the trees and transpired into the atmosphere, causing our communities to be running out of water, our rivers to be running dry, and irrigation that used to provide jobs to be gone, all in the name of the spotted owl.

Now, I believe that a reasonable society can protect the spotted owl and create jobs, and that's the purpose of my bill. But before we go and rescue an industry from the past, we have to fight the fight to keep American oil being produced here, because the listing of that lizard has the potential to shut down all of the oil and gas jobs in a three-county region and maybe even across the entire State. That is still unclear.

We have people beginning to show up in large numbers to demonstrate against a government that is becoming too insensitive, too concerned about the hypothetical and not concerned enough about people who are just struggling to make ends meet. We find citizens who are simply aghast that this government would be killing jobs at a time when our economy is struggling so bad. And at the very time that we are struggling to keep our industry alive from some nameless bureaucrat, we find our President going to South America to see what he can do to invigorate an oil industry there. My friends, this is a time for us to produce American jobs and American energy.

Now, I believe that we can produce energy and protect the species. I believe that we can produce energy and keep our environment clean. And I believe that we can produce American jobs while protecting species, the environment, workers. I believe that we can do it all, and I believe that Americans insist that we do it. They don't want to see the species go extinct, but neither do they want jobs to be shipped overseas in the name of some value they don't quite understand.

Now, the truth is that where we have stopped logging, the trees are too dense for the spotted owl now. The habitat, instead of getting better, has gotten worse. And right across the street in the Mescalero Indian reservation, where they can log at their own will and they have been logging, the spotted owl prefers that habitat because they need to sit on the branches, they jump off the trees, they get flying speed, and they are able to overtake the rodents or whatever it is they live off of.

And so the habitat we are trying to protect actually is simply not suitable now for the spotted owl and they are moving over next-door, and we have done this in the name of some science that has never been made clear to us and it is very similar to what is going on with the lizard. They are going to list some species that I suspect there is no DNA difference between the five-scaled lizard and the six-scaled lizard. I suspect that is a mutation rather than a DNA difference. I suspect that there is no science on it.

And so we joined with people in our district this week to begin to say publicly to the government: Enough is enough. You are making promises with our money that you can't keep. You are committing us to more wars. You are committing us to more social payments. You are committing the taxpayer to a higher burden. At the same time, you are causing dwindling taxation into the government coffers by killing our jobs, and people are saying it is enough.

We saw in the last election a turnout of incredible magnitude of people saying: The government is not listening, and we don't care about what the government is doing anymore. The frustration is deeper and deeper. And, frankly, I encourage that, because I believe that the only hope in turning back a government that is too strong, a government that does not care, a government that is willing to take jobs from its people, a government that is willing to commit our troops anywhere in the world in the name of whatever vague policy they have is a government that is out of control. This needs to return to be a government of the people, by the people, and for the people.

We have set up on our Web page places where you can go and make comment to the government. You can call our office here and make those comments, and we will relay those comments for you.

So understand that we are in a fight for the future of this Nation, in a fight for our economy, and the greatest enemy is the government itself. The government intervenes in ways that it has no constitutional authority. The government intervenes with increasing tax policies so that even our President said in his State of the Union message that we are too highly taxed in our corporations and we need to get that in control. Let our President get that in control. We will vote gladly for such tax decreases here on the floor of this House in order to ensure that jobs are created.

The greatest reason that our jobs are going overseas are two: taxation policy and regulation policy. Regulations like the spotted owl. Regulations like the listing of the lizard. Regulations like the choking down of our financial system by the regulators now who are going into banks and scaring them by threats of fines. We are choking our economy down in the name of safety and security and achieving neither.

The sad thing is that we could cure most of our economic ills if we simply grow the economy.

□ 2140

Actuarial tables tell us that if we had a 3.5 percent rate of growth, that our economic problems in the States and in this government begin to disappear. And you would ask, is 3.5 percent possible? Well, that is exactly the rate we have averaged for the last 75 years. But, today, because of our policies of overtaxation, overregulation, our unfriendliness to business in general, we find ourselves stuck at about a 1 to 1.5 percent rate of growth.

Thus, we are finding the pressure on Social Security, Medicare, and Medicaid. We are finding the pressure of the \$15 trillion debt. We are finding the pressure of \$1.5 trillion deficits. In order to meet those pressures, our Federal Reserve is beginning to print more and more money, so we are seeing prices skyrocket.

So at a time when jobs are scarce and people worry for the future, we are seeing the price of gasoline go up, the price of vegetables going up, the price of gold, silver, iron, everything is going up; not because their value has increased since last year or last month, but because the value of your dollar is decreasing because we are printing so many.

And even then we still are having increased pressure. We find the Japanese are not going to be able to lend us money. They typically were large buyers of our Treasury Bills, meaning they were loaning the government money. Not for a long time. China is beginning to decrease its holdings of Treasury Bills. And we are hearing these vague messages that our bankers, Chinese, Japanese, our own citizens, think our economy is out of control, our debt and our deficits are out of control, so they are saying no more, we are not going to lend you any more. That then drives the Federal Reserve to make up the difference by printing money.

That is an avenue that some of the worst economies in the world have pursued. In Argentina last year, Argentina had a rate of inflation of 1,500 percent. That means if you began the year with \$1.5 million in the bank, at the end of that year you had about \$100,000. At the end of next year it is going to be under \$10,000. So in just 2 years, if you had a nest egg in retirement, it will become of no value.

That is the path that Argentina chose, and it is the path now that we are beginning to choose; endless deficits, endless debt, wars that bankrupt us with no reasonable explanation of why we are in those wars. It is that situation that the American taxpayer faces today. It is that situation that causes me to stand and say America has done enough, American soldiers have done enough, American taxpayers have done enough. Let our friends come to the table. Let our friends begin to shoulder their share of the burdens.

Meanwhile, let us begin to cut the spending here in Washington. We can cut many ways without cutting the actual outcomes to people. We have duplicate agencies. We have waste, we have fraud, we have abuse. Cut those, but, on the other hand, begin to grow our economy and create jobs in industries that used to be here, industries that would start up overnight.

These are not 10- and 20-year plans. These are ideas that can begin immediately. The people would begin to work in the forest immediately if we would let them. They would begin to drill wells again. Offshore we could get our deepwater platforms working once again. Those have been idled by a government that is too powerful and has shut down over 100,000 jobs offshore.

These are the reasons that we are having the economic difficulties that we do. And when we have difficulties, as the world's largest economy, the Germans said it best: When you sneeze, you—the U.S.—sneeze economically, you give the rest of the world the flu.

If we will begin to set about creating American jobs, producing American energy, American timber, American manufactured goods up and down the economic spectrum, then we can cure not only our economy, but we can cure the world's economy. And I believe that we are going to do that. I believe that because the American people are beginning to stand and insist on it. Their insistence is patient, their insistence is respectful, but it is insistent nonetheless, and it has no waver and no quiver to it.

It says fix the problems. Come to this city of Washington and vote not like Republicans, not like Democrats, but like Americans. And when we begin to do that in this body, I believe that the American people will come together and support us in rekindling that greatness that lies within this country, that American exceptionalism that people for generations have come here to find, leaving everything behind, leaving families, a culture behind, leaving their own language behind, and they have come here for generations to find those words “opportunity” and “hope” which have been so deeply ingrained into the fabric of this Nation. And that is what I believe that we should be engaged in at this moment in this body.

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

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RANGEL (at the request of Ms. PELOSI) for today on account of official business in the district.

Mr. FRELINGHUYSEN (at the request of Mr. CANTOR) for today and the balance of the week on account of surgery.

#### BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House reports that on March 03, 2011 she pre-

sented to the President of the United States, for his approval, the following bill.

H.R. 662. To provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

Karen L. Haas, Clerk of the House further reports that on March 17, 2011 she presented to the President of the United States, for his approval, the following joint resolution.

H.J. Res. 48. Making further continuing appropriations for fiscal year 2011, and for other purposes.

#### ADJOURNMENT

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

The motion was agreed to; accordingly (at 9 o'clock and 46 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, March 30, 2011, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

923. A letter from the transmitting the Department's “Major” final rule — Regulation to Implement the Equal Employment Provisions of the Americans with Disabilities Act, as amended (RIN: 3046-AA85) received March 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

924. A communication from the President of the United States, transmitting a message on the United States' involvement in the international effort authorized by the United Nations Security Council; (H. Doc. No. 112-14); to the Committee on Foreign Affairs and ordered to be printed.

925. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-369, “Reinstated Government Employee Review Temporary Act of 2011”; to the Committee on Oversight and Government Reform.

926. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-34, “Balanced Budget Holiday Furlough Temporary Act of 2011”; to the Committee on Oversight and Government Reform.

927. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-35, “Processing Sales Tax Clarification Temporary Amendment Act of 2011”; to the Committee on Oversight and Government Reform.

928. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-36, “One City Service and Response Training Temporary Act of 2011”; to the Committee on Oversight and Government Reform.

929. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-37, “Howard Theatre Redevelopment Project Great Streets Initiative Tax Increment Financing Temporary Amendment Act of 2011”; to the Committee on Oversight and Government Reform.

930. A letter from the Chairman, Council of the District of Columbia, transmitting

Transmittal of D.C. ACT 19-38, "Fiscal Year 2011 Office of Public Education Facilities Modernization Funding Revised Temporary Act of 2011"; to the Committee on Oversight and Government Reform.

931. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-160, "Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010"; to the Committee on Oversight and Government Reform.

932. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-724, "District of Columbia Official Code Title 29 (Business Organizations) Enactment Act of 2010"; to the Committee on Oversight and Government Reform.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

*[The following action occurred on January 3, 2011]*

Mr. BRADY of Pennsylvania: Committee on House Administration. Report on the Activities of the Committee on House Administration During the 111th Congress (Rept. 111-715). Referred to the Committee of the Whole House on the State of the Union.

*[Filed on March 29, 2011]*

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 1079. A bill to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes (Rept. 112-41 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 362. A bill to redesignate the Federal building and United States Courthouse located at 200 East Wall Street in Midland, Texas, as the "George H.W. Bush and George W. Bush United States Courthouse and George Mahon Federal Building" (Rept. 112-42). Referred to the House Calendar.

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 872. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes; with an amendment (Rept. 112-43 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. LUCAS: Committee on Agriculture. H.R. 872. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes; with an amendment (Rept. 112-43 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. CAMP: Committee on Ways and Means. H.R. 1034. A bill to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund (Rept. 112-44 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. BISHOP of Utah: Committee on Rules. House Resolution 186. A resolution providing

for consideration of the bill (H.R. 471) to reauthorize the DC opportunity scholarship program, and for other purposes (Rept. 112-45). Referred to the House Calendar.

#### DISCHARGE OF COMMITTEE

*[The following action occurred on March 23, 2011]*

Pursuant to clause 2 of rule XIII the Committees on Science, Space, and Technology and the Judiciary discharged from further consideration. H.R. 658 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

*[The following action occurred on March 29, 2011]*

Pursuant to clause 2 or rule XIII the Committee on Transportation and Infrastructure discharged from further consideration. H.R. 1034 referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

Pursuant to clause 2 or rule XIII the Committee on Ways and Means discharged from further consideration. H.R. 1079 referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BILIRAKIS (for himself, Mrs. MYRICK, Mr. BILBRAY, and Mr. WESTMORELAND):

H.R. 1211. A bill to require the Secretary of Homeland Security to strengthen student visa background checks and improve the monitoring of foreign students in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. AMASH (for himself, Mr. CHAFFETZ, Mr. JOHNSON of Illinois, Mr. KUCINICH, and Mr. PAUL):

H.R. 1212. A bill to require the cessation of the use of force in, or directed at, the country of Libya by the United States Armed Forces unless a subsequent Act specifically authorizes such use of force; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UPTON:

H.R. 1213. A bill to repeal mandatory funding provided to States in the Patient Protection and Affordable Care Act to establish American Health Benefit Exchanges; to the Committee on Energy and Commerce.

By Mr. BURGESS:

H.R. 1214. A bill to repeal mandatory funding for school-based health center construction; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATTA:

H.R. 1215. A bill to amend title V of the Social Security Act to convert funding for personal responsibility education programs from direct appropriations to an authorization of appropriations; to the Committee on Energy and Commerce.

By Mr. GUTHRIE:

H.R. 1216. A bill to amend the Public Health Service Act to convert funding for

graduate medical education in qualified teaching health centers from direct appropriations to an authorization of appropriations; to the Committee on Energy and Commerce.

By Mr. PITTS:

H.R. 1217. A bill to repeal the Prevention and Public Health Fund; to the Committee on Energy and Commerce.

By Mr. SHUSTER:

H.R. 1218. A bill to amend title 23, United States Code, to allow a State to use as a credit toward the non-Federal share requirement for funds made available to carry out such title the Appalachian development highway system program; to the Committee on Transportation and Infrastructure.

By Mr. HALL (for himself, Ms. SCHAKOWSKY, Mr. TERRY, Mr. WHITFIELD, and Mr. BARROW):

H.R. 1219. A bill to amend title XIX of the Social Security Act to require Medicaid coverage of optometrists; to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska:

H.R. 1220. A bill to require the conveyance of the decommissioned Coast Guard Cutter STORIS; to the Committee on Transportation and Infrastructure.

By Mr. BACHUS (for himself, Mr. GARRETT, Mr. HENSARLING, Mr. PEARCE, and Mrs. BIGGERT):

H.R. 1221. A bill to suspend the current compensation packages for the senior executives of Fannie Mae and Freddie Mac and establish compensation for such positions in accordance with rates of pay for senior employees in the Executive Branch of the Federal Government, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NEUGEBAUER (for himself, Mr. BACHUS, Mr. GARRETT, Mr. PEARCE, and Mr. HENSARLING):

H.R. 1222. A bill to increase the guarantee fees charged by Fannie Mae and Freddie Mac with respect to mortgage-backed securities guaranteed by such enterprises; to the Committee on Financial Services.

By Mr. GARRETT (for himself, Mr. BACHUS, Mr. HENSARLING, and Mr. PEARCE):

H.R. 1223. A bill to amend the Securities Exchange Act of 1934 to ensure mortgages held or securitized by Fannie Mae and Freddie Mac and asset-backed securities issued by such enterprises are treated similarly as other mortgages and asset-backed securities for purposes of the credit risk retention requirements under such Act; to the Committee on Financial Services.

By Mr. HENSARLING (for himself, Mr. BACHUS, Mr. GARRETT, and Mr. PEARCE):

H.R. 1224. A bill to increase the rate of the required annual reductions of the retained portfolios of Fannie Mae and Freddie Mac; to the Committee on Financial Services.

By Mr. PEARCE (for himself, Mr. GARRETT, Mr. BACHUS, and Mr. HENSARLING):

H.R. 1225. A bill to prohibit Fannie Mae and Freddie Mac from issuing any new debt without approval in advance by the Secretary of the Treasury; to the Committee on Financial Services.

By Mr. ROYCE (for himself, Mr. BACHUS, Mr. GARRETT, Mr. PEARCE, and Mr. HENSARLING):

H.R. 1226. A bill to repeal the affordable housing goals for Fannie Mae and Freddie Mac; to the Committee on Financial Services.

By Mr. SCHWEIKERT (for himself, Mr. BACHUS, Mr. GARRETT, Mr. PEARCE, and Mr. HENSARLING):

H.R. 1227. A bill to prohibit Fannie Mae and Freddie Mac from offering any new products during the term of any conservatorship or receivership of such enterprises; to the Committee on Financial Services.

By Mr. LANDRY:

H.R. 1228. A bill to provide for payments to certain natural resource trustees to assist in restoring natural resources damaged as a result of the Deepwater Horizon oil spill, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HASTINGS of Washington (for himself, Mr. LAMBORN, Mr. FLEMING, Mr. LANDRY, Mr. FLORES, Mr. JOHNSON of Ohio, Mr. DUNCAN of South Carolina, Mr. WITTMAN, Mr. BROUN of Georgia, Mr. TIPTON, Mr. GOHMERT, Mr. DENHAM, Mr. DUNCAN of Tennessee, Mr. NUNES, Mr. BOUSTANY, Mr. GRIMM, Mr. SCALISE, Mr. ROSS of Florida, Mr. GRAVES of Missouri, Mrs. MYRICK, Mrs. LUMMIS, Mr. GINGREY of Georgia, Mr. POMPEO, Mr. OLSON, Mrs. CAPITO, Mr. WESTMORELAND, Mr. LONG, Mr. SIMPSON, Ms. JENKINS, Mr. KELLY, Mr. RIGELL, Mr. HELLER, Mrs. HARTZLER, and Mr. POSEY):

H.R. 1229. A bill to amend the Outer Continental Shelf Lands Act to facilitate the safe and timely production of American energy resources from the Gulf of Mexico; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Washington (for himself, Mr. LAMBORN, Mr. FLEMING, Mr. LANDRY, Mr. FLORES, Mr. JOHNSON of Ohio, Mr. DUNCAN of South Carolina, Mr. WITTMAN, Mr. BROUN of Georgia, Mr. TIPTON, Mr. GOHMERT, Mr. DENHAM, Mr. DUNCAN of Tennessee, Mr. NUNES, Mr. BOUSTANY, Mr. GRIMM, Mr. SCALISE, Mr. ROSS of Florida, Mr. GRAVES of Missouri, Mrs. MYRICK, Mrs. LUMMIS, Mr. GINGREY of Georgia, Mr. POMPEO, Mr. OLSON, Mrs. CAPITO, Mr. WESTMORELAND, Mr. LONG, Mr. SIMPSON, Ms. JENKINS, Mr. KELLY, Mr. RIGELL, Mr. HELLER, and Mrs. HARTZLER):

H.R. 1230. A bill to require the Secretary of the Interior to conduct certain offshore oil and gas lease sales, and for other purposes; to the Committee on Natural Resources.

By Mr. HASTINGS of Washington (for himself, Mr. LAMBORN, Mr. FLEMING, Mr. LANDRY, Mr. FLORES, Mr. JOHNSON of Ohio, Mr. DUNCAN of South Carolina, Mr. WITTMAN, Mr. BROUN of Georgia, Mr. TIPTON, Mr. GOHMERT, Mr. DENHAM, Mr. DUNCAN of Tennessee, Mr. FLEISCHMANN, Mr. NUNES, Mr. BOUSTANY, Mr. GRIMM, Mr. SCALISE, Mr. ROSS of Florida, Mr. GRAVES of Missouri, Mrs. MYRICK, Mrs. LUMMIS, Mr. POMPEO, Mr. OLSON, Mrs. CAPITO, Mr. WESTMORELAND, Mr. LONG, Mr. SIMPSON, Ms. JENKINS, Mr. KELLY, Mr. RIGELL, Mr. HELLER, Mrs. HARTZLER, Mr. RIBBLE, Mr. GINGREY of Georgia, and Mr. POSEY):

H.R. 1231. A bill to amend the Outer Continental Shelf Lands Act to require that each 5-year offshore oil and gas leasing program offer leasing in the areas with the most prospective oil and gas resources, to establish a domestic oil and natural gas production goal, and for other purposes; to the Committee on Natural Resources.

By Mr. CAMP:

H.R. 1232. A bill to amend the Internal Revenue Code of 1986 to eliminate certain tax benefits relating to abortion; to the Committee on Ways and Means.

By Mr. BOSWELL (for himself, Mr. BUTTERFIELD, Mr. LOEBSACK, Mr. KING of Iowa, Mr. LATHAM, and Mr. BRALEY of Iowa):

H.R. 1233. A bill to amend the Consolidated Farm and Rural Development Act to suspend a limitation on the period for which certain borrowers are eligible for guaranteed assistance; to the Committee on Agriculture.

By Mr. KILDEE:

H.R. 1234. A bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes; to the Committee on Natural Resources.

By Mr. CARTER:

H.R. 1235. A bill to provide a Federal regulatory moratorium, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GERLACH (for himself, Mr. NEAL, Mr. PAULSEN, Mr. BLUMENAUER, Mr. HUNTER, and Mr. DEFazio):

H.R. 1236. A bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers; to the Committee on Ways and Means.

By Mr. HERGER:

H.R. 1237. A bill to provide for a land exchange with the Trinity Public Utilities District of Trinity County, California, involving the transfer of land to the Bureau of Land Management and the Six Rivers National Forest in exchange for National Forest System land in the Shasta-Trinity National Forest, and for other purposes; to the Committee on Natural Resources.

By Ms. KAPTUR (for herself, Mr. LATOURETTE, and Mr. TURNER):

H.R. 1238. A bill to amend the Emergency Economic Stabilization Act of 2008 to allow amounts under the Troubled Assets Relief Program to be used to provide legal assistance to homeowners to avoid foreclosure; to the Committee on Financial Services.

By Ms. KAPTUR (for herself, Mr. MANZULLO, and Mr. JONES):

H.R. 1239. A bill to clarify the applicability of the Buy American Act to products purchased for the use of the legislative branch, to prohibit the application of any of the exceptions to the requirements of such Act to products bearing an official Congressional insignia, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOEBSACK (for himself and Mr. PLATTS):

H.R. 1240. A bill to promote industry growth and competitiveness and to improve worker training, retention, and advancement, and for other purposes; to the Committee on Education and the Workforce.

By Mr. LUJAN (for himself and Mr. HEINRICH):

H.R. 1241. A bill to establish the Rio Grande del Norte National Conservation Area in the State of New Mexico, and for other purposes; to the Committee on Natural Resources.

By Mr. MARKEY:

H.R. 1242. A bill to ensure that nuclear power plants can withstand and adequately

respond to earthquakes, tsunamis, strong storms, or other events that threaten a major impact; to the Committee on Energy and Commerce.

By Mr. NADLER:

H.R. 1243. A bill to authorize States or political subdivisions thereof to regulate fuel economy and emissions standards for taxicabs; to the Committee on Energy and Commerce.

By Mr. REICHERT (for himself, Mr. KIND, Mr. BOUSTANY, Mr. BLUMENAUER, Mr. PAULSEN, and Mr. PASCRELL):

H.R. 1244. A bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, and Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROONEY (for himself and Mr. HASTINGS of Florida):

H.R. 1245. A bill to recognize the memorial at the Navy UDT-SEAL Museum in Fort Pierce, Florida, as the official national memorial of Navy SEALs and their predecessors; to the Committee on Armed Services.

By Mr. WEST:

H.R. 1246. A bill to reduce the amounts otherwise authorized to be appropriated to the Department of Defense for printing and reproduction; to the Committee on Armed Services.

By Mr. WEST:

H.R. 1247. A bill to reduce the amounts otherwise authorized to be appropriated to the Department of Defense for studies, analysis, and evaluations; to the Committee on Armed Services.

By Mr. WEST:

H.R. 1248. A bill to amend title 5, United States Code, to provide that civilian employees of the Department of Defense performing unsatisfactory work shall not be eligible for annual nationwide adjustments to pay schedules; to the Committee on Oversight and Government Reform.

By Mr. THOMPSON of California:

H. Res. 185. A resolution supporting the goals and ideals of National Tsunami Awareness Week; to the Committee on Science, Space, and Technology.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BILIRAKIS:

H.R. 1211.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States, which grants Congress the power to provide for the common Defense of the United States, and Article I, Section 8, Clause 18 of the Constitution of the United States, which provides Congress the power to make "all Laws which shall be necessary and proper" for carrying out the constitutional powers vested in the Government of the United States.

By Mr. AMASH:

H.R. 1212.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution states that Congress shall have the power “To declare War;” “To raise and support Armies;” “To provide and maintain a Navy;” and “To make Rules for the Government and Regulation of the land and naval Forces.” Although the Constitution’s Article II, Section 2 designates the President as “Commander in Chief,” that title does not empower the President to order congressionally unauthorized force when the United States has not been attacked or is not in imminent danger of attack. This bill reclaims Congress’s core constitutional prerogative to control when offensive military force is used.

By Mr. UPTON:

H.R. 1213.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. BURGESS:

H.R. 1214.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. LATTA:

H.R. 1215.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. GUTHRIE:

H.R. 1216.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. PITTS:

H.R. 1217.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. SHUSTER:

H.R. 1218.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the Constitution.

By Mr. HALL:

H.R. 1219.

Congress has the power to enact this legislation pursuant to the following:

The reference to the Commerce Clause is applicable to this bill: “ This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.”

By Mr. YOUNG of Alaska:

H.R. 1220.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. BACHUS:

H.R. 1221.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 3: (“To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes”), and 18 (“To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof”).

By Mr. NEUGEBAUER:

H.R. 1222.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 18: “The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.”

By Mr. GARRETT:

H.R. 1223.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 3 (“To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes”), and 18 (“To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof”).

By Mr. HENSARLING:

H.R. 1224.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clauses 1 (“The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States”), 3 (“To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes”), and 18 (“To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof”).

By Mr. PEARCE:

H.R. 1225.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 (“The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States”), 3 (“To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes”), and 18 (“To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof”).

By Mr. ROYCE:

H.R. 1226.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 3 (“To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes”), and 18 (“To make all Laws

which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof”).

By Mr. SCHWEIKERT:

H.R. 1227.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 (“The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States”), 3 (“To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes”), and 18 (“To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof”).

By Mr. LANDRY:

H.R. 1228.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. HASTINGS of Washington:

H.R. 1229.

Congress has the power to enact this legislation pursuant to the following:

Article IV, section 3 of the U.S. Constitution.

By Mr. HASTINGS of Washington:

H.R. 1230.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 of the U.S. Constitution.

By Mr. HASTINGS of Washington:

H.R. 1231.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 of the U.S. Constitution.

By Mr. CAMP:

H.R. 1232.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. BOSWELL:

H.R. 1233.

Congress has the power to enact this legislation pursuant to the following:

Article 1 of the U.S. Constitution, Section 8, Clause 18.

By Mr. KILDEE:

H.R. 1234.

Congress has the power to enact this legislation pursuant to the following:

The Indian Commerce Clause: Clause 3 of Section 8 of Article I and the Necessary and Proper Clause: Clause 18 of Section 8 of Article I of the Constitution.

By Mr. CARTER:

H.R. 1235.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. GERLACH:

H.R. 1236.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. HERGER:

H.R. 1237.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2.

By Ms. KAPTUR:

H.R. 1238.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Ms. KAPTUR:

H.R. 1239.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1, and Article I, Section 8.

By Mr. LOEBSACK:

H.R. 1240.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution.

By Mr. LUJÁN:

H.R. 1241.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. MARKEY:

H.R. 1242.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. NADLER:

H.R. 1243.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 (Commerce Clause), and Clause 18 (Necessary and Proper Clause).

By Mr. REICHERT:

H.R. 1244.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. ROONEY:

H.R. 1245.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution: Clauses 13 and 14, which grants Congress the power to provide and maintain a Navy and to make rules for the government and regulation of the land and naval forces, Clause 1, which grants Congress the power to provide for the general welfare of the United States, and Clause 18, which grants Congress the power to make all laws necessary and proper for carrying out the foregoing powers.

By Mr. WEST:

H.R. 1246.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (Clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.

By Mr. WEST:

H.R. 1247.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (Clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.

By Mr. WEST:

H.R. 1248.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (Clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 5: Ms. BUERKLE, Mr. ROSKAM, Mr. MCCOTTER, Mr. THOMPSON of Pennsylvania, Mr. MCCAUL, Mr. KELLY, Mr. CHAFFETZ, Mr. BARTLETT, Mrs. BACHMANN, Ms. GRANGER, Mr. LONG, Mr. MACK, Mr. HANNA, Mr. PETRI, Ms. JENKINS, Mr. HENSARLING, Mrs. HARTZLER, and Mr. SAM JOHNSON of Texas.

H.R. 11: Mr. HOLT and Mr. CONYERS.

H.R. 23: Mr. SHERMAN.

H.R. 25: Mr. RIGELL.

H.R. 27: Ms. SUTTON.

H.R. 31: Mr. BACHUS, Mr. GARRETT, Mr. HENSARLING, Mrs. CAPITO, Mr. NEUGEBAUER, Mr. MCHENRY, Mr. DOLD, Mr. HURT, Mr. FITZPATRICK, Mr. SCHOCK, Mr. GOWDY, Mr. GRIMM, Mr. STIVERS, Mr. LUCAS, Mr. MANZULLO, Mr. WALSH of Illinois, Mr. KINZINGER of Illinois, and Mr. ISSA.

H.R. 58: Mr. ROGERS of Alabama, Mr. BILLRAKIS, and Mr. CARTER.

H.R. 59: Mrs. HARTZLER, Mr. FARENTHOLD, and Mr. STUTZMAN.

H.R. 85: Mr. ELLISON.

H.R. 100: Mr. MCKINLEY and Ms. JENKINS.

H.R. 104: Mr. DUFFY, Mr. FARENTHOLD, Mr. JACKSON of Illinois, Ms. SPEIER, Ms. SLAUGHTER, Ms. DELAURO, Mr. JONES, Mr. KINZINGER of Illinois, Mr. KEATING, Mr. RIGELL, and Ms. HIRONO.

H.R. 120: Mrs. BLACK.

H.R. 140: Mr. WILSON of South Carolina.

H.R. 178: Mr. COFFMAN of Colorado, Mr. HECK, Mr. RUNYAN, Mr. RYAN of Ohio, and Mr. KING of New York.

H.R. 181: Mr. SMITH of New Jersey.

H.R. 186: Mr. PEARCE.

H.R. 192: Mr. MARKEY.

H.R. 198: Mr. MCGOVERN and Mr. CARSON of Indiana.

H.R. 258: Mr. RIGELL.

H.R. 303: Mr. HUNTER.

H.R. 308: Mr. RUSH, Mr. DOGGETT, and Mr. KUCINICH.

H.R. 321: Mrs. MCCARTHY of New York.

H.R. 361: Mr. BACA, Mr. DUFFY, and Mr. BUCHANAN.

H.R. 365: Mrs. CAPITO.

H.R. 371: Mr. BUCHANAN and Mr. SIMPSON.

H.R. 396: Mr. HALL.

H.R. 416: Mrs. MCCARTHY of New York.

H.R. 439: Mr. ELLISON.

H.R. 440: Mr. GRIMM, Mr. LYNCH, and Mr. KELLY.

H.R. 450: Mr. SAM JOHNSON of Texas.

H.R. 452: Mr. ROGERS of Michigan.

H.R. 458: Mrs. CAPPS, Mr. BERMAN, Ms. SUTTON, and Mr. FRANK of Massachusetts.

H.R. 459: Mr. YOUNG of Indiana, Mr. POLLS, Mr. MCINTYRE, Mr. HECK, Ms. HERRERA BEUTLER, Ms. FOX, Mr. STEARNS, Mr. GOWDY, Mrs. LUMMIS, and Mrs. BIGGERT.

H.R. 466: Mr. HASTINGS of Florida.

H.R. 478: Mr. FORBES.

H.R. 482: Mrs. BLACK.

H.R. 535: Mr. RUSH and Mr. BISHOP of New York.

H.R. 572: Mr. WAXMAN.

H.R. 575: Mr. KISSELL.

H.R. 576: Ms. BERKLEY and Mr. ELLISON.

H.R. 584: Mr. LIPINSKI.

H.R. 589: Mr. WEINER, Mr. KUCINICH, Ms. WILSON of Florida, and Mr. WU.

H.R. 595: Mr. HANNA.

H.R. 607: Mr. MICHAUD and Mr. LATHAM.

H.R. 610: Mr. CRENSHAW and Mr. RAHALL.

H.R. 615: Mr. SCALISE and Mr. ROGERS of Alabama.

H.R. 616: Mr. KUCINICH.

H.R. 652: Mr. FILNER.

H.R. 674: Mr. KING of Iowa, Mrs. LUMMIS, Mr. LONG, and Mr. DAVIS of Kentucky.

H.R. 679: Mr. LANGEVIN.

H.R. 681: Mr. RIBBLE and Mr. GOODLATTE.

H.R. 694: Mrs. LOWEY.

H.R. 709: Mr. CONYERS, Mr. PASCRELL, and Mr. QUIGLEY.

H.R. 721: Mr. YODER.

H.R. 729: Mr. BERMAN.

H.R. 735: Mr. PAULSEN and Ms. BUERKLE.

H.R. 743: Mr. TURNER and Mr. RUNYAN.

H.R. 749: Mr. HELLER.

H.R. 750: Mr. TIPTON.

H.R. 795: Mrs. MCMORRIS RODGERS.

H.R. 798: Mr. PLATTS.

H.R. 800: Mr. KINGSTON, Mr. LANDRY, Mr. BILBERRY, and Mr. MCKINLEY.

H.R. 808: Mr. ELLISON and Mr. STARK.

H.R. 812: Mr. COURTNEY.

H.R. 821: Mrs. ADAMS and Mrs. BLACKBURN.

H.R. 822: Mr. POE of Texas, Mr. ADERHOLT, Mr. PLATTS, Mr. FORBES, Mr. SCHOCK, Mr. HUNTER, Mr. WALZ of Minnesota, Mr. SULLIVAN, Mr. LUETKEMEYER, Mr. DUNCAN of South Carolina, and Mr. SCALISE.

H.R. 827: Mr. MEEHAN, Mrs. MYRICK, Mr. MURPHY of Pennsylvania, Mrs. DAVIS of California, and Mr. BILBERRY.

H.R. 849: Mr. WOLF.

H.R. 855: Ms. DEGETTE.

H.R. 870: Mr. FILNER.

H.R. 872: Mr. SCALISE, Mr. HURT, Mr. BONNER, Mr. BOUSTANY, Mr. CLEAVER, Mr. FORBES, Ms. GRANGER, Mr. CARTER, Mr. MCCLINTOCK, Mr. ROKITA, Mr. BARROW, Mr. KLINE, Mr. ROGERS of Alabama, Mr. BARLETTA, Mr. BERG, Mr. REED, Mr. CAMP, Mr. WILSON of South Carolina, Mr. POSEY, Mr. CRAVAACK, Mr. HASTINGS of Washington,

Mr. COLE, Mr. PENCE, Ms. FOX, Mr. FORTENBERRY, Mr. MULVANNEY, Mr. NUNNELEE, Mr. GOWDY, Mr. PALAZZO, Mr. DOLD, Mr. DENT, and Mr. MCHENRY.

H.R. 873: Mr. DOGGETT and Ms. SCHAKOWSKY.

H.R. 875: Mrs. BACHMANN.

H.R. 876: Ms. SLAUGHTER.

H.R. 885: Mr. FORTENBERRY, Ms. BERKLEY, Mr. HINCHEY, and Mr. PRICE of North Carolina.

H.R. 889: Ms. SCHWARTZ and Ms. MATSUI.

H.R. 893: Mr. ELLISON and Mr. WITTMAN.

H.R. 894: Mr. CUMMINGS, Mr. KILDEE, Mr. STARK, and Mrs. CAPPS.

H.R. 903: Mr. DENHAM.

H.R. 904: Mr. JONES, Mr. WILSON of South Carolina, Mr. ROSS of Arkansas, Mr. KINGSTON, Mr. CALVERT, and Mr. ROGERS of Michigan.

- H.R. 905: Mr. WALDEN, Mrs. MYRICK, Ms. SEWELL, and Ms. BERKLEY.
- H.R. 910: Mr. POE of Texas, Mr. BRADY of Texas, Mr. TURNER, Ms. JENKINS, Mr. SIMPSON, Mr. KELLY, Mr. FARENTHOLD, Mr. TIPTON, Mr. CALVERT, Mr. FLEISCHMANN, and Mr. GRAVES of Missouri.
- H.R. 912: Mr. CRENSHAW, Mr. WITTMAN, Mr. ELLISON, and Mr. JACKSON of Illinois.
- H.R. 925: Ms. NORTON.
- H.R. 938: Mr. NEAL, Mr. LAMBORN, Mr. KISSELL, and Mr. RUNYAN.
- H.R. 941: Mr. LUJÁN, Mr. LOEBSACK, Mr. LATHAM, Mr. BOSWELL, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. MICHAUD.
- H.R. 943: Mr. TOWNS and Mrs. NAPOLITANO.
- H.R. 948: Mr. BLUMENAUER, Mr. LARSON of Connecticut, Mr. KISSELL, and Mr. MORAN.
- H.R. 969: Mr. BENISHEK.
- H.R. 973: Mr. RIGELL.
- H.R. 984: Mrs. ADAMS, Mr. JONES, Mr. ROKITA, Mr. SESSIONS, Mr. GRIMM, Mr. WESTMORELAND, and Mr. MACK.
- H.R. 987: Mr. BILBRAY.
- H.R. 1004: Mr. REICHERT.
- H.R. 1006: Mr. FRANKS of Arizona, Mr. HERGER, and Ms. BERKLEY.
- H.R. 1013: Mr. LYNCH.
- H.R. 1033: Mr. MCCOTTER.
- H.R. 1040: Mr. JONES and Mr. FORBES.
- H.R. 1047: Mr. LANKFORD, Mr. POMPEO, and Mr. TIPTON.
- H.R. 1049: Mr. FARENTHOLD and Mrs. LUMMIS.
- H.R. 1055: Mr. JOHNSON of Georgia.
- H.R. 1058: Mr. GUTHRIE, Mrs. MILLER of Michigan, and Mr. MCKINLEY.
- H.R. 1066: Mr. LANGEVIN, Mr. LUJÁN, Mr. PALLONE, Mr. VAN HOLLEN, Mr. COURTNEY, Mr. PASCRELL, Mr. MORAN, Mrs. MALONEY, Mr. ROSS of Arkansas, Mr. HEINRICH, Mr. BOREN, Ms. SPEIER, Ms. HIRONO, Mr. ROTHMAN of New Jersey, Mr. HOLDEN, Mr. BARLETTA, Ms. MOORE, Mr. HASTINGS of Florida, Mr. JONES, Mr. CONYERS, Mr. CLEAVER, Ms. SUTTON, Mr. GRIJALVA, Ms. RICHARDSON, Mr. SIRES, Mr. LEVIN, Mr. MCGOVERN, Ms. MATSUI, Mr. CROWLEY, Mr. RAHALL, Ms. BORDALLO, Mr. DAVID SCOTT of Georgia, and Mr. SMITH of Washington.
- H.R. 1070: Ms. ESHOO and Mrs. BACHMANN.
- H.R. 1075: Mr. CHAFFETZ, Mrs. MCMORRIS RODGERS, Mr. FLAKE, and Ms. HERRERA BEUTLER.
- H.R. 1081: Mr. BUTTERFIELD, Mr. HASTINGS of Florida, Mr. DAVID SCOTT of Georgia, Mr. FILNER, Mr. MCINTYRE, Mr. PAUL, Mr. RUPPERSBERGER, Mr. FLORES, Mr. HOLDEN, and Mr. COFFMAN of Colorado.
- H.R. 1112: Mr. FLORES.
- H.R. 1113: Mr. HONDA, Mr. BACA, Mr. CLEAVER, Mr. AL GREEN of Texas, Mrs. CHRISTENSEN, Mr. HINCHEY, Mr. STARK, Ms. MOORE, Mr. PAYNE, Ms. FUDGE, Mr. FATTAH, Mr. CUMMINGS, Mrs. MALONEY, and Ms. WOOLSEY.
- H.R. 1121: Mr. WILSON of South Carolina.
- H.R. 1131: Mr. HASTINGS of Florida.
- H.R. 1132: Ms. MOORE, Mr. JACKSON of Illinois, Mr. STARK, Ms. WOOLSEY, and Ms. NORTON.
- H.R. 1153: Mr. KING of New York.
- H.R. 1161: Mr. HASTINGS of Florida, Mr. GOODLATTE, Mr. BARROW, Ms. SUTTON, Mr. SHERMAN, Mr. QUIGLEY, Mr. FLORES, Mr. POE of Texas, Mr. ROONEY, Mr. WEST, Mr. ANDREWS, and Mr. DAVID SCOTT of Georgia.
- H.R. 1173: Mr. GRIFFIN of Arkansas, Mr. MCCLINTOCK, and Mr. DUNCAN of South Carolina.
- H.R. 1175: Mr. SMITH of Washington, Mr. BARTLETT, and Mr. MARINO.
- H.R. 1184: Mr. GRAVES of Missouri, Mr. BURTON of Indiana, and Mr. GINGREY of Georgia.
- H.R. 1185: Mr. GINGREY of Georgia.
- H.R. 1186: Mr. SESSIONS and Mr. PAUL.
- H.R. 1187: Mr. CONNOLLY of Virginia.
- H.R. 1206: Mrs. BLACKBURN, Mr. GRIFFIN of Arkansas, Mr. RUPPERSBERGER, Mr. YODER, Mr. SESSIONS, Mr. MCCAUL, Mr. BURTON of Indiana, Mr. MCCOTTER, Mr. MULVANEY, Mr. KISSELL, and Mr. PRICE of Georgia.
- H.J. Res. 13: Mrs. MYRICK, Mr. POSEY, Mr. ROGERS of Michigan, Mr. RUNYAN, Mr. AUSTRIA, and Mr. JORDAN.
- H.J. Res. 47: Ms. TSONGAS, Mr. MORAN, and Ms. EDWARDS.
- H.J. Res. 49: Mr. CHAFFETZ and Mr. STARK.
- H. Con. Res. 7: Mr. PETERSON and Mr. HASTINGS of Florida.
- H. Con. Res. 31: Mr. KUCINICH.
- H. Res. 23: Mr. SESSIONS.
- H. Res. 25: Mr. CONNOLLY of Virginia, Mr. LEWIS of Georgia, Mr. COFFMAN of Colorado, Mr. SCOTT of South Carolina, Mr. HONDA, and Mr. SMITH of New Jersey.
- H. Res. 47: Mr. BERMAN, Mr. VAN HOLLEN, and Mr. SCHIFF.
- H. Res. 60: Mr. WESTMORELAND, Mr. COBLE, and Mr. MCGOVERN.
- H. Res. 81: Mrs. MALONEY.
- H. Res. 82: Mr. BENISHEK, Mr. GUINTA, Mr. ROSS of Florida, Mr. LAMBORN, Mr. NEUGEBAUER, and Mr. JONES.
- H. Res. 85: Mr. VAN HOLLEN.
- H. Res. 87: Mr. AL GREEN of Texas.
- H. Res. 111: Mr. CAPUANO, Mr. ROGERS of Michigan, Mr. ANDREWS, Mr. SIRES, Mr. PASCRELL, Mr. YARMUTH, Mr. GENE GREEN of Texas, Mr. LOBIONDO, and Mr. WALZ of Minnesota.
- H. Res. 134: Mr. JOHNSON of Illinois, Mr. GRIMM, Ms. SPEIER, and Mr. SENSENBRENNER.
- H. Res. 137: Mr. BACA, Mrs. EMERSON, Mr. BOSWELL, Mr. KISSELL, Mr. HOLDEN, Mr. BLUMENAUER, Mr. LATHAM, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Mr. JACKSON of Illinois, Mr. COSTA, Mr. STARK, Mr. GARAMENDI, Mr. PETERSON, Mr. TIERNEY, Mr. INSLEE, Mr. MCGOVERN, Mr. WU, Mr. SCHRADER, Mr. ISRAEL, Mr. CRITZ, and Mr. MICHAUD.
- H. Res. 139: Mr. KIND, Ms. SCHWARTZ, Mr. COHEN, Mr. SCHOCK, Ms. JACKSON LEE of Texas, Mr. WEINER, Mr. JOHNSON of Georgia, Mr. LEWIS of Georgia, Mr. RUSH, Mr. SENSENBRENNER, Ms. WILSON of Florida, Mr. AUSTRIA, and Mr. JOHNSON of Ohio.
- H. Res. 140: Mr. CALVERT and Mr. RIGELL.
- H. Res. 163: Ms. TSONGAS.
- H. Res. 172: Mr. HIGGINS, Mr. CONYERS, Mr. BISHOP of New York, and Mr. STARK.
- H. Res. 173: Mr. ROSS of Florida.
- H. Res. 177: Mr. HINCHEY, Mr. DAVIS of Illinois, and Mr. HONDA.
- H. Res. 179: Mr. CROWLEY and Mrs. MCCARTHY of New York.
- H. Res. 182: Mrs. LOWEY, Ms. CLARKE of New York, and Mr. GRIMM.

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#### CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Delegate ELEANOR HOLMES NORTON, or a designee, to H.R. 471, the Scholarships for Opportunity and Results Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.