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House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. DOLD).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
December 20, 2012.

I hereby appoint the Honorable ROBERT J. DOLD to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving and gracious God, we give You thanks for giving us another day.

We ask today that You bless the Members of the people's House to be the best and most faithful servants of the people they serve.

On this day, Congress honors the life of Senator Daniel Inouye, who lies in state in the rotunda. He was the first to serve his State in this assembly. He served his country for decades as a true patriot, soldier, legislator, statesman, and gentleman—always thousands of miles from his own home.

Endow the Members of this assembly with a measure of the courage, integrity, and loyalty of such an exemplar of public service.

And may all that is done this day in the people's House be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. 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 pro tempore. Will the gentlewoman from Kansas (Ms. JENKINS) come forward and lead the House in the Pledge of Allegiance.

Ms. JENKINS 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 laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 20, 2012.

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 December 20, 2012 at 10:02 a.m.:

That the Senate passed without amendment H.R. 3477.

That the Senate passed without amendment H.R. 3870.

That the Senate passed without amendment H.R. 3912.

That the Senate passed without amendment H.R. 5738.

That the Senate passed without amendment H.R. 5837.

That the Senate passed without amendment H.R. 5954.

That the Senate passed without amendment H.R. 4057.

That the Senate passed without amendment H.R. 6029.

That the Senate passed S. 3630.

That the Senate passed S. 3662.

That the Senate passed S. 2318.

That the Senate passed S. 3202.

That the Senate passed S. 3698.

Appointments:

United States-China Economic Security Review Commission.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

ESTATE TAX

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

Ms. JENKINS. Growing up on a Kansas dairy farm, I know the estate tax is a threat to family farms. This tax makes bailing hay and shoveling manure sound like a get-rich-quick scheme, when most family farms make an average of $45,000 a year. Raising the estate tax to 55 percent and dropping the exemption to $1 million might be feasible for a hedge fund manager, but it will jeopardize the future of farmers and their families, forcing many to sell their farms they worked to build for generations.

Many farmers are ''land rich'' but ''cash poor.'' The average land value for 65,000 Kansas farms is $900,000. Throw in a $300,000 combine, a $250,000 tractor, and Kansas farmers are suddenly millionaires according to estate tax math. But this isn't wealth they can use to pay taxes. It's in assets.

Farmers provide us with a safe and dependable food supply. We cannot allow the estate tax to put them out of business.

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NO JUSTIFICATION TO CUT SOCIAL SECURITY BENEFITS

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

Mr. KUCINICH. Will seniors be pushed off the fiscal cliff?

Social Security did not cause the deficit, but the White House's plan to lower Social Security cost-of-living benefits could eventually reduce seniors' annual benefits by hundreds of dollars. The gimmick is called the chained Consumer Price Index. The chained CPI works this way:

As the cost of living goes up, seniors inevitably turn to cheaper alternatives. For example, if seniors eat steak, but then can't afford its higher price, they can switch to something cheaper—like cat food. The cost of living calculation would chain to the cheaper item—cat food. So the less you pay for food, the less benefits you get.

The chained CPI benefit cut will chain aging seniors to a poverty of choices, a lower standard of living with cheaper products. The chained CPI formula doesn't take into account seniors' rising health care costs. If it did, benefits would go up.

There is no justification to cut Social Security benefits. ''No'' to throwing seniors off the fiscal cliff. ''No'' to a cat food Christmas.

DEMANDING THE TRUTH

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

Mr. JOHNSON of Ohio. Mr. Speaker, just over 100 days ago, four Americans were murdered in cold blood during coordinated terrorist attacks on the U.S. consulate in Benghazi, Libya. These attacks were premeditated acts of war on America and the American way of life, committed by terrorists with ties to al Qaeda.

This week, the Obama administration released a report as to exactly what happened surrounding these terrorist attacks. This report confirmed what we already knew: there was no protest outside the consulate on September 11. It also cites systemic failures in Embassy security, putting in danger the lives of every person at the compound in Benghazi.

This report is an important step towards stopping another attack on America and American initiates overseas. But one thing remains clear: serious mistakes were made by senior officials here in Washington. Those mistakes cost American lives. There must be accountability.

REMEMBERING SENATOR DANIEL INOUYE

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

Ms. JACKSON LEE of Texas. Senator Inouye lies in state this morning. But as a young lieutenant platoon leader on a battlefield in Italy, even after being shot in the stomach by German machine-gun fire, he refused medical treatment and still managed to find the courage to destroy two machine-gun posts. Nearly losing consciousness from blood loss, he heroically charged a third machine-gun nest before having his right arm severed by a German grenade. Somehow, even after those grave injuries, Daniel Inouye still found a way to toss a grenade that destroyed the third bunker.

What an American. What a man who loved this country and stood for the values of diversity. He loved the independence of the Congress, and he fought for it in the strength of our democracy and the values of America. His words were this:

> I represented the people of Hawaii and this Nation honestly and to the best of my ability. I think I did okay.

To the Senator and your family, you did more than okay. To the Asian American community in Houston, Texas, and all of Texas, I want you to note this hero spoke volumes for what America is all about, that no matter where we've come from, we can stand equally under the sun.

He thought of that and his beloved Hawaii as his final words, not only in representing Hawaii—''aloha''—but to America.

Senator, we love you, and good-bye. What a great champion, a great warrior for peace, and one who represented all of us so well.

□ 1210

SUCCESS WITH THE NATIONAL DEFENSE AUTHORIZATION ACT

(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, today, the House will vote on the National Defense Authorization Act for 2013. Congratulations to House Armed Services Committee Chairman BUCK MCKEON and committee staff director Bob Simmons for their leadership with this legislation promoting peace through strength.

Our brave men and women in uniform, their families, and our veterans have earned the support and care they deserve by dedicating their lives to keep American families safe. The passage of today's bill will provide for a 1.7 percent troop pay increase, controlled copay rate increases for TRICARE beneficiaries, and institute new procedures and regulations to combat and prosecute sexual assault within the military.

It is my hope that this legislation will pass the House overwhelmingly this evening, receive full support in the Senate, and promptly arrive on the President's desk for his signature. Our national security depends on it.

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

GREAT LAKES RESTORATION INITIATIVE

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

Mr. HIGGINS. Mr. Speaker, the Great Lakes are our Nation's greatest natural resource. They are the source of 95 percent of our surface freshwater and are directly connected to 1.5 million jobs.

Though efforts to protect and restore the Great Lakes have made great strides over the past several decades, many challenges remain. Invasive species, pollution, and habitat loss in the Great Lakes have a negative effect on recreation and tourism, as well as on the general economy.

I was pleased to sign a bipartisan letter along with other Members of the House to request at least $300 million for the Great Lakes Restoration Initiative in the President's fiscal year 2014 budget.

Mr. Speaker, the Great Lakes Restoration Initiative has been invaluable in efforts to protect and restore the Great Lakes. I strongly encourage the President and my colleagues in Congress to ensure that it is fully funded going forward.

FISCAL CLIFF

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

Mr. PALAZZO. Mr. Speaker, today, this body will take up legislation that will cut spending, replace the dangerous defense sequester, and protect millions from the biggest tax hike our country has ever seen. This is a good first step. The costs are simply too high to go over the fiscal cliff.

Earlier this week, the CPA Caucus met with former Comptroller David Walker to discuss what we truly need for meaningful, long-term reform. Walker proposed six basic principles that I want to share with this body today:

1. Pro-Growth. Truly pro-growth policies will empower our small businesses rather than strangle them with taxes and regulations at every turn.

2. Socially equitable. We're in this together, and we cannot expect one income bracket to bear the burden of solving all of our problems.

3. Culturally acceptable. We need the support and backing of the American people to enact good solutions.

4. Mathematically possible. We cannot continue to ignore the bottom line. I'm a CPA. To me, it's obvious that we have to balance our books.

5. Politically feasible. Our solutions won't always be perfect, but they have to be proposals both sides can agree on.

6. Bipartisan support. We can agree to disagree on certain matters, but we must still work together.

These six principles can be our bridge forward.

HONORING NEW MEXICO SPEAKER OF THE HOUSE BEN LUJÁN

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

Mr. HEINRICH. Mr. Speaker, I rise today to honor one of New Mexico's great leaders, New Mexico Speaker of the House Ben Luján, who passed away Tuesday night after his battle with lung cancer. Speaker Luján is the father of our colleague, and my friend, Congressman BEN RAY LUJÁN.

First elected to the State legislature in 1974, Ben Luján served as speaker of the house from 2001 until 2012. Throughout his tenure in the House, Speaker Luján showed that he was a champion for working families, a tireless advocate for his constituents, and an absolute master of legislative strategy.

At the beginning of this year, when Speaker Luján spoke to the legislature of his battle with cancer, he encouraged everyone to make their time on Earth worthwhile and to ''make a difference for the children, our working families, and for the elderly.'' Speaker Luján has inspired me and so many New Mexicans to do just that. Our good thoughts and prayers are with his wife Carmen, with BEN RAY, and with the rest of the Luján family.

BALANCING THE BUDGET

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

Mr. DESJARLAIS. Mr. Speaker, it seems there are those who still fail to realize that we cannot continue down this road of fiscal insanity. It isn't politics; it's math. Our spending is simply unsustainable, yet we have not seen a serious proposal from the White House to address our trillion-dollar deficits.

The President thinks the answer is more taxes. But while the tax increases President Obama is calling for would hurt small businesses, they would have little effect in reducing our deficits. That is because our debt is being driven by spending, plain and simple. Therefore, to solve our problem, we must implement serious spending cuts and reforms.

The good news is this isn't hard to do; we just have to look at the amount of revenue coming in and not spend more than that. Rather than spending more than we can afford, we must prioritize our spending. Hundreds of millions of Americans do this every day. If my constituents in Tennessee can balance their budgets, so can Washington.

HONORING REPRESENTATIVE ELTON GALLEGLY

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, down here in the well sometimes when you hear what we all say to each other you might think that we are not a very friendly bunch towards each other, but I want to let people know today that we actually have a lot of friendships here on this floor. I'm going to take the time this week before we break for Christmas to say goodbye to some of my friends who are leaving from Congress—especially from the Democratic side, but I have a particularly good friend on the other side, Congressman ELTON GALLEGLY.

He has had a congressional career here for 25 years. He's been a leader and a fierce defender of animal rights. With the successful passage of legislation that he recently sponsored, the creation and the sale of videos depicting the torture of animals is forever illegal. Animal lovers across the country are thankful for his leadership on that.

Though ELTON and I a lot of times disagree on a lot of things politically, we've become very close friends over the years. I have sought his guidance on many issues here, on foreign affairs, on transportation, and even on some outside things, outside of this, maybe even in my own personal life.

So I want to thank him for being a good friend. I wish him a lot of luck in his next chapter of his life, and I just want to tell him that I will miss him.

HONORING JAY PIERSON

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

Mr. GINGREY of Georgia. Mr. Speaker, I rise today to honor the distinguished career of someone who is a friend to me and my colleagues, and that's Jay Pierson.

For 34 years, Jay has been a mainstay of the House and the floor. He began his congressional career back in 1978 with then-Republican leader John Rhodes. Throughout his tenure, he has worked for Speakers Newt Gingrich, Dennis Hastert, and now JOHN BOEHNER.

Since I came to the House in 2003, I have known Jay to be a true student of this institution. He has helped me personally—and countless other Members—learn how this body works, and he has been quick to assist a Member with any question about the floor, or even a good book recommendation.

Mr. Speaker, what most people may not know about Jay is that, in addition to a bachelor's degree from Westmont College and a master's degree from California State University, he earned his Ph.D. from the University of Maryland.

In his upcoming retirement, I want to thank Jay for his service to this great institution. I wish he and his wife, JoAnne, all the best in their future endeavors. My friend, Jay Pierson.

PLAN B

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

Ms. LEE of California. Mr. Speaker, I rise in strong opposition to the Republican so-called ''Plan B'' bill. Not only would it not address the so-called fiscal cliff—it's really a human cliff—but it's a pure political gimmick to distract from the Republicans' failure to negotiate in good faith.

Mr. Speaker, we cannot grow our economy or reduce our deficits by making even more cuts on the backs of children, veterans, our seniors, our disabled, and the millions of Americans in poverty. Low-income and middle-income Americans have already been slammed by $1.5 trillion in cuts to the safety net, mind you, that they rely on every day.

A fiscally responsible and balanced approach would be to immediately pass the $1.5 trillion in new revenue to match the cuts that we've already made, while protecting middle class tax cuts.

Mr. Speaker, 98 percent of the American people have already paid their fair share; it's time for the wealthiest 2 percent to do the same. Let's not forget the over 2 million who will lose their unemployment benefits December 29. Mr. Speaker, please don't let them fall off this human cliff during this holiday season. We should extend this today.

□ 1220

THE FISCAL CLIFF

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

Mr. BROUN of Georgia. Mr. Speaker, we've reached the fiscal cliff not because we tax too little, but because we spend too much. We are focusing on whom to raise taxes and by how much. This debate really should be about outrageous spending.

Many people believe that what's happening in Greece cannot happen in the United States. But think about it, Greece kept borrowing and spending until eventually they couldn't pay their public workers, take care of the elderly and the poor, or deliver any of the services they promised to its people. The United States is headed down the very same path.

We'll be right back here having this same debate very soon if we don't cut spending. Instead of discussing taxing the top 2 percent, the next time it will be the top 50 percent, and so on, until we are all being taxed—everyone—but spending so much that we still cannot meet our obligations.

This debate should be about spending, not taxes, so that we can give the American people what they want—a strong economy and a guarantee that programs like Social Security and Medicare will remain intact.

PLAN B HURTS EVERYBODY

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

Mrs. CHRISTENSEN. Mr. Speaker, as if the Speaker's Plan B were not bad enough—not extending unemployment benefits or fixing the SGR so seniors would continue to have their doctors, killing jobs, again threatening the full faith and credit of our country, and leaving the sequester cuts in place—last night the Republicans dug up the horrible reconciliation bill that they pushed through this House in May. They should have left it over in the Senate where it went to die a timely death.

The reconciliation bill they will put up with it for a revote today is like Plan B, just worse. It will cut food stamps, eliminate the social services block grants, and weaken the consumer protections that we put in place. They can't help themselves. They'll make one more attempt to roll back much of the Affordable Care Act, including repealing the public health fund and funding for the exchanges, cutting the children's health insurance program, and taking away all of the Medicaid funding that was provided for the territories.

Either way, these bills would hurt many people—poor, middle class Americans, children and seniors, all to save tax cuts for the wealthy. On November 6, Americans voted for us to work together to strengthen our country, not weaken it. These highly partisan bills will hurt our country, and no one should vote for either of them.

AVOIDING THE FISCAL CLIFF

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I wonder if anybody is listening. The message from the American people is loud and clear: extend the middle class tax cuts now. Republican leadership is holding hostage tax cuts for 98 percent of Americans and 97 percent of small businesses to give more tax breaks to the wealthiest Americans. Democratic Members of Congress have commonsense solutions, and we can't wait around any longer as real proposals languish while the House GOP gets its act together.

I, along with 181 of my colleagues, have signed the discharge petition to automatically bring to the House floor the Senate-passed middle class tax cuts which the President has said he will sign immediately. This could be an opportunity for us to work together, resolve some of our differences, and offer the American people the kind of Congress they want: working together.

TAXES

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

Mrs. CAPPS. Mr. Speaker, I rise to express my disappointment that House leadership is again playing political games instead of getting our work done. With time running short, they've decided to prohibit a vote on extending the middle class tax cuts for families making up to $250,000 per year. Instead, we will only be voting on the so-called Republican Plan B.

Plan B is yet another giveaway to the wealthiest 1 percent of Americans and at the expense of middle class families. It forces middle class families to pay $1,000 more a year in taxes in order to give millionaires a $50,000 break. That's not what the American people voted for in November. They sent a clear message that they wanted us to put aside our differences and work together to pass a balanced plan that protects middle class families and ensures that everyone pays their fair share.

We agree. We all agree that families making up to $250,000 should not see their taxes go up on January 1. We could pass that bill today and give millions of families across this country peace of mind, but we're not even getting to vote on that bill. Instead, we're taking a symbolic vote that solves nothing. My constituents—all of our constituents—deserve better.

HONORING THE LIFE OF LEONILA VEGA

(Ms. LINDA T. SÁNCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, today I come to the floor to honor Leonila Vega, a ferocious advocate for seniors and people with disabilities. In her role as the executive director of the Direct Care Alliance, I worked closely with her to improve the conditions of work for those who provide in-home care and, with it, the quality of care that they provide for others.

Although she lost her battle with cancer on November 19, the battle she waged for quality care and dignity for workers continues.

I cannot adequately describe all of her accomplishments in one short minute, so I'm submitting a longer statement for the RECORD. But I do hope that in honoring her today and talking about her passion, I hope that her passion for social justice is an inspiration to all of us.

RECOGNIZING THE ACHIEVEMENTS OF SENATOR BARBARA A. MIKULSKI

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

Mr. CUMMINGS. Today, I am incredibly pleased to congratulate my dear colleague, Senator BARBARA A. MIKULSKI, for her ascension to the chair of the Senate Appropriations Committee. Senator MIKULSKI's commitment to our great State is undeniable. She has worked tirelessly throughout her prestigious career to serve her fellow Marylanders, first as a social worker, and now as one of the most influential Members of the United States Senate.

Senator MIKULSKI is a leader that Maryland and, truly, our Nation, can be proud of. She was the first woman elected to the Senate who was not preceded by her husband or father and has continued breaking barriers ever since. This trend continued yesterday when she became the very first female Senator in the history of our Nation to become the chair of the powerful Appropriations Committee.

I'm honored and proud to serve alongside her here in the United States Congress, and I look forward to continuing to work together with her for the betterment of our Nation.

NEWTOWN, CONNECTICUT, AND GUN SAFETY REFORMS

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

Mr. MORAN. Mr. Speaker, I rise today, first of all, to express my deepest condolences to the families and friends of those killed in last week's tragic elementary school shooting in Newtown, Connecticut.

But this incomprehensible act of violence should compel us to address the larger context. It is a fact that over 10,000 Americans are murdered by gun violence each year. No other civilized nation on the planet experiences anything like this annual gun slaughter, but we have 5 percent of the population and own 50 percent of the world's guns.

Now, the needed reforms are not radical. Many, including closing the gun show loophole and requiring gun owners to report to police lost or stolen guns, are even supported by the vast majority of NRA members. It would be far too simplistic and self-serving, though, to lay the blame for this inaction on the most commonsense measures entirely at the feet of the NRA, which we're inclined to do because the truth is that we, as the representatives of the people, are the ones who are ultimately responsible for doing nothing to protect our constituents.

The fact is that if we don't take action now, we're all complicit in the next massacre of innocents.

□ 1230

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 4310, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 840 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 840

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The previous question shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) one hour of debate; and (2) one motion to recommit if applicable.

The SPEAKER pro tempore. The gentleman from Utah is recognized for 1 hour.

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

GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent that all Members may have 5 legislative days in which they may revise and extend their remarks.

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

There was no objection.

Mr. BISHOP of Utah. As is customary for this conference report, this is a closed rule which provides for the consideration of the conference report to accompany H.R. 4310, the Defense Authorization Act for Fiscal Year 2013, and provides 1 hour of general debate, with 30 minutes equally divided and controlled by the chair and the ranking minority member of the House Armed Services Committee.

I'm actually pleased to stand before the House today in support of the rule as well as the underlying legislation, which was H.R. 4310, and the conference report that accompanies the Defense Authorization Act for Fiscal Year 2013.

I also have to, at the beginning, thank the chairman of the House Armed Services Committee, Mr. MCKEON, for his hard work and his steady leadership on this bill, as well as the ranking member, Mr. SMITH of Washington, for continuing the time-honored tradition of close cooperation and bipartisanship when it comes to defense and producing this conference report. I also thank the professional staff, which has worked closely together on literally hundreds of very difficult and often very technical issues and has done so cooperatively in an extremely responsible manner.

I'm very proud that the Armed Services Committee produced a bill in a very bipartisan manner. I'm proud of the floor of the House who voted and passed, in a bipartisan way, this bill back in May. The Senate has finally decided to pass the bill in December. That the Senate has passed a bill is commendable. It is unusual, but it is also commendable. The fact that they have done this here gives us an opportunity of passing one of the few bills that must be done in every session of Congress. The Senate's procrastination on this effort is one of the things that is worrisome. I only hope that in the years to come, the Senate majority leadership will return to acting expeditiously, deliberately, and in a more timely manner in something that is this important.

It is actually a testament to the competency and professionalism of the House Armed Services Committee staff, the House leadership staff, and the Rules Committee staff that this enormous and complex conference agreement could be rescued at the end of what is becoming an otherwise contentious lame-duck session.

Mr. Speaker, in our Rules Committee meeting the other day, we had the opportunity of having Mr. HASTINGS and others refer to the Constitution. It is very significant that in the beginning of the Constitution, the Preamble, that we talked about creating a more perfect Union. A more perfect Union is not a grammatical flaw that was introduced by the Founding Fathers. It had a specific historical context. It also talked about preserving or promoting domestic tranquility, which had, also, a specific historical context which had nothing to do with America being sedate or tranquil. It had something to do with the specific concept of private property. It also talked about promoting general welfare, even though they had a uniquely different idea of the word ''general'' than we have today.

But in providing in the intermediary with all these provisions is also the word that we are supposed to provide for the common defense. It was not unusual that that word was in there, put in by Gouverneur Morris and the rest of them.

When the Founding Fathers met to write our Constitution, they were looking at the historical milieu of the day and the concepts that were going on at that time. They responded in a way to try to make sure that they solved the problems of the day in a way that would never come up again. The concept of providing for the common defense became one of the core constitutional responsibilities that was extremely significant.

We had won the Revolutionary War, but we had also—several of the States—violated the treaty with Britain. The inability of some States to protect Tory property had given the British the reason to continue to have armed British soldiers on American soil or British forts on American soil. We could not, under the Articles of Confederation, control our borders. The British were arming subgroups coming in here to do more than just destroy our domestic tranquility, but also to take down and harm the lives of Americans. It seems some things never change.

But the Articles of Confederation and Congress could not respond to this. They had an Army of only 700 people. There was no Navy to control the shipping or protect our shipping rights. The Articles of Confederation and Congress realized what we should also realize that if we do not have an adequate and strong defense, not only can we not militarily defend this country, but we don't have the ability of diplomatically trying to reach solutions to problems without resorting to military efforts. They realized that this was one of the flaws of America when they wrote the Constitution.

So it is not unusual for them to specifically put in here that one of the responsibilities that this House has is to provide for the common defense. It is not unusual that in article I, section 8, there are 17 clauses. Seven of those 17 clauses, as well as the introduction, talk about the necessity of military defense and military preparedness for this country. They recognized how significant that was, not just for defending militarily, but also for the future and the diplomatic abilities of the future United States.

This bill deals with one of the few core constitutional responsibilities that we had. Fortunately, over the past 51 years, Congress has been able to come together in an amazingly bipartisan way to come up with a Defense authorization bill that provides our Defense agencies the ability to function, to train, to equip our forces, and to provide for our military personnel and their families.

We are betting if we do not do this, that the large-scale threats to our national security will be so far in the future we can just sort of tread water. I hope sometimes that they are right, but that treading would not be what the Founding Fathers would look at as providing for the common defense.

In a real world, there would be what I would consider to be a more significant and effective bill, but we're not dealing with the real world. We are dealing, though, with real-world issues. Part of the issue is that we are looking at a world that is extremely dangerous for us—we do not know what the future enemy will be—and we are also dealing with a world in which we are continually trying to diminish our military presence.

Our Navy is smaller than it has been since 1917. Our Army will be smaller than it was at the beginning of World War II. Our Air Force is the smallest it has ever been in the history of this country, with the oldest planes that we've ever had. Those issues are issues that are significant, they are important, and they must be addressed. And those are going to be ongoing, long-term issues.

This particular bill does not do as much to address that particular problem and give us the security of the future as I wish it could do. That's only because we are not dealing in a perfect world where we can establish the setting that we wish to do. We have to deal with the setting in which we find ourselves.

□ 1240

Having said that, there are a lot of things in this particular conference report and in the House-passed bill which are very, very positive, and they do move us forward. As we continue the discussion of this rule as well as the debate of the conference report on the floor, we will talk about some of those things that are positive and that do move us forward.

With that, Mr. Speaker, I look forward to the continuing discussion about talking about what is, indeed, in this particular bill.

I reserve the balance of my time.

Mr. MCGOVERN. I want to thank the gentleman from Utah for the time, and I yield myself such time as I may consume.

I rise in opposition to the underlying bill, the National Defense Authorization bill.

I recognize and appreciate all of the hard work that went into crafting this conference report—on both sides of the aisle. I commend Chairman MCKEON and Ranking Member SMITH and all their staffs for all of the work that they have done. I especially appreciate that the final version of the bill includes a modified version of the Merkley amendment on Afghanistan that was approved by the United States Senate, but unfortunately, the final product contains policies that I simply cannot support.

The bill increases funding—beyond the Pentagon's request—for several programs, including a new missile defense base on the east coast. The bill also denies the Pentagon the opportunity to save money with its failure to include a cut to the contractor comp cap, its failure to include a round of base closures, and its failure to implement end-strength troop reductions even though we are supposedly ending our involvement in two wars.

At a time when Congress is being asked to look for savings, even considering cutting vital programs like Social Security, it is unconscionable to me that we would continue to mandate wasteful funding that the military has said it does not need and does not want. How can we look into the eyes of a senior citizen who is living off of Social Security and tell him that his cost-of-living adjustment will be smaller so that we can buy weapons that the military doesn't even want?

Also very troubling to me is that this bill continues to prevent the President from fulfilling his commitment to close the Guantanamo Bay prison camp by imposing unnecessary and ill-advised transfer restrictions. Mr. Speaker, I am proud to serve as the cochair of the Tom Lantos Human Rights Commission. We constantly and appropriately criticize other countries for their lack of transparency and adherence to the rule of law. The continued existence of Guantanamo undermines our standing around the world. The President has said repeatedly that he wants to close Guantanamo. There is broad bipartisan support among national security experts for him to do so. Congress just needs to get out of the way.

Mr. Speaker, while I support a great deal of this bill, especially programs and services for our veterans and military retirees, I cannot support a bill this large when we are in the middle of negotiations on the so-called ''fiscal cliff.'' The Pentagon is more willing than this Congress to look at the defense budget and make thoughtful but significant reductions. This bill continues to show that, when it comes to defense spending, Congress is part of the problem, not part of the solution.

I would like to insert into the RECORD an article that appeared in today's Washington Post by Walter Pincus, entitled, ''Military funds to spare?,'' in which he quotes Secretary of Defense Panetta in a speech. He said that the committees here in the Congress ''had diverted about $74 billion of what we asked for in savings in our proposed budget to the Congress, and they diverted them to other areas that, frankly, we don't need.'' That is from the Secretary of Defense.

I would also like to insert into the RECORD a letter to the President that was sent to Members of Congress as well, urging that he veto the National Defense Authorization Act because it extends restrictions on transferring detainees out of the Guantanamo prison.

Mr. Speaker, let me just conclude my opening here by saying that I want a defense second to none. I believe that we need to do whatever we need to do to protect the citizens of this country, but just throwing more money at the Pentagon doesn't mean that you're getting a stronger defense. Expanding the bloat and the waste in the Pentagon does nothing to enhance our national security. We need a new definition of ''national security,'' one that includes things like jobs for our citizens, one that includes access to a good quality education, one that includes a strong infrastructure, one that includes good health care for everybody in this country, an end to homelessness, and an end to hunger in the United States of America.

I say this because, after we debate this rule, we're going to take up another rule dealing with the so-called ''Plan B'' and ''Plan C,'' and maybe there's a Plan D and a Plan E, who knows. What is particularly troublesome to me is that, in the tax version of what the Republicans are going to bring to the floor later, it includes things like ending programs that benefit middle-income families and poor families.

Under their proposal, 25 million working families with tens of millions of children will pay an average of $1,000 more in taxes. That's not fair. That undermines the economic security of that family.

Under their proposal, 11 million families would lose a tax credit that helps pay for college. How is that in our security? We're told time and time again by all of the experts that, in order for us to continue to be an economic global power, we need a well-educated workforce. So what are they proposing? That 11 million families lose their tax credits to help pay for college.

Fifty million seniors and other Medicare enrollees' health care would be jeopardized as doctors face a 27 percent cut in Medicare payments under this proposal. That's just the tax version of what they're proposing. We haven't even gotten to what they're proposing in terms of spending cuts.

So here we are, talking about a Defense Authorization Act that is more money than our Pentagon wants, that is more money than our Joint Chiefs of Staff want, that is more money than the Secretary of Defense wants. As we're doing this, we're telling the American people that we have to lower your cost-of-living adjustment on Social Security, that we have to lower your quality of health care, that we have to cut some money from housing programs, that we have to cut SNAP and food stamps so that you won't have enough to eat.

This is crazy. This is crazy. So, yes, we're all for a military and a defense second to none, but I will tell you that some of our biggest threats are not halfway around the world—they're halfway down the block. We have to start paying attention to what's happening in this country, so I urge my colleagues to vote ''no'' on this bill.

I reserve the balance of my time.

[From the Washington Post, Dec. 19, 2012]

MILITARY FUNDS TO SPARE?

(By Walter Pincus)

Congress and Defense Secretary Leon E. Panetta showed this week that there are hundreds of millions, if not billions, of loose dollars in the Pentagon's budgetthat can be shifted around without apparent harm to national security.

In a speech Wednesday at the National Press Club, Panetta voiced his frustration at changes the House and Senate armed services committees had made in the fiscal2013 defense authorization bill. At one point he said that the committees ''had diverted about $74 billion of what we asked for in savings in our proposed budget tothe Congress, and they diverted them to other areas that, frankly, we don't need.''

He spoke about ''pressure on the department to retain excess force structure and infrastructure instead of investing in the training and equipment that makes ourforce agile and flexible and ready.'' Without specifying programs, Panetta mentioned having to keep ''aircraft, ships, tanks, bases, even those that have outlived their usefulness, [but] have a natural political constituency.''

As if on cue, just two hours after Panetta's speech, the chairmen of the Senate and House armed services committees—Sen. Carl Levin (D–Mich.) and Rep. HowardP. ''Buck''

McKeon (R-Calif.)—released summaries of the House-Senate conference report on the fiscal 2013 defense bill that contained funding changes illustrating some of what Panetta had been complaining about.

For example, the conferees approved more than $500 million to continue the Global Hawk Block 30, high-altitude, long-endurance unmanned aircraft that have integrated imagery, radar and intelligence sensors. The Pentagon had decided to risk terminating this version of Global Hawk (there are others in use and being built) and noted that it would save $800 million in fiscal 2013 and $2.5 billion over the next five years.

Two other congressional add-ons illustrate members' desire to keep plant production lines open—and jobs filled. They were $136 million to upgrade the M1 Abrams tank and $140 million to modify the M2 Bradley armored vehicle. And $45 million was added to funds to purchase F–18s to hold open ''the option of buying more'' in fiscal 2014. In the nuclear area, Congress added $70 million toward construction of a $3.7 billion building for research on plutonium at the Los Alamos National Laboratory in New Mexico that the administration wanted to delay for two more years.

Two other congressional favorites got boosts beyond what the Pentagon approved. One was an added $152 million for missile defense; the other, for $143 million, went to Special Operations Command for an imagery intelligence program its commander wanted but higher-level officials vetoed. The conferees' message: What Special Ops wants, it gets.

One compromise reached over the past month involved the administration's controversial plan to reorganize military air transport assets that affected Air National Guard bases around the country, a step that mobilized opposition not just from Congress but from governors of the states involved. The solution was to halt the retirement of 26 C–5A aircraft, ''holding the strategic airlift total at 301 aircraft, until the Defense Department completes a comprehensive study of air mobility requirements,'' according to the House committee. In addition, the Air Force will maintain an additional 32 C–130 or C–27J tactical airlift aircraft, some of which were going to be retired.

As he has in the past, Panetta said that health-care costs for the military were growing fast and had hit $50 billion this year. The need was for some cost controls, but the conferees blocked any increase in fees for the Defense Department's heath-care program, known as TRICARE, or any effort to establish new ones.

Meanwhile, the conferees took steps to cap the rate under which the Army and Marine Corps reduce force numbers over the next five years. And somehow they found excess funds to provide provisions to ease the blow to the roughly 100,000 service personnel that are let go. Those individuals will be permitted to reside in military housing with their families for six months after their date of separation and use commissary and exchange stores for two years after separation.

There was one $188 million reduction that neither Panetta nor the conferees touched—the one for military bands.

The Army maintains 99 bands, many of them National Guard-based, and intends to spend $221.1 million on them during fiscal 2013. That's up $3.3 million from fiscal 2012. The Navy has 14 bands that will cost an estimated $55.6 million next year, while the Marine Corps has 12 bands that will cost $53.6 million in 2013. The Air Fe has 12 active-duty and 11 Air National Guard bands. Together they cost an estimated $58 million.

RE: VETO THE NATIONAL DEFENSE AUTHORIZATION ACT BECAUSE IT EXTENDS RESTRICTIONS ON TRANSFERRING DETAINEES OUT OF THE GUANTANAMO PRISON

DEAR PRESIDENT OBAMA: The undersigned human rights, religious, and civil liberties groups strongly urge you to veto the National Defense Authorization Act for Fiscal Year 2013 (NDAA) because it would impede your ability to close Guantanamo. Specifically, the NDAA conference bill restricts the Executive Branch's authority to transfer detainees for repatriation or resettlement in foreign countries or for prosecution in federal criminal court for the full fiscal year.

Your commitment to close the Guantanamo prison was a hallmark of your 2008 campaign and a signal to everyone, both across America and around the globe, of a renewed commitment to the rule of law. Your executive order, on your second full day as president, directing the government to close the prison should have heralded the end of the prison, but instead triggered a long series of failures and obstacles to its closure. There are still 166 detainees left at Guantanamo, and the promise of closing the prison remains unfulfilled.

We appreciate that you publicly renewed your commitment to closing Guantanamo in public comments this fall, and we strongly believe that you can accomplish this objective during your second term. You can still make the successful closing of the Guantanamo prison an important part of your historic legacy.

However, if the NDAA is signed with any transfer restrictions in it, the prospects for Guantanamo being closed during your presidency will be severely diminished, if not gone altogether. The current statutory restrictions on transfer expire on March 27, 2013. Those restrictions—which have been in place for nearly two years with zero detainees being certified for transfer overseas and zero detainees transferred to the United States for prosecution—are functionally similar to the restrictions in the NDAA bill pending in Congress. If extended for the entire fiscal year, then nearly a year of your second term could be lost, and the political capital required to start closing it later in your next term will be even greater.

Now is the time to end the statutory restrictions on closing Guantanamo, by vetoing the NDAA because it extends them. When signing earlier versions of these restrictions into law, you stated, ''my Administration will work with the Congress to seek repeal of these restrictions, will seek to mitigate their effects, and will oppose any attempt to extend or expand them in the future.'' The restrictions have proven unworkable, and should not be extended for yet another year.

There is broad support among national security and foreign policy leaders for closing Guantanamo. Your own national security and foreign policy leadership team shares your commitment to closing Guantanamo. The list of leaders who support closing the Guantanamo prison is long, and crosses party lines, including: former President George W. Bush, former Secretary of State Condoleezza Rice, former Secretary of State Colin Powell, former Secretary of Defense Robert Gates, former National Security Advisor James Jones, General Charles C. Krulak (ret.) former Commandant of the Marine Corps, General Joseph P. Hoar (ret.), former CETCOM commander, and Brigadier General Michael Lehnert (ret.), who set up the Guantanamo prison, and 25 retired admirals and generals. Closing Guantanamo is good human rights policy and good national security policy.

We realize that there is a long tradition of the NDAA being enacted annually. However, an annual NDAA is not required for the Department of Defense to carry out its functions. The NDAA does not fund the Department of Defense, and all of its provisions can be either implemented by agency action or enacted as part of other legislation. Four of your five immediate predecessors—Presidents Carter, Reagan, Clinton, and George W. Bush—each vetoed an NDAA. Restrictions impeding the closing of the Guantanamo prison clearly warrant a veto by you.

We believe that you will be far more likely to succeed in fulfilling your commitment to closing the Guantanamo prison if the transfer restrictions are allowed to expire on March 27, We strongly urge you to veto the NDAA, because it includes an extension of the restrictions on transferring detainees out of Guantanamo for either repatriation or resettlement overseas or prosecution in the United States. Thank you for your attention to this request.

Sincerely,

American Civil Liberties Union, American Friends Service Committee, Amnesty International USA, Appeal for Justice, Bill of Rights Defense Committee, Brennan Center for Justice, Center for Constitutional Rights, Center for International Policy, Center for Victims of Torture, Commission on Social Action of Reform Judaism, Council on American-Islamic Relations, Defending Dissent Foundation, Disciples Justice Action Network, Friends Committee on National Legislation, Human Rights Watch, International Justice Network, Japanese American Citizens League, Maryknoll Office for Global Concerns, National Association of Criminal Defense Lawyers, National Religious Campaign Against Torture, Peace Action, Presbyterian Church (USA) Office of Public Witness, Physicians for Human Rights, Psychologists for Social Responsibility, Rabbis for Human Rights—North America, United Church of Christ Justice and Witness Ministries, United Methodist Church, General Board of Church and Society, Unitarian Universalist Association, Win Without War.

Mr. BISHOP of Utah. I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, at this time, I yield 2 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Let me thank the ranking member and chairman of the Rules Committee.

Today, I rise to discuss just one portion of the National Defense Authorization Act. It is a section of the conference report that supports our Nation's first responders, and I signed the conference report for that section only.

In July of last year, I introduced legislation to reauthorize two programs—the Assistance to Firefighters Grant Program, the AFG Program, and the Staffing for Adequate Fire and Emergency Response Program, the SAFER Program. These programs were created to help local fire departments across the country maintain and increase their capacity to do all that we ask them to do each day, including fighting fires, responding to medical emergencies, and providing safety and aid in the face of disasters, either natural or manmade.

Maintaining the equipment, training, and personnel to safely and swiftly respond to calls for assistance is increasingly difficult. Fire departments around the country have been forced to lay off firefighters and to do without needed equipment and training. The fire grant programs have played an important role in helping local fire departments overcome some of these challenges, providing over $6 billion in assistance since the year 2000. These grants have been essential to maintaining public safety in many communities, and they're even more important in the face of our shrinking local budgets.

Fire is a serious problem in the United States, killing over 3,000 people a year, which is a rate higher than in all other industrialized countries. Additionally, each year, nearly 20,000 people are injured, over 100 firefighters are killed in the line of duty, and $10 billion in property is lost due to fire.

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

Mr. MCGOVERN. I yield the gentlelady an additional 1 minute.

Ms. EDDIE BERNICE JOHNSON of Texas. Thank you very much.

In my State of Texas, 2011 was an especially destructive year, with 4 million acres burned, over 5,500 homes and structures destroyed, and hundreds of millions of dollars in damages.

Mr. Speaker, I rise today to discuss just one portion of the National Defense Authorization Act—a section of the conference report that supports our nation's first responders. In July of last year, I introduced legislation to reauthorize two programs—the Assistance for Firefighters Grant (AFG) Program and the Staffing for Adequate Fire and Emergency Response (SAFER) program. These programs were created to help local fire departments across the country maintain and increase their capacity to do all that we ask of them each day, including fighting fires, responding to medical emergencies, and providing safety and aid in the face of disasters either natural or man-made.

Maintaining the equipment, training, and personnel to safely and swiftly respond to calls for assistance is increasingly difficult. Fire departments around the country have been forced to lay off firefighters and to do without needed equipment and training. The fire grant programs have played an important role in helping local fire departments overcome some of these challenges, providing over $6 billion in assistance since 2000. These grants have been essential to maintaining public safety in many communities and they are even more important in the face of shrinking local budgets.

Fire is a serious problem in the United States, killing over 3,000 people a year—a rate higher than all other industrialized countries. Additionally, each year nearly 20,000 people are injured, over 100 firefighters are killed in the line of duty, and $10 billion in property is lost due to fire. In my State of Texas, 2011 was an especially destructive year with 4 million acres burned, over 5,500 homes and structures destroyed, and hundreds of millions of dollars in damages.

Statistics show that minorities and low-income Americans are disproportionately the victims of fires. In addition to providing the resources necessary to ensure our fire departments have the equipment and personnel they need, the United States Fire Administration, which is also reauthorized in the conference report, supports fire prevention and safety activities, promotes the professional development of the fire and emergency response community, and conducts research, testing, and evaluation to help reduce fire deaths, injuries, and loss.

We need to ensure that our firefighters and emergency medical personnel have the tools that they need to protect us. Reauthorization of the fire grant programs and the United States Fire Administration will do just that.

The good news is that, even in these times of increasing partisanship, these common sense provisions have once again garnered widespread support. I am pleased that the bipartisan co-chairs of the Congressional Fire Services Caucus have joined me in supporting the reauthorization of these critical programs. As the Ranking Member of the House Science, Space, and Technology Committee, which has jurisdiction over these programs, I hope the rest of my colleagues will join us in supporting these provisions.

Mr. BISHOP of Utah. I continue to reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, at this time, I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

□ 1250

Mr. KUCINICH. In this discussion over the NDAA, we arrive at a moment where we meet the moral consequences of our Nation's choices over the past decade. We chose war in Iraq, Afghanistan, Pakistan, Libya, Yemen, Somalia, and perhaps later on Iran. Inexplicably, we've created openings for al Qaeda and radical fundamentalists as a result of our interventions. At home, we choose a false notion of security over personal freedom, even if it means we look the other way when the very language of this bill opens the door for indefinite detentions of Americans. And we choose poverty over plenty by giving over a half trillion dollars to the Pentagon and nearly $90 billion for wars, including Afghanistan, while facing reductions in domestic spending.

We put war on the Nation's credit card, including a $5 trillion charge for the war in Iraq, which was based on lies. We gather at a fiscal cliff of our own making and refuse to see the implications of our unrestrained spending for war. But when it comes to providing for the long-term security of our seniors, a cynical ploy using the Consumer Price Index is being used to cut seniors' Social Security benefits.

When did America become more concerned about the control of and the security of foreign lands than the retirement security of our own people? Unending war abroad means austerity here at home. It's caviar for the Pentagon and cat food for seniors. Our choices are being made, but when will we choose for America jobs for all, education for all, health care for all, housing opportunities for all, retirement security for all? When will we choose freedom over fear? When will we break the hold which fear has over this Nation and our budget choices?

I'm voting ''no'' on this bill.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

In the cacophonous list of things that this bill does not do, one can even look at some other areas. I mean, there are other areas in which we have problems in the defense of this country and future challenges that are before us, even in the modernization of our weapons system.

Even as Russia has fielded new and modernized nuclear ICBMs, the U.S. land-based nuclear deterrence is in need of future modernization; and yet this administration has cut resources to begin planning for the upgrading and modernization of our ICBMs and related nuclear-based systems that have largely been ignored. This trend simply cannot continue.

But having recognized those problems that are there, it is also time to realize what this bill actually does that moves us, as a Nation, forward:

It will provide $552 billion, which is $2 billion more than the President requested, and that is a plus;

It increases the pay for our all-voluntary forces by 1.7 percent and provides critical bonuses for those who are now working in harm's way;

It keeps the faith with the military retirees and our veterans in regard to TRICARE, and rejects the administration's proposal to increase fees and copayments on them;

It deals with the issue of troop reduction in a responsible way by putting caps on the number of troop reductions that can be placed in a single year;

It has a conscience clause for servicemen and for chaplains;

It implements the Hyde amendment;

It addresses sexual assault with bipartisan, specific new regulations and procedures for combating and prosecuting sexual assaults within the military;

It has a total new program to provide and help with suicide prevention for dealing with those people who have volunteered to represent this country in the military;

It opens up new bipartisan reforms for competition and innovation in the way the Department deals with small businesses and spurs on innovation;

It deals with strategic forces like the NNSA reforms, our nuclear oversight, our missile defense system, the Iron Dome;

Its provisions dealing with Guantanamo Bay, which prohibit the transfer of detainees to the United States, are the exact right thing that should be done;

It also looks at retaining our vital systems like our naval cruisers, our airlift capacities, Global Hawk, the anti-armor, and investing in new future capabilities that we need like airborne electronic warfare. The aircraft that we need, the submarines, the destroyers that happen to be there; and,

indeed, it has a section in there dealing with the sanctions on Iran.

All of those are specific and important to us.

We have a responsibility to make sure that this core constitutional responsibility of ours is done efficiently. I want it to be known that those who are in the military uniform must respond to the higher-ups which they are dealing with. The Secretary of Defense must deal with walking a line of talking about what they have to do and what they wish they could do. In no way does anyone in uniform say that things that are put in this budget is something that they do not need or do not want.

We have cut the military in this country when we were cutting nothing else. While we were running up stimulus bills, we were still cutting the military. We cut them in the last 2 years of the Bush administration. Under Secretary Gates, it was a $400 billion cut. All told, the cuts that this Congress has put on the fence when it has not cut other areas is between $800 billion and $1 trillion, and that doesn't even count what could happen within sequestration.

We seem to forget, as we're looking, and we take some of the things we have here for granted. The United States has had air superiority since the Korean War, which means our men on the ground, when they hear something overhead, don't have to worry about whose insignia will be on that plane; they know it is ours. But if, indeed, we do not upgrade and innovate and improve our air capacity, we don't have that in the future.

And what we do now is not just simply what we can do today; what we are authorizing in this bill is what we can do 20 years from now. If we don't start the research and development today, we will not have that capacity.

I reject those who say, Look, the F–35 is too expensive; let's just build more F–16s—even though Third World countries have planes that have the same capacity technologically as our F–16s and our F–15s. What we need is a new generation, so if our men are put into a fight, it will not be a fair one.

And we have the technology, the new generation of technology to make sure that we are in the forefront and to make sure that we maintain that air dominance into the future. It is something that we have had for so long and we have had so many people work so hard to maintain that we here, today, seem to sometimes take it for granted. And we ought not. This is our future. This bill is about our future, and we cannot—we cannot—simply go back because we wish to change the milieu of what is happening here. This is a good bill.

I reserve the balance of my time.

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

First of all, we have air superiority over every country in the world. We have the strongest military in the world, and I'm proud of the men and women who serve in our military.

But, you know, we have to make choices here. I mean, do we really need all these troops deployed in Europe that have been there basically since World War II? I mean, I don't think Germany is going to invade France any time soon or Russia is going to invade Poland, but yet we have a huge amount of deployed American forces in Europe. Maybe we need to have a discussion about whether or not we need that, whether or not we can afford that expense, whether or not it does anything to enhance our security.

Again, I want a military that is the best in the world. I want them to continue to be that way. I want them to be second to none. I want to make sure that we have all that we need, but I don't want to be investing in things we don't need. And when the Joint Chiefs of Staff and when the Secretary of Defense and all of the experts tell us that they don't need something, and we here appropriate money to keep something going that is unnecessary, that is unwanted, at the same time while you're trying to cut the benefits of some poor old lady on Social Security, there's something wrong with this equation. We have to start thinking about the security of people here in this country as well.

What we're going to do right after this is take up a rule that is going to gut a whole bunch of programs that, quite frankly, keep people from falling through the cracks—everything from food stamps to child nutrition programs to education programs. Anything that helps anybody who's in need is going to get walloped after the next rule is passed, with a tax plan that is so blatantly unfair that I can't even believe that my friends are bringing it to the floor of the House for a debate.

So, you know, let's talk about what we need to do to maintain the security of our people in this country. We need a strong military. We need to meet the challenges abroad, but we also need to meet the challenges here in the United States of America. We need to focus on things like jobs and affordable housing, making sure that people have the ladders of opportunity so they can succeed. So that's where I object.

□ 1300

This bill is more than the people at the Pentagon want. We're just throwing more money at this, and I think it's a mistake.

Mr. Speaker, at this time I'd like to yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Mr. Speaker, I too believe in military preparedness, coming from a State like Texas, where the population of men and women who have served or are serving in the United States military is renowned and appreciated.

As I look at the tourists who walk through the Halls, I wonder which of those young people will take an oath and join the United States military. And so when I see raises for the troops, it pleases, I think, all of us.

I'm concerned about the Afghanistan timeline. I had hoped that it could be expedited. I certainly do commend the Iron Dome because we saw it work with respect to Israel. I question, however, the drones that may have collateral damage.

But I do think it's important that this bill does, in fact, make a commitment to protecting the women and children in Afghanistan, responds to the issues dealing with sexual assault against military personnel, and particularly women, and is strong on Iran sanctions.

But I rise today as well because I think when we talk about people, and we talk about the men and women of the United States military, we talk about their health. And yesterday, in the Rules Committee I raised this point and I raise it again.

I'm going to support this bill because I think it'll make a leap of faith and commitment to finding the cause of triple negative breast cancer. I mentioned yesterday in the Rules Committee that triple negative breast cancer cells are usually of a higher grade and size, onset at a younger age, more aggressive and more likely to metastasize.

In fact, the survival rate for breast cancer, but on triple negative, people are diagnosed and they die in months, maybe a year, such as my constituent, Yvonne Williams, a wonderful health professional who left a husband and two children.

Or maybe the young lady who stopped me when I was walking in the Race for the Cure and said, my mother, a Hispanic woman, got triple negative breast cancer. We did everything we could, and she died within months.

Apart from surgery, the only relief is cytotoxic chemotherapy, its only available treatment. Targeted molecular treatments, while being investigated, are not accepted treatment for this disease.

As I speak today, there are women who may be listening, or others who realize that either their loved one or they may be diagnosed with triple negative breast cancer, and they understand the impact. Whether they are Caucasian or Asian or Hispanic or African American, this disease has not been able to be treated like breast cancers in the other stages.

So I offered an amendment that the House accepted. I think it is an important amendment because what it spoke to is that we need to pinpoint and focus in on what is the cause of this disease. And it called for the triple negative breast cancer patients to be identified earlier in the progression of their disease and to develop targets on molecular and biomolecular issues.

But through that amendment, I must say, although I wanted the specific language, the House was able to hold its position.

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

Mr. MCGOVERN. I yield an additional 30 seconds to the gentlelady.

Ms. JACKSON LEE of Texas. The House was able to hold its position. And on title VII, section 737, I want to say thank you. There is a long amendment that includes my amendment and specifically speaks to having a report that will have recommendations for changes to policy, a law that could improve the prevention, early detection, awareness and treatment of breast cancer among the Members of the Armed Forces.

I would ask the Defense Department that when you look at treatment and research, you must include the triple negative breast cancer. That is, as well, an attack on your personnel in the United States military. If we care about our soldiers, our men and women in all of the branches who serve us, we'll care about their health, and we will include that research.

I thank the conferees for moving forward on something that is so near and dear to the families of those who live, but certainly of those of the families who have died.

Mr. Speaker, I am here today in support of language from my Amendment, Number 91 to H.R. 4310 "National Defense Authorization Act," which would direct the Department of Defense Office of Health to work in collaboration with the National Institutes of Health to identify specific genetic and molecular targets and biomarkers for Triple Negative Breast Cancer (TNBC).

In addition, my amendment was intended to result in information useful in biomarker selection, drug discovery, and clinical trials design that will enable both TNBC patients to be identified earlier in the progression of their disease and develop multiple targeted therapies for the disease.

Unfortunately, my language was not included in the Senate Amendment but I have read language in the Joint Manager's Statement and the Conference Report does provide for a study.

The language reads, "Study on incidence of breast cancer among members of the Armed Forces serving on active duty," and is included in Section 737.

I stand up for all women today who have been victims and really for those who might so that we can look into prevention, cure, and eradication of breast cancer.

Triple negative breast cancer is a specific strain of breast cancer for which no targeted treatment is available. The American Cancer Society calls this particular strain of breast cancer "an aggressive subtype associated with lower survival rates."

I offer this amendment in hopes that through a coordinated effort, DOD and NIH can develop a targeted treatment for the triple negative breast cancer strain.

Breast cancers with specific, targeted treatment methods, such as hormone and gene based strains, have higher survival rates than the triple negative subtype, highlighting the need for a targeted treatment.

Today, breast cancer accounts for 1 in 4 cancer diagnoses among women in this country. It is also the most commonly diagnosed cancer among African American women. The American Cancer society estimates that in 2011, more than 26,000 African American women will be diagnosed with breast cancer, and another 6,000 will die from the disease.

Between 2002 and 2007, African American women suffered a 39 percent higher death rate from breast cancer than other groups.

African American women are also 12 percent less likely to survive five years after a breast cancer diagnosis. One reason for this disparity is that African American women are disproportionally affected by triple negative breast cancer.

More than 30 percent of all breast cancer diagnoses in African American are of the triple negative variety. Black women are far more susceptible to this dangerous subtype than white or Hispanic women.

THE STORY OF YOLANDA WILLIAMS

Mr. Speaker, last year, I spoke at a funeral for Yolanda Williams, one of my constituents in the 18th Congressional District of Texas. Yolanda died from her battle with triple negative breast cancer. Like many other women who are diagnosed with this aggressive strain, she did not respond to treatment. Yolanda, wife and mother of two daughters, was only 44 years old.

This strain of breast cancer is not only more aggressive, it is also harder to detect, and more likely to recur than other types. Because triple negative breast cancer is difficult to detect, it often metastasizes to other parts of the body before diagnosis. 70 percent of women with metastatic triple negative breast cancer do not live more than five years after being diagnosed.

Research institutions all over the Nation have started to focus on this dangerous strain of breast cancer. In my home City of Houston, Baylor College of Medicine has its best and brightest minds working tirelessly to develop a targeted treatment for the triple negative breast cancer subtype. It is time for the Department of Defense to follow that example and commit additional funding to study the triple negative strain.

I had urged my colleagues to join me in protecting women across the Nation from this deadly form of breast cancer by supporting my amendment, and enough of them did so that language was sent to the Senate addressing triple negative breast cancer; and we live to fight another day for more precise language dedicated to a most-pernicious form of breast cancer, while being appreciative of language in the final conference report addressing breast cancer among those most at risk, on active duty fighting, for our country.

FAST FACTS

Breast cancer accounts for 1 in 4 cancer diagnoses among women in this country.

The survival rate for breast cancer has increased to 90 percent for White women but only 78 percent for African American Women.

African American women are more likely to be diagnosed with larger tumors and more advanced stages of breast cancer.

Triple-negative breast cancer, TNBC, is a term used to describe breast cancers whose cells do not have estrogen receptors and progesterone receptors, and do not have an excess of the HER2 protein on their cell membrane of tumor cells.

Triple Negative Breast Cancer (TNBC) cells are usually of a higher grade and size; onset at a younger age; more aggressive; more likely to metastasize.

TNBC also referred to as basal-like (BL) due to their resemblance to basal layer of epithelial cells.

There is not a formal detailed classification of system of the subtypes of these cells.

TNBC is in fact a heterogeneous group of cancers with varying differences in prognosis and survival rate between various subtypes. This has led to a lot of confusion amongst both physicians and patients.

Apart from surgery, cytotoxic chemotherapy is the only available treatment; targeted molecular treatments while being investigated are not accepted treatment.

Between 10–17 percent of female breast cancer patients have the triple negative subtype.

Triple-negative breast cancer most commonly affect African American women, followed by Hispanic women.

African American women have prevalence TNBC of 26 percent vs 16 percent in non-African-Americans women.

TNBC usually affects women under 50 years of age.

African American women have a prevalence of premenopausal breast cancer of 26 percent vs 16 percent for non-African-American Women.

Women with TNBC have 3 times the risk of death than women with the most common type of breast cancer.

Women with TNBC are more likely to have distance metastases in the brain and lung and more common subtypes of breast cancer.

Mr. BISHOP of Utah. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, it's my pleasure to yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, this defense authorization legislation is a missed opportunity. Our Republican friends would have us approve this at a time when we're struggling with the long-term fiscal stability of the United States. We're set to pass a bill that authorizes funding above what we approved in the Budget Control Act. This is spending 20 percent above the Cold War average, double what we had in 2001.

Even if somehow we went over that dreaded fiscal cliff and sequestration kicked in, it would only reduce spending to what it was in 2007, adjusted for inflation, when we were fighting two wars. It's a missed opportunity.

I heard my friend from Utah talk about avoiding any increase in fee in terms of health care. Excuse me?

We're looking at draconian impacts that some are suggesting for some of our society's most vulnerable. And, here, we haven't adjusted a fee since 1995.

The Department of Defense is going to spend $50 billion on health care. It's gone up 300 percent since 2001. Ten million people are involved, and they count it as a point of pride that we're not making any adjustment at all? For a retired three or four star general earning a pension of over $200,000 a year, 80 percent of whom go to work for the defense industry, and they pay a $50 fee?

I'm sorry, I think it's a missed opportunity.

I heard my friend from Utah talk about the nuclear arsenal and upgrading intercontinental ballistic missiles. I think this is a missed opportunity. Look at the nuclear arsenal, we're spending over $55 billion a year—we don't know how much more because that information isn't readily available—for weapons that have not enabled us to fight in Iraq or Afghanistan.

Many of these weapons we can't use, will never use, but we're going to spend $200 billion upgrading the arsenal over the next 10 years. And we're looking at three separate delivery systems, including new submarines at almost $5 billion a piece. Against whom?

We need a tiny fraction of this to deal with China or Russia. Our nuclear arsenal isn't stopping Iran from trying to achieve its nuclear weapon.

These are sad, missed opportunities to right-size the military, which will still be the most powerful in the world, by far.

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

Mr. MCGOVERN. I yield the gentleman an additional 1 minute.

Mr. BLUMENAUER. For us to deal with the threats that we face today, to deal with the damage that we have done in the reckless misguided war in Iraq, to be able to deal meaningfully with the Guard and Ready Reserve that should be upgraded and healed from the damage that was inflicted upon them.

We can provide far more real security, save tax dollars, deal with the needs of veterans that are about to be, sadly, undercut, and provide balance to our budget. In fact, the fiscal instability from reckless bills like this is, in fact, a national security threat.

We're no longer going to be able nor should we pay almost half the world's entire military spending. We should start by rejecting this authorization.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

I always hate to try and say we ought to learn lessons of history; but the Founding Fathers, when they made that our core constitutional responsibility, clearly understood that if you do not have a military capacity, you do not have not only the ability to defend the country, but you do not have the ability to make diplomatic efforts in any of those areas.

It is interesting that our allies in NATO are spending far more of their GDP on military defense than we are. But obviously, and ironically, those who are are almost always those countries which experienced firsthand what it was like to live under the domination of the Soviet Union. They understand the significance of this particular proposal and these particular kinds of bills.

Mr. Speaker, I would like at this time to recognize the soon-to-be-retired chairman of the Rules Committee who has done so much in his tenure here in the Capitol. I yield such time as he may consume to the gentleman from California (Mr. DREIER).

□ 1310

Mr. DREIER. I thank my friend from Brigham City. I appreciate his generosity of yielding me such time as I may consume.

Mr. Speaker, let me just say that I appreciate the fact that my friend from Worcester said we should have a defense capability that is second to none. We should be preeminent in the world. I appreciate his statement. I also appreciate the fact that he talks about the multifarious societal needs that are out there, ensuring that we don't see those who are struggling to make ends meet suffer. We concur wholeheartedly in that goal. But I have said this time and time again. I said it in the Rules Committee and Mr. BISHOP and I had a discussion about this. And Mr. HASTINGS of Fort Lauderdale got into there as well.

This is my perspective. Thomas Jefferson said that two thinking people given the exact set of facts can draw different conclusions, but I've concluded as I looked at the preamble to the Constitution with all the important statements in there—We the people of the United States, in order to form a more perfect Union, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare, do ordain and establish this Constitution for the United States—I argue, Mr. Speaker, that the five most important words in the midst of that preamble are ''provide for the common defense.''

And the reason I say that is that as we look at all the things that the Federal Government does, virtually all of them—not all, but virtually all of them—can be handled by individuals, by communities, cities, families, counties, and States. But there's one thing that cannot be handled by those other entities, and that is our national security. We can't have the individual States providing for the national security. And that's why I believe it is the single most important responsibility for the National Government.

I believe that we can have a cost-effective national defense. I believe that we can correctly focus on waste. We know and have heard the horror stories, and we've heard about some of the waste that's taken place in the Pentagon. We've got to bring an end to that, no doubt about it.

At the same time, my friend from Utah just talked about the fact that our allies within the North Atlantic Treaty Organization are spending a greater percentage of their gross domestic product on national security for the reason that they have felt threatened. They've lived under repression. There are NATO allies that have been countries that were basically under the control of the former Soviet Union. And in light of that, they continue to live with an understanding of how important national security is. We have important countries in Eastern and Central Europe that are struggling to not only become members of the European Union but to join the North Atlantic Treaty Organization because they still are seeking a chance to be free of that kind of repression.

I'm reminded of what took place during the 2008 Summer Olympics in Georgia, when we saw the incursion from Vladimir Putin's Russia into Georgia over the breakaway regions of Abkhazia and South Ossetia. We continue to see lots of threats. It is a very dangerous world. Tragically, Plato said: Only the dead have seen the end of war.

And I remember that as we saw the demise of the Soviet Union, the crumbling of the Berlin Wall, many of us did believe as Francis Fukuyama famously wrote about the end of history, believing that political pluralism, the rule of law, and self-determination and democratic institutions would thrive all over the world. Well, it hasn't quite worked out that way in the last couple of decades. And we all know what the consequences of those threats have been. For the first time ever, we had the kind of attack that we did on September 11 on our soil.

All this is to say, Mr. Speaker, it's important that we have a strong, balanced defense authorization bill. And I believe that the National Defense Authorization Act that is before us is right. And I appreciated hearing the distinguished ranking member of the Committee on Rules, Ms. SLAUGHTER, praise the fact that it's focusing on some of those very important social issues that she has raised and addressed. She complimented this defense authorization conference report for doing that.

And there are other things. This morning, I was listening to WAMU. I wasn't aware of this, but I heard the Delegate from the District of Columbia, Ms. NORTON, talk about the fact that we are going to have recognition of flags in the District of Columbia for our veterans. And there's inclusion in this conference report that deals with that issue. She pointed to the fact that flags are very, very important. When we have foreign dignitaries come to the United States of America, flags are used to recognize their presence. Of course, veterans from the States across the country have that, but the District of Columbia hasn't. I'm pleased that Ms. NORTON was able to have that issue addressed in the National Defense Authorization Act conference report.

And so this is a measure which I believe really transcends political party. There's great bipartisan support for it. And it also covers lots of important issues that do come back to our Nation's security. And so I believe, Mr. Speaker, that as we look, again, at those five most important words, from my perspective, in the middle of the preamble of the U.S. Constitution,

''providing for the common defense,'' that we are doing that—and exactly that—with this measure.

So I encourage my colleagues to support the rule and the conference report that we will have. I believe it will be a great benefit to our men and women in uniform and to the future security of the United States of America and our allies.

Mr. MCGOVERN. Mr. Speaker, it is my pleasure to yield 1½ minutes to the gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. Mr. Speaker, as we begin debate on this National Defense Authorization Act, it's critical that we understand just how important it is to our troops and to our country that we pass this legislation with a bipartisan vote. It's easy to get bogged down in partisanship on most issues, but this cannot be one of them. This legislation provides the men and women of our Armed Forces the necessary equipment and financial support to effectively carry out their duties while at the same time protecting all of our national security. Our troops have proven time and again that they are the most skilled forces in the world, but we must provide them with the necessary support to help them serve and protect our country.

Congress has an obligation to support the men and women who serve in the Armed Forces and who sacrifice so much for us every day. Our country owes them more than we can ever repay. And I strongly urge my colleagues to honor and respect our Armed Forces by passing this bill when it comes up later today and affording our troops the funding that they need and deserve.

Mr. BISHOP of Utah. I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, it is my pleasure to yield 2½ minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Let me first thank Mr. MCGOVERN for yielding the time and your tremendous and tireless leadership on the Rules Committee, but also for your leadership in protecting our young men and women at home and providing strategies for how to bring them home quickly and safely and orderly.

With the drawdowns from two wars, now is the perfect opportunity to reevaluate our runaway defense spending and make sure that our defense budget reflects our overall national security strategy. Many outside experts from across the political spectrum have concluded that the Pentagon can afford much more substantial cuts than what's found in this bill. Secondly, while this bill contains some audit provisions, these measures are only set to take hold in 2017. The Pentagon needs to be audited. It should have been audited and should be audited right now—last year, this year, next year. We can't wait until 2017.

Earlier this year, I offered an amendment that would have cut any Federal agency's budget by 5 percent if they are unable to provide audit-ready financial documents. We need to get some sunlight on the Pentagon's books to create a culture of responsibility and accountability at the Defense Department.

On Afghanistan, the bill has some notable positive steps, but nonetheless fails to call for a swift and safe withdrawal of our troops. On the positive side, I applaud the conferees for including provisions to ensure that security for Afghan women and girls is a priority during the transition to Afghan security responsibility.

□ 1320

However, on balance, this bill does not go far enough.

We all know there is no military solution in Afghanistan, and it's time to bring home our brave men and women in uniform and transition to full Afghan control. After 10 years and $600 billion invested in an unstable country, it's past time to end this war—not in 2014, but right now.

Finally, I'm very concerned about how this bill undermines the bedrock values of America, and I'm talking about the constitutional guarantees of due process. I was disappointed to see Senator FEINSTEIN's provision prohibiting indefinite detention removed during the conference. We should not allow those who seek to terrorize the American people to win by trashing the very civil liberties at the heart of our national identity.

So I urge a ''no'' vote on the rule and a ''no'' vote on final passage.

Mr. BISHOP of Utah. I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Massachusetts has 5½ minutes remaining.

Mr. MCGOVERN. Mr. Speaker, this is a moment of opportunity for us to get serious about dealing with our budget deficit by eliminating the bloat and the waste in the Pentagon's budget.

What we have before us has some very good provisions in it, but it also has some very bad provisions in it. The gentlelady from California mentioned the language on Guantanamo, which is unfortunate. But this bill also reflects more money—more money—than the Pentagon even wants, more money than the Joint Chiefs of Staff wants. So we're throwing more money into this Pentagon budget even though they haven't asked for it and they don't want it.

At the same time, my friends on the other side of the aisle are proposing measures—which are going to be taken up in the next rule—to decimate the social safety net in this country, to make it more difficult for middle-income families, to make it more difficult to send your kids to school, to make it more difficult to get affordable housing, or to get access to food and nutrition if you are in desperate times.

So it just doesn't make any sense to me. I mean, the idea that we're giving more money to the Pentagon than they want, but at the same time we're taking away from our people right here at home.

National security has to mean the quality of life and the standard of living for the people of the United States of America. It has to mean things like jobs and financial security for our families.

I regret very much that my friends on the other side of the aisle seem to not care about what happens to people here in this country because their budgets and their tax bills go directly after middle-income families and constitute an all-out war on the poor.

There was an article in The Washington Post on December 19: ''John Boehner's Plan B Would Raise Taxes on the Poor.'' Really? I mean, is that how you're going to balance the budget, by sticking it to people who already are in vulnerable times? This is wrong.

My friends talk about the debt and the deficit, but what they don't talk about is that we have fought two wars in Iraq and Afghanistan and we haven't paid for it, all on our credit card. We send our young men and women into harm's way, and we ask them and their families to sacrifice, and we do nothing. We just put the bill on our credit card.

A few months ago, the chairman of the Budget Committee, Mr. RYAN, said it's about $1.3 trillion—I think he's lowballing it—but $1.3 trillion on our debt, and nobody over there says a word. They all go after programs like Social Security and Medicare and food stamps.

So, Mr. Speaker, I ask that we defeat the previous question. If we defeat the previous question, I will offer an amendment to this rule to make in order an amendment that will allow the House to have a chance to vote on a bill passed by the Senate to extend middle class tax cuts, which has been introduced in the House as H.R. 15. Also, the amendment would prevent this House from adjourning until we have averted the fiscal cliff and the President has signed legislation to prevent tax increases on the middle class.

There is a rumor out there that my friends on the other side of the aisle are going to try to pass Plan B and C and run out of town and just leave for vacation. I want to get home for Christmas as much as anyone else, but the bottom line is that we are facing a crisis—an artificial crisis that my friends helped create, but we need to avert it.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment into the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I urge my colleagues to vote ''no'' and defeat

the previous question. I urge a ''no'' vote on the rule.

I would again remind my colleagues that national security and national defense also has to mean the quality of life for people here in the United States.

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

Mr. BISHOP of Utah. Mr. Speaker, I yield myself the remainder of my time.

There are several things I wish to address that have been brought up in the last speech. The first one is, I was just informed that by all means we probably will be here tomorrow and voting, which really hurts my feelings. In one respect, I don't have an upgrade on tomorrow's flight, so maybe it's a good thing that we will be, but there are other times that we will be dealing with these issues.

People have talked about the amount of money that's going here. I hope Members of the House realize that 50 percent of all the cuts that have been made by this administration have been made on the backs of the military, even though the military defense represents less than 20 percent of the Federal budget. Military has, over the past years, been cut and cut and cut again.

This increase over what the President's budget request was is only 0.3 percent higher than the President's budget, and it is less than last year's authorization. I say that only as a fact, not something I think is good because I think we need to be spending more on what these people have to do.

To say that the people in uniform don't want or don't need the programs that are in here is unfair to them. They have to say a specific line in the positions they are in. But the idea that you wouldn't take the cruisers that are going to be expended in here and continue to keep those even though they were scheduled to be mothballed decades before their life span is over, or that you are using these funds to restructure the force structure of the Air Force, which is critical to this country so that we maintain the air superiority we have had since the Korean conflict, that is a ridiculous concept.

This bill is about people. The gentleman from Massachusetts has an air base, Hanscom, in his State—probably not in his district, but his State. I have air complexes. I have people who are working on these issues. We have not modernized our equipment, which means we have to have people working on our air complexes to try to take our antiquated equipment and restore it so it can be useful, so that those who are put in harm's way defending this country at least have the vehicles and the resources available to defend themselves and present the possible outcome. These are the people that are going to be helped. These are the jobs that are going to be helped by the passage of this particular bill. These are the people who get TRICARE, which was given to them either as a bonus to sign or given to them in lieu of salary increases. And it is unfair for the President to say they should have an increase in their copay.

These people who are working at these bases, they're not making $50,000 a year in a pension—they'd be lucky if they make that much money as part of their salary. Those are the people that we need to look after. It is the people who make sure that we have a military that functions, not just those on the front line, not just those in uniform, but also those who provide their services and provide the material that they need to maintain this stuff. This bill moves that forward.

I hope that we do not have as a body a myopic approach to the need for the securing of this country, and we understand how significant this is. This is one of the few responsibilities Congress has to do this year and every year.

I want to just say one thing about the potential previous question. It's not an issue of when we get a chance to vote on it. We have voted on the previous question that the Democrats would like to put in place of this. On August 1, we did have a vote, the Levin of Michigan amendment. It was defeated in this House in a bipartisan manner, with 19 Democrats voting ''no'' on the amendment. Another vote on this at this time is a redundancy; it's been done. Now let us move on to do what this bill is supposed to do, the conference report that solves the problems and puts us moving forward in our defense authorization so that we actually do come up with the programs we need, not just for today but also for the future. It's a good conference report. It's a good underlying bill. We need to move forward.

In closing, Mr. Speaker, I would urge Members to support this rule, which is—I misspoke earlier, it is a standard rule for all conference reports. I urge them to support the underlying provisions of this conference report and of our bill because it is essential for our Nation's defense. It is our core constitutional responsibility, and we should not in any way, shape, or form shirk that.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 840 OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

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

SEC. 2. When the House considers the Senate amendment to H.J. Res. 66, it shall be in order to consider a substitute amendment consisting of the text of H.R. 15, if offered by Representative Levin or his designee.

SEC. 3. It shall not be in order to consider a concurrent resolution providing for adjournment or adjournment sine die unless the House has been notified that the President has signed legislation to prevent a tax increase on the middle class, and to avert the so-called ''fiscal cliff.''

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

Mr. BISHOP of Utah. With that, Mr. Speaker, I yield back the balance of my time and move the previous question on the resolution.

□ 1330

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.J. Res. 66, PERMANENT TAX RELIEF FOR FAMILIES AND SMALL BUSINESSES ACT OF 2012, AND PROVIDING FOR CONSIDERATION OF H.R. 6684, SPENDING REDUCTION ACT OF 2012

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 841 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 841

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the joint resolution (H.J. Res. 66) approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Ways and Means or his designee that the House concur in the Senate amendment with the amendment printed in the report of the Committee on Rules accompanying this resolution. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the motion to its adoption without intervening motion.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 6684) to provide for spending reduction. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the Majority Leader and Minority Leader or their respective designees; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from California is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my very good friend from Rochester, New York, the distinguished ranking minority member of the Committee on Rules, Ms. SLAUGHTER, pending which I yield myself such time as I might consume.

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

Mr. DREIER. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

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

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

There was no objection.

Mr. DREIER. Mr. Speaker, I was just thinking about the fact that there are 26 letters in the alphabet, and we have had the first three letters used in discussion here on the House floor today, A, B, and my friend from Worcester brought up the letter C in talking about this. We have what is so-called letter B. And I'm not doing a Sesame Street skit here, Mr. Speaker. Letter B is what we are talking about, Plan B, and I think about Plan A.

Plan A is what the majority in the House of Representatives has been trying for the last 2 years to implement, and it's, very simply, a plan that is designed to put into place something that, interestingly enough, Democrats and Republicans alike say that they support. That plan is meaningful, strong, bold plans for a simpler, fairer Tax Code.

The President of the United States supports tax reform. I'm pleased that the President of the United States strongly supports the notion of taking the top corporate tax rate from 35 percent to 25 percent. That, again, is a very positive area of agreement that we have. But I will say that we in the majority have been trying to put into place real, meaningful tax reform that can ensure that people will see reduced rates, and we will generate enhanced gross domestic product growth.

Coupled with that, our Plan A, Mr. Speaker, has been designed to bring about a reduction in the size, scope, and reach of the Federal Government. And everyone knows what that means. Everyone knows what has to be done to reduce the size, scope, and reach of the Federal Government, and that is real entitlement reform.

So Plan A consists, Mr. Speaker, of two simple things: pro-growth tax reform that will keep taxes low for individuals, job creators, and small businesses in this country so that we can encourage that kind of job creation to which we all, Democrat and Republican alike, aspire; and a reduction of the mammoth size of this behemoth, which, as we all know, encourages a cycle of dependence which has been generational, and it's essential that we turn the core of it.

So just getting our fiscal house in order dealing with the 16-plus trillion dollar national debt is, again, only part of that. But encouraging individual initiative and responsibility, creating pride in individuals by, again, paring back entitlement spending is the right thing for us to do as a nation. That's what Plan A consists of, Mr. Speaker.

Now, if you look at where we are today, we know 11 days from now we are going over the so-called proverbial fiscal cliff. What does that mean? It means that every single American who pays income taxes will see a tax increase go into effect. We also know there will be a massive sequester, which, as we have just passed the rule, and I guess we're going to have a vote on that, as we've just debated the rule on the National Defense Authorization Act, we know it could have a devastating—devastating—impact on our national security.

We know, I think Democrat and Republican alike—not universally, because I know there are some people who do want to go over that cliff, but very few—I think Democrat and Republican alike by and large recognize that increasing taxes on working Americans, in fact, will create a scenario which will impinge on our ability to encourage the kind of gross domestic product growth that is important for us and for our security as well, economic security and our overall national security.

So I think about my former California colleague, the now-Secretary of Defense Leon Panetta, who said to this institution:

> Please do what you can to ensure that we don't have that sequester take effect. Do what you can. Work hard to try and make sure that we can address abuse that's taken place within the Pentagon spending, but have what is necessary for our national security.

So as we look at these issues, we're going through a troubling time. We have divided government, something that those nations that live under a Westminster-type system don't have. We have a Democratic President and a Republican House of Representatives. I happen to believe that that creates an opportunity.

I didn't vote for Barack Obama for President of the United States, Mr. Speaker, but I will say that I do believe that having a President of one party and a United States House of Representatives of another party does create an opportunity for us to work together in a bipartisan way tackling entitlement spending.

We know that if my party had won everything, it would have been tough for us. It would have been tough for us because of the political attacks that would have taken place from the other side of the aisle to take on entitlement reform. But working together now that we have, again, a President of one party and a House of Representatives of another party, I believe that we can tackle this issue, and that's really what we desire. I think it's the right thing to do.

We're in the midst of very tough negotiations that are taking place between two people, as we all know: the President of the United States, Barack Obama, and the Speaker of the House of Representatives, JOHN BOEHNER. And I want to express my appreciation to

my colleagues on the other side of the aisle. I've been in the minority. I've served in the minority up until—from 1980 until 1994, 14 years I served in the minority, and from 2006 until 2010, for 4 years I served in the minority. And it's challenging. It's not easy.

But we are, as I said, 11 days away from going over the fiscal cliff, and we feel strongly about the need for this institution to state its position on this. I know that we've heard that the majority leader in the United States Senate, Mr. REID, has indicated that he doesn't want to bring up, if this bill passes the House of Representatives, this measure, and the President has put out a Statement of Administration Policy that this bill would not gain his signature.

□ 1340

I don't think that anyone is convinced that the bill that we're going to pass here is one that is going to end up being the agreement, but it's very important in the negotiating process for work to proceed and for institutions to stake their position.

We happen to believe that Mr. BOEHNER has really made some bold steps in working to ensure that we do not go over that fiscal cliff, and I think that we are in a position today where I think that the action that we will take will be a positive step to enhance the chance for a negotiated resolution to this.

I want to say that the process hasn't been perfect, and I'm not claiming that everything that took place upstairs in the Rules Committee last night was perfect. But I will say, look at what it is that we've included: basically a reduction of $238 billion over 10 years in the reconciliation package that passed this House of Representatives earlier this year. The measure that we have before us that is going to be debated separately is one that is actually pared back from the measure that passed the House of Representatives. The only changes that have been made have been made to accommodate the date change, putting in this month of December in place of the earlier month this year when the debate took place.

We know what this is. And for those who might claim that the so-called ''reconciliation package'' that we have is imposing draconian cuts which will be devastating for those who are struggling in this country, I remind them of the alternative, which happens to be the sequester. It's our hope that this reconciliation package, Mr. Speaker, will play a role in ensuring that the sequester that would be devastating—I acknowledge it would be devastating—does not take place. This is the alternative to the sequester, Mr. Speaker.

The package that we have will, in fact, see rate increases for those earning in excess of $1 million. That's .19 percent of the American Federal income taxpayers. That means that all the rest of the Americans, an overwhelming majority, will actually avoid seeing that tax increase go into effect.

I also would like to say that we have to remember that if you look at the '01 and '03 tax cuts that became public law, part of that law, current law, Mr. Speaker, makes it clear that we actually would see those rates with the top rate at 39.6 percent. That's part of the '03 agreement that we had. So any action that we take that is less than that top rate of 39.6 percent, Mr. Speaker, is actually a tax cut, and we need to recognize that.

Mr. Speaker, what we're doing here—and I appreciate again the understanding of the minority—is simply trying to move ahead with this good-faith negotiating process that Speaker BOEHNER and the President of the United States are in the midsts of. I hope that in light of the balanced approach of this package, that we'll be able—by the way, this package has enjoyed at least statements of support from Democrats in the past from both the House and the Senate—I hope that this can be a positive step as we seek to resolve just as quickly as we possibly can this question.

We all know that uncertainty is the enemy of prosperity; and our goal is, Mr. Speaker, to put into place a policy that will have the kind of certainty that will encourage our job creators and encourage those who are out there seeking to get onto the first rung of the economic ladder to have the kind of opportunity that is necessary.

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

If the measures before us constituted the Republican Plan A, they would be a package of sweeping tax and entitlement reforms. They would provide considerable new revenues through economic growth and a simpler, fairer tax code. They would rein in our ballooning deficit by making our entitlement programs solvent over the long term. Together these critical initiatives would put our economy back on the path toward prosperity and opportunity.

For two years, this Republican Majority has worked tirelessly to enact Plan A. We have passed dozens of bills. Speaker BOEHNER has spent countless hours negotiating with President Obama. All in an effort to advance our Plan A. I still have hope that we will reach an agreement that will substantially achieve the goals that we have outlined: growth and balanced budgets through meaningful tax and entitlement reform.

But the measure before us today is not Plan A. It is Plan B. Time is running out. We are 11 days away from the end of 2012. 11 days away from our last opportunity to avoid the so-called fiscal cliff. 11 days away from significant tax increases on every single tax payer in America and devastating cuts to our military.

The Members of this body may disagree on many things, but we all agree that the across-the-board tax rates that become effective on January 1 will have a very damaging effect on our frail economy. The first of today's underlying bills is a safeguard against the most detrimental aspects of the fiscal cliff. It extends the 2001 and 2003 tax cuts for the 99.81 percent of Americans who make less than $1 million a year. This action protects the middle class and virtually all small businesses. No other single action would go further to mitigate the crisis that is looming before us.

The second of today's underlying bills makes responsible spending cuts that will help to rein in our deficit without compromising national security. Defense Secretary Panetta has tirelessly exhorted Congress to avoid these draconian cuts to our military at all costs. We are absolutely committed to getting our fiscal house in order. But we must do so in a way that does not sacrifice our security. The underlying spending package makes essential cuts, while ensuring that we do not put our homeland and our troops at grave risk.

We of course want to go much further than simply limiting the worst of the damage of the fiscal cliff. We will continue to strive for a comprehensive solution until the tremendous challenges before us are addressed. These challenges will not be resolved in any sustainable way until we substantially reform our tax code and deal with the fundamental insolvency of our entitlement programs. But we would be utterly derelict in our duty to first do no harm if we failed to implement these critical stopgap measures.

It is essential to recognize that current law raises taxes for every single Federal income tax payer on January 1. Every working American, every small business owner, will face a higher marginal rate 11 days from now. That is the current law of the land. Today's underlying tax bill maintains current law for 0.19 percent of taxpayers, while cutting taxes for 99.81 percent. This is not a tax increase. It is a tax cut for very nearly everyone. Without it, we run the real and serious risk of plunging our economy back into recession.

Today's measures represent neither a comprehensive solution nor the end of our efforts to reach one. It is simply action that must be taken to protect our fragile economy and beleaguered workforce until a long-term solution can be reached.

I urge my colleagues to support this rule and the underlying legislation.

Ms. SLAUGHTER. Mr. Speaker, I thank my colleague for yielding me the time, and I yield myself such time as I may consume.

Mr. Speaker, today we're watching an attempt to perpetuate a hoax. To everybody watching, I want to say to you don't bother to take notes, no need to call the family to see history being made here. Just move along. There's nothing happening here. We've got this plan that doesn't come anywhere close to being a solution to the fiscal cliff. It's a political gimmick, and all of us recognize that it has no chance whatsoever of becoming law.

The process that has brought us here has been equally shameful, more befitting a developing country than the greatest democracy on Earth. It has been absolutely painful to watch the otherwise responsible Members of the majority play their assigned roles, pretending that what we did last night was normal and legitimate. Last night we saw one of the greatest miscarriages of the democratic process in my time on the Rules Committee. Facing the impending fiscal cliff that could devastate our economy and harm millions of Americans, the majority decided to cobble together last-minute legislation on a wing and a prayer.

Last night, the Rules Committee spent most of the evening debating legislation that we've barely seen. We were told that there would be two bills. Two bills actually were filed at midnight on Tuesday. One of them disappeared. And in the waning hours, even while the debate on the rule was taking place, a third was dropped into our laps. It turned out to be a warmed-over bill that went through the House of Representatives in May destroying health care, food stamps, and almost every other possibility of people in the country to survive. That's how the majority wants to solve the greatest economic threat facing our Nation.

With nothing less than millions of jobs on the line, does the majority really believe that passing a bill in less than 24 hours that will do absolutely nothing is responsible governing?

Today we're prepared to vote on this legislation and, I think, possibly adjourn for the final time this year. If this is the majority's final attempt to reach a compromise, then our Nation does indeed face frightening times. If no compromise is reached, we may face the greatest displacement of workers since 1929 as sequestration takes effect and forces countless layoffs. How devastating is that to a recovering economy? Every American knows we cannot let this happen; and, frankly, I believe that every Member of Congress knows that we never would let it happen. But after last night, I'm not so sure.

This is not a serious solution to avoid economic catastrophe. It's just one last attack on the poor and the middle class right before we tumble off together over the fiscal cliff. Today's bill contains many dangerous provisions. I mentioned part C that we got last night, the old warmed-over bill providing an average tax cut of $50,000 for millionaires and billionaires. Meanwhile, the 25 million working families would pay an average of $1,000 more on taxes; 11 million families would lose a tax credit that helps to pay for college; drastic cuts would be made to Medicare; and the important provisions of the Affordable Care Act would be no more. They simply could not adjourn this year without one last attempt to destroy the health care bill that will provide health care for millions more Americans, many covered by insurance that they have never been able to have before.

During my last election, which occurred last month, I met more than one person who told me that they had been born—there is one person who sticks out in my mind—she had been born with cerebral palsy, Mr. Speaker. She told me that her whole life, while she brought up a family, lived her life driving a car, cooking, moving, everything that we all do and take for granted in life, she had to do without any health insurance because having been born with cerebral palsy, she had a preexisting condition that prevented it. It was not until she was 65 and was able to get Medicare did she have the peace of mind that most of us take for granted that she was eligible to be covered. Why in the world do we keep trying to be the only industrial country that does not take better care of its people than that?

Finally, 2 million Americans would lose their unemployment assistance right here at the holiday time. As I said before, the nutrition assistance program would be gutted. Those unjust cuts would leave millions struggling to pay their bills and put food on the table.

The Americans that we're talking about, those that will be suffering, are not the ones that caused the problem in this country. They had nothing to do with financial services and the shenanigans that were played that brought us to our knees. Yet, continually, this House asks them through the majority side to pay the price.

□ 1350

Enough already. They're not to blame, and they should not be put on the block.

Sadly, just days ago—Tuesday, in fact—it appeared that President Obama and Speaker BOEHNER were close to a fiscal cliff compromise. President Obama had made concessions, some that, frankly, as I pointed out, our side is not that crazy about, but in the blink of an eye, the House majority decided to walk away in 51 seconds, announcing what they were going to do in a take-it-or-leave-it manner and introduce this political hoax that is before us today.

Mr. Speaker, don't anybody be fooled. The American people know better. They see through this. They know that a compromise means that we must meet in the middle. Unfortunately, the majority continues to think, if they pass extreme legislation and then run for the hills, the rest of us will be forced to give in.

We've seen similar antics from the majority throughout the 112th Congress—from holding the full faith and credit of this Nation hostage for the first time in its history and losing our credit rating to voting 33 times to repeal health care reform. The majority has continually advanced a cynical and partisan agenda at the expense of our Nation's welfare. Given this, there is little surprise that the approval rating for Congress is at an all-time low and that historians have said it is the least productive Congress in our history.

Mr. Speaker, in the election just last month, the American people made their voices heard. When asked to choose between an extreme agenda that took care of the millionaires and billionaires at their expense, they said ''no'' in that they wanted not to be going over a fiscal cliff, and they have made that very clear.

I think of what we have done to just the economic future of this country by debating this fiscal cliff as long as we have, but I don't believe, as I said, that we will actually go over it, except I'm not really clear on what we're doing here today unless that is to cut and run. Yet, in the process, the majority has presided over a shameful legislative circus not worthy of this institution. When our Nation is in desperate need of serious solutions, the majority is doing everything in its power to avoid finding the answers.

I strongly oppose this hoax before us. I urge my colleagues on both sides of the aisle to oppose the rule and the underlying legislation.

I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume to associate myself with the remarks that my good friend from Rochester has made as it relates to the sequester. I agree with her completely, Mr. Speaker. It is very important that we not let the sequester take place, and I hope and believe that she is right, that we will not see that happen.

Number two, I'd like to associate myself with her remarks as it relates to ensuring that we do not go over the fiscal cliff. That's something that is very, very desired on our part as well.

I'd also like to respond to just one point very quickly, Mr. Speaker, before I yield to my good friend from Roseville and say that I can provide my friend from Rochester, our distinguished ranking member of the Rules Committee, assurance that we will not be adjourning the Congress today and ending our work. I have said—I said in the Rules Committee, Mr. Speaker—that we are going to continue with our work.

The action that we are going to take relates to these two measures: again, the reconciliation package, which is designed to ensure, as my friend from Rochester has said, that we don't see sequestration, which we all know would be devastating if it were to take effect. It is a package of $238 billion over a 10-year period of time. It is a very responsible measure that is not going to be gutting programs but is going to responsibly begin to tackle entitlement reform.

Ms. SLAUGHTER. Will the gentleman yield?

Mr. DREIER. I yield to the gentlelady from New York.

Ms. SLAUGHTER. I appreciate your yielding.

I appreciate your giving us your assurance, but I do recall that Mr. MCGOVERN and I, both in our turns, asked last night for assurance that the bill that we were looking at was the bill we were going to vote on, and all we got was doublespeak. So, while I appreciate your giving me your assurance, I think I'll give it back to you.

Mr. DREIER. If I could reclaim my time, I will say again that I have served as long in the minority as JOHN DINGELL. I have served longer in the minority in this House, Mr. Speaker, than the dean of the House, JOHN DINGELL, has served, and I understand. I've served 18 years in the minority, and I

understand that it is challenging, and I respect that fact. To say that as we're dealing with the very end of this session that we're not trying to get to an agreement is a mischaracterization of where we are.

I've associated myself with the remarks of my friend from Rochester as it relates to our quest to ensure that we don't see the sequester take effect or that we go over the fiscal cliff, and to say that the package that we have that deals with the reduction of $238 billion over a 10-year period of time is, again, virtually identical to what passed this House. It has actually been reduced by 100 pages. It's much smaller than what was passed in May by this House, and I believe that it's a package that is, again, one that can responsibly be a first step towards something that we all know does need to be done. As I talk to Democrats, there is recognition that entitlement reform has to take place, and so I believe that that is the right thing to do.

With that, Mr. Speaker, I would like to yield 2½ minutes to my very good friend, a very, very strong budget hawk, my fellow Californian, Mr. MCCLINTOCK.

Mr. MCCLINTOCK. I thank my friend for yielding.

Mr. Speaker, the debate over the fiscal cliff has become so hyperbolic that I'm afraid we're losing touch with common sense.

Contrary to many press accounts and many statements by Members, there is no bill before the Congress that proposes raising taxes on millionaires or anybody else. There is a law that takes effect on January 1 that will raise taxes on millionaires and small businesses filing as millionaires and on everybody else, and there is a bill to protect everybody else from that law, which is the issue before us today.

The President says he wants to protect everybody except those greedy millionaires and billionaires. Well, that's precisely what this bill does, and yet he has vowed to veto it. The truth is he wants to sock everybody who is making over $200,000. Now, that includes 1.3 million small businesses filing under subchapter S. That's 84 percent of net small business income. That is precisely the income that they use to produce two-thirds of the jobs in our economy.

The Congressional Budget Office warns us that Mr. Obama's ''eat the rich'' crusade will actually result in throwing 200,000 middle class families into unemployment. Ernst & Young estimates 700,000 lost jobs.

House Republicans now have a choice in that we can try to save as many Americans from these ruinous tax increases as the President will permit or we can end up at an impasse that assures taxes go up on everyone. So let us pass this bill. If it doesn't work, then let's pass it at whatever level the President will agree to. It's not as if we haven't repeatedly warned him.

Some of my conservative colleagues say that sparing some people these tax increases is tantamount to raising them on others. For a lifeguard who sees 10 swimmers drowning off his beach, if he can only save nine of them, that doesn't mean he has drowned the 10th one. And no lifeguard would be worth his pay if he said, Well, my principle is that nobody should drown off my beach; therefore, as a matter of principle, if I can't save them all, then I won't save any.

As Americans watch as thousands and thousands of middle class jobs are sacrificed on the ideological altar of Obamanomics next year, I think this country will be a lot sadder and a lot wiser, but until then, let's save who we can.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the distinguished ranking member of the Committee on Ways and Means, the gentleman from Michigan (Mr. LEVIN).

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

Mr. LEVIN. This is an important moment. These bills move the Nation dangerously closer to the cliff with only 11 days before our Nation would go over it. They make finding common ground far more difficult with only 11 days left to find it. These bills are not a plan; they're a ploy. They are bills to nowhere. They undermine trust so essential for agreement. We've just heard it.

The Republicans claim that letting the tax rate go up from 35 to 39.6 percent on income over $1 million is not a tax hike because it would happen on its own. But then they say that if the tax cut rate would go up on income below $1 million by happening on its own, it would be the biggest tax increase in history. That is patently inconsistent.

□ 1400

But far worse than the hypocrisy is the way they design their tax provisions. For those with income over $1 million, they provide a tax cut of at least $50,000.

They raise only one-third of the revenue contained in the Speaker's discussions with the White House and far less than proposed by the President. Talk about undermining trust.

It would raise taxes on 11 million middle class taxpayers—11 million—through their failure to continue the education credit, and they hurt millions of other middle class families with their failure to keep the improvements to the child tax credit and the earned income tax credit.

And there is stony silence, indeed stone-hearted silence, on 2 million unemployed workers looking for work who would lose their insurance immediately on December 29. And silence on the 27 percent cut to doctors treating Medicare patients.

And in a deeply cynical move, so cynical, the Republicans have decided to offer another bill to put off some of the sequester in defense. And they pay for it how? By deep and ugly cuts to important programs impacting seniors, kids, and disabled Americans.

The Republicans are tying themselves into knots. But in doing so, they're tying into knots the chances for our Nation not going over the cliff. Vote ''no'' on these bills that take us backwards, that undercut trust, that increase the chances of going over the cliff. This is not a plan; it's a ploy.

Mr. DREIER. Mr. Speaker, I'd like to inquire of my friend how many speakers she has remaining. It looks like she has a couple at least. I reserve the balance of my time, Mr. Speaker.

Ms. SLAUGHTER. I'd be happy to tell you. We expect four. I yield 3 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), a member of the Rules Committee.

Mr. MCGOVERN. I thank the ranking member for the time.

Mr. Speaker, just when I thought the process in this House couldn't get any worse, last night in the Rules Committee the Republicans reached a new low. We originally were told that we were meeting on the Speaker's so-called ''Plan B'' tax bill, which continues the proud Republican tradition of protecting tax cuts for the wealthy at the expense of middle class families and poor people.

But then we were told there would be a new bill, some kind of magical mystery bill that was introduced in the middle of the hearing. Now I'm not sure what to call this one, Plan B.2.0 maybe? Plan C? The We-Don't-Really-Have-a-Plan Plan?

It turns out that the magical mystery bill is similar to the reconciliation bill the Republicans brought to the floor a couple of months ago. That bill was a bad idea then, and it's a bad idea now.

It cuts $36 billion from the SNAP program, taking food off the table of struggling Americans. Millions of households would see a cut in their benefits. Millions of families would have less food tomorrow than they do today. And hundreds of thousands of kids would lose their access to free school meals. That's the Republican idea of a Christmas present. It's enough to make Ebenezer Scrooge embarrassed.

The bill threatens Medicare, children's programs, education, infrastructure. In short, it threatens our economy as a whole. And at the same time, it not only protects the Pentagon budget, It increases it by billions of dollars. Does anyone here really believe there's not a single dollar to be saved anywhere in the Pentagon?

Mr. Speaker, the American people have spoken. They've made it loud and clear that they want a balanced approach. They want an approach that asks the wealthiest, the most fortunate Americans, to pay a little bit more, and that protects our seniors, our children, and our most vulnerable neighbors. But the Republican leadership of this House refuses to listen.

Mr. Speaker, let me say another thing about this process. I would say to my Republican freshman colleagues

that you rode to power on a wave of outrage over the way the House conducts its business. I remember the lectures and the promises and the things that you said would change. I would say to those freshmen: you own this now. You have officially become part of the problem, if not the problem.

A vote for this rule is a vote for an outrageous abuse of power and a vote against transparency and openness, and it's a vote against accountability.

Finally, Mr. Speaker, let me just say this. My Republican friends have made it unfashionable to worry about the poor and the elderly and the vulnerable. That's crystal clear in the text of what we're debating here today. I urge my colleagues not to turn your backs on the most needy. Let's balance our budget in a way that doesn't lower the quality of life or decrease the standard of living for people of this country. We can do so much better. Instead of doing this, you should be negotiating with the President. Go back to the negotiating table and stop the games.

Mr. DREIER. Mr. Speaker, at this time I'm happy to yield 5 minutes to my friend from Lawrenceville, Georgia (Mr. WOODALL), a very hardworking, thoughtful member of the House Rules Committee.

Mr. WOODALL. Mr. Speaker, I thank my chairman for yielding me the time.

I came down here to talk about tax policy and my support for the rule, Mr. Speaker; but I've got to tell you, when folks back home ask me what's wrong with this place, I'm going to start playing them a clip of this debate because there's a serious topic on the floor right now. This fiscal cliff, I don't think there's a man or woman in this room with a voting card who doesn't believe this is a serious issue for our economy, for working families, and for small businesses that we're counting on bringing us out of this recession. I believe every man and woman in this room believes that.

And yet as we're down here trying to have that discussion, in the short 11 days we have left to sort that out, I hear that our tax package, which does exactly what the President has asked, though not the levels that he asked for it, it picks winners and losers. He campaigned on that platform. I think it's wrong. I think we ought to keep tax rates low for everyone, but the President says no. The President says we ought to pick some folks who win and some folks who lose, and this tax bill does that. But it just deals with taxes because, as my friend from Massachusetts reminded me, when I ran as a part of this freshman class, I said let's try to make things more simple here. Because we all know what happens at the end of the year. Anybody who's watched this process in December knows those Christmas tree bills that come rolling to the floor where you handle 100 different unrelated things at one time.

Well, Mr. Speaker, I'd be interested in polling folks who don't have a voting card. I'd be interested in knowing what folks who've listened to this debate believe is happening in this underlying tax bill, because I've been told by some of the speakers on this floor that this tax bill throws Americans off unemployment; when, in fact, it does no such thing. No such thing.

Do we need to deal with unemployment? Yes, we do—in an unemployment bill.

I've been told that this tax bill cuts payments to doctors. It does no such thing. There's not one line in this bill that does any such thing. Do we need to deal with Medicare and SGR? Of course we do.

Do we need to jumble all of these things together in a straightforward tax bill? The answer's no.

I'm told by my friend it's not just stony silence on these issues; it's stone hearted to be silent.

Who is it, Mr. Speaker, who believes it advances the debate, this hard, complicated debate we have, who believes we advance it by calling the absence of a nongermane provision stone hearted on the part of the authors? Don't tell me about violating trust. Don't tell me about how it is folks ought to work cooperatively together. We have that opportunity right now, and folks are throwing it away line by line by line.

My friend from the Rules Committee comes to the floor, Mr. Speaker, and he says this bill throws folks off food stamps. Nonsense. Nonsense.

Every single time I go to the town hall meeting, Mr. Speaker, folks believe if only we eliminate the fraud in government, we'll balance the budget. Now, due to spending that both sides of the aisle are responsible for, we're way far out of balance. Fraud won't do it, Mr. Speaker. That's not going to be enough.

□ 1410

But what the underlying bill does to request to eliminate the defense sequester cuts that President Obama's Secretary of Defense has called so dangerous, it says the only people who should get food stamps are people who qualify for food stamps. That's right. The underlying bill says the only folks who should get food stamps are those who qualify for food stamps.

Now, it turns out, Mr. Speaker, like every Federal program, there's some fraud, and so some folks are receiving taxpayer-sponsored benefits today who have not earned them, who do not find themselves entitled to them by virtue of their circumstances. And because this underlying bill aims to eliminate that fraud, folks come to the floor and say, Why in the world are Republicans throwing hungry people out during Christmas?

It's outrageous, Mr. Speaker, that we can't have a conversation about serious things in a serious time. The outrages that my colleagues on the Rules Committee point to from last night, I tell you, Mr. Speaker, what happened last night is exactly what I would hope would happen in a conversation like this.

Almost to a person, every Democratic member in that Rules Committee and those testifying said, All we have in front of us tonight is a tax bill. All we have in front of us is a tax bill, and every American knows the problem isn't taxes. The problem is too much spending. Where are the spending cuts?

And so the Rules Committee staff went to work immediately, Mr. Speaker, and found a package, not that had never been seen before, not that had never been read before, not that had never been vetted before, but one that had passed this body in a bipartisan way.

They said, You know what? The criticism from my colleagues is right. We do need to do this, and we did.

The SPEAKER pro tempore (Mr. WOMACK). The time of the gentleman has expired.

Mr. DREIER. Mr. Speaker, I yield my friend an additional 30 seconds.

Mr. WOODALL. I thank my chairman for the additional time.

There is a sense out there in this country that folks in Washington, D.C., just want to argue about things, that they don't want to solve anything at all.

You all made absolutely accurate criticisms last night that I'm glad we took steps to correct. We have a straightforward tax bill today. We have a straightforward sequester replacement bill today.

Mr. Speaker, this isn't the wrong way to do things; this is the right way to do things. And with only 11 days left to prevent all American families from having an unprecedented tax increase, let's pass these bills. Let's pass this rule. Let's get to debate on the underlying resolutions.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ), the distinguished ranking member of the Committee on Small Business.

Ms. VELÁZQUEZ. I thank the gentlelady for yielding.

Mr. Speaker, I rise in opposition to this rule and the underlying legislation. This measure punishes working families just to deliver more tax breaks for the wealthy.

Under this legislation, those making over $1 million a year will receive an average tax cut of $50,000. That is not the 1 percent. It is the top one-third of the 1 percent. Meanwhile, 25 million working families will pay an average of $1,000 more in taxes.

For those families that are struggling to find work in this difficult economy, this bill is equally bad. Two million Americans will lose unemployment benefits next month, pushing them out into the cold.

Retirees and seniors will also be hurt. With a 27 percent cut in Medicare payments, 50 million seniors will see their health care endangered.

Mr. Speaker, what the American people are watching right here right now

is a tragic comedy, because the other side knows quite well that, even if this legislation passes the House today, it is going nowhere. So here we are, with time running out, rather than coming up with real compromise, we are playing another game of political charades. That is not what the American people want us to do.

I urge my colleagues, reject this bill so we can come up with a solution that becomes law, addresses our fiscal challenges while protecting working families.

Mr. DREIER. Mr. Speaker, may I inquire of the Chair how much time is remaining on each side?

The SPEAKER pro tempore. The gentleman from California has 7 minutes remaining. The gentlewoman from New York has 14½ minutes remaining.

Mr. DREIER. So I think the gentlewoman from New York (Ms. SLAUGHTER) might want to exhaust some of the speakers she has.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I thank the gentlelady, the ranking member from the Rules Committee, and I thank the chairman of the Rules Committee.

Mr. Speaker, when I mention the words Hurricane Sandy and the tragedy in Newtown, Connecticut, many would wonder what do they have in common? The enormous gun tragedy, a loss of 26 lives, and Americans suffering from a devastating storm. Certainly our hearts go out for those babies who were lost. But it really speaks to Americans in need. And I guess that's why I'm so troubled to be on the floor today, because the framework that we have says to America that when you're in need, we will not, as this Congress and as this government, be prepared to help you.

I think what is disappointing—and I know for the Speaker it is probably the same case as I'm speaking, because just about 3 days ago we thought there was a deal between the White House and the framework that was offered and the leadership of this House. It's disappointing that, in the course of a couple of days, we've come to a situation where this plan, Plan B, raises only about $300 billion from high-income households, and the Center on Budget Priorities suggests that millionaires will get $108,500 per million, over $1 million in tax cuts.

But what will the middle class get?

Plan B allows the old pre-Bush—or Bush tax cuts to continue the itemized deductions for the rich, giving them more opportunity to keep their money. In fact, we will lose $400 billion, under this plan, in high-income revenues. Disappointing.

But at the same time, there is a thought that we should cut Social Security by changing the way Social Security is calculated, so that if a senior buys cheap food, that means they need cheap Social Security, and we cut their Social Security benefits because we thought there was a deal. I can't agree with that at all, cutting Social Security, and I can't agree with recalculating how a senior gets their check.

But I will tell you that this plan raises taxes rather than reduces it, as the President wants to do, as this House of Democrats wants to do, as the Senate bill, where 180-plus Democrats have signed. This raises taxes $1,000 on 25 million working families.

And then there is a mysterious bill that, I guess, suggests that we are in the business of making cuts. But you know what that will do?

And by the way, there's no sequester plan in this plan that is here. It cuts education, research, and national security; but it also cuts the hardworking Americans who are yet employed, and it cuts off 2 million of them, unemployment insurance. It cuts out doctors.

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

Ms. SLAUGHTER. I yield the gentlelady another minute.

Ms. JACKSON LEE of Texas. I thank the gentlelady.

Twenty-seven percent.

Mr. DREIER. Mr. Speaker, may I ask my friend to yield? I will yield her an additional 30 seconds.

Ms. JACKSON LEE of Texas. I will be happy to yield to the gentleman.

Mr. DREIER. I just wanted to inquire. I didn't understand this ''there is no sequester here.'' We're dealing with the threat of a sequester, and our idea is $238 billion in spending reductions within the reconciliation bill that passed the House last May is what we're including. So I just didn't understand, if I could just ask my friend.

And I'm happy to yield her an additional 30 seconds, Mr. Speaker.

Ms. JACKSON LEE of Texas. I thank the gentleman for his inquiry.

When we started out with the Plan B, there was no sequester plan. Obviously, there was a mysterious offering last evening.

Mr. DREIER. If the gentlewoman would further yield, let me just say that there is a plan to respond to the sequester, and that is the $238 billion reduction over a 10-year period of time that is the reconciliation bill that was passed by the House last May.

Ms. JACKSON LEE of Texas. Reclaiming my time, I thank the gentleman.

In the original Plan B that I assume the Rules Committee was to address last evening through the distinguished chairperson, there was no sequester plan. We were in a posture of cutting education and research.

Yes, you are right. In the creative work of your staff, as you said right here on the floor of the House, late into the night you found the reconciliation that had been addressed in the summer, I believe, and all of us, a lot of us, voted against it.

□ 1420

All of us voted against it, and we understand that that plan will have no traction in the United States Senate. I thank the gentleman for his work, but what I'm suggesting is there is no sequester plan. There was no sequester plan with the Plan B. And as I was saying, if I can quickly go back, Madam Ranking Member, without this plan, what we leave in place with Plan B, which really troubles me, coming from the Texas Medical Center and meeting with the hospital before I left Houston, it cuts reimbursements for doctors seeing Medicare patients by 27 percent. Fifty million Americans will then have their health care in jeopardy. It cuts nutrition plans, food stamps. There is no plan.

My quiet comment, Mr. Speaker, as I close, it is in disappointment. It is not in shrill debate. It is simply in disappointment. Because we have Americans who are looking to us to work with the President, to work with the Speaker, to go forward on the plan that was offered on Monday—at least for us to debate—and to find a way to be able to respond when people like those victims of Hurricane Sandy and Newtown, Connecticut, call on us. That's all I'm asking my colleagues, is that you work with us.

Mr. DREIER. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself 30 seconds to say that it has been said here before that the bill that mysteriously appeared last night had passed the House in a bipartisan way. Let me point out it was bipartisan opposition. No Democrat voted for it and 16 Republicans voted ''no.''

I am pleased to yield 1 minute to the gentleman from Michigan (Mr. PETERS).

Mr. PETERS. Mr. Speaker, I rise in opposition to this rule and the underlying bills.

In the dead of night, 5 days before Christmas, House Republicans released legislation that they are rushing to the floor to gut funding for health care, food assistance, and other vital social services. Christmas is a season of giving, but sadly, Republicans are taking—taking food off the table for millions of American families that are struggling in these tough economic times by cutting food assistance by $36 billion, taking the unemployment lifeline away from more than 2 million Americans who are trying to get back on their feet, and taking funding away from block grants that provide protective services for abused children. Why would Republicans insist on taking so much away from our families during this holiday season? So they can give an average $50,000 tax break to millionaires.

I urge my colleagues to stand up for millions of children, workers, and families that are facing a real cliff. Vote ''no'' on the rule and the bills.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 2 minutes to a very thoughtful colleague from the Ways and Means Committee, Mr. TIBERI.

Mr. TIBERI. Let's review real quick here for everybody. We have a fiscal cliff occurring at the beginning of next year—12 short days. That means taxes go up for everybody who pay taxes and across-the-board spending cuts. The Democrat alternative, the Levin bill, was rejected on a bipartisan basis earlier this year. Our preferable bill has been rejected in the Senate. The Speaker and the President have been talking, but the President hasn't been serious. Not a dollar for cuts and a dollar for revenue.

Today is an attempt to try to save most Americans, Mr. Speaker—99.8 percent of Americans—from seeing their taxes go up. Three-quarter of a million small business owners will see their taxes go up if this plan isn't passed versus the Levin bill. Those three-quarter of a million small business owners employ many, many tens of thousands of people in America who are the middle class.

The bill before us is a comprehensive bill. Mr. Speaker, it gives us certainty. In the Ways and Means Committee we've heard testimony after testimony from business owners, Give us certainty. The Democrat alternative is a year. It's not even comprehensive. It doesn't even include the estate tax. We'll be right back here again December of next year for the 1-year patch. This gives us certainty. This gives employers certainty. This gives jobs creators certainty. It gives Americans who pay the alternative minimum tax certainty that they won't ever pay it again.

Mr. Speaker, this is the right medicine for 99.8 percent of Americans to prevent them from seeing their taxes go up on January 1. And it gives us an opportunity the next session of Congress to provide comprehensive tax reform that will simplify our Tax Code, that will give us even more certainty, and more competitiveness to our employers so the middle class can grow and prosper and we can improve our economy.

Ms. SLAUGHTER. Mr. Speaker, I am delighted to yield 3 minutes to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Thank you, and I appreciate the time and the opportunity to speak on this measure.

I'm concerned about the fiscal cliff. And it's important. President Obama has tried to work with the opposition party and has gone from what he was elected on—increasing taxes, for fairness, on families earning over $250,000—to $400,000. But no, that wasn't enough. This proposal goes to a million dollars a year. Now $400,000 is plenty comfortable. The President's gone a long way. The fact is that there's a lot of revenue that's being lost between $400,000 and $1 million. We need that revenue to rectify some problems in our society, of which there are still many.

This bill would cut funding for the National Institutes of Health. That is our physical cliff. And I want to talk to you how this fiscal cliff affects the physical cliff. The National Institutes of Health is the agency that comes up with research dollars that allows our lives to be extend and bettered. At Duke University there is a great lung transplant program, headed by Dr. Robert Davis. Duke needs more money to perfect their lung transplant program that's the best in the country. But still, it's only a 50 percent chance that a person will live 8 years with a lung transplant because the transplanted lung tends to be rejected. They don't know why. They need know find out it. It's National Institutes of Health funds that will find out and give people a chance to breathe and live.

In my hometown of Memphis there's research at the Methodist Hospital. We have Dr. James Eason, one of the finest liver transplant doctors in the country. But throughout the country there are people in places like St. Jude Children's Research Hospital in Memphis finding cures for childhood cancers and childhood catastrophic illnesses. This bill cuts funds to the National Institutes of Health. They should not be cut ever. They should be increased. And some of the funds that they are missing are the funds that will go to people earning over $400,000 and up to $1 million that tax relief is being given to. They don't know right now that they might not be the people that need that lung or that liver transplant or some other medical science cure or discovery. But there are people out there in the lottery of life that will. This bill doesn't take that into consideration.

Any bill that cuts funds to the National Institutes of Health will eventually cut people's lives short—and the quality of their life—because it's through research funded at the National Institutes of Health that we find these cures and these new procedures. Doctors need to be paid, hospitals need to be paid, research needs to be undertaken.

I believe the President has gone a great distance on the fiscal cliff to get to $400,000. He's even talked about cutting some programs that deal with the most vulnerable people, the poorest, on Social Security cost-of-living increases, which I oppose. But the President has tried. I hope that this bill fails and we deal with the President in a responsible way and avoid the fiscal and the physical cliff.

Mr. DREIER. Mr. Speaker, at this time I am happy to yield 1 minute to a great member of the Appropriations Committee, our hardworking friend from Savannah, Georgia, Ann's father, Mr. KINGSTON.

Mr. KINGSTON. I thank the gentleman from California.

Mr. Speaker, the President owns this economy. He owns the high unemployment rate—the 23 million Americans who are unemployed or underemployed. He owns the lack of jobs, lack of opportunities. He owns the $750 billion annual deficit that he has had for the 4 years. It is time for the President to step up.

□ 1430

Now, knowing that this fiscal cliff was going to take place for well over a year now—in fact, people have seen it coming long before then—the President has not acted in good faith and put alternatives on the floor for us to vote on.

What we're doing here today is three things. Number one, we are moving a centralized negotiation back to where it should be, a decentralized basis so that 435 House Members can vote, can speak on it and express their opinion. Now, hopefully, beyond that, the Senate can take it and amend it and change it and do whatever they want, but this debate belongs inside the United States Capitol. What the Speaker is doing today is giving us that opportunity.

Last year, we heard so much about the 99 percenters. This is going to give tax relief to those 99 percent, and it's permanent. I know how long it's taken us to do something with the death tax. That is in this bill.

This is good for the economy. It's good for economic growth, and I urge a ''yes'' vote on the rule.

Ms. SLAUGHTER. Mr. Speaker, I can't say it enough, today's legislation is a step backwards in the effort to find a fiscal cliff compromise. Plan B, Plan C, neither one of them are serious proposals but a gimmick designed to get headlines. By using the Halls of Congress to play political games, the majority is making it harder to find a commonsense and bipartisan solution to the impending fiscal cliff.

The time for these games is over. It's time that the majority comes to the table with a serious proposal that reflects the wishes of the American people.

Nobody wants to see the taxes raised on 25 million working families. As I said earlier, they seem to be called upon to pay the price for the fiscal irresponsibility of the financial district.

The American people don't want to see hundreds of thousands lose access to nutritional programs, and I sure can tell you that they don't want to see Wall Street reforms repealed and the historic health care law dismantled, but all these things would happen if this bill before us became law.

I strongly urge my colleagues to reject the gimmick proposal before us today and return to the serious work of balancing our budget while protecting the poor and the working class.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to this rule to make in order an amendment which will allow the House to have a chance to vote on the bill passed by the Senate to extend the middle class tax cuts to all persons making less than $250,000, which has been introduced in the House as H.R. 15. Also, the amendment would prevent the House from adjourning until we have averted the fiscal cliff and the President has signed legislation to prevent tax increases on the middle class.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

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

There was no objection.

Ms. SLAUGHTER. So, Mr. Speaker, I urge my colleagues to vote ''no'' and defeat the previous question, and vote ''no'' on the rule and certainly on the underlying bill.

I yield back the balance of my time.

Mr. DREIER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, let me say that we all know we're 11 days away from going over the proverbial fiscal cliff. We are trying our doggonedest to make sure that a sequester doesn't go into place. We all know that Secretary Panetta has said that that would be a devastating thing for our Nation's security.

I think that discussions taking place between the President of the United States and the Speaker of the House of Representatives are very important. I also think it's important for every Member of the House to have an opportunity to state where they stand on these issues.

The bill before us is one which actually has, again, basically enjoyed bipartisan support. I remember when Senator SCHUMER made it clear that he believed that there should not be any increase for anyone who earns under $1 million. That was a request that he said. I know there was a lot of discussion within the Democratic Caucus as to exactly what that level should be. Well, this is at the level that Senator SCHUMER had indicated that he supported earlier on.

I've got to say to my friend from Rochester, Mr. Speaker, we are not planning to adjourn. We want to address this issue. We want to do everything that we possibly can, Mr. Speaker, to resolve this just as quickly as we possibly can.

We're just a few days away from Christmas. We are obviously still here working. We're prepared to come back after Christmas. Sadly, many of our colleagues are going to the funeral of Senator Inouye. That service that will take place in Hawaii has created a challenge for us when it relates to the schedule itself.

We understand that this is a difficult time, but we need to work together to put into place pro-growth economic policies. I think that there is, as I said in my opening remarks, a bipartisan quest to do that. I congratulate the President for his call for reduction in the corporate tax rate from 35 percent to 25 percent. Real tax reform is something we've been trying to do for a while and I think can be done in a bipartisan way. Real entitlement reform that does not hurt our fellow Americans is something that can be done in a responsible way.

So I will simply say that this is not a perfect process, but it's an end-of-the-session process that's going on right now to deal with a tough, tough situation. We don't want our fellow Americans to be hurting, especially at this time of year as we look towards the Christmas holidays. I believe that we can see an agreement which will work to ensure that that does not take place.

So, Mr. Speaker, I urge my colleagues to support the rule, support the underlying legislation, both the tax issue and the effort to ensure that we don't see a sequester take place to bring about $238 billion, as the House passed it last May, of spending over a 10-year period of time. This is the right thing for us to do to get on a path that can provide certainty, which we all know is necessary.

So I urge support of the rule, and I urge support of the underlying legislation, both bills.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 841 OFFERED BY MS. SLAUGHTER OF NEW YORK

In section 1, strike ''The previous question shall be considered as ordered on the motion to its adoption without intervening motion.'' and insert ''The previous question shall be considered as ordered on the motion to its adoption without intervening motion except a substitute amendment consisting of the text of H.R. 15, if offered by Representative Levin or his designee, which shall be considered as read, shall not be subject to any point of order, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent.''

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

SEC. 3. It shall not be in order to consider a concurrent resolution providing for adjournment or adjournment sine die unless the House has been notified that the President has signed legislation to prevent a tax increase on the middle class, and to avert the so-called ''fiscal cliff.''

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

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

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question on House Resolution 841 will be followed by 5-minute votes on adoption of House Resolution 841, if ordered; ordering the previous question on House Resolution 840; and adoption of House Resolution 840, if ordered.

The vote was taken by electronic device, and there were—yeas 233, nays 184, not voting 14, as follows:

[Roll No. 639]

YEAS—233

Adams	Amodei	Bartlett
Aderholt	Austria	Bass (NH)
Akin	Bachmann	Benishek
Alexander	Bachus	Berg
Amash	Barletta	Biggert

Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—184

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Barrow
Barton (TX)
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
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
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Curson (MI)
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
DelBene
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
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
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)

NOT VOTING—14

Culberson
Grimm
Hinchey
Johnson, Sam
Jones
Larson (CT)
Lowey
Mica
Reyes
Richardson
Rivera
Shuler
Woolsey
Yarmuth

□ 1457

Ms. ESHOO, Messrs. GEORGE MILLER of California, HOLT, BRADY of Pennsylvania, and Ms. SCHAKOWSKY changed their vote from ''yea'' to ''nay.''

Messrs. AMASH, JORDAN, and HUNTER changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. LARSON of Connecticut. Mr. Speaker, on December 20, 2012, I was not present for rollcall vote 639. If I had been present for this vote, I would have voted "nay" on rollcall vote 639.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 219, nays 197, not voting 15, as follows:

[Roll No. 640]

YEAS—219

Adams
Aderholt
Akin
Alexander
Amodei
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
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Hall
Hanna
Harper
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lance
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—197

Ackerman
Altmire
Amash
Andrews
Baca
Baldwin
Barber
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Broun (GA)
Brown (FL)
Butterfield
Capps
Capuano
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Curson (MI)
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
DelBene
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Franks (AZ)
Fudge
Garamendi
Gohmert
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Harris
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Israel
Jackson Lee (TX)

Johnson (GA)
Johnson, E. B.
Jones
Jordan
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Landry
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Maloney
Markey
Massie
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schmidt
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—15

Burton (IN)
Carnahan
Chaffetz
Clay
Culberson
Grimm
Hinchey
Johnson, Sam
Lamborn
Lynch
Mica
Reyes
Richardson
Rivera
Shuler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1505

Mr. FRANKS of Arizona changed his vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 4310, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 840) providing for consideration of the conference report to accompany the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 233, nays 186, not voting 12, as follows:

[Roll No. 641]

YEAS—233

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
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
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—186

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Barrow
Barton (TX)
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
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
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Curson (MI)
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
DelBene
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
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
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—12

Culberson
Grimm
Hinchey
Johnson, Sam
Mica
Reyes
Richardson
Rivera
Ross (AR)
Shuler
Waters
Webster

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1512

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. McGOVERN. 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 243, noes 177, not voting 11, as follows:

[Roll No. 642]

AYES—243

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus

Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Eshoo
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Higgins
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—177

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
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
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Curson (MI)
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
DelBene
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Himes
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Israel
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
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Paul
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
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
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—11

Culberson
Grimm
Hinchey
Johnson, Sam
Mica
Paulsen
Reyes
Richardson
Richmond
Rivera
Shuler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1518

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. MICA. Mr. Speaker, I was unable to make votes the afternoon of Thursday, December 20, 2012 due to my attendance of a funeral and a delayed return flight. Had I been present, I would have voted "yea" on rollcalls 639, 640, 641 and 642.

TO TAKE CERTAIN ACTIONS UNDER THE AFRICAN GROWTH AND OPPORTUNITY ACT AND FOR OTHER PURPOSES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112–158)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

In accordance with section 502(f)(2) of the Trade Act of 1974, as amended (the ''1974 Act'') (19 U.S.C. 2462(f)(2)), I am providing notification of my intent to terminate the designation of the Federation of Saint Kitts and Nevis (St. Kitts and Nevis) as a beneficiary developing country under the Generalized System of Preferences (GSP) program. Section 502(e) of the 1974 Act (19 U.S.C. 2462(e)) provides that if the President determines that a beneficiary developing country has become a ''high-income'' country, as defined by the official statistics of the International Bank for Reconstruction and Development (i.e., the World Bank), then the President shall terminate the designation of such country as a beneficiary developing country for purposes of the GSP, effective on January 1 of the second year following the year in which such determination is made.

Pursuant to section 502(e) of the 1974 Act, I have determined that it is appropriate to terminate the designation of St. Kitts and Nevis as a beneficiary developing country under the GSP program because it has become a high-income country as defined by the World Bank. Accordingly, St. Kitts and Nevis' eligibility for trade benefits under the GSP program will end on January 1, 2014.

BARACK OBAMA.

THE WHITE HOUSE, *December 20, 2012*.

CONFERENCE REPORT ON H.R. 4310, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

Mr. MCKEON. Mr. Speaker, pursuant to House Resolution 840, I call up the conference report on the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 840, the conference report is considered read.

(For conference report and statement, see proceedings of the House of December 18, 2011, at page H6869.)

The SPEAKER pro tempore. The gentleman from California (Mr. MCKEON) and the gentleman from Washington (Mr. SMITH) each will control 30 minutes.

Mr. FRANK of Massachusetts. Mr. Speaker, since both the gentleman from California and the gentleman from Washington signed the conference report, it is clear they are supporters of the conference report. So I claim the 20 minutes that is allotted for someone in opposition when both majority and minority are in support.

The SPEAKER pro tempore. Does the gentleman from California support the conference report?

Mr. MCKEON. I do.

The SPEAKER pro tempore. Does the gentleman from Washington support the conference report?

Mr. SMITH of Washington. I do, yes.

The SPEAKER pro tempore. Under clause 8(d)(2) of rule XXII, if the managers both support the conference report, then another Member may claim

one-third of the time allotted for debate thereon.

The Chair will recognize the gentleman from Massachusetts to control 20 minutes in opposition to the conference report.

The gentleman from California is recognized.

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

Mr. Speaker, I rise today in support of the Fiscal Year 2013 National Defense Authorization Act Conference Report. As you know, the NDAA is the key instrument by which the Congress fulfills its primary constitutional responsibility to provide for the common defense.

□ 1530

This year will mark the 51st straight year we've successfully completed our work. We have long prided ourselves on our ability to reach across the aisle and build strong bipartisan legislation on behalf of our troops. This year is no exception.

The bill authorizes $552.2 billion for national defense and $88.5 billion for overseas contingency operations. In fact, though our troops are at war and a significant share of our equipment inventory is exceeding retirement age, this year's funding is a reduction in real terms from last year.

Recognizing the magnitude of the cuts imposed upon the military over the past year is important. We must acknowledge the significant contribution defense has already made to deficit reduction. Half of the savings has come out of defense, even though the defense accounts for only 17 percent of the overall budget.

Yet in a matter of days, sequestration will go into effect and, without further action, will do incredible injury to a military that took generations to build. It will take generations to fix. And the blow will not come from an enemy, but from our own inability to fulfill the basic obligations of governance. That is why I am pleased that today the House not only considers this critical piece of legislation, but will also vote—once more—to stop sequestration. It's imperative that both the President and the Senate show similar leadership and resolve sequestration before the end of this year.

Despite these challenges, this conference agreement ensures that we can safeguard military readiness in a time of declining budgets and increased strains on our Armed Forces. We support missile defense, global strike, strategic and tactical airlift, and were able to preserve critical military capabilities. The bill supports pay and benefits for our military and their families, including a 1.7 percent pay raise, and rejects administration proposals to significantly accelerate increases in TRICARE pharmacy copays for our retirees.

Unfortunately, there has been some inaccurate reporting regarding our detainee provisions. The protections included in the House-passed bill have been preserved in the conference agreement, and we worked closely during the conference negotiations with our House colleagues, who exercised leadership on this issue, to ensure that we retain their support. We did not include an amendment adopted 2 weeks ago on the Senate floor because we could not reach consensus on what the effect of the language would be.

Rest assured, this conference report ensures that every American's constitutional rights, including the right to habeas corpus, remain unaffected, and every American can challenge the legality of their detention in Federal court. The ''great writ'' of habeas corpus is a citizen's most fundamental protection against unlawful deprivations of liberty. This reflects a consensus built after exhaustive debate over several years in both Chambers.

The conference report covers many more critical issues, but I will close in the interest of time. Before I do, I would like to thank all our Members for their hard work, but in particular, my partner on the committee, Ranking Member SMITH from Washington.

I reserve the balance of my time.

Mr. SMITH of Washington. I yield myself 3 minutes.

I, too, rise in support of the conference report. I want to particularly thank Chairman MCKEON, Senator LEVIN, and Senator MCCAIN, who worked with us to get this product, as well as all the members of the committee and staff. We truly did work on this in a bipartisan fashion. I don't think there's a single one of us that's completely happy with everything that's in this piece of legislation, but that's the nature of compromise and working together to get something done.

We need to pass a defense bill to support our troops and to get our troops the pay raise and the support that they need. So to get there, we have to work past our differences in order to come up with a product that we can vote for. We did that. It's proof that the legislative process can work.

This is a critical piece of legislation. First and foremost, it prioritizes support for our troops and their families. We have to remember that we still have over 60,000 troops deployed in combat in Afghanistan. Making sure that they have the equipment, supplies, and support that they need to do the job that they're being asked to do is our number one priority.

I'm pleased that we have a 1.7 percent pay raise included in this bill and pleased that we continue to support the effort in Afghanistan. I'm also pleased that we have language in this bill that makes it clear that it is time to end that mission in Afghanistan and bring our troops home as soon as we responsibly can. I believe that is also a critical priority going forward.

There are other critical provisions of this bill. Once again, the Senate added language to ramp-up sanctions against Iran to keep the pressure on them to, hopefully, discourage them from developing a nuclear weapon. That is a critical piece of legislation.

We also have in here reform to our satellite export regime. The cumbersome nature of that regime has significantly harmed the U.S. satellite industry. We've gone from having 65 percent of that market worldwide to less than 25 in the last 15 years. Getting back to a competitive place with that industry is critical to our national security. Those are companies that we're going to depend on to provide us the best equipment to best protect this Nation. That change is very welcome.

I am still disappointed in where we are at on Guantanamo Bay and detainee policy. This bill, again, though only for 1 year, not permanently, as they proposed in the Senate—I'm pleased that we were able to do that—tie the President's hands in how to deal with the people at Guantanamo Bay. We need to close Guantanamo and have the President have the freedom to deal with the inmates there in a way that is consistent with our values, our laws, and our Constitution.

We also do not fix the detainee problem. The chairman is correct. We once again state, basically, that if you have rights, you have rights, but we still hold open the possibility of indefinite detention of people on U.S. soil. I think that is wrong. I think that is something that we should change.

I will also disagree that habeas corpus is the highest form of protection for our rights. It is more like the last resort. It's the one thing that under no circumstances we can take away from you. The highest protection of individual rights is our Constitution and our article III courts that provide full due process and full rights to everybody facing criminal charges. So I hope we will fix that at some point.

Overall, this is a good bill that does one of our very important tasks here in Congress—to provide for the common defense—and I urge support of the measure.

I reserve the balance of my time.

Mr. FRANK of Massachusetts. I intend to reserve most of the time for myself, but I have shared with the ranking member of the Armed Services Committee, who's done a very good job and had some commitments, and I'm yielding to some people as a proxy for him, but I will begin by yielding 1 minute to the gentleman from Iowa (Mr. LOEBSACK).

Mr. LOEBSACK. I want to thank the gentleman from Massachusetts for yielding.

Mr. Speaker, while I very much appreciate all the work of Congressmen McKeon and Smith on this bill, I rise today because I strongly oppose allowing plans to significantly cut the Air National Guard embodied in this bill. I worked on a bipartisan basis to block these cuts because I strongly believe that, before an irreversible decision is made, we must have the strategic and

cost benefit justification. This 11th-hour proposal still does not provide that justification and should not move forward.

The Iowa National Guard's 132nd Fighter Wing, for instance, is one of the most cost-effective and experienced units in the country. These men and women served our country and stayed honorably and they deserve better, yet this bill will allow their F–16s to be retired and positions cut without explanation for how it serves our national security or the taxpayers of America.

I strongly oppose this decision, which is why I did not sign the conference report and, for the first time since I've come to this office, will oppose the National Defense Authorization Act this year.

GENERAL LEAVE

Mr. MCKEON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise an extend their remarks and insert extraneous material on the conference report to accompany H.R. 4310.

The SPEAKER pro tempore (Mr. YODER). Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MCKEON. I yield such time as he may consume to my friend and colleague, the chairman of the Subcommittee on Tactical Air and Land Forces, the gentleman from Maryland (Mr. BARTLETT).

□ 1540

Mr. BARTLETT. I rise in support of the conference report for the National Defense Authorization Act for fiscal year 2013, the 51st consecutive conference report for this committee and the National Defense Authorization Act.

I have had the honor of serving as the chairman of the Tactical Air and Land Forces Subcommittee of the Armed Services Committee. Under the full committee leadership of Chairman MCKEON and Ranking Member SMITH, the support of SILVESTRE REYES, our subcommittee's ranking member, and a truly superb staff, ours is a really bipartisan effort.

Our first priority and immediate requirement has continued to be to fully support our personnel serving overseas in Afghanistan and the many other countries where we have asked them to serve under the daily constant threat of their personal survival. We have worked diligently to support the armed services and provide additional resources to support the warfighter. This conference report properly reflects these immediate requirements.

Consideration of this conference report comes during a continued period of critical challenges to our national security—from the rapidly growing national debt, cybersecurity threats, and across the threat spectrum to include security of chemical weapons stockpiles and proliferation of nuclear weapons.

The Nation's fiscal circumstances and world events continue to challenge our government's will and capacity to constructively address the enormity of the challenges we face. The challenge is to develop an effective National Military Strategy that matches available resources and reflects the current and projected threat and fiscal environment. A fundamental objective appraisal of the national strategy is needed to enable the committee's full and balanced consideration of force structure and equipment investment plans and programs.

I am concluding my service to Congress. It has been my great honor to serve our servicemembers and their families, the people of Maryland's Sixth District, this committee, and the House of Representatives for 20 years now. It has also been my honor to put national security interests first in my service to the Armed Services Committee.

I strongly urge all of my colleagues to support the National Defense Authorization Act conference report.

Mr. SMITH of Washington. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Speaker, I rise in support of this legislation and commend Mr. MCKEON and Mr. SMITH for their leadership in making it happen.

Most importantly, this legislation takes care of the people most important to us—the men and women in uniform who will receive a pay raise under this legislation.

Second, it maintains our competitive edge in technology as we look for new ways to defend our country and improve our situation around the world.

Third, I believe very strongly this bill affirms the Constitution of the United States; makes it clear that nothing in any statute, including this one, in any way subverts or undercuts the Fifth Amendment due process rights of any person under any circumstances. For these reasons, I would urge my friends both on the Republican and Democratic side to vote ''yes.''

Mr. FRANK of Massachusetts. Mr. Speaker, continuing to yield according to the arrangements of the gentleman from Washington, the ranking member, I yield 4 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. I thank the gentleman.

Mr. Speaker, I rise in opposition to this conference report. While the report is an improvement over the House bill, it still falls short of where we need to be on the question of detention without trial. Nonetheless, I do want to commend the gentleman from Washington for his conscientious work on this and other aspects of the legislation.

As a Nation, no matter what adversity we have faced we have done so as Americans. We have united behind the values and freedoms that gave birth to this Nation and that have made it a moral force in the world. In the last decade, however, we have begun to let go of our freedoms bit by bit, with each new Executive order, each new court decision, and yes, each new act of Congress. We have begun giving away our rights to privacy, our right to our day in court when the government harms us, and with this legislation we are continuing down the path of destroying the right to be free from imprisonment without due process of law.

The conference report states that:

> Nothing in the Authorization for Use of Military Force or the National Defense Authorization Act for fiscal year 2012 shall be construed to deny the availability of the writ of habeas corpus or to deny any constitutional rights in a court ordained or established by or under Article III of the Constitution to any person inside the United States who would be entitled to the availability of such writ or to such rights in the absence of such laws.

This language simply continues the flawed policies established in the 2011 defense authorization bill. First, it applies only to ''any person inside the United States.'' That is important, but most of the debate on indefinite detention without charge and on the lack of due process has to do with people held by our government outside our borders—including, potentially, U.S. citizens.

The language in this bill, combined with the prohibitions against moving these detainees into the United States, guarantees that we will continue holding people indefinitely without charge—contrary to our traditions of due process and civil rights.

Second, this text continues the claimed authority of the United States Government to hold even U.S. persons captured on United States soil indefinitely and without charge. Some people may take comfort in the provision that states that those of us entitled to certain rights prior to the passage of the AUMF and of last year's defense authorization bill continue to have the same rights afterwards. But this bill does not say who among us are fortunate enough to have those rights, nor does it tell us what those rights might be. It does not specify how the executive branch is to determine which of us are entitled to these constitutional protections and which of us are not. And it does not provide us with recourse if the President gets it wrong.

Although I am urging a ''no'' vote on this conference report, I do want to acknowledge that, despite these very real problems, there are things in this bill that are important and that deserve Member support. For example, Senator SHAHEEN's amendment to allow servicemembers and their dependents to

obtain abortions in military hospitals in cases of rape and incest rights a terrible wrong. But we must take great care. Our liberties are too precious to be cast aside in times of peril and fear. We have the tools to deal with those who would attack us. We do not need to surrender our liberty.

Because of this momentous challenge to the founding principles of the United States—that no person may be deprived of liberty without due process of law—this bill should be rejected.

Mr. MCKEON. Mr. Speaker, I yield 2 minutes to my friend and colleague, the vice chairman of the Armed Services Committee and the chairman of the Subcommittee on Emerging Threats and Capabilities, the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. First, let me commend the chairman, the ranking member, and all the staff members for getting us here.

Unfortunately, it is all too rare for the House to consider a bill with over 140 amendments on the floor here, have it passed, have a bill pass the Senate, go to a conference committee, and then have the conference report come back out to go to the President. It is all too rare, but if it's going to happen, it ought to happen on a bill dealing with the country's national security, and obviously that's what this bill does.

Mr. Speaker, I think this is a good bill that makes significant progress in a number of areas. From the Emerging Threats and Capabilities Subcommittee, which I'm pleased to lead with Mr. LANGEVIN, the distinguished gentleman from Rhode Island, we enhance oversight of cyber-operations in this bill, although we both acknowledge there is much more work to be done in the field of cyber. We meet some of the unfunded requirements of our special operations forces. We take steps to improve the management of our science and technology programs. And there are improvements to acquisition of information technology, which is an increasing challenge to the Pentagon because it does not fit within our normal acquisition methods.

Finally, Mr. Chairman, I would just comment briefly. The gentleman from New York read the provision in this bill that deals with detention. It is absolutely true that this bill affirms yet again that the original Authorization for the Use of Military Force passed in 2001 or last year's NDAA does not change the basic constitutional rights to which all persons in the United States are entitled. Now, it may be that there are some people who are unhappy with those basic constitutional rights; they think it should be more, or they think the Supreme Court has misinterpreted some of those rights. That is a different debate.

□ 1550

But there has been a fair amount of misinformation on this point, and I think for all Members who are concerned about this issue who get questioned about this issue, just read the language which says nothing changes those basic constitutional rights.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentlewoman from Guam (Ms. BORDALLO).

Ms. BORDALLO. Chairman MCKEON, I thank you and, of course, Ranking Member ADAM SMITH.

I rise today, Mr. Speaker, in support of the conference report for H.R. 4310. This defense bill conference report works to ensure that our men and women in uniform are well trained and equipped through the authorization of $176 billion in operation and maintenance funding, plus $62 billion for overseas operations, including Afghanistan.

The conferees have restored 77 aircraft and 3,313 people to the Air Force's force structure, mostly in the Air National Guard and the Air Force Reserve, to ensure adequate resources are available to the States and the territories to respond to mobilizations, homeland defense and disaster-assistant missions. I am personally pleased that the conferees did not allow the retirement of Block 30 Global Hawks, which provide critical ISR capability.

I am particularly pleased that the conference report authorizes the Secretary of Defense to establish a program to provide space-available transportation to Active Duty servicemembers and their dependents and Reserve component members and others at the Secretary's discretion.

While I am disappointed that the conferees authorized percentage reductions in the DOD civilian workforce, I expect the Department to implement these reductions in compliance with the statutory requirements for a balanced workforce sized to meet mission requirements, workload, and to mitigate risks in operational readiness.

Most importantly, Mr. Speaker, this conference report takes a major step toward loosening restrictions on the obligation and the expenditure of U.S. and Government of Japan funds to support the military buildup on Guam. I believe that this bill sends a strong message that the United States remains committed to providing resources to refocus on the Asia-Pacific region

I'm also pleased that the conference report includes a requirement that flags from the District of Columbia and the U.S. territories be displayed at U.S. military installations around the world.

I ask my colleagues to support the conference report.

Mr. FRANK of Massachusetts. Mr. Speaker, at the request of the chairman of the full committee, I would now yield 2 minutes to him. I believe he intends to conduct a colloquy.

Mr. MCKEON. I thank the gentleman for yielding.

Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky for the purpose of a colloquy.

Mr. WHITFIELD. Well, thank you, Chairman MCKEON, and I certainly want to thank you and Mr. SMITH and your staffs for the hard work to complete this 51st consecutive defense authorization bill. As you know, the Energy and Commerce Committee has an interest in a number of provisions included in the bill. One of the provisions is section 3113, which modifies section 4102 of the Atomic Energy Defense Act.

My understanding of the Armed Services Committee's intention with regard to section 3113 is that, one, you want to reinvigorate a dormant statutory council by updating it and transforming it; and, two, you want to clean up the U.S. Code by eliminating obsolete language referring to the Assistant Secretary of Energy for Defense Programs.

Is that your understanding, as well?

Mr. MCKEON. That's correct. This council will be an important mechanism for improving communication, and the rest of section 4102 is defunct.

Mr. WHITFIELD. It is also my understanding that it was not the intent in section 3113 to affect the Secretary of Energy's management, planning and oversight authority, or delegation authority, related to the National Nuclear Security Administration.

Is that your understanding, as well?

Mr. MCKEON. That's correct. To further affirm that, I've sent a letter to the Secretary of Energy making clear the striking of this section in no way affects the Secretary's authorities.

Mr. WHITFIELD. Well, Chairman MCKEON, I want to thank you very much. The Energy and Commerce Committee was concerned about the elimination of portions of the underlying section, and it is my understanding that you will commit to working with the Energy and Commerce Committee next year to restore pertinent portions of section 4102 of the Atomic Energy Defense Act.

Mr. MCKEON. Yes, you have my commitment and my thanks for bringing this to our attention.

Mr. WHITFIELD. Well, thank you. It's a joy working with you, and, once again, congratulations.

Mr. MCKEON. Mr. Speaker, at this time, I yield 2 minutes to my friend and colleague, the chairman of the Subcommittee on Readiness, the gentleman from Virginia (Mr. FORBES).

Mr. FORBES. Mr. Speaker, first I want to thank the chairman, the ranking member and staff of the Armed Services Committee for the great job that they have done in bringing this bill to the floor.

This bill takes several steps to ensure our military readiness, including the restoration of funding to retain at least three Ticonderoga-class guided missile cruisers that the Navy proposed to retire well before the end of their expected service life. The conference also added an additional 32 tactical airlift aircraft that are essential to meeting the Army's direct support airlift missions. These additional force structure changes are essential to ensuring our military meets mission requirements.

The bill also refuses to authorize another round of BRAC, which I believe

was founded on a flawed premise that assumes the administration's proposal for a reduced force structure is correct. I categorically refuse to accept a diminished Department of Defense and believe that additional force structure is necessary to support our combatant commanders.

While I support this bill, I'd be remiss if I did not express my concern associated with continued discussions on further reductions to the Department of Defense budget. While I believe the Federal Government, including the Department of Defense, needs to seek additional efficiencies, I reject the notion that additional cuts to Federal Government should be levied on the backs of our servicemen and -women who provide so much. We hold a special trust with these men and women, and we should oppose any proposal that seeks to diminish the promises provided to our valiant servicemembers.

Mr. Speaker, I hope and encourage our Members to support this bill.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island, the ranking member on the Emerging Threats Subcommittee, Mr. LANGEVIN.

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

Mr. LANGEVIN. I want to thank Ranking Member SMITH for yielding and also wish to thank Chairman MCKEON, both of them, for their hard work on this bill and working so collaboratively on behalf of the men and women in uniform and for our national security. I also want to thank the committee staff and all of my colleagues on the committee for their work on this year's legislation. I'd especially like to give a special thanks to Chairman THORNBERRY, who has been a superb partner on the Emerging Threats and Capabilities Subcommittee, and I particularly want to thank him for his hard work and our collaborative work together on cybersecurity, which I care passionately about.

While this legislation is not perfect in my eyes, it represents a compromise and common purpose that voters expect of us, as well as our continued commitment to one of our fundamental purposes as Members of Congress—providing for the common defense.

Now, this bill makes important investments in both the people and the programs that make defense work. It ensures that we have a robust national security. I'm particularly proud to note that it includes key provisions I advocated for directing the procurement of an additional Virginia-class submarine in FY 14. These boats are critical to our national security, and the hardworking men and women at Electric Boat in my district are building them ahead of schedule and underbudget. This bill preserves the two-boat-per-year model that has made such efficiencies possible.

I would also like to highlight the important cybersecurity provisions that enhance the oversight of Defense Department cyberoperations, establish criteria for DOD contractors to rapidly report cyberattacks and, most importantly, cyberpenetrations, especially when they've been successful, and obviously the work done here to grow our cyberworkforce. The highly skilled men and women who defend the United States' interests in cyberspace, in my opinion, are too few in number, and we have to reverse this trend, and we must attract, train and retain the very best.

Likewise, I'm pleased that this legislation includes provisions I authored that ask the DOD to assess the state of next-generation directed energy technologies. DE technologies hold great promise. In the short and medium term, they will not be a replacement for kinetic defenses; but they can be an added benefit, whether it's on missile defense or leak defense.

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

Mr. FRANK of Massachusetts. I yield the gentleman an additional 1 minute.

Mr. LANGEVIN. I thank the gentleman.

These technologies will not be, again, a replacement for kinetic defenses; but given the threats that we face in terms of raid sizes from adversaries on both short-, medium-, and long-range missiles, directed energy technologies do add an added dimension of defense that can supplement kinetic defenses.

With that, I want to thank all of my colleagues for their hard work on this bill. Again, I want to thank Chairman MCKEON and Ranking Member SMITH for working so well together, their hard work; and I urge all of my colleagues to support this important legislation.

Mr. FRANK of Massachusetts. Mr. Speaker, how much time remains on all sides?

The SPEAKER pro tempore. The gentleman from Massachusetts has 13 minutes remaining, the gentleman from California has 10½ minutes remaining, and the gentleman from Washington has 12 minutes remaining.

□ 1600

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself my remaining time.

Mr. Speaker, I have some differences with particular provisions here, I would agree with the gentleman from New York, but that's not my major reason. That's not my reason at all for commandeering the time of this debate, and I apologize to those on the committee who worked so hard and who had an expectation to be able to talk about this specifically. I tried to accommodate that some, but here is my dilemma: it's partly the structure of this institution and of our rules and of our task.

The committee does a very good job of operating within the given parameters of America's military engagement. They discharge very well their obligation to fund that level. What we don't have in our structure is a form in which to debate the most important question we face as a country: What level of worldwide military engagement should we be committed to pursuing? Because that level of military engagement dictates the funding.

Members have said this is a good bill because it supports the men and women who we send into battle and into harm's way. Of course it does. It would be immoral to do anything less for them. The question is not whether having made a decision to be engaged on a worldwide basis we fund them adequately, but whether we are asking them to do too much. I would say my general principle in part is this.

We have a superior military, wonderful men and women, very well-equipped thanks to this House and this Senate and the administration. They do very well what a military can do. A military can stop bad things from happening.

Where we make the mistake is of asking these wonderful people to do something that militaries are not good at: make good things happen, take on roles in societies, quite literally and metaphorically, foreign to us and deal with the deepest human problems of religious and cultural disagreements.

I would be morally conflicted if I thought those kinds of interventions could be successful. I would like to alleviate the people in Afghanistan who suffer from some of these problems or in Iraq or elsewhere, but the point is we can't do that. The best trained and armed 30-year-old Americans can't resolve the problems that rack those societies. They can repel enemies, but they cannot create good societies.

Beyond that, we are suffering, I believe, from cultural lag. Sixty-seven years ago, at the end of World War II, America needed to be there for virtually every society in the world outside of the vicious Communism presided over by Joseph Stalin. The nations of Western and Central Europe had been weakened by World War II. They were vulnerable to Stalin.

Russia had been weakened, too, but he was able to use the brutal force of his system to put whatever resources he had into a military that not only threatened, but ate up freedom in many European countries. And Harry Truman, to his credit, with the bipartisan support from Congress said, No, no further, and inserted American troops and American money to keep the weak nations of Western and Central Europe from being overrun by Stalin.

Stalin, thank God, is dead, and the terrible system over which he presided has crumbled. That does not mean that I believe Russia is a wonderful place to live. I continue to be grateful to my grandparents for getting the heck out of there, but it's not a threat to the United States' competence.

On the other hand, the European nations that we went in there to protect are now strong and prosperous. We no longer have weak nations in Central

and Western Europe, and there is no longer a belligerent threat to them. One thing that hasn't changed is we're still there, with tens of billions of dollars of American money protecting the strong nations against a nonexisting threat.

Japan was disarmed 67 years ago because of understandable fears. Japan, today, is a very different country, and an American policy that insists on subsidizing the defense of Japan because of what happened 67 years ago is a disservice to the American people.

I want us to be the strongest nation in the world, Mr. Speaker. Some of my liberal friends say that sounds xenophobic. It's very simple. Somebody's going to be the strongest nation in the world by the process of elimination. I look at the candidates, and I'm for us.

I will be honest with you, if Denmark had the possibility of being the strongest nation in the world, I would be pretty relaxed about it, but they can't handle it. It's either going to be us or some country I'm not that crazy about. But we can be the strongest nation in the world much less expensively than we are.

Let me read from some who are critical because this President hasn't gone far enough. And a couple of my colleagues have praised the bill for putting more weapons into play than the Pentagon wants for objecting to their retirement of these weapons; in other words, it's more money than the Pentagon wanted in some cases. Here's the viewpoint that I think is being expressed here.

In an article in The Wall Street Journal on November 7, the day after the election—hope springs eternal for some people—Mr. Jack David and Michael Dunn wrote an op-ed piece. Mr. David was the Deputy Assistant Secretary of Defense in the Bush administration; Mr. Dunn had the former presidency over the Air Force Association. Here's what they say in support of more aircraft, part of which the committee appeared to be responding to. It wasn't directly, but it was in consonance with it. They complain that the Air Force has been a victim of its success. They say:

> Ironically, the inattention and repeated cuts that have taken a toll on this branch of the military haven't received the public attention they deserve because the Air Force has been so successful. No U.S. soldier has been killed by enemy airpower since 1953. For six decades, the Air Force has been able to deny operational airspace to adversaries, so U.S. ground forces have operated with little fear of enemy aircraft attacking their positions.

This is in The Wall Street Journal, written by a former Bush Assistant Secretary of Defense and the head of the Air Force Association.

But they say it's not enough to have had no American killed since 1953—for which I'm very pleased—and have totally dominated every battlefield for six decades. Here's what we have to do, they say:

> But the U.S. relies on the Air Force to do much more than that—including to hold at risk any actual or potential enemy target, anywhere in the world.

At a time when I'm being asked—I'm not going to do it—to cut back on the cost of living for Social Security, when we don't have adequate funds for health research, when we have had cities lay off police and fire—you're worried about the safety of Americans? Let's give the cities the resources not to lay off police and fire—I don't want to vote money to hold at risk any actual or potential enemy target anywhere in the world.

By the way, we have to do this ourselves, because the next thing we have to do is ''protect the ground forces of friends and allies.'' Why can't some of our allies protect their own ground forces? Is there something about Germany and Italy and France and Spain and England and Japan that renders them genetically incapable of having their own air forces? I know we were told we have to stay in Iraq and Afghanistan because they don't have their own air force, but neither do the people attacking them.

The next thing we are told is ''to protect the U.S. from a nuclear attack.'' I agree. We have a nuclear capacity that far exceeds any potential combination of enemies. We had, during the height of the Cold War, the triad. We could destroy the Soviet Union in a thermonuclear war, and they had the capacity to go after us by missiles, submarines, or strategic air command.

I have a proposal that sounds like I'm kidding. Sometimes I'm kidding; this time I'm not. Can we not go to the Pentagon and say, You know what? Now that there is no Soviet Union, there is a much weaker Russia—and I agree, Russia won a war against Georgia. They won a war against the country of Georgia. I think the way that we have armed the State of Georgia, I'm not sure what the outcome would be if that was the war. But Russia does not have anything like the capacity it had at the height of the Cold War. We still have the capacity to destroy them. Can we not say to the Pentagon, You know those three ways you have for destroying the Soviet Union? Please pick two. Would we not be very secure against a Soviet nuclear attack if we had two instead of the three and can save billions of dollars?

Now we're told, also, we must ''provide navigation through its global positioning systems.'' We have to protect, I'm told, the trade routes everywhere in the world, we have to protect them against China.

Mitt Romney got something right in his debate with the President when he said he's not afraid of toughening sanctions against China for currency manipulation because, he says, people say they're going to cut off their trade.

They make an enormous amount of money out of that trade. Why would they cut it off? Agreed. Why would the Chinese shut down the navigation route over which they make an enormous amount of money? It's like Dominos decided to tear up the street so they couldn't deliver the pizza. We are spending money on the Navy that protects every shipping lane everywhere in the world as if we were the only ones who had that interest.

□ 1610

Now let me give this one—surprising from conservatives—which is to airlift humanitarian aid anywhere in the world. I wish we were doing more in Haiti, and I wish we were doing more to stop children from dying of illness in Africa—but we have to give humanitarian aid anywhere in the world to our wealthy allies and others? Frankly, I wish we were better able to deliver humanitarian aid to New Jersey than to rich countries elsewhere. I don't say that as an isolationist. I wish we were doing more in some ways. I regret the attack on the International Monetary Fund—that I hear from my Republican colleagues—which would destabilize Europe. I would like to increase economic aid. I would like to do more to fight AIDS and malaria. I would like to do it in a more effective way.

Now, I'm told, in part, well, it's bad for jobs if you cut the military. That is a head-swiveling degree of inconsistency. I am told by many of my Republican colleagues, when the Federal Government provides aid to cities to keep firefighters on the job, when it builds roads, when it builds housing for the elderly, that somehow that's just something called ''stimulus,'' which doesn't add to the economy; but apparently, when we spend money to maintain bases in Germany or in Okinawa, when we build weapons that aren't needed, and even more when we maintain a nuclear arsenal we don't need, that somehow, magically, that creates jobs. It's as if Keynes were only right if he were armed. It's military Keynesianism.

The government does not help with the economy. Of the people who have said no government stimulation of the economy, how can they, Mr. Speaker, then turn around and say, We've got to do this for jobs? By the way, I think there is a government role in stimulating the economy. Defense tends to be, on the whole, the least efficient way to do it. The largest percentage of it is spent overseas. If we close down bases in NATO, it's going to hurt some people—but not here—and people who can afford it. Now I'm told, Well, that's mean because you're allies, and you're supposed to have troops where your allies are. Then how come I never saw any Belgian troops at the border in the United States? It's a one-way street.

Now, let me say of the President—and he has done a very good job, and I appreciate his withdrawal from Iraq and his resisting of some of the pressure, but he should go further. I did note—and the country is ready for this—that during that memorable moment when Clint Eastwood lost the debate to a chair that one of the things

he said that got enormous applause at the Republican convention was, Let's get out of Afghanistan right away. The American people understand we have long since stopped doing a lot of good there. That's not because there is any lack of bravery or skill on the part of those wonderful young people who are there. It's not their fault that we have put them in a place they no longer ought still to be. We ought to withdraw them.

I have one difference with the President, let me say in closing. On this, he says—however he's the President, and when you're the President, they all tell you these things—that America is the indispensable Nation. We were in 1945. We should not consider ourselves to be the indispensable Nation today. We are not indispensable to the defense of Germany and Italy and England, and we act as if we are. We're not indispensable in keeping open sea lanes for other countries. Frankly, Mr. Speaker, the time has come for us to urge wealthy nations that face no significant threat to dispense with us from the standpoint of our military activity.

So that's my objection to this bill. It does a reasonable job—with some disagreements some of us would have—of funding the current level of commitment, but the current level of commitment far exceeds any rational definition of ''national security.'' It's zero sum. It comes at the expense of every other program we try to maintain to promote the quality of life in the United States. I hope the bill is defeated.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman's time has expired.

Mr. MCKEON. Mr. Speaker, I yield 2 minutes to my friend and colleague, the chairman of the Subcommittee on Military Personnel, the gentleman from South Carolina (Mr. WILSON), a member of the conference committee.

Mr. WILSON of South Carolina. Thank you, Mr. Chairman, for your successful leadership of peace through strength.

The conference report for the National Defense Authorization Act provides our warfighters, veterans, and military families the care and support they deserve and have earned. Specifically, the conference report will authorize a true pay increase of 1.7 percent, limit end-strength reductions for the active Army and Marine Corps, provide significant new regulations and procedures for combating sexual assault, extend access to family housing and commissary-exchange benefits for troops who are involuntarily separated, and control the rate of co-pay increases for TRICARE.

From the beginning, the military personnel provisions have resulted from a bipartisan process. I want to thank subcommittee ranking member, Congresswoman SUSAN DAVIS, for her contributions. Additionally, I appreciate the dedication of the staff: John Chapla, Debra Wada, Jeanette James, Craig Greene, and Jim Weiss, along with military legislative assistant Chad Sydnor and military Fellow, Marine Master Gunnery Sergeant Michelle King. I also want to note the contributions of Michael Higgins, who is a retiring subcommittee staffer and true professional who has devoted 23 years of service to the committee after severing 20 years in the Air Force. Mike has made a positive difference on behalf of servicemembers, military families, and veterans.

I urge my colleagues to support the conference report.

Mr. Speaker, the following is my statement in its entirety: Thank you Mr. Chairman for your successful leadership for peace through strength. The Conference Report for the National Defense Authorization Act provides our war fighters, veterans and military families the care and support they deserve and have earned; additionally ensuring that proposed drawdown plans do not cut to the heart of the Army and Marine Corps. Specifically, the conference report will:

Authorize a troop pay increase of 1.7% and extend bonuses and special pay for our service members; limit end strength reductions for the active Army and Marine Corps; provide significant new regulations and procedures for combating and prosecuting sexual assault within the military; extend access to family housing for six months and Commissary and Exchange benefits for two years for troops who are involuntarily separated; and control the rate of co-pay increases for the Tricare, pharmacy benefit.

From the beginning, the military personnel provisions in the Fiscal Year 2013 Defense Authorization Act have resulted from a bipartisan process. I want to thank the subcommittee Ranking Member, Congresswoman SUSAN DAVIS for her contributions and support in this process.

Additionally, I appreciate the dedication of the Subcommittee staff: John Chapla, Debra Walda, Jeanette James, Craig Greene, and Jim Weiss along with Military Legislative Assistant Chad Sydnor and Military Fellow, Marine Master Gunnery Sergeant Michelle King.

I also want to note the contributions of Michael Higgins, a retiring subcommittee staffer and true professional, who has devoted 23 years of service to the committee, after serving 20 years in the Air Force. Mike will be retiring soon and this conference report will be his last one. Mike has made a positive difference on behalf of service members, military families and veterans.

I urge my colleagues to support the conference report on the Fiscal Year 2013 National Defense Authorization Act.

Mr. SMITH of Washington. Mr. Speaker, I yield 3 minutes to the distinguished minority whip, the gentleman from Maryland (Mr. HOYER).

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

Mr. HOYER. I thank my friend Mr. SMITH, the ranking member, and I thank Mr. MCKEON for the work that they have done; and I want to thank my friend BARNEY FRANK for the thoughtful perspective he brings to the consideration of this bill.

As we struggle to get America on a fiscally sustainable path, none of us in this body or in this country ought to believe that we can save harmless defense from oversight and savings where they can be affected while maintaining the security of our country. It would simply be irrational to believe that we cannot have a contribution from the defense sector of our budgets when we are struggling to do what Admiral Mullen says is the number one security issue that we have, and that is the fiscal stability of our country and the elimination of our debt. So I thank Mr. FRANK for his contribution.

Mr. Speaker, I rise in support of the conference report, a bipartisan measure to enhance our national security and provide for our troops. Ranking Member SMITH and the chairman, Mr. MCKEON, and our Democrats on the committee have worked closely with their Republican counterparts for a long time to craft a bill that will strengthen our defense against emerging threats while ensuring that our troops in Afghanistan and around the world have the resources they need to get the job done that we have given them. This bill includes a number of key provisions, and Ranking Member SMITH and his counterparts deserve great credit for ensuring their inclusion:

For one, the bill expands the military's toolkit when it comes to preventing sexual assault—a profoundly unsettling problem in the military. Importantly, from my perspective, this conference report preserves the Shaheen language added in the Senate, extending health coverage for female servicemembers, on whom we are so dependent in our Armed Forces, or their dependents who need access to emergency services following an incident of rape or incest;

In recognizing the importance of strong military ties with Israel, this bill authorizes nearly $480 million for missile defense cooperation with our longtime and critical ally. That includes $211 million for the Iron Dome system, which was critically successful in defending Israeli citizens against Hamas rockets from Gaza just a few weeks ago;

We also remain committed to efforts that compel Iran to abandon its nuclear weapons program which threatens the United States and our allies. To that end, this bill further tightens sanctions on Iran. I strongly support those sanctions;

I was also pleased to see the conference report does not include dangerous House-passed language that would have prevented the administration from using all the judicial tools available to bring terrorists to justice.

The SPEAKER pro tempore (Mr. LATOURETTE). The time of the gentleman has expired.

Mr. SMITH of Washington. I yield the gentleman an additional minute.

Mr. HOYER. I thank the gentleman.

Like any compromise, this is not a perfect bill. We don't pass perfect bills, but it's a good bill that is worthy of support.

I would be remiss if I did not note my concern with section 533—unnecessary and, in my opinion, dangerously vague language that represents another backdoor attack on the highly successful repeal of the discriminatory Don't Ask, Don't Tell policy and the open service of courageous gay and lesbian servicemembers.

As Barry Goldwater so aptly said, what I'm concerned about is not whether they're straight, but whether they can shoot straight. We ought to focus on competency and patriotism, not anything else.

On balance, this is critical national security legislation, and I urge my colleagues to join me in supporting it. Our troops continue to do an outstanding job. Many of them are at the point of the spear in harm's way. We owe them our gratitude and our continuing support.

Mr. MCKEON. Mr. Speaker, I yield 2 minutes to my friend and colleague, the chairman of the Subcommittee on Strategic Forces, a member of the conference committee, the gentleman from Ohio (Mr. TURNER).

Mr. TURNER of Ohio. Thank you, Chairman MCKEON.

Mr. Speaker, I urge my colleagues to support the conference report for the National Defense Authorization Act for Fiscal Year 2013.

This bill sets important national security priorities, such as the block-buy procurement of two space-based infrared system satellites. It also establishes important oversight mechanisms for the acquisition timelines of satellite, ground, and user-terminal segments of space programs, which have been lacking in recent years.

The conference report urges and ensures greater efficiency and effectiveness at the National Nuclear Security Administration by limiting the bureaucracy and paper-pushing, and begins the process of important reforms of the Defense Nuclear Facilities Safety Board.

□ 1620

It requires the administration to make good on its nuclear infrastructure modernization promises, including completing the Los Alamos Chemistry and Metallurgy Research Replacement Nuclear Facility by 2026. The United States must not be the only nuclear weapons state without a meaningful production capability.

It also imposes important oversight on unilateral nuclear reductions, including requiring a new nuclear posture review.

Lastly, it supports a robust national missile defense, including requiring the Department of Defense to begin the work of fielding an additional missile defense site in the United States, likely on the east coast. As I have told my colleagues for some time, every Member of Congress is just three classified briefings away from understanding how important this site is.

Our Israeli allies have proven how important an effective, layered missile defense is, and I'm grateful that the conference report includes the $211 million recommended in the Strategic Forces mark this past April for Iron Dome, and it supports our other cooperative missile defense programs with Israel.

I want to thank Chairman MCKEON for his leadership that has resulted in the 51st consecutive National Defense Authorization Act, and we look forward to beginning work on the 52nd.

I also want to thank Tim Morrison, lead staff of the Strategic Forces Subcommittee, for his expertise and his leadership in ensuring that our Strategic Forces Subcommittee and this mark include important initiatives to protect our national security.

Lastly, I, too, want to join many who are congratulating Mr. FRANK on the end of his congressional career, but I do want to note his rhetorical question of why do we have troops in Europe defending Europe against the Soviet Union that no longer exists. Even though it is a statement that many Members state here on the House floor, it is absolutely incorrect. There is not one servicemember that we have there that's doing anything but essential work to our national security.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentlelady from California (Mrs. DAVIS), ranking member on the Military Personnel Subcommittee.

Mrs. DAVIS of California. Mr. Speaker, I rise in support of H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013.

As the ranking member of the Military Personnel Subcommittee, I'm very pleased that this bill includes a number of provisions that continue our commitment to our men and women in uniform and their dedicated families. I want to thank my chairman, JOE WILSON, for his support and assistance, and recognize the chairman of the House Armed Services Committee, BUCK MCKEON, and ADAM SMITH, the ranking member, for their leadership.

Here are a few highlights from the conference report.

There will be a 1.7 percent pay raise, a critically important recognition of what our servicemembers do for us, particularly during economically challenging times.

It provides separation authorities as the services reduce their end strength. These authorities will be crucial to the Department's ability to execute its drawdown in a responsible manner that ensures that long-serving members and their families are compensated appropriately.

We continue our focus on mental health by codifying the Suicide Prevention and Community Health and Response Program for the National Guard and Reserves. Additionally, the bill requires the Secretary of Defense to providing training on suicide prevention, resilience, and community health, and it expands the scope of providers who may conduct pre-administrative separation medical examinations for post-traumatic stress disorder to include licensed clinical social workers and psychiatric advanced practice registered nurses.

We all know sexual assault remains a focus for the Congress, and there are a number of provisions that help to address the problem, including prohibiting the granting of waivers for commissioning or enlistment of an individual who has been convicted of sexual offenses under Federal or State law, and it requires the services to establish special victim capabilities for investigation, prosecution, and victim support in connection with child abuse, serious domestic violence, or sexual offenses under the Uniform Code of Military Justice.

The bill authorizes the Defense Department to establish transition assistance programs for members of the Guard and Reserve components who serve on active duty for more than 180 days, a program that previously did not exist.

And the bill provides female servicemembers and dependents with the same reproductive rights in cases of rape and incest that other women in Federal health plans can already exercise.

The SPEAKER pro tempore (Mr. LATOURETTE). The time of the gentlewoman has expired.

Mr. SMITH of Washington. I yield the gentlewoman an additional 30 seconds.

Mrs. DAVIS of California. I want to note, Mr. Speaker, that the bill continues to recognize the sacrifices of those who serve our Nation in uniform. During a time when many young Americans of all stripes—male and female, gay and straight, from every ethnic background conceivable—are forward deployed and all around the globe, we in the Congress have an obligation to ensure that these men and women are provided for. We must stand up to this important obligation. I urge all of my colleagues to support the bill.

Mr. MCKEON. Mr. Speaker, I yield 2 minutes to my friend and colleague, the gentleman from Virginia (Mr. WITTMAN), the chairman of the Subcommittee on Oversight and Investigations and a member of the conference committee.

Mr. WITTMAN. Mr. Speaker, I would like to start by thanking our chairman, Mr. MCKEON, and ranking member Mr. SMITH for their leadership, and to thank all the staff for their great work. You know, in this city where partisan strife tends to reign supreme, it is truly refreshing to see folks able to work across the aisle and focus on a common goal, which is ensuring that the men and women of our all-volunteer force are provided with the highest-caliber resources, training, and authorities as they step into harm's way to complete their missions.

Our Nation is the greatest nation the world has ever known, precisely because our brave servicemen and -women make up the finest military the world has ever known.

But our military is certainly facing many difficult challenges, both here at home, where the Pentagon has endured 50 percent of the Nation's deficit reduction despite the fact it only comprises 20 percent of the budget, and also abroad, where our troops continue to serve bravely in Afghanistan, and where geopolitical focus is beginning to shift to the Asia Pacific.

These challenges have certainly been at the heart of efforts by the Oversight and Investigations Subcommittee throughout the past year. And over the past 6 months, the O&I Subcommittee convened a number of hearings and briefings on the training and development of the Afghan National Security Forces. I consider this issue one of our national security imperatives, and we must continue to monitor this effort in the months to come.

Since June of 2011, the subcommittee also conducted an extended study of the Navy's 30-year shipbuilding program in order to better understand the effectiveness of this plan and its impact on the defense industrial base.

These initiatives, and others like them, have been aimed at maximizing the successes of our military, increasing our capabilities for future successes, and ensuring efficient and effective use of resources and funding.

At the heart of all of this, we must ensure that the looming defense cuts under sequestration are addressed. Our national security depends on us getting this right.

This conference report today echoes these goals of providing for our military, and I'd like to thank the Members and staff for their dedication to our men and women in uniform.

Most importantly, Mr. Speaker, I'd like to thank the soldiers, sailors, marines, airmen, and Coast Guardsmen who selflessly serve this Nation on a daily basis. Without their service, we would not be the great Nation we are today, and their example inspires me on a daily basis.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentlelady from California (Ms. LORETTA SANCHEZ), the ranking member on the Strategic Forces Subcommittee.

Ms. LORETTA SANCHEZ of California. I thank the ranking member, Mr. Speaker.

As the ranking member on the Subcommittee on Strategic Forces, I'm pleased with many of the provisions here in this conference report.

In the fiscal year 2013 NDAA, we successfully included strong support for the national security space programs, our nuclear deterrent, and our nuclear nonproliferation efforts, including an increase for the global threat reduction initiative and steps for a renewed ban on exports of highly enriched uranium.

I'm also pleased that the bill authorized funding for nuclear cleanup, and homeland and regional missile defense, including strong support for our U.S.-Israeli cooperation.

That section of the bill also contains important provisions to ensure our capabilities are tailored to our national security requirements, and that they're cost-effective. How do we do that? As a first step, we're going to have detailed studies and independent reviews of maintaining our nuclear weapons and analyses on plutonium pit reuse and on current requirements for plutonium pit production.

The bill also does not contain some very controversial issues we had in the House version, in particular, that would have weakened our health, safety, and security across the nuclear weapons complex and really undermined what I believe is our Federal oversight role. These steps will help us to sustain the deterrent force we need to meet 21st century challenges without overspending or compromising the safety of our workers or the public.

There is some concern still: a $6 billion plutonium facility remains part of our immediate plans even though the Department of Defense, the U.S. Strategic Command, the National Nuclear Security Administration, and the National Laboratories, they all agree we don't need this facility for at least another 5 years, and they prefer more cost-effective ways of doing this.

□ 1630

But, unfortunately, this was continued in this bill, and many other provisions. Thank you again.

Lastly, I want to thank all of the staff for having helped us. To Mr. MCKEON, and also to my ranking member, thank you so much.

Mr. MCKEON. Mr. Speaker, I yield 1 minute to the gentlewoman from Missouri (Mrs. HARTZLER), my friend and colleague, a member of the Armed Services Committee.

Mrs. HARTZLER. Mr. Speaker, I rise in support of the conference report for H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. I want to thank Chairman MCKEON and Ranking Member SMITH and all the colleagues of the conference committee for working together in a bipartisan fashion to bring this important bill to the floor for the 51st consecutive year.

The legislation we have brought here to the floor supports America's defense capabilities to better protect our homeland and support our troops. It is a good bill that will provide them with the tools and funding they need as they protect our freedoms and our liberties. There is no higher priority than advocating on their behalf, and they deserve nothing less than our best.

There's good news for our military personnel. The bill authorizes a troop pay increase of 1.7 percent and extended bonuses and special pay for our men and women in uniform. Personally, I'm proud to see important military construction projects funded at Fort Leonard Wood. In addition, the bill continues support for the family of long-range strike bomber programs, including the B–2, whose home is Whiteman Air Force Base.

Mr. Speaker, I'm proud to vote for this legislation and continue to pray for our troops and thank them for their service and their sacrifice.

Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. MCINTYRE), the ranking member on the Seapower Subcommittee.

Mr. MCINTYRE. Mr. Speaker, I rise today in support of the National Defense Authorization Conference Report. I appreciate the hard work of Chairman MCKEON and Ranking Member SMITH and that of my counterpart, Chairman AKIN, on the Seapower and Projection Forces Subcommittee, on which I serve as ranking member.

Among other important measures, this report provides a 1.7 percent pay raise, well deserved for our military servicemembers. It authorizes nearly $11 billion, which is almost $160 million more than the President's budget originally requested for our U.S. Special Operations Command, which has been a key component of the war against violent extremists.

And I can tell you, as the cochairman and cofounder of the Special Operations Forces Caucus, and one who represents Fort Bragg, home of the U.S. Army Special Operations Command and Joint Special Operations Command, and who has constituents who serve at the Marine Special Operations Command at Camp Lejeune, I am extremely pleased to see this investment in our Special Operations Forces warriors who are often on the front lines during global conflicts.

Also, as ranking member of the Seapower Subcommittee, I'm pleased that the conference report makes real investments in our Nation's sea power by authorizing 10 new ships, a multi-year procurement authority for 10 Arleigh Burke-class destroyers, and a multi-year procurement authority for 10 Virginia-class submarines, as well as the authority to fund them incrementally.

The incremental funding gives the Navy greater flexibility in funding the new submarines and will take advantage of the savings generated from the Virginia-class attack submarines that continue to come in underbudget.

Mr. Speaker, I thank my colleagues for their hard work on this conference report. We stand up for America's defense and for those that serve our country, and I look forward to its passage on the House floor today.

Mr. MCKEON. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GOHMERT), who's been very helpful in putting together the final bill.

Mr. GOHMERT. Mr. Speaker, on September 18, 2001, 7 days after the worst attack in American history, the authorized use of military force was passed. And I've come to understand how legislation can be hurriedly thrown together, and it was. We were in a crisis.

In those days I was a judge. When I got to Congress and the NDAA came up to extend, reauthorize the AUMF, this issue of whether American citizens

were protected came up. Some mistakenly thought the NDAA did some granting of power to the President that he shouldn't have, but actually it was in the original AUMF. It said the President could basically go after any nation, organization, or person that he thought was a threat or may have participated. That needed to be reined in.

I've worked with some of my colleagues, with professors, with legal experts. Even though one professor went to Harvard, they've been immensely helpful, and we've crafted language. And I even appreciate Senator LEVIN working with us and Chairman MCKEON being willing to look at these different issues.

Our original amendment included a 30-day requirement. Within 30 days there had to be a writ of habeas corpus hearing. Yet we got criticized, saying you're restricting to only 30 days, so we took that out.

The language in here, as Mr. NADLER pointed out, does not protect American citizens in foreign countries. That will have to be done another day. But it does go beyond what I originally wanted to do and protects people that are in the United States, if they are authorized under our Constitution to have those protections.

I am grateful that these things have been done. I'm grateful this language is in there to restrict the President's power back to what I think was appropriate under the Constitution. I will be voting for the NDAA and appreciate the chairman's indulgence in my push to get this done.

Mr. SMITH of Washington. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. JOHNSON), a member of the committee.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise to thank the conferees for including in the NDAA language I authored to help prevent tragic cases of suicide among members of the military. Military suicides are, sadly, increasing, with 280 suicides this year in the Active Duty and Reserve Army alone.

The new language would allow military commanding officers and mental health professionals to talk to troubled servicemembers about their personal firearms and encourage them to safely store those weapons in a military facility or by means of a gun lock. The prohibition of such confidential dialogue, which this language repeals, prevented potentially lifesaving conversations between counselors and servicemembers.

We owe it to our soldiers and their families and their loved ones to do everything we can to help them, and this language is a small step in that direction.

Mr. MCKEON. Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Speaker, I yield myself the balance of my time to close. And I really want to close just to emphasize how important the work is that our staffs do, both in the House and the Senate. The work that they've done ever since May, when we first put together the bill on the House side, and then the accelerated time schedule that they had to operate under because the Senate waited until December 4 to pass their bill, and we had to throw together a quick conference report.

There are an endless array of critically important legislative issues that are handled in this bill, and the staffs that we have do an amazing job under a tight timeline of working together to resolve differences and come up with the best legislation. We have an outstanding staff. We could not do this without them.

Again I will emphasize that I hope this bill shows that it's possible that people who disagree—and you can hear from our debate there are many things we disagree strongly about, certainly Republicans and Democrats, but also House and Senate. Yet somehow we come together and put together this 1,600-page bill to spend $633 billion and provide for the common defense of the United States of America.

So I urge support, and I thank all those involved in this work product.

I yield back the balance of my time.

Mr. MCKEON. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, I once again rise in support of this bipartisan fiscal year 2013 National Defense Authorization Conference Report, and I concur totally with the concluding remarks of Mr. SMITH. Our staff has done a fantastic job. And I have enjoyed working with him, and we will continue to work together in a bipartisan way.

This NDAA bill passed the Armed Services Committee on a vote of 56–5. It passed the full House by nearly 300 votes; and, likewise, the Senate adopted its version of the bill unanimously.

However, I fully acknowledge we had to tackle tough issues in a very compressed timeframe, as Mr. SMITH pointed out. Every one of us could find something in this bill that we would rather change, but none of us can deny that this bill has been exhaustively debated. It's the only major authorization bill that's been able to proceed through regular order in both the House and the Senate this year.

The House considered 303 amendments, between the committee and the floor. The Senate considered at least 151 amendments. We've all had a chance to have our say on this bill and to have the Congress act its will.

I urge my colleagues to join me in ushering this bill across the finish line and vote ''yes'' on adoption of the conference report. This is a good piece of legislation that's critically needed by our troops.

I yield back the balance of my time.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise in opposition to the Conference Report on the National Defense Authorization Act of 2012 but will use this statement to speak of the silver lining in this otherwise flawed legislation.

The silver lining of which I speak is Title 7, Section 737, which includes language for a breast cancer study. Last night before the Rules Committee I spoke of an amendment I offered to H.R. 4310 ''National Defense Authorization Act,'' which directed the Department of Defense Office of Health to work in collaboration with the National Institutes of Health to identify specific genetic and molecular targets and biomarkers for Triple Negative Breast Cancer (TNBC). In addition, the amended language was designed to result in the generation of information that could then be useful in biomarker selection, drug discovery, and clinical trials design. This will enable medical professionals to identify TNBC patients earlier in the progression of their disease and would help advance the development of multiple targeted therapies for the disease.

My amendment which passed the House was designed to highlight the importance of studying and eventually finding effective treatments for triple negative breast cancer.

I was pleased to note that, although it was not included in the bill we vote on tonight, my amendment helped generate the language included today in Title 7, Section 737 which highlights the importance of breast cancer among members of the armed services. I wish to emphasis the importance of addressing trople negative breast cancer and that this aspect must be included in the National Defense Reauthorize.

Triple negative breast cancer is a specific strain of breast cancer for which no targeted treatment is available. The American Cancer Society calls this particular strain of breast cancer ''an aggressive subtype associated with lower survival rates.''

I believe that through a coordinated effort between the DOD and NIH that they can develop a targeted treatment for the triple negative breast cancer strain.

Breast cancers with specific, targeted treatment methods, such as hormone and gene based strains, have higher survival rates than the triple negative subtype, highlighting the need for a targeted treatment.

Today, Breast cancer accounts for 1 in 4 cancer diagnoses among women in this country. It is also the most commonly diagnosed cancer among African American women. The American Cancer Society estimates that in 2011, more than 26,000 African American women will be diagnosed with breast cancer, and another 6,000 will die from the disease.

Between 2002 and 2007, African American women suffered a 39% higher death rate from breast cancer than other groups.

African American women are also 12% less likely to survive five years after a breast cancer diagnosis. One reason for this disparity is that African American women are disproportionally affected by triple negative breast cancer.

More than 30% of all breast cancer diagnoses in African American are of the triple negative variety. Black women are far more susceptible to this dangerous subtype than white or Hispanic women.

FAST FACTS

Breast cancer accounts for 1 in 4 cancer diagnoses among women in this country.

The survival rate for breast cancer has increased to 90% for White women but only 78% for African American Women.

African-American women are more likely to be diagnosed with larger tumors and more advanced stages of breast cancer.

Triple-negative breast cancer (TNBC) is a term used to describe breast cancers whose cells do not have estrogen receptors and progesterone receptors, and do not have an excess of the HER2 protein on their cell membrane of tumor cells.

Triple Negative Breast Cancer (TNBC) cells are usually of a higher grade and size; onset at a younger age; more aggressive; and more likely to metastasize.

TNBC also referred to as basal-like (BL) due to their resemblance to basal layer of epithelial cells, there is not a formal detailed classification of system of the subtypes of these cells. TNBC is in fact a heterogeneous group of cancers; with varying differences in prognosis and survival rate between various subtypes. This has led to a lot of confusion amongst both physicians and patients.

Apart from surgery, cytotoxic chemotherapy is the only available treatment, targeted molecular treatments while being investigated are not accepted treatment.

Between 10–17% of female breast cancer patients have the triple negative subtype.

Triple-negative breast cancer most commonly affects African-American women, followed by Hispanic women. African-American women have a prevalence of TNBC of 26% vs 16% in non-African-American women.

TNBC usually affects women under 50 years of age. African American women have a prevalence of premenopausal breast cancer of 26% vs 16% for Non-African American Women.

Women with TNBC are at 3 times the risk of death than women with the most common type of breast cancer.

Women with TNBC are more likely to have distance metastases in the brain and lung and more common subtypes of breast cancer.

Finally, Mr. Speaker I want to point out a part of this bill which I find vexing; that which relates to detainee policy. Our Constitution is a living document but sometimes we must go to great pains to emphasize this point when some of its most basic protections are threatened or simply ignored. The text continues the asserted authority of the U.S. Government to hold even U.S. citizens (persons) captured on U.S. soil indefinitely and without charge. This must be reviewed!

The language in this bill concerning the law of detention has major implications for our fundamental rights that should be considered on their own and not included as part of a Defense Authorization bill. These provisions should be the subject of close scrutiny by the Judiciary Committee.

The complex legal and constitutional issues should be properly analyzed, and the implications for our bedrock values of liberty and freedom carefully considered. I am mindful that we are charged with pursuing a great many issues and cannot fully address them all in a single setting; yet this is too important to again, be included as part of an authorization as if these were routine matters.

The Conference Report states that "[n]othing in the Authorization for Use of Military Force . . . or the National Defense Authorization Act for Fiscal Year 2012 . . . shall be construed to deny the availability of the writ of habeas corpus or to deny any Constitutional rights in a court ordained or established by or under Article III of the Constitution to any person inside the United States who would be entitled to the availability of such writ or to such rights in the absence of such laws."

This language simply continues the flawed policies established in the 2011 Defense Authorization Bill.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, as a conferee and senior member of the House Armed Forces Committee, due to unforeseen health complications, I was unable to sign the Conference Report to H.R. 4310, the National Defense Authorization Act of FY2013 on December 18, 2012. If I had the opportunity to sign the Conference Report to H.R. 4310, I would have signed it.

Mr. PAUL. Mr. Speaker, I rise to oppose what will be the final National Defense Authorization Act (NDAA) I will face as a Member of the U.S. House of Representatives. As many of my colleagues are aware, I have always voted against the NDAA regardless of what party controls the House. Far from simply providing an authorization for the money needed to defend this country, which I of course support, this authorization and its many predecessors have long been used to fuel militarization, enrich the military industrial complex, expand our empire overseas, and purchase military and other enormously expensive equipment that we do not need and in large part does not work anyway. They wrap all of this mess up in false patriotism, implying that Members who do not vote for these boondoggles do not love their country.

The military industrial complex is a jigsaw puzzle of seemingly competing private companies; but they are in reality state-sponsored enterprises where well-connected lobbyists, usually after long and prosperous careers in the military or government, pressure Congress to fund pet projects regardless of whether we can afford them or whether they are needed to defend our country. This convenient arrangement is the welfare of the warfare state.

Because of the false perception that we must pass this military spending authorization each year or our men and women in uniform will go hungry, Congress has over the years taken the opportunity to pack it with other items that would have been difficult to pass on their own. This is nothing new on Capitol Hill. In the last few years, however, this practice has taken a sinister turn.

The now-infamous NDAA for fiscal year 2012, passed last year, granted the president the authority to indefinitely detain American citizens without charge, without access to an attorney, and without trial. It is difficult to imagine anything more un-American than this attack on our Constitutional protections. While we may not have yet seen the widespread use of this unspeakably evil measure, a wider application of this "authority" may only be a matter of time.

Historically these kinds of measures have been used to bolster state power at the expense of unpopular scapegoats. The Jewish citizens of 1930s Germany knew all about this reprehensible practice. Lately the scapegoats have been mostly Muslims. Hundreds, perhaps many more, even Americans, have been held by the U.S. at Guantanamo and in other secret prisons around the world.

But this can all change quickly, which makes it all the more dangerous. Maybe one day it will be Christians, gun-owners, homeschoolers, etc.

That is why last year, along with Reps. JUSTIN AMASH, WALTER JONES, and others, we attempted to simply remove the language from the NDAA (sec. 1021) that gave the president this unconstitutional authority. It was a simple, readable amendment. Others tried to thwart our straightforward efforts by crafting elaborately worded amendments that in practice did noting to protect us from this measure in the bill. Likewise this year there were a few celebrated but mostly meaningless attempts to address this issue. One such effort passed in the senate version of this bill. The conferees have simply cut it out. The will of Congress was thus ignored by a small group of Members and Senators named by House and Senate leadership.

There are many other measures in this NDAA Conference Report to be concerned about. It continues to fund our disastrous wars in Afghanistan, Pakistan, Yemen, and elsewhere for example.

The Conference Report contains yet another round of doomed-to-fail new sanctions against Iran. These are acts of war against Iran without actually firing a shot. But this time the House and Senate conferees are going further than that. The report contains language that pushes the U.S. as close to an actual authorization for the use of force against Iran as we can get. The Report ". . . asserts that the U.S. should be prepared to take all necessary measures, including military action if required, to prevent Iran from threatening the U.S., its allies, or Iran's neighbors with a nuclear weapon and reinforces the military option should it prove necessary."

This kind of language just emboldens Iran's enemies in the region to engage in increasingly reckless behavior with the guarantee that the U.S. military will step in if they push it too far. That is an unwise move for everyone concerned.

This Conference Report contains increased levels of foreign military aid, including an additional half-billion dollars in missile assistance to an already prosperous Israel and some $300 million to help an increasingly prosperous Russia control its chemical, nuclear, and biological weapons. And Russia does not even want the money!

Overall, this authorization will give the president even more money for military activities next year than he requested. At a time when the news has been dominated by reports of our budget crisis, the "fiscal cliff," and the "need" to increase taxes on Americans, Congress is foolishly spending even more on the military budget than the administration wants! I suppose that is what counts as a reduction in the language of Washington.

I urge my colleagues to oppose this, and all future, reckless and dangerous military spending bills that are destroying our national security by destroying our economy.

□ 1640

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

Pursuant to House Resolution 840, the previous question is ordered.

The question is on adoption of the conference report.

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

Mr. SMITH of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

SPENDING REDUCTION ACT OF 2012

Mr. RYAN of Wisconsin. Mr. Speaker, pursuant to House Resolution 841, I call up the bill (H.R. 6684) to provide for spending reduction, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 841, the bill is considered read.

The text of the bill is as follows:

H.R. 6684

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 ''Spending Reduction Act of 2012''.

SEC. 2. TABLE OF CONTENTS.

The table of contents is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—AGRICULTURE

Sec. 101. ARRA sunset at March 1, 2013.
Sec. 102. Categorical eligibility limited to cash assistance.
Sec. 103. Standard utility allowances based on the receipt of energy assistance payments.
Sec. 104. Employment and training; workfare.
Sec. 105. End State bonus program for the supplemental nutrition assistance program.
Sec. 106. Funding of employment and training programs.
Sec. 107. Turn off indexing for nutrition education and obesity prevention.
Sec. 108. Extension of Authorization of Food and Nutrition Act of 2008.
Sec. 109. Effective date and application of amendments.

TITLE II—COMMITTEE ON ENERGY AND COMMERCE

Subtitle A—Repeal of Certain ACA Funding Provisions

Sec. 201. Repealing mandatory funding to states to establish American Health Benefit Exchanges.
Sec. 202. Repealing Prevention and Public Health Fund.
Sec. 203. Rescinding unobligated balances for CO-OP program.

Subtitle B—Medicaid

Sec. 211. Revision of provider tax indirect guarantee threshold.
Sec. 212. Rebasing of State DSH allotments for fiscal year 2022.
Sec. 213. Repeal of Medicaid and CHIP maintenance of effort requirements under PPACA.
Sec. 214. Medicaid payments to territories.
Sec. 215. Repealing bonus payments for enrollment under Medicaid and CHIP.

TITLE III—FINANCIAL SERVICES

Sec. 301. Table of contents.

Subtitle A—Orderly Liquidation Fund

Sec. 311. Repeal of liquidation authority.

Subtitle B—Home Affordable Modification Program

Sec. 321. Short title.
Sec. 322. Congressional findings.
Sec. 323. Termination of authority.
Sec. 324. Sense of Congress.

Subtitle C—Bureau of Consumer Financial Protection

Sec. 331. Bringing the Bureau of Consumer Financial Protection into the regular appropriations process.

Subtitle D—Repeal of the Office of Financial Research

Sec. 341. Repeal of the Office of Financial Research.

TITLE IV—COMMITTEE ON THE JUDICIARY

Sec. 401. Short title.
Sec. 402. Encouraging speedy resolution of claims.
Sec. 403. Compensating patient injury.
Sec. 404. Maximizing patient recovery.
Sec. 405. Punitive damages.
Sec. 406. Authorization of payment of future damages to claimants in health care lawsuits.
Sec. 407. Definitions.
Sec. 408. Effect on other laws.
Sec. 409. State flexibility and protection of States' rights.
Sec. 410. Applicability; effective date.

TITLE V—COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

Sec. 501. Retirement contributions.
Sec. 502. Annuity supplement.
Sec. 503. Contributions to Thrift Savings Fund of payments for accrued or accumulated leave.

TITLE VI—COMMITTEE ON WAYS AND MEANS

Subtitle A—Recapture of Overpayments Resulting From Certain Federally-subsidized Health Insurance

Sec. 601. Recapture of overpayments resulting from certain federally-subsidized health insurance.

Subtitle B—Social Security Number Required to Claim the Refundable Portion of the Child Tax Credit

Sec. 611. Social security number required to claim the refundable portion of the child tax credit.

Subtitle C—Human Resources Provisions

Sec. 621. Repeal of the program of block grants to States for social services.

TITLE VII—SEQUESTER REPLACEMENT

Sec. 701. Short title.
Sec. 702. Protecting veterans programs from sequester.
Sec. 703. Achieving $19 billion in discretionary savings.
Sec. 704. Conforming amendments to section 314 of the Congressional Budget and Impoundment Control Act of 1974.
Sec. 705. Treatment for PAYGO purposes.
Sec. 706. Elimination of the fiscal year 2013 sequestration for defense direct spending.

TITLE I—AGRICULTURE

SEC. 101. ARRA SUNSET AT MARCH 1, 2013.

Section 101(a)(2) of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 120) is amended by striking ''October 31, 2013'' and inserting ''February 28, 2013''.

SEC. 102. CATEGORICAL ELIGIBILITY LIMITED TO CASH ASSISTANCE.

Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in the 2d sentence of subsection (a) by striking ''households in which each member receives benefits'' and inserting ''households in which each member receives cash assistance'', and

(2) in subsection (j) by striking ''or who receives benefits under a State program'' and inserting ''or who receives cash assistance under a State program''.

SEC. 103. STANDARD UTILITY ALLOWANCES BASED ON THE RECEIPT OF ENERGY ASSISTANCE PAYMENTS.

(a) STANDARD UTILITY ALLOWANCE.—Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in subsection (e)(6)(C) by striking clause (iv), and

(2) in subsection (k) by striking paragraph (4) and inserting the following:

''(4) THIRD PARTY ENERGY ASSISTANCE PAYMENTS.—For purposes of subsection (d)(1), a payment made under a State law (other than a law referred to in paragraph (2)(G)) to provide energy assistance to a household shall be considered money payable directly to the household.''.

(b) CONFORMING AMENDMENTS.—Section 2605(f)(2) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(f)(2)) is amended—

(1) by striking ''and for purposes of determining any excess shelter expense deduction under section 5(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e))'', and

(2) in subparagraph (A) by inserting before the semicolon the following: '', except that such payments or allowances shall not be deemed to be expended for purposes of determining any excess shelter expense deduction under section 5(e)(6) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e)(6))''.

SEC. 104. EMPLOYMENT AND TRAINING; WORKFARE.

(a) ADMINISTRATIVE COST-SHARING FOR EMPLOYMENT AND TRAINING PROGRAMS.—

(1) IN GENERAL.—Section 16 of the Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amended—

(A) in subsection (a) by inserting ''(other than a program carried out under section 6(d)(4) or section 20)'' after ''supplemental nutrition assistance program'' the 1st place it appears, and

(B) in subsection (h)—

(i) by striking paragraphs (2) and (3), and

(ii) by redesignating paragraphs (4) and (5) as paragraphs (2) and (3), respectively.

(2) CONFORMING AMENDMENTS.—

(A) Section 17(b)(1)(B)(iv)(III)(hh) of the Food and Nutrition Act of 2008 (7 U.S.C. 2026(b)(1)(B)(iv)(III)(hh)) is amended by striking ''(g), (h)(2), or (h)(3)'' and inserting ''or (g)''.

(B) Section 22(d)(1)(B)(ii) of the Food and Nutrition Act of 2008 (7 U.S.C. 2031(d)(1)(B)(ii)) is amended is amended by striking '', (g), (h)(2), and (h)(3)'' and inserting ''and (g)''.

(b) ADMINISTRATIVE COST-SHARING AND REIMBURSEMENTS FOR WORKFARE.—Section 20 of the Food and Nutrition Act of 2008 (7 U.S.C. 2029) is amended by striking subsection (g).

SEC. 105. END STATE BONUS PROGRAM FOR THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

Section 16 of the Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amended by striking subsection (d).

SEC. 106. FUNDING OF EMPLOYMENT AND TRAINING PROGRAMS.

For purposes of fiscal year 2013, the reference to $90,000,000 in section 16(h)(1)(A) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(h)(1)(A)) shall be deemed to be a reference to $79,000,000.

SEC. 107. TURN OFF INDEXING FOR NUTRITION EDUCATION AND OBESITY PREVENTION.

Section 28(d) of the Food and Nutrition Act of 2008 (7 U.S.C. 2037(d)) is amended by striking ''years—'' and all that follows through the period at the end, and inserting ''years, $375,000,000.''.

SEC. 108. EXTENSION OF AUTHORIZATION OF FOOD AND NUTRITION ACT OF 2008.

Section 18(a)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2027(a)(1)) is amended by striking ''2012'' and inserting ''2013''.

SEC. 109. EFFECTIVE DATE AND APPLICATION OF AMENDMENTS.

This title and the amendments made by this title shall take effect on the date of enactment of this Act, and shall apply only with respect to certification periods that begin on or after such date.

TITLE II—COMMITTEE ON ENERGY AND COMMERCE

Subtitle A—Repeal of Certain ACA Funding Provisions

SEC. 201. REPEALING MANDATORY FUNDING TO STATES TO ESTABLISH AMERICAN HEALTH BENEFIT EXCHANGES.

(a) IN GENERAL.—Section 1311(a) of the Patient Protection and Affordable Care Act (42 U.S.C. 18031(a)) is repealed.

(b) RESCISSION OF UNOBLIGATED FUNDS.—Of the funds made available under such section 1311(a), the unobligated balance is rescinded.

SEC. 202. REPEALING PREVENTION AND PUBLIC HEALTH FUND.

(a) IN GENERAL.—Section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u–11) is repealed.

(b) RESCISSION OF UNOBLIGATED FUNDS.—Of the funds made available by such section 4002, the unobligated balance is rescinded.

SEC. 203. RESCINDING UNOBLIGATED BALANCES FOR CO-OP PROGRAM.

Of the funds made available under section 1322(g) of the Patient Protection and Affordable Care Act (42 U.S.C. 18042(g)), the unobligated balance is rescinded.

Subtitle B—Medicaid

SEC. 211. REVISION OF PROVIDER TAX INDIRECT GUARANTEE THRESHOLD.

Section 1903(w)(4)(C)(ii) of the Social Security Act (42 U.S.C. 1396b(w)(4)(C)(ii)) is amended by inserting ''and for portions of fiscal years beginning on or after June 1, 2013,'' after ''October 1, 2011,''.

SEC. 212. REBASING OF STATE DSH ALLOTMENTS FOR FISCAL YEAR 2022.

Section 1923(f) of the Social Security Act (42 U.S.C. 1396r–4(f)) is amended—

(1) by redesignating paragraph (9) as paragraph (10);

(2) in paragraph (3)(A) by striking ''paragraphs (6), (7), and (8)'' and inserting ''paragraphs (6), (7), (8), and (9)''; and

(3) by inserting after paragraph (8) the following new paragraph:

''(9) REBASING OF STATE DSH ALLOTMENTS FOR FISCAL YEAR 2022.—With respect to fiscal 2022, for purposes of applying paragraph (3)(A) to determine the DSH allotment for a State, the amount of the DSH allotment for the State under paragraph (3) for fiscal year 2021 shall be treated as if it were such amount as reduced under paragraph (7).''.

SEC. 213. REPEAL OF MEDICAID AND CHIP MAINTENANCE OF EFFORT REQUIREMENTS UNDER PPACA.

(a) REPEAL OF PPACA MEDICAID MOE.—Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended by striking subsection (gg).

(b) REPEAL OF PPACA CHIP MOE.—Section 2105(d)(3) of the Social Security Act (42 U.S.C. 1397ee(d)(3)) is amended—

(1) by striking subparagraph (A);

(2) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively; and

(3) in the paragraph heading, by striking ''CONTINUATION OF ELIGIBILITY STANDARDS FOR CHILDREN UNTIL OCTOBER 1, 2019'' and inserting ''CONTINUITY OF COVERAGE''.

(c) CONFORMING AMENDMENTS.—

(1) Section 1902(a) of the Social Security Act (42 U.S.C. 1396a(a)) is amended by striking paragraph (74).

(2) Effective January 1, 2014, paragraph (14) of section 1902(e) (as added by section 2002(a) of Public Law 111–148) is amended by striking the third sentence of subparagraph (A).

(d) EFFECTIVE DATE.—Except as provided in subsection (c)(2), the amendments made by this section shall take effect on the date of the enactment of this section.

SEC. 214. MEDICAID PAYMENTS TO TERRITORIES.

(a) LIMIT ON PAYMENTS.—Section 1108(g) of the Social Security Act (42 U.S.C. 1308(g)) is amended—

(1) in paragraph (2)—

(A) by striking ''paragraphs (3) and (5)''; and

(B) by inserting ''paragraph (3)'' after ''and subject to'';

(2) in paragraph (4), by striking ''(3), and'' and all that follows through ''of this subsection'' and inserting ''and (3) of this subsection''; and

(3) by striking paragraph (5).

(b) FMAP.—The first sentence of section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)) is amended by striking ''shall be 55 percent'' and inserting ''shall be 50 percent''.

SEC. 215. REPEALING BONUS PAYMENTS FOR ENROLLMENT UNDER MEDICAID AND CHIP.

(a) IN GENERAL.—Paragraphs (3) and (4) of section 2105(a) of the Social Security Act (42 U.S.C. 1397ee(a)) are repealed.

(b) RESCISSION OF UNOBLIGATED FUNDS.—Of the funds made available by section 2105(a)(3) of the Social Security Act, the unobligated balance is rescinded.

(c) CONFORMING CHANGES.—

(1) AVAILABILITY OF EXCESS FUNDS FOR PERFORMANCE BONUSES.—Section 2104(n)(2) of the Social Security Act (42 U.S.C. 1397dd(n)(2)) is amended by striking subparagraph (D).

(2) OUTREACH OR COVERAGE BENCHMARKS.—Section 2111(b)(3) of the Social Security Act (42 U.S.C. 1397kk(b)(3)) is amended—

(A) in subparagraph (A)—

(i) in clause (i), by inserting ''or'' after the semicolon at the end; and

(ii) by striking clause (ii); and

(B) by striking subparagraph (C).

TITLE III—FINANCIAL SERVICES

SEC. 301. TABLE OF CONTENTS.

The table of contents for this title is as follows:

Sec. 301. Table of contents.

Subtitle A—Orderly Liquidation Fund

Sec. 311. Repeal of liquidation authority.

Subtitle B—Home Affordable Modification Program

Sec. 321. Short title.
Sec. 322. Congressional findings.
Sec. 323. Termination of authority.
Sec. 324. Sense of Congress.

Subtitle C—Bureau of Consumer Financial Protection

Sec. 331. Bringing the Bureau of Consumer Financial Protection into the regular appropriations process.

Subtitle D—Repeal of the Office of Financial Research

Sec. 341. Repeal of the Office of Financial Research.

Subtitle A—Orderly Liquidation Fund

SEC. 311. REPEAL OF LIQUIDATION AUTHORITY.

(a) IN GENERAL.—Title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act is hereby repealed and any Federal law amended by such title shall, on and after the date of enactment of this Act, be effective as if title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act had not been enacted.

(b) CONFORMING AMENDMENTS.—

(1) DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT.—The Dodd-Frank Wall Street Reform and Consumer Protection Act is amended—

(A) in the table of contents for such Act, by striking all items relating to title II;

(B) in section 165(d)(6), by striking '', a receiver appointed under title II,'';

(C) in section 716(g), by striking ''or a covered financial company under title II'';

(D) in section 1105(e)(5), by striking ''amount of any securities issued under that chapter 31 for such purpose shall be treated in the same manner as securities issued under section 208(n)(5)(E)'' and inserting ''issuances of such securities under that chapter 31 for such purpose shall by treated as public debt transactions of the United States, and the proceeds from the sale of any obligations acquired by the Secretary under this paragraph shall be deposited into the Treasury of the United States as miscellaneous receipts''; and

(E) in section 1106(c)(2), by amending subparagraph (A) to read as follows:

''(A) require the company to file a petition for bankruptcy under section 301 of title 11, United States Code; or''.

(2) FEDERAL DEPOSIT INSURANCE ACT.—Section 10(b)(3) of the Federal Deposit Insurance Act (12 U.S.C. 1820(b)(3)) is amended by striking '', or of such nonbank financial company supervised by the Board of Governors or bank holding company described in section 165(a) of the Financial Stability Act of 2010, for the purpose of implementing its authority to provide for orderly liquidation of any such company under title II of that Act''.

(3) FEDERAL RESERVE ACT.—Section 13(3) of the Federal Reserve Act is amended—

(A) in subparagraph (B)—

(i) in clause (ii), by striking '', resolution under title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act, or'' and inserting ''or is subject to resolution under''; and

(ii) in clause (iii), by striking '', resolution under title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act, or'' and inserting ''or resolution under''; and

(B) by striking subparagraph (E).

Subtitle B—Home Affordable Modification Program

SEC. 321. SHORT TITLE.

This subtitle may be cited as the ''HAMP Termination Act of 2012''.

SEC. 322. 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 October 2012, only 840,835 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 $4.34 billion has been disbursed.

(5) Terminating HAMP would save American taxpayers approximately $2.84 billion, according to the Congressional Budget Office.

SEC. 323. 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) 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.

''(4) 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 subparagraph (A) 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.

''(5) 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 terminated. 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.'.

''(6) NOTIFICATION TO HAMP APPLICANTS REQUIRED.—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—

''(A) that such Program has been terminated;

''(B) that loan modifications under such Program are no longer available;

''(C) of the name and contact information of such individual's Member of Congress; and

''(D) 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.''.

SEC. 324. 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.

Subtitle C—Bureau of Consumer Financial Protection

SEC. 331. BRINGING THE BUREAU OF CONSUMER FINANCIAL PROTECTION INTO THE REGULAR APPROPRIATIONS PROCESS.

Section 1017 of the Consumer Financial Protection Act of 2010 is amended—

(1) in subsection (a)—

(A) by amending the heading of such subsection to read as follows: ''BUDGET, FINANCIAL MANAGEMENT, AND AUDIT.—'';

(B) by striking paragraphs (1), (2), and (3);

(C) by redesignating paragraphs (4) and (5) as paragraphs (1) and (2), respectively; and

(D) by striking subparagraphs (E) and (F) of paragraph (1), as so redesignated;

(2) by striking subsections (b), (c), and (d);

(3) by redesignating subsection (e) as subsection (b); and

(4) in subsection (b), as so redesignated—

(A) by striking paragraphs (1), (2), and (3) and inserting the following:

''(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $200,000,000 to carry out this title for each of fiscal years 2013 and 2014.''; and

(B) by redesignating paragraph (4) as paragraph (2).

Subtitle D—Repeal of the Office of Financial Research

SEC. 341. REPEAL OF THE OFFICE OF FINANCIAL RESEARCH.

(a) IN GENERAL.—Subtitle B of title I of the Dodd-Frank Wall Street Reform and Consumer Protection Act is hereby repealed.

(b) CONFORMING AMENDMENTS TO THE DODD-FRANK ACT.—The Dodd-Frank Wall Street Reform and Consumer Protection Act is amended—

(1) in section 102(a), by striking paragraph (5);

(2) in section 111—

(A) in subsection (b)(2)—

(i) by striking subparagraph (A); and

(ii) by redesignating subparagraphs (B), (C), (D), and (E) as subparagraphs (A), (B), (C), and (D), respectively;

(B) in subsection (c)(1), by striking ''subparagraphs (C), (D), and (E)'' and inserting ''subparagraphs (B), (C), and (D)'';

(3) in section 112—

(A) in subsection (a)(2)—

(i) in subparagraph (A), by striking ''direct the Office of Financial Research to'';

(ii) by striking subparagraph (B); and

(iii) by redesignating subparagraphs (C), (D), (E), (F), (G), (H), (I), (J), (K), (L), (M), and (N) as subparagraphs (B), (C), (D), (E), (F), (G), (H), (I), (J), (K), (L), and (M), respectively; and

(B) in subsection (d)—

(i) in paragraph (1), by striking ''the Office of Financial Research, member agencies, and'' and inserting ''member agencies and'';

(ii) in paragraph (2), by striking ''the Office of Financial Research, any member agency, and'' and inserting ''any member agency and'';

(iii) in paragraph (3)—

(I) by striking '', acting through the Office of Financial Research,'' each place it appears; and

(II) in subparagraph (B), by striking ''the Office of Financial Research or''; and

(iv) in paragraph (5)(A), by striking '', the Office of Financial Research,'';

(4) in section 116, by striking '', acting through the Office of Financial Research,'' each place it appears; and

(5) by striking section 118.

(c) CONFORMING AMENDMENT TO THE PAPERWORK REDUCTION ACT.—Effective as of the date specified in section 1100H of the Dodd-Frank Wall Street Reform and Consumer Protection Act, section 1100D(a) of such Act is amended to read as follows:

''(a) DESIGNATION AS AN INDEPENDENT AGENCY.—Section 3502(5) of subchapter I of chapter 35 of title 44, United States Code (commonly known as the Paperwork Reduction Act) is amended by inserting 'the Bureau of Consumer Financial Protection,' after 'the Securities and Exchange Commission,'.''.

(d) TECHNICAL AMENDMENTS.—The table of contents for the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended—

(1) by striking the item relating to section 118; and

(2) by striking the items relating to subtitle B of title I.

TITLE IV—COMMITTEE ON THE JUDICIARY

SEC. 401. SHORT TITLE.

This title may be cited as the ''Help Efficient, Accessible, Low-cost, Timely Healthcare (HEALTH) Act of 2012''.

SEC. 402. ENCOURAGING SPEEDY RESOLUTION OF CLAIMS.

The time for the commencement of a health care lawsuit shall be 3 years after the date of manifestation of injury or 1 year after the claimant discovers, or through the use of reasonable diligence should have discovered, the injury, whichever occurs first. In no event shall the time for commencement of a health care lawsuit exceed 3 years after the date of manifestation of injury unless tolled for any of the following—

(1) upon proof of fraud;

(2) intentional concealment; or

(3) the presence of a foreign body, which has no therapeutic or diagnostic purpose or effect, in the person of the injured person.

Actions by a minor shall be commenced within 3 years from the date of the alleged manifestation of injury except that actions by a minor under the full age of 6 years shall be commenced within 3 years of manifestation of injury or prior to the minor's 8th birthday, whichever provides a longer period. Such time limitation shall be tolled for minors for any period during which a parent or guardian and a health care provider or health care organization have committed fraud or collusion in the failure to bring an action on behalf of the injured minor.

SEC. 403. COMPENSATING PATIENT INJURY.

(a) UNLIMITED AMOUNT OF DAMAGES FOR ACTUAL ECONOMIC LOSSES IN HEALTH CARE LAWSUITS.—In any health care lawsuit, nothing in this title shall limit a claimant's recovery of the full amount of the available economic damages, notwithstanding the limitation in subsection (b).

(b) ADDITIONAL NONECONOMIC DAMAGES.—In any health care lawsuit, the amount of noneconomic damages, if available, may be as much as $250,000, regardless of the number of parties against whom the action is brought or the number of separate claims or actions brought with respect to the same injury.

(c) NO DISCOUNT OF AWARD FOR NONECONOMIC DAMAGES.—For purposes of applying the limitation in subsection (b), future noneconomic damages shall not be discounted to present value. The jury shall not be informed about the maximum award for noneconomic damages. An award for noneconomic damages in excess of $250,000 shall be reduced either before the entry of judgment, or by amendment of the judgment after entry of judgment, and such reduction shall be made before accounting for any other reduction in damages required by law. If separate awards are rendered for past and future noneconomic damages and the combined awards exceed $250,000, the future noneconomic damages shall be reduced first.

(d) FAIR SHARE RULE.—In any health care lawsuit, each party shall be liable for that party's several share of any damages only and not for the share of any other person. Each party shall be liable only for the amount of damages allocated to such party in direct proportion to such party's percentage of responsibility. Whenever a judgment of liability is rendered as to any party, a separate judgment shall be rendered against each such party for the amount allocated to such party. For purposes of this section, the trier of fact shall determine the proportion of responsibility of each party for the claimant's harm.

SEC. 404. MAXIMIZING PATIENT RECOVERY.

(a) COURT SUPERVISION OF SHARE OF DAMAGES ACTUALLY PAID TO CLAIMANTS.—In any health care lawsuit, the court shall supervise the arrangements for payment of damages to protect against conflicts of interest that may have the effect of reducing the amount of damages awarded that are actually paid to claimants. In particular, in any health care lawsuit in which the attorney for a party claims a financial stake in the outcome by virtue of a contingent fee, the court shall have the power to restrict the payment of a claimant's damage recovery to such attorney, and to redirect such damages to the claimant based upon the interests of justice and principles of equity. In no event shall the total of all contingent fees for representing all claimants in a health care lawsuit exceed the following limits:

(1) Forty percent of the first $50,000 recovered by the claimant(s).

(2) Thirty-three and one-third percent of the next $50,000 recovered by the claimant(s).

(3) Twenty-five percent of the next $500,000 recovered by the claimant(s).

(4) Fifteen percent of any amount by which the recovery by the claimant(s) is in excess of $600,000.

(b) APPLICABILITY.—The limitations in this section shall apply whether the recovery is by judgment, settlement, mediation, arbitration, or any other form of alternative dispute resolution. In a health care lawsuit involving a minor or incompetent person, a court retains the authority to authorize or approve a fee that is less than the maximum permitted under this section. The requirement for court supervision in the first two sentences of subsection (a) applies only in civil actions.

SEC. 405. PUNITIVE DAMAGES.

(a) IN GENERAL.—Punitive damages may, if otherwise permitted by applicable State or Federal law, be awarded against any person in a health care lawsuit only if it is proven by clear and convincing evidence that such person acted with malicious intent to injure the claimant, or that such person deliberately failed to avoid unnecessary injury that such person knew the claimant was substantially certain to suffer. In any health care lawsuit where no judgment for compensatory damages is rendered against such person, no punitive damages may be awarded with respect to the claim in such lawsuit. No demand for punitive damages shall be included in a health care lawsuit as initially filed. A court may allow a claimant to file an amended pleading for punitive damages only upon a motion by the claimant and after a finding by the court, upon review of supporting and opposing affidavits or after a hearing, after weighing the evidence, that the claimant has established by a substantial probability that the claimant will prevail on the claim for punitive damages. At the request of any party in a health care lawsuit, the trier of fact shall consider in a separate proceeding—

(1) whether punitive damages are to be awarded and the amount of such award; and

(2) the amount of punitive damages following a determination of punitive liability. If a separate proceeding is requested, evidence relevant only to the claim for punitive damages, as determined by applicable State law, shall be inadmissible in any proceeding to determine whether compensatory damages are to be awarded.

(b) DETERMINING AMOUNT OF PUNITIVE DAMAGES.—

(1) FACTORS CONSIDERED.—In determining the amount of punitive damages, if awarded, in a health care lawsuit, the trier of fact shall consider only the following—

(A) the severity of the harm caused by the conduct of such party;

(B) the duration of the conduct or any concealment of it by such party;

(C) the profitability of the conduct to such party;

(D) the number of products sold or medical procedures rendered for compensation, as the case may be, by such party, of the kind causing the harm complained of by the claimant;

(E) any criminal penalties imposed on such party, as a result of the conduct complained of by the claimant; and

(F) the amount of any civil fines assessed against such party as a result of the conduct complained of by the claimant.

(2) MAXIMUM AWARD.—The amount of punitive damages, if awarded, in a health care lawsuit may be as much as $250,000 or as much as two times the amount of economic damages awarded, whichever is greater. The jury shall not be informed of this limitation.

(c) NO PUNITIVE DAMAGES FOR PRODUCTS THAT COMPLY WITH FDA STANDARDS.—

(1) IN GENERAL.—

(A) No punitive damages may be awarded against the manufacturer or distributor of a medical product, or a supplier of any component or raw material of such medical product, based on a claim that such product caused the claimant's harm where—

(i)(I) such medical product was subject to premarket approval, clearance, or licensure by the Food and Drug Administration with respect to the safety of the formulation or performance of the aspect of such medical product which caused the claimant's harm or the adequacy of the packaging or labeling of such medical product; and

(II) such medical product was so approved, cleared, or licensed; or

(ii) such medical product is generally recognized among qualified experts as safe and effective pursuant to conditions established by the Food and Drug Administration and applicable Food and Drug Administration regulations, including without limitation those related to packaging and labeling, unless the Food and Drug Administration has determined that such medical product was not manufactured or distributed in substantial compliance with applicable Food and Drug Administration statutes and regulations.

(B) RULE OF CONSTRUCTION.—Subparagraph (A) may not be construed as establishing the obligation of the Food and Drug Administration to demonstrate affirmatively that a manufacturer, distributor, or supplier referred to in such subparagraph meets any of the conditions described in such subparagraph.

(2) LIABILITY OF HEALTH CARE PROVIDERS.—A health care provider who prescribes, or who dispenses pursuant to a prescription, a medical product approved, licensed, or cleared by the Food and Drug Administration shall not be named as a party to a product liability lawsuit involving such product and shall not be liable to a claimant in a class action lawsuit against the manufacturer, distributor, or seller of such product. Nothing in this paragraph prevents a court from consolidating cases involving health care providers and cases involving products liability claims against the manufacturer, distributor, or product seller of such medical product.

(3) PACKAGING.—In a health care lawsuit for harm which is alleged to relate to the adequacy of the packaging or labeling of a drug which is required to have tamper-resistant packaging under regulations of the Secretary of Health and Human Services (including labeling regulations related to such packaging), the manufacturer or product seller of the drug shall not be held liable for punitive damages unless such packaging or labeling is found by the trier of fact by clear and convincing evidence to be substantially out of compliance with such regulations.

(4) EXCEPTION.—Paragraph (1) shall not apply in any health care lawsuit in which—

(A) a person, before or after premarket approval, clearance, or licensure of such medical product, knowingly misrepresented to or withheld from the Food and Drug Administration information that is required to be submitted under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) or section 351 of the Public Health Service Act (42 U.S.C. 262) that is material and is causally related to the harm which the claimant allegedly suffered

(B) a person made an illegal payment to an official of the Food and Drug Administration for the purpose of either securing or maintaining approval, clearance, or licensure of such medical product; or

(C) the defendant caused the medical product which caused the claimant's harm to be misbranded or adulterated (as such terms are used in chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.)).

SEC. 406. AUTHORIZATION OF PAYMENT OF FUTURE DAMAGES TO CLAIMANTS IN HEALTH CARE LAWSUITS.

(a) IN GENERAL.—In any health care lawsuit, if an award of future damages, without reduction to present value, equaling or exceeding $50,000 is made against a party with sufficient insurance or other assets to fund a periodic payment of such a judgment, the court shall, at the request of any party, enter a judgment ordering that the future damages be paid by periodic payments, in accordance with the Uniform Periodic Payment of Judgments Act promulgated by the National Conference of Commissioners on Uniform State Laws.

(b) APPLICABILITY.—This section applies to all actions which have not been first set for trial or retrial before the effective date of this title.

SEC. 407. DEFINITIONS.

In this title:

(1) ALTERNATIVE DISPUTE RESOLUTION SYSTEM; ADR.—The term ''alternative dispute

resolution system'' or ''ADR'' means a system that provides for the resolution of health care lawsuits in a manner other than through a civil action brought in a State or Federal court.

(2) CLAIMANT.—The term ''claimant'' means any person who brings a health care lawsuit, including a person who asserts or claims a right to legal or equitable contribution, indemnity, or subrogation, arising out of a health care liability claim or action, and any person on whose behalf such a claim is asserted or such an action is brought, whether deceased, incompetent, or a minor.

(3) COMPENSATORY DAMAGES.—The term ''compensatory damages'' means objectively verifiable monetary losses incurred as a result of the provision of, use of, or payment for (or failure to provide, use, or pay for) health care services or medical products, such as past and future medical expenses, loss of past and future earnings, cost of obtaining domestic services, loss of employment, and loss of business or employment opportunities, damages for physical and emotional pain, suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium (other than loss of domestic service), hedonic damages, injury to reputation, and all other nonpecuniary losses of any kind or nature. The term ''compensatory damages'' includes economic damages and noneconomic damages, as such terms are defined in this section.

(4) CONTINGENT FEE.—The term ''contingent fee'' includes all compensation to any person or persons which is payable only if a recovery is effected on behalf of one or more claimants.

(5) ECONOMIC DAMAGES.—The term ''economic damages'' means objectively verifiable monetary losses incurred as a result of the provision of, use of, or payment for (or failure to provide, use, or pay for) health care services or medical products, such as past and future medical expenses, loss of past and future earnings, cost of obtaining domestic services, loss of employment, and loss of business or employment opportunities.

(6) HEALTH CARE LAWSUIT.—The term ''health care lawsuit'' means any health care liability claim concerning the provision of health care goods or services or any medical product affecting interstate commerce, or any health care liability action concerning the provision of health care goods or services or any medical product affecting interstate commerce, brought in a State or Federal court or pursuant to an alternative dispute resolution system, against a health care provider, a health care organization, or the manufacturer, distributor, supplier, marketer, promoter, or seller of a medical product, regardless of the theory of liability on which the claim is based, or the number of claimants, plaintiffs, defendants, or other parties, or the number of claims or causes of action, in which the claimant alleges a health care liability claim. Such term does not include a claim or action which is based on criminal liability; which seeks civil fines or penalties paid to Federal, State, or local government; or which is grounded in antitrust.

(7) HEALTH CARE LIABILITY ACTION.—The term ''health care liability action'' means a civil action brought in a State or Federal court or pursuant to an alternative dispute resolution system, against a health care provider, a health care organization, or the manufacturer, distributor, supplier, marketer, promoter, or seller of a medical product, regardless of the theory of liability on which the claim is based, or the number of plaintiffs, defendants, or other parties, or the number of causes of action, in which the claimant alleges a health care liability claim.

(8) HEALTH CARE LIABILITY CLAIM.—The term ''health care liability claim'' means a demand by any person, whether or not pursuant to ADR, against a health care provider, health care organization, or the manufacturer, distributor, supplier, marketer, promoter, or seller of a medical product, including, but not limited to, third-party claims, cross-claims, counter-claims, or contribution claims, which are based upon the provision of, use of, or payment for (or the failure to provide, use, or pay for) health care services or medical products, regardless of the theory of liability on which the claim is based, or the number of plaintiffs, defendants, or other parties, or the number of causes of action.

(9) HEALTH CARE ORGANIZATION.—The term ''health care organization'' means any person or entity which is obligated to provide or pay for health benefits under any health plan, including any person or entity acting under a contract or arrangement with a health care organization to provide or administer any health benefit.

(10) HEALTH CARE PROVIDER.—The term ''health care provider'' means any person or entity required by State or Federal laws or regulations to be licensed, registered, or certified to provide health care services, and being either so licensed, registered, or certified, or exempted from such requirement by other statute or regulation.

(11) HEALTH CARE GOODS OR SERVICES.—The term ''health care goods or services'' means any goods or services provided by a health care organization, provider, or by any individual working under the supervision of a health care provider, that relates to the diagnosis, prevention, or treatment of any human disease or impairment, or the assessment or care of the health of human beings.

(12) MALICIOUS INTENT TO INJURE.—The term ''malicious intent to injure'' means intentionally causing or attempting to cause physical injury other than providing health care goods or services.

(13) MEDICAL PRODUCT.—The term ''medical product'' means a drug, device, or biological product intended for humans, and the terms ''drug'', ''device'', and ''biological product'' have the meanings given such terms in sections 201(g)(1) and 201(h) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 321(g)(1) and (h)) and section 351(a) of the Public Health Service Act (42 U.S.C. 262(a)), respectively, including any component or raw material used therein, but excluding health care services.

(14) NONECONOMIC DAMAGES.—The term ''noneconomic damages'' means damages for physical and emotional pain, suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium (other than loss of domestic service), hedonic damages, injury to reputation, and all other nonpecuniary losses of any kind or nature.

(15) PUNITIVE DAMAGES.—The term ''punitive damages'' means damages awarded, for the purpose of punishment or deterrence, and not solely for compensatory purposes, against a health care provider, health care organization, or a manufacturer, distributor, or supplier of a medical product. Punitive damages are neither economic nor noneconomic damages.

(16) RECOVERY.—The term ''recovery'' means the net sum recovered after deducting any disbursements or costs incurred in connection with prosecution or settlement of the claim, including all costs paid or advanced by any person. Costs of health care incurred by the plaintiff and the attorneys' office overhead costs or charges for legal services are not deductible disbursements or costs for such purpose.

(17) STATE.—The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and any other territory or possession of the United States, or any political subdivision thereof.

SEC. 408. EFFECT ON OTHER LAWS.

(a) VACCINE INJURY.—

(1) To the extent that title XXI of the Public Health Service Act establishes a Federal rule of law applicable to a civil action brought for a vaccine-related injury or death—

(A) this title does not affect the application of the rule of law to such an action; and

(B) any rule of law prescribed by this title in conflict with a rule of law of such title XXI shall not apply to such action.

(2) If there is an aspect of a civil action brought for a vaccine-related injury or death to which a Federal rule of law under title XXI of the Public Health Service Act does not apply, then this title or otherwise applicable law (as determined under this title) will apply to such aspect of such action.

(b) OTHER FEDERAL LAW.—Except as provided in this section, nothing in this title shall be deemed to affect any defense available to a defendant in a health care lawsuit or action under any other provision of Federal law.

SEC. 409. STATE FLEXIBILITY AND PROTECTION OF STATES' RIGHTS.

(a) HEALTH CARE LAWSUITS.—The provisions governing health care lawsuits set forth in this title preempt, subject to subsections (b) and (c), State law to the extent that State law prevents the application of any provisions of law established by or under this title. The provisions governing health care lawsuits set forth in this title supersede chapter 171 of title 28, United States Code, to the extent that such chapter—

(1) provides for a greater amount of damages or contingent fees, a longer period in which a health care lawsuit may be commenced, or a reduced applicability or scope of periodic payment of future damages, than provided in this title; or

(2) prohibits the introduction of evidence regarding collateral source benefits, or mandates or permits subrogation or a lien on collateral source benefits.

(b) PROTECTION OF STATES' RIGHTS AND OTHER LAWS.—(1) Any issue that is not governed by any provision of law established by or under this title (including State standards of negligence) shall be governed by otherwise applicable State or Federal law.

(2) This title shall not preempt or supersede any State or Federal law that imposes greater procedural or substantive protections for health care providers and health care organizations from liability, loss, or damages than those provided by this title or create a cause of action.

(c) STATE FLEXIBILITY.—No provision of this title shall be construed to preempt—

(1) any State law (whether effective before, on, or after the date of the enactment of this Act) that specifies a particular monetary amount of compensatory or punitive damages (or the total amount of damages) that may be awarded in a health care lawsuit, regardless of whether such monetary amount is greater or lesser than is provided for under this title, notwithstanding section 303(a); or

(2) any defense available to a party in a health care lawsuit under any other provision of State or Federal law.

SEC. 410. APPLICABILITY; EFFECTIVE DATE.

This title shall apply to any health care lawsuit brought in a Federal or State court,

or subject to an alternative dispute resolution system, that is initiated on or after the date of the enactment of this Act, except that any health care lawsuit arising from an injury occurring prior to the date of the enactment of this Act shall be governed by the applicable statute of limitations provisions in effect at the time the injury occurred.

TITLE V—COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

SEC. 501. RETIREMENT CONTRIBUTIONS.

(a) CIVIL SERVICE RETIREMENT SYSTEM.—

(1) INDIVIDUAL CONTRIBUTIONS.—Section 8334(c) of title 5, United States Code, is amended—

(A) by striking ''(c) Each'' and inserting ''(c)(1) Each''; and

(B) by adding at the end the following:

''(2) Notwithstanding any other provision of this subsection, the applicable percentage of basic pay under this subsection shall—

''(A) except as provided in subparagraph (B) or (C), for purposes of computing an amount—

''(i) for a period in calendar year 2013, be equal to the applicable percentage under this subsection for calendar year 2012, plus an additional 1.5 percentage points;

''(ii) for a period in calendar year 2014, be equal to the applicable percentage under this subsection for calendar year 2013 (as determined under clause (i)), plus an additional 0.5 percentage point;

''(iii) for a period in calendar year 2015, 2016, or 2017, be equal to the applicable percentage under this subsection for the preceding calendar year (as determined under clause (ii) or this clause, as the case may be), plus an additional 1.0 percentage point; and

''(iv) for a period in any calendar year after 2017, be equal to the applicable percentage under this subsection for calendar year 2017 (as determined under clause (iii));

''(B) for purposes of computing an amount with respect to a Member for Member service—

''(i) for a period in calendar year 2013, be equal to the applicable percentage under this subsection for calendar year 2012, plus an additional 2.5 percentage points;

''(ii) for a period in calendar year 2014, 2015, 2016, or 2017, be equal to the applicable percentage under this subsection for the preceding calendar year (as determined under clause (i) or this clause, as the case may be), plus an additional 1.5 percentage points; and

''(iii) for a period in any calendar year after 2017, be equal to the applicable percentage under this subsection for calendar year 2017 (as determined under clause (ii)); and

''(C) for purposes of computing an amount with respect to a Member or employee for Congressional employee service—

''(i) for a period in calendar year 2013, be equal to the applicable percentage under this subsection for calendar year 2012, plus an additional 2.5 percentage points;

''(ii) for a period in calendar year 2014, 2015, 2016, or 2017, be equal to the applicable percentage under this subsection for the preceding calendar year (as determined under clause (i) or this clause, as the case may be), plus an additional 1.5 percentage points; and

''(iii) for a period in any calendar year after 2017, be equal to the applicable percentage under this subsection for calendar year 2017 (as determined under clause (ii)).

''(3)(A) Notwithstanding subsection (a)(2), any excess contributions under subsection (a)(1)(A) (including the portion of any deposit under this subsection allocable to excess contributions) shall, if made by an employee of the United States Postal Service or the Postal Regulatory Commission, be deposited to the credit of the Postal Service Fund under section 2003 of title 39, rather than the Civil Service Retirement and Disability Fund.

''(B) For purposes of this paragraph, the term 'excess contributions', as used with respect to contributions made under subsection (a)(1)(A) by an employee of the United States Postal Service or the Postal Regulatory Commission, means the amount by which—

''(i) deductions from basic pay of such employee which are made under subsection (a)(1)(A), exceed

''(ii) deductions from basic pay of such employee which would have been so made if paragraph (2) had not been enacted.''.

(2) GOVERNMENT CONTRIBUTIONS.—Section 8334(a)(1)(B) of title 5, United States Code, is amended—

(A) in clause (i), by striking ''Except as provided in clause (ii),'' and inserting ''Except as provided in clause (ii) or (iii),''; and

(B) by adding at the end the following:

''(iii) The amount to be contributed under clause (i) shall, with respect to a period in any year beginning after December 31, 2012, be equal to—

''(I) the amount which would otherwise apply under clause (i) with respect to such period, reduced by

''(II) the amount by which, with respect to such period, the withholding under subparagraph (A) exceeds the amount which would otherwise have been withheld from the basic pay of the employee or elected official involved under subparagraph (A) based on the percentage applicable under subsection (c) for calendar year 2012.''.

(b) FEDERAL EMPLOYEES' RETIREMENT SYSTEM.—

(1) INDIVIDUAL CONTRIBUTIONS.—Section 8422(a)(3) of title 5, United States Code, is amended—

(A) by redesignating subparagraph (B) as subparagraph (C);

(B) by inserting after subparagraph (A) the following:

''(B) Notwithstanding any other provision of this paragraph, the applicable percentage under this paragraph for civilian service by employees or Members other than revised annuity employees shall—

''(i) except as provided in clause (ii) or (iii), for purposes of computing an amount—

''(I) for a period in calendar year 2013, be equal to the applicable percentage under this paragraph for calendar year 2012, plus an additional 1.5 percentage points;

''(II) for a period in calendar year 2014, be equal to the applicable percentage under this paragraph for calendar year 2013 (as determined under subclause (I)), plus an additional 0.5 percentage point;

''(III) for a period in calendar year 2015, 2016, or 2017, be equal to the applicable percentage under this paragraph for the preceding calendar year (as determined under subclause (II) or this subclause, as the case may be), plus an additional 1.0 percentage point; and

''(IV) for a period in any calendar year after 2017, be equal to the applicable percentage under this paragraph for calendar year 2017 (as determined under subclause (III));

''(ii) for purposes of computing an amount with respect to a Member—

''(I) for a period in calendar year 2013, be equal to the applicable percentage under this paragraph for calendar year 2012, plus an additional 2.5 percentage points;

''(II) for a period in calendar year 2014, 2015, 2016, or 2017, be equal to the applicable percentage under this paragraph for the preceding calendar year (as determined under subclause (I) or this subclause, as the case may be), plus an additional 1.5 percentage points; and

''(III) for a period in any calendar year after 2017, be equal to the applicable percentage under this paragraph for calendar year 2017 (as determined under subclause (II)); and

''(iii) for purposes of computing an amount with respect to a Congressional employee—

''(I) for a period in calendar year 2013, 2014, 2015, 2016, or 2017, be equal to the applicable percentage under this paragraph for the preceding calendar year (including as increased under this subclause, if applicable), plus an additional 1.5 percentage points; and

''(II) for a period in any calendar year after 2017, be equal to the applicable percentage under this paragraph for calendar year 2017 (as determined under subclause (I)).''; and

(C) in subparagraph (C) (as so redesignated by subparagraph (A))—

(i) by striking ''9.3'' each place it appears and inserting ''12''; and

(ii) by striking ''9.8'' each place it appears and inserting ''12.5''.

(2) GOVERNMENT CONTRIBUTIONS.—Section 8423(a)(2) of title 5, United States Code, is amended—

(A) by striking ''(2)'' and inserting ''(2)(A)''; and

(B) by adding at the end the following:

''(B)(i) Subject to clauses (ii) and (iii), for purposes of any period in any year beginning after December 31, 2012, the normal-cost percentage under this subsection shall be determined and applied as if section 501(b)(1) of the Spending Reduction Act of 2012 had not been enacted.

''(ii) Any contributions under this subsection in excess of the amounts which (but for clause (i)) would otherwise have been payable shall be applied toward reducing the unfunded liability of the Civil Service Retirement System.

''(iii) After the unfunded liability of the Civil Service Retirement System has been eliminated, as determined by the Office, Government contributions under this subsection shall be determined and made disregarding this subparagraph.

''(iv) The preceding provisions of this subparagraph shall be disregarded for purposes of determining the contributions payable by the United States Postal Service and the Postal Regulatory Commission.''.

SEC. 502. ANNUITY SUPPLEMENT.

Section 8421(a) of title 5, United States Code, is amended—

(1) in paragraph (1), by striking ''paragraph (3)'' and inserting ''paragraphs (3) and (4)'';

(2) in paragraph (2), by striking ''paragraph (3)'' and inserting ''paragraphs (3) and (4)''; and

(3) by adding at the end the following:

''(4)(A) Except as provided in subparagraph (B), no annuity supplement under this section shall be payable in the case of an individual who first becomes subject to this chapter after December 31, 2012.

''(B) Nothing in this paragraph applies in the case of an individual separating under subsection (d) or (e) of section 8412.''.

SEC. 503. CONTRIBUTIONS TO THRIFT SAVINGS FUND OF PAYMENTS FOR ACCRUED OR ACCUMULATED LEAVE.

(a) AMENDMENTS RELATING TO CSRS.—Section 8351(b) of title 5, United States Code, is amended—

(1) by striking paragraph (2)(A) and inserting the following:

''(2)(A) An employee or Member may contribute to the Thrift Savings Fund in any pay period any amount of such employee's or Member's basic pay for such pay period, and may contribute (by direct transfer to the Fund) any part of any payment that the employee or Member receives for accumulated and accrued annual or vacation leave under section 5551 or 5552. Notwithstanding section 2105(e), in this paragraph the term 'employee' includes an employee of the United States Postal Service or of the Postal Regulatory Commission.'';

(2) by striking subparagraph (B) of paragraph (2); and

(3) by redesignating subparagraph (C) of paragraph (2) as subparagraph (B).

(b) AMENDMENTS RELATING TO FERS.—Section 8432(a) of title 5, United States Code, is amended—

(1) by striking all that precedes paragraph (3) and inserting the following:

''(a)(1) An employee or Member—

''(A) may contribute to the Thrift Savings Fund in any pay period, pursuant to an election under subsection (b), any amount of such employee's or Member's basic pay for such pay period; and

''(B) may contribute (by direct transfer to the Fund) any part of any payment that the employee or Member receives for accumulated and accrued annual or vacation leave under section 5551 or 5552.

''(2) Contributions made under paragraph (1)(A) pursuant to an election under subsection (b) shall, with respect to each pay period for which such election remains in effect, be made in accordance with a program of regular contributions provided in regulations prescribed by the Executive Director.''; and

(2) by adding at the end the following:

''(4) Notwithstanding section 2105(e), in this subsection the term 'employee' includes an employee of the United States Postal Service or of the Postal Regulatory Commission.''.

(c) REGULATIONS.—The Executive Director of the Federal Retirement Thrift Investment Board shall promulgate regulations to carry out the amendments made by this section.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect 1 year after the date of the enactment of this Act.

TITLE VI—COMMITTEE ON WAYS AND MEANS

Subtitle A—Recapture of Overpayments Resulting From Certain Federally-subsidized Health Insurance

SEC. 601. RECAPTURE OF OVERPAYMENTS RESULTING FROM CERTAIN FEDERALLY-SUBSIDIZED HEALTH INSURANCE.

(a) IN GENERAL.—Paragraph (2) of section 36B(f) of the Internal Revenue Code of 1986 is amended by striking subparagraph (B).

(b) CONFORMING AMENDMENT.—So much of paragraph (2) of section 36B(f) of such Code, as amended by subsection (a), as precedes ''advance payments'' is amended to read as follows:

''(2) EXCESS ADVANCE PAYMENTS.—If the''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after December 31, 2013.

Subtitle B—Social Security Number Required to Claim the Refundable Portion of the Child Tax Credit

SEC. 611. SOCIAL SECURITY NUMBER REQUIRED TO CLAIM THE REFUNDABLE PORTION OF THE CHILD TAX CREDIT.

(a) IN GENERAL.—Subsection (d) of section 24 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(5) IDENTIFICATION REQUIREMENT WITH RESPECT TO TAXPAYER.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to any taxpayer for any taxable year unless the taxpayer includes the taxpayer's Social Security number on the return of tax for such taxable year.

''(B) JOINT RETURNS.—In the case of a joint return, the requirement of subparagraph (A) shall be treated as met if the Social Security number of either spouse is included on such return.

''(C) LIMITATION.—Subparagraph (A) shall not apply to the extent the tentative minimum tax (as defined in section 55(b)(1)(A)) exceeds the credit allowed under section 32.''.

(b) OMISSION TREATED AS MATHEMATICAL OR CLERICAL ERROR.—Subparagraph (I) of section 6213(g)(2) of such Code is amended to read as follows:

''(I) an omission of a correct Social Security number required under section 24(d)(5) (relating to refundable portion of child tax credit), or a correct TIN under section 24(e) (relating to child tax credit), to be included on a return,''.

(c) CONFORMING AMENDMENT.—Subsection (e) of section 24 of such Code is amended by inserting ''WITH RESPECT TO QUALIFYING CHILDREN'' after ''IDENTIFICATION REQUIREMENT'' in the heading thereof.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

Subtitle C—Human Resources Provisions

SEC. 621. REPEAL OF THE PROGRAM OF BLOCK GRANTS TO STATES FOR SOCIAL SERVICES.

(a) REPEALS.—Sections 2001 through 2007 of the Social Security Act (42 U.S.C. 1397–1397f) are repealed.

(b) CONFORMING AMENDMENTS.—

(1) Section 404(d) of the Social Security Act (42 U.S.C. 604(d)) is amended—

(A) in paragraph (1), by striking ''any or all of the following provisions of law:'' and all that follows through ''The'' and inserting ''the'';

(B) in paragraph (3)—

(i) by striking ''RULES'' and all that follows through ''any amount paid'' and inserting ''RULES.—Any amount paid'';

(ii) by striking ''a provision of law specified in paragraph (1)'' and inserting ''the Child Care and Development Block Grant Act of 1990''; and

(iii) by striking subparagraph (B); and

(C) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(2) Section 422(b) of the Social Security Act (42 U.S.C. 622(b)) is amended—

(A) in paragraph (1)(A)—

(i) by striking ''administers or supervises'' and inserting ''administered or supervised''; and

(ii) by striking ''subtitle 1 of title XX'' and inserting ''subtitle A of title XX (as in effect before the repeal of such subtitle)''; and

(B) in paragraph (2), by striking ''under subtitle 1 of title XX,''.

(3) Section 471(a) of the Social Security Act (42 U.S.C. 671(a)) is amended—

(A) in paragraph (4), by striking '', under subtitle 1 of title XX of this Act,''; and

(B) in paragraph (8), by striking ''XIX, or XX'' and inserting ''or XIX''.

(4) Section 472(h)(1) of the Social Security Act (42 U.S.C. 672(h)(1)) is amended by striking the 2nd sentence.

(5) Section 473(b) of the Social Security Act (42 U.S.C. 673(b)) is amended—

(A) in paragraph (1), by striking ''(3)'' and inserting ''(2)'';

(B) in paragraph (4), by striking ''paragraphs (1) and (2)'' and inserting ''paragraph (1)''; and

(C) by striking paragraph (2) and redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(6) Section 504(b)(6) of the Social Security Act (42 U.S.C. 704(b)(6)) is amended in each of subparagraphs (A) and (B) by striking ''XIX, or XX'' and inserting ''or XIX''.

(7) Section 1101(a)(1) of the Social Security Act (42 U.S.C. 1301(a)(1)) is amended by striking the penultimate sentence.

(8) Section 1128(h) of the Social Security Act (42 U.S.C. 1320a–7(h)) is amended—

(A) by adding ''or'' at the end of paragraph (2); and

(B) by striking paragraph (3) and redesignating paragraph (4) as paragraph (3).

(9) Section 1128A(i)(1) of the Social Security Act (42 U.S.C. 1320a–7a(i)(1)) is amended by striking ''or subtitle 1 of title XX''.

(10) Section 1132(a)(1) of the Social Security Act (42 U.S.C. 1320b–2(a)(1)) is amended by striking ''XIX, or XX'' and inserting ''or XIX''.

(11) Section 1902(e)(13)(F)(iii) of the Social Security Act (42 U.S.C. 1396a(e)(13)(F)(iii)) is amended—

(A) by striking ''EXCLUSIONS'' and inserting ''EXCLUSION''; and

(B) by striking ''an agency that determines eligibility for a program established under the Social Services Block Grant established under title XX or''.

(12) The heading for title XX of the Social Security Act is amended by striking ''BLOCK GRANTS TO STATES FOR SOCIAL SERVICES'' and inserting ''HEALTH PROFESSIONS DEMONSTRATIONS AND ENVIRONMENTAL HEALTH CONDITION DETECTION''.

(13) The heading for subtitle A of title XX of the Social Security Act is amended by striking ''**Block Grants to States for Social Services**'' and inserting ''**Health Professions Demonstrations and Environmental Health Condition Detection**''.

(14) Section 16(k)(5)(B)(i) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(k)(5)(B)(i)) is amended by striking '', or title XX,''.

(15) Section 402(b)(3) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(b)(3)) is amended by striking subparagraph (B) and redesignating subparagraph (C) as subparagraph (B).

(16) Section 245A(h)(4)(I) of the Immigration Reform and Control Act of 1986 (8 U.S.C. 1255a(h)(4)(I)) is amended by striking '', XVI, and XX'' and inserting ''and XVI''.

(17) Section 17 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766) is amended—

(A) in subsection (a)(2)—

(i) in subparagraph (B)—

(I) by striking ''—'' and all that follows through ''(i)'';

(II) by striking ''or'' at the end of clause (i); and

(III) by striking clause (ii); and

(ii) in subparagraph (D)(ii), by striking ''or title XX''; and

(B) in subsection (o)(2)(B)—

(i) by striking ''or title XX'' each place it appears; and

(ii) by striking ''or XX''.

(18) Section 201(b) of the Indian Child Welfare Act of 1978 (25 U.S.C. 1931(b)) is amended by striking ''titles IV–B and XX'' each place it appears and inserting ''part B of title IV''.

(19) Section 3803(c)(2)(C) of title 31, United States Code, is amended by striking clause (vi) and redesignating clauses (vii) through (xvi) as clauses (vi) through (xv), respectively.

(20) Section 14502(d)(3) of title 40, United States Code, is amended—

(A) by striking ''and title XX''; and

(B) by striking '', 1397 et seq.''.

(21) Section 2006(a)(15) of the Public Health Service Act (42 U.S.C. 300z–5(a)(15)) is amended by striking ''and title XX''.

(22) Section 203(b)(3) of the Older Americans Act of 1965 (42 U.S.C. 3013(b)(3)) is amended by striking ''XIX, and XX'' and inserting ''and XIX''.

(23) Section 213 of the Older Americans Act of 1965 (42 U.S.C. 3020d) is amended by striking ''or title XX''.

(24) Section 306(d) of the Older Americans Act of 1965 (42 U.S.C. 3026(d)) is amended in each of paragraphs (1) and (2) by striking ''titles XIX and XX'' and inserting ''title XIX''.

(25) Section 2605 of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624)

is amended in each of subsections (b)(4) and (j) by striking ''under title XX of the Social Security Act,''.

(26) Section 602 of the Child Development Associate Scholarship Assistance Act of 1985 (42 U.S.C. 10901) is repealed.

(27) Section 3(d)(1) of the Assisted Suicide Funding Restriction Act of 1997 (42 U.S.C. 14402(d)(1)) is amended by striking subparagraph (C) and redesignating subparagraphs (D) through (K) as subparagraphs (C) through (J), respectively.

(c) EFFECTIVE DATE.—The repeals and amendments made by this section shall take effect on January 1, 2013.

TITLE VII—SEQUESTER REPLACEMENT

SEC. 701. SHORT TITLE.

This title may be cited as the ''Sequester Replacement Act of 2012''.

SEC. 702. PROTECTING VETERANS PROGRAMS FROM SEQUESTER.

Section 256(e)(2)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985 is repealed.

SEC. 703. ACHIEVING $19 BILLION IN DISCRETIONARY SAVINGS.

(a) REVISED 2013 DISCRETIONARY SPENDING LIMIT.—Paragraph (2) of section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

''(2) with respect to fiscal year 2013, for the discretionary category, $1,047,000,000,000 in new budget authority;''.

(b) DISCRETIONARY SAVINGS.—Section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

''(A) FISCAL YEAR 2013.—

''(i) FISCAL YEAR 2013 ADJUSTMENT.—On January 2, 2013, the discretionary category set forth in section 251(c)(2) shall be decreased by $19,104,000,000 in budget authority.

''(ii) SUPPLEMENTAL SEQUESTRATION ORDER.—On January 15, 2013, OMB shall issue a supplemental sequestration report for fiscal year 2013 and take the form of a final sequestration report as set forth in section 254(f)(2) and using the procedures set forth in section 253(f), to eliminate any discretionary spending breach of the spending limit set forth in section 251(c)(2) as adjusted by clause (i), and the President shall order a sequestration, if any, as required by such report.''.

SEC. 704. CONFORMING AMENDMENTS TO SECTION 314 OF THE CONGRESSIONAL BUDGET AND IMPOUNDMENT CONTROL ACT OF 1974.

Section 314(a) of the Congressional Budget Act of 1974 is amended to read as follows:

''(a) ADJUSTMENTS.—

''(1) IN GENERAL.—The chair of the Committee on the Budget of the House of Representatives or the Senate may make adjustments as set forth in paragraph (2) for a bill or joint resolution, amendment thereto or conference report thereon, by the amount of new budget authority and outlays flowing therefrom in the same amount as required by section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985.

''(2) MATTERS TO BE ADJUSTED.—The chair of the Committee on the Budget of the House of Representatives or the Senate may make the adjustments referred to in paragraph (1) to—

''(A) the allocations made pursuant to the appropriate concurrent resolution on the budget pursuant to section 302(a);

''(B) the budgetary aggregates as set forth in the appropriate concurrent resolution on the budget; and

''(C) the discretionary spending limits, if any, set forth in the appropriate concurrent resolution on the budget.''.

SEC. 705. TREATMENT FOR PAYGO PURPOSES.

The budgetary effects of this Act and any amendment made by it shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

SEC. 706. ELIMINATION OF THE FISCAL YEAR 2013 SEQUESTRATION FOR DEFENSE DIRECT SPENDING.

Any sequestration order issued by the President under the Balanced Budget and Emergency Deficit Control Act of 1985 to carry out reductions to direct spending for the defense function (050) for fiscal year 2013 pursuant to section 251A of such Act shall have no force or effect.

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. RYAN) as the designee of the majority leader and the gentleman from Maryland (Mr. VAN HOLLEN) as the designee of the minority leader each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 6684, the Spending Reduction Act.

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

There was no objection.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 1 minute.

This is what we should be doing almost every day here—cutting spending. In particular, this cuts $236 billion over the next 10 years in net spending cuts to pay for 1 year of the sequester. It sets aside the sequester on defense and nondefense discretionary spending. It cuts $218 billion in mandatory spending and $19 billion in discretionary spending by lowering those caps. The result of this is we believe it's better to identify specific spending cuts, waste, fraud, and abuse in the Federal Government in order to prevent the sequester from occurring. This sets aside this question for 1 year. But in exchange for that, it has a net spending reduction of $236 billion. We think the path forward is even lower spending, which is what this achieves.

I yield 5 minutes to the chairman of the House Armed Services Committee, Mr. MCKEON.

Mr. MCKEON. I thank the gentleman for yielding, and I thank him for his efforts on this bill.

Today, we will send to the Senate a way out of this fiscal crisis. Rather than react in defense of the President's position, I urge the other body to treat this package as a good faith effort to protect America's middle class and small businesses from harmful tax hikes and to reduce spending to resolve sequestration. We know that the President is willing to put adjustments to entitlements on the table. This proposal provides a framework for us to reach bipartisan agreement on how to do that.

If we fail to act, on January 2 a hammer's strike will fall on America's Armed Forces. It will be one of the most significant and damaging blows to our troops and our national security in history. Without even the stroke of a pen, sequester will do incredible injury to a military that took generations to build. It will take generations to fix. And the blow will not come from an enemy, but from our own inability to fulfill the basic obligations of governance.

We must stop substituting regular order with brinksmanship. We must not allow impasses of our own doing to harm our Armed Forces. I call on the President to lead rather than create a new crisis. We cannot stand idly by while we have American men and women fighting to keep us safe across the globe. It's a disgrace that the President decided to use them as pawns in these negotiations, and it's a disgrace that we haven't managed to rescue them yet.

My leadership made me a promise: sequestration would not happen. Today, for the sixth time, they are bringing a measure to the floor in an effort to keep that promise. I thank them for what they have done and wish we could have done even more. The American people were also promised that sequestration would not happen. Many times over his campaign and in the presence of our troops and veterans the Commander in Chief made that promise: sequestration would not happen. Yet as we stand here today, days away from the catastrophe, the President of the United States hasn't lifted a finger to keep that promise.

If the Senate fails to take our offer seriously, we will likely return to Washington after Christmas. But the 68,000 American troops in Afghanistan don't have that luxury. We ask them to bear the pain of combat. I hope we will not ask them to shoulder the weight of Washington's irresponsibility. Every man and woman who serves in this Chamber, in the one down the hall, and in the Oval Office down the street are the stewards of a sacred trust. We have all put our left hand on a Bible and raised our right hand and made a sacred pledge. Part of that pledge is to defend the men and women who put their lives on the line to defend us. If we allow the year to end without resolving sequestration, we will all be in direct and unforgivable violation of that trust. I have debated and reasoned with my colleagues, and now I beg you, do not let the year end without ending sequestration.

I urge passage of this measure.

Mr. VAN HOLLEN. I yield myself such time as I may consume.

At the outset, I just want to say to my friend, the chairman of the Budget Committee, I have great respect for him. And I hope he won't take it the wrong way, but I'm glad to have you back, and look forward to actually working with you next year. I actually hoped that we'd be able to work in a bipartisan way, starting right now. Unfortunately, that doesn't appear to be

the case, and we are engaged here in the House on this floor today in what has become a ridiculous political stunt which will actually take us much closer as a country to going over the fiscal cliff. We're wasting valuable time. The Speaker should be engaged with the President of the United States in negotiations rather than having walked away from those negotiations with the President. That walking away is becoming a bad habit.

The President put on the table a balanced budget plan that calls for shared responsibility. It calls for $1.2 trillion in additional revenues from high-income earners over the next 10 years, and $1.2 trillion in additional cuts, if you include the interest savings over the next 10 years. And by the way, Mr. Speaker, that $1.2 trillion in cuts comes on top of the over $1 trillion in cuts that have already been agreed to this year.

And to our colleague, the distinguished chairman of the Armed Services Committee, when he says that the President hasn't lifted a finger to remove the sequester on defense, that's just not true. It's just not true. In fact, the President's proposal to cut the $1.2 trillion would also remove the sequester for at least 1 year—and maybe for 10. And it's more cuts total than what we're talking about on the floor here today.

So what we really have, Mr. Speaker, is the fact that too many of our Republican colleagues still think that compromise is a dirty word. And that's what brings us to the floor today in this political exercise.

□ 1650

As has, unfortunately, been the case throughout the year, the Republican package that we're dealing with today has two objectives. One objective is to minimize the impact of the budget challenge on high-income earners and to shift that burden on the middle-income earners and working people.

The numbers tell the story, Mr. Speaker. Because if we go over the fiscal cliff, people earning over $1 million will face a significant income tax hike. But under the Republican Plan B, compared to the Senate plan that is before this House right now, the House Republican plan would give those millionaires a $50,000 tax break on average.

But do you know who would pay more under a Republican Plan B? A whole lot of middle class families. Eleven million families will see an average of $1,100 tax increase because the Republican Plan B takes away the tuition tax credit. Twelve million families will lose the enhanced child tax credit; they will face $800 more burden. EITC, 6 million families will pay more. The typical U.S. Army private—including those men and women serving us in Afghanistan today—married with a newborn infant will see a $453 increase in taxes as a result of Republican Plan B. On average, 25 million families will pay an average of $1,000 more so that 402,000 families who make over $1 million can get an average tax break of $50,000. That's the tax part of Republican Plan B.

We're here today right now talking about the cutting part of Republican Plan B. I think all of us recall during the election the Republican Presidential candidate said:

> There are 47 percent of the people who will vote for the President no matter what.

And then he went on to say:

> And so my job is not to worry about those people.

Well, you know what? The Republican sequester-cutting plan today is making their nominee's promise come true. It sends a signal that our Republican colleagues just don't care about the 47 percent. Because you know who gets hit? Here's what it would do. This is according to the Congressional Budget Office.

By the way, Mr. Speaker, this is a recycled version. We had virtually the same bill on the floor last spring; we're just doing it again. That bill did not get one single Democratic vote, and now it's brought here under the premise of some kind of bipartisan approach. The reason it didn't get Democratic support is, while they're providing these tax breaks to people making over $1 million compared to what it would be if we went over the fiscal cliff, 22 million children will face reduced or eliminated food benefits. That's according to the Congressional Budget Office. 1.8 million Americans will permanently lose their food assistance, and of those, nearly 300,000 children will lose their school free or reduced lunch program.

So what this sequester-avoidance plan does is make good on the promise that Republicans don't care about the 47 percent. That's why it didn't get any Democratic votes last spring. That's why, Mr. Speaker, I urge my colleagues to vote against it today.

I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

My friend started off by saying this is a farce, this is not real. This is what Congress is supposed to do.

Let's review what this legislation is or is not.

Number one, six congressional committees went through their areas of jurisdiction to look for areas where spending can be reduced—to look for areas where there was government duplication, to look for areas where there was government waste and fraud—reported out of those committees savings, spending cuts, and we package it together here. We ought to be doing this each and every year.

More to the point, Mr. Speaker, this package of spending cuts are built on top of the fact that we actually passed a budget to pay off the debt. We actually passed a budget to make sure that nobody gets a tax increase. That's a lot more than the President can say.

The President's budget was voted down unanimously in the House and the Senate. The Senate, they haven't passed a budget in 3 years. We don't just have a fiscal cliff, we have a fiscal abyss in front of us, and that is the debt crisis that is on our horizon.

Failure to address this debt crisis means not just 47 percent of Americans, but every American gets hurt. Every American gets a lower standard of living. Every American, especially the next generation, receives a lower standard of living if we don't fix this mess.

So what is this we're doing here today? We're saying we don't think the crude across-the-board sequester is good policy. We think it will harm our national security—the first and primary responsibility of the Federal Government—and we want to replace next year's cuts with even more spending cuts that we think are smart spending cuts.

The gentleman is talking about all these people who will lose food stamps and free and reduced lunches. Let me say it really clearly: Every single person who qualifies for food stamps will get food stamps. Every single child who qualifies for a free and reduced lunch will get their free and reduced lunch. What we're saying is you actually have to qualify for these benefits to get these benefits, and that's not the case today. We are spending so much money from this government that people who don't even qualify for these benefits, who make more than they should to qualify for them, are getting these benefits.

There is a lot of waste. There's a lot of fraud. There's a lot of abuse in how our Federal tax dollars are being spent, and we're beginning to rein that in with this down payment of spending cuts.

With respect to taxes, what we are trying to do here is limit the damage to the taxpayer. There's not a single tax increase that we're proposing here—not a single. What we're saying is prevent as many tax increases as possible from hitting anybody in this economy. Because you know what? It's not a very good economy. Look, elections have consequences. We understand that. I, of all people, understand that. The consequence of this election is we have a President who in every proposal he has given us has called for net spending increases along with tax increases.

He used to say we ought to cut $3 of spending for every $1 of tax increases. He's not even doing that. The latest proposals say let's raise taxes and then raise spending. Mr. Speaker, that's what got us in trouble in the first place.

With that, I'd like to yield 4 minutes to the gentleman from Alabama (Mr. BACHUS), the chairman of the Financial Services Committee.

Mr. BACHUS. Mr. Speaker, the gentleman from Maryland (Mr. VAN HOLLEN) says that this is political theater, that this is a waste of time. Well, let me tell you that the Financial Services

Committee has cut $35 billion of unnecessary wasteful spending. We started with bailout money, $29 billion that Dodd-Frank said, if a too-big-to-fail company goes broke, we're going to pay off their creditors and counterparties. Now, didn't the American people tell us in 2008 and 2009 what they felt about using their money to bail out creditors and counterparties? People that are making $40,000 and $50,000 a year would have to help pay $29 billion.

We also do away with the HAMP program. Now, is that a waste of time, doing away with this program? The special inspector general for TARP, the Congressional Oversight Panel, and the Government Accounting Office—the Government Accounting Office, many of those employees are your constituents in Maryland—even the editorial writers of The New York Times said—now, this is New York Times. They said HAMP does more harm than good. It's a wasteful program. Even my Democratic colleagues on the Financial Services Committee said, It doesn't work, but we can make it work. Well, let's shut it down.

□ 1700

$2.8 billion. Is that a waste of our time today?

Third, this legislation saves over $5 billion. Is that inconsequential? Is that theater? Because it gives real accountability to a government agency that right now has not, the CFPB. They have unlimited funds. Then it takes $4.9 billion in savings from just by making reforms that this Congress, this House, voted by over 400 Members to do; but the Senate, even though this will save $4.9 billion, they haven't even taken this bill up. 414 of us voted for this bill, and the Senate hasn't taken it up. But I guess I shouldn't be surprised. As the budget chairman said, they haven't passed a budget for 3 years.

My gosh, let's quit talking about this group of Americans or that group of Americans. Let's talk about America as if it's one country. Let's don't engage in class warfare. Let's don't pit one income group or one group against each other.

We're going to take a very small step today, but it's a first step, and it's not an unimportant step towards cutting the national debt. The national debt in the last 4 years has gone up 70 percent. That's a staggering amount.

Now, let me say this. Chairman Bernanke, for 6 years, but particularly the last 4 years, has come before our committee, and he said that the national debt is imperiling our economic future. Let me use his words.

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

Mr. RYAN of Wisconsin. I yield the gentleman an additional 1 minute.

Mr. BACHUS. He said:

> Our economic security is at risk if we don't cut down on the debt.

Mr. MCKEON was here speaking. Secretary Bob Gates said that it's imperiling our national security. Is that theater? Is the national debt an illusion? Americans don't think so, and today we'll start acting. We'll start acting. And we'll do something else: We'll cut taxes. We'll preserve those tax cuts, except for those millionaires, people making over $1 million, as Mr. VAN HOLLEN said. We're going to let those tax rates go back up, which is exactly what NANCY PELOSI proposed. We're going to take her proposal. And, do you know, as Mr. VAN HOLLEN says, it probably won't get one Democratic vote for something that your leader proposed 3 months ago.

That's political theater, Mr. VAN HOLLEN.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself such time as I may consume.

I wish the outgoing chairman of Financial Services would check his facts.

Ms. PELOSI, the Democratic leader, did not make a tax proposal that would give people over $1 million a year a $50,000 tax break, which is exactly what the Republican plan would do, number one.

Number two, the proposal that the President has put on the table has $1.2 trillion cuts if you include interest savings, which is more than the cuts here, and will also deal with the sequester.

Number three, the Republican proposal out of Financial Services will increase the likelihood that taxpayers have to bail out the financial industry again, not reduce it.

And number four, they strip away the independence of the Consumer Finance Protection Board so that lobbyists can meddle in exactly how they do their work so that they're looking out for lobbyists' interests rather than the interests of the American people.

So this whole approach that we're seeing right here is another example of trying to help the folks at the very top at the expense of the rest of the country.

And, Mr. BACHUS, it wasn't me making the 40 percent comment talking about dividing America. That was the comment made by the Republican candidate for President.

With that, I yield 1½ minutes to the distinguished lady from New York, a member of the Appropriations Committee, Ms. LOWEY, and I congratulate her on becoming the new ranking member.

Ms. LOWEY. And I congratulate you on the wisdom which you generously share with all of us.

Mr. Speaker, I rise in strong opposition to the bill.

Instead of putting forth a serious, comprehensive, and balanced deficit reduction plan, the Republicans are taking a timeout so the House can embark on yet another futile effort to pass portions of the Ryan budget—the same Ryan budget that would end Medicare as we know it, walk away from the caps on discretionary spending agreed to in the Budget Control Act, and has no chance of being signed into law.

Our constituents want us to negotiate and agree to a solution to avoid economic catastrophe. I have concerns with some of the proposals the President has made in his negotiations with the Speaker, but at least the President was seeking a workable compromise.

Instead, the majority walked away from the negotiating table and away from a $2.4 trillion deficit reduction package. Given everything our country has been through in the last 2 months, from Superstorm Sandy to the tragedy in Newtown, the last thing Americans need is for politicians to refuse to compromise while risking market collapse, credit downgrade, and putting the brakes on economic growth and job creation.

I urge my colleagues to end the political charade. Let's get back to the serious task of negotiating a balanced deficit reduction plan. Let's do it now, today. We can do it.

Mr. RYAN of Wisconsin. Mr. Speaker, I, too, want to add my congratulations to the fine gentlewoman from New York on becoming the ranking member of the Appropriations Committee. She has our respect and our congratulations.

With that, I'd like to yield 1 minute to the distinguished majority leader, Mr. CANTOR.

Mr. CANTOR. Mr. Speaker, I thank the gentleman from Wisconsin, the chairman of our Budget Committee.

Mr. Speaker, I rise today to urge support for the measures before us to replace the sequester and reduce the deficit and to extend permanent tax relief for the middle class and hundreds of thousands of small business people.

For the past weeks and months, as people have been looking for jobs and budgeting for their expenses, we've been working to keep taxes from going up and offering commonsense spending reforms. The Spending Reduction Act at issue today reduces our deficit and protects our national security by replacing indiscriminate cuts that are neither strategic nor balanced.

Mr. Speaker, we all agree that our current spending path is unsustainable and poses a real threat to the economy, to job creation, and to our ability to remain competitive in the global economy. We must address the underlying issue that faces this country, which is the mounting deficit and load of debt that we are going to leave to this generation and the next. But the President has been unwilling to consider serious spending cuts or offer a serious and balanced plan to avoid the fiscal cliff.

The risks of unchecked spending are grave. The consequences of our debt crisis will be felt by every student looking for a job that matches their skills after graduation, by every retiree counting on Social Security and Medicare, and by every small business owner looking to expand and hire.

We have passed bills and put forward reforms that would save programs like Social Security, Medicare, and Medicaid from certain and predictable failure, yet we cannot find cooperation,

Mr. Speaker, from the White House or the other side of the aisle to help solve these problems.

It is unfortunate that we find ourselves in this place just 11 days from the new year. For months, we have been ready and willing to work with the President to prevent the fiscal cliff from impacting small businesses and hardworking families.

The math shows that the President's push to hike taxes won't reduce the deficit, and, left unchecked, his government spending will bankrupt our future. Our plan will protect 740,000 additional small businesses that would otherwise be hit by the tax hike the President is proposing.

We don't believe taxes should go up on anybody, but if we can prevent taxes from going up on as many people as possible, on 99.81 percent of American families and small businesses, we must and need to do so.

Americans are looking for jobs, small businesses are deciding whether they should hire or invest in growing, and many Americans are struggling to make ends meet. We are all committed to creating an economy where everyone has an opportunity to succeed.

House Republicans are offering a plan today similar to one that received 53 Democratic votes in the U.S. Senate only 2 years ago, and the Spending Reduction Act is a serious start toward reducing our deficit and protecting our national security.

□ 1710

Absent a balanced offer from the President, this is our Nation's best option, and Senate Democrats should take up both of these measures immediately.

The President has a choice, Mr. Speaker. He can support these measures or be responsible for reckless spending and the largest tax hike in American history.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself such time as I may consume.

What is unbalanced is the Republican package that we see on the floor today. We already talked about the numbers of the Republican Plan B tax proposal which compared to going over the fiscal cliff and the Senate alternative would actually provide millionaires with a $50,000 tax cut on average while 25 million American families will actually see a tax increase of $1,000 on average, including, Mr. Speaker, some of our soldiers on the front line in Afghanistan today.

The majority leader talked about doing the math. Then do the math on the tax plan, because that's exactly what it shows. What the President has called for is a balanced plan that asks for the wealthiest to share the burden of our deficit challenge and make sure that we get our economy in full gear.

With that, I yield 1½ minutes to the distinguished ranking member of the Ways and Means Committee, Mr. LEVIN.

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

Mr. LEVIN. I did not know that I would follow the distinguished majority leader.

I just want to say, and I mostly want to talk about Plan C, but for him or anybody else to come on the floor and say that the President hasn't proposed spending cuts isn't true, and it undercuts the necessary level of trust to find common ground. That kind of a statement should not be made.

I sat in the Rules Committee for 3 hours and participated for 2 hours last night. There was no reference to Plan C, and it came up just a few minutes secretly before midnight. The purpose of Plan C is to try to get votes for Plan B within the Republican Conference. What it does is to undermine the Affordable Care Act by eliminating the true-up protections, and the joint task committee says it would result in the loss of health insurance coverage for 420,000 people. It would also repeal the Social Services Block Grant which provides services for millions of Americans.

It wasn't many years ago when Chairman CAMP wrote:

> SSBG has been a key source of flexible funding for critical social services.

So now in a desperate effort to find votes for Plan B, you turn your back on that.

Finally, it would harm millions of low-income families and their kids. The estimate is it would affect 1 million families and more than 3 million kids.

Searching for votes for Plan B with that kind of an approach, I think, is abominable.

Mr. RYAN of Wisconsin. I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, how much time remains on each side?

The SPEAKER pro tempore. The gentleman from Maryland has 17½ minutes remaining, and the gentleman from Wisconsin has 15½ minutes remaining.

Mr. VAN HOLLEN. I yield 1½ minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Speaker, the Republican majority needs to do what Americans do every day in labor negotiations and real estate offices and other places around this country, and that's to negotiate rather than simply restate their position.

The President asked for higher tax rates on income above $250,000, and he compromised and moved it up to $400,000. The President started with a spending cut number that was $500 billion or $600 billion, and he moved it up to $1.2 trillion. And he included within that a very controversial proposal dealing with Social Security increases.

The President has compromised. The Republicans once again are simply regurgitating their same old position, a tax provision that has a $50,000-a-year tax cut for millionaires and a tax increase for 25 million working families, including servicemembers and their children, and a proposal that cuts jobs on transportation projects, daycare centers, and nursing homes across the country.

We should stop wasting our time on one-sided bills, follow the President's lead, lift our sights higher, and negotiate. That is the way out of this conundrum. And I would urge my friends on the majority side to stop pontificating and start negotiating.

Mr. RYAN of Wisconsin. I yield myself 30 seconds to say, Follow the President's lead? I wish he were leading.

The gentleman from Michigan said he's offered all these specifics. I wish it were so. Where are they? We hear numbers, we hear platitudes, we see budget gimmicks and accounting tricks; but we don't see specifics. We have yet to see a specific solution from this President to deal with his debt crisis.

He's claimed he wants to cut $3 of spending for every $1 of tax increase. We've seen a lot of specific tax increase proposals come from the President, but we haven't seen a specific spending cut proposal from the President. That's the problem.

With that, Mr. Speaker, I yield 3 minutes to the chairman of the Agriculture Committee, the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. Mr. Speaker, I rise in support of this legislation.

It's no secret we're facing a severe debt crisis right now. We're at the $16 trillion mark in debt piled up. If we don't act quickly, we'll be passing a crushing burden along to our children and grandchildren. Reducing government spending is never an easy task. We face difficult choices, but House Republicans have lived up to our responsibilities to find ways to cut our costs so that we can once again live within our means.

The Agriculture Committee did its part by finding $33 billion in savings over 10 years. We did this by making credible, commonsense reforms to the supplemental assistance program, SNAP—food stamps if you want to call it that. These provisions reduce waste and abuse and close program loopholes.

I'd like to make it absolutely clear that none of these recommendations will prevent families that qualify for assistance under SNAP from receiving those benefits. Think about that. All they have to do is demonstrate their income level, demonstrate their asset level, fill out their paperwork, qualify, and they will receive their benefits. We're working hard to better target the program and improve its integrity so that families in need can continue to receive nutrition assistance.

Every one of these provisions represents common sense and good government in times of fiscal restraint. I would also like to note that the policies included in this bill are not the

only changes that the House Agriculture Committee has passed that would cause deficit reduction. In July, the Ag Committee passed a comprehensive farm bill by a strong bipartisan vote, a majority of Republicans and a majority of Democrats. The bill will save $35 billion in the agricultural baseline. Our bill makes reforms to commodity programs, conservation programs, as well as significant reforms to the food stamp program.

My committee is doing everything it can to provide a variety of options for all sides and all parties to consider. We've made workable reforms to all programs within our jurisdiction, saving taxpayers billions of dollars. We want to be a part of the solution. We have proven time and time again we're willing to do our part.

Again, I urge my colleagues to adopt these reforms. Yes, it means you'll have to apply. Yes, it means you'll have to demonstrate your assets and your income. But if you're qualified, you will receive the help you need. You just have to demonstrate you need the help. Is that unreasonable?

□ 1720

With a $16 trillion deficit—is that unreasonable?—and with a $1 trillion annual spending deficit? Demonstrate you need the help and we'll help you. That's not unreasonable.

Mr. VAN HOLLEN. Mr. Speaker, a couple of points here.

First, the chairman of the Budget Committee said that the President hadn't put any specific spending cuts on the table. That's just not true. His proposal has been available to the public for well over a year now. As to just one specific proposal, the President has said we should get rid of excessive agriculture subsidies. He has called for $30 billion on that item alone.

Mr. RYAN of Wisconsin. Will the gentleman yield?

Mr. VAN HOLLEN. I yield to the gentleman.

Mr. RYAN of Wisconsin. I meant ''net.''

Mr. VAN HOLLEN. In reclaiming my time, that also is not true, and on that, we will have a longer discussion.

The reality is ag subsidies are one very concrete example. Interestingly, this bill that our Republican colleagues have brought to the floor, again, while cutting deeply into the food and nutrition programs, doesn't take one penny from ag subsidies for agrabusinesses.

Now, Mr. Speaker, it's also important to correct another statement that has been made by both the chairman of the Budget Committee and the chairman of the Ag Committee with respect to the food program. I think the chairman knows that the SNAP statute provides in statute two routes for people to be eligible for food and nutrition assistance—one is the specific income and asset test, or they can become eligible under the SNAP statute based on participation in other programs in which they have to show income-based need.

Nobody wants fraud. We should find every dollar of wasted money and get rid of it, but don't pretend that people who qualify under the statute are engaged in fraud. What you're proposing to do in this Republican bill is to deny millions of those people on nutrition programs their legal support, and we do not think we should be doing that. At the same time, we are giving millionaires a $50,000 average tax cut.

With that, Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. I thank my colleague from Maryland.

Mr. Speaker, Republicans are, once again, trying to undermine the recovery of the American middle class. House Republicans have rejected a balanced approach to addressing our deficits and, instead, have opted for draconian cuts to the people who can afford them the least in an effort to protect the wealthy. The Republican plan may as well be called the ''reverse Robin Hood agenda,'' by which they take from the poor to give to the rich:

It starts by literally taking food out of the mouths of children by cutting the critical Supplemental Nutrition Assistance Program, SNAP;

Next, they move on to one of their favorite pastimes—trying to repeal the Affordable Care Act, specifically the provisions that help make health care more affordable for women, children, seniors, and the poor; 300,000 low-income children will lose access to health care thanks to cuts to Medicaid and to the Children's Health Insurance Program. Women will lose access to critical health services covered in the ACA, like cancer screenings and immunizations;

Finally, the last step is to go after another favorite GOP target, and that's Social Security.

Mr. Speaker, House Republicans have only one constituency to protect, and that's the wealthiest Americans. It couldn't be more obvious.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 3 minutes to the chairman of the Energy and Commerce Committee, the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Today, we take a stand for future generations as we work to get our $16 trillion national debt under control and as we put ourselves on a path towards a more sound fiscal future.

In the Spending Reduction Act of 2012, we identified key areas to sensibly reduce spending in the effort to replace the blunt instrument known as the ''sequester.'' Without this thoughtful, balanced package of savings, in 2 weeks the sequester is going to cut discretionary spending indiscriminantly while shielding the lion's share of the government's budget from reductions.

Critical priorities, such as important cancer research at the NIH and FDA review and inspection budgets to help keep foods and medicines safe, are on the chopping block because we have failed to engage in a substantive discussion on reforming entitlement programs that, in fact, threaten to derail the long-term solvency of the U.S.

I am proud of the work of our committee. It has identified over $100 billion in savings over the next decade, and we accomplished it in a sensible, responsible manner. We say enough is enough to the litany of slush funds tucked into ObamaCare, slush funds that we discovered, through aggressive oversight, to be blank checks given to HHS that are going to cost taxpayers billions of dollars.

We made commonsense changes to Medicaid that are going to put important programs on firmer ground. Among other reforms, we eliminated the Medicaid maintenance-of-effort requirement. This Federal mandate impedes a State's ability to implement program integrity measures, and it actually weakens the safety net by making it more difficult for States to target resources to the most vulnerable Americans. We achieved significant savings, as well, in something that was noticeably absent in the President's health care law, that being tort reform. The President declared in his 2011 State of the Union Message:

> I am willing to look at other ideas to bring down costs, including one that Republicans suggested last year—medical malpractice reform to rein in frivolous lawsuits.

After 2 years of empty promises, now is the time for the President to fulfill that pledge and to finally put doctors, patients, and taxpayers first. That's in this bill.

The House passed a budget and now legislation again that truly cuts spending to offset the automatic spending cuts, or sequester. Our debt grows by nearly $4 billion a day, and it's our kids and our grandkids who are going to pay the price if we stand by and do nothing. Without action, a $20 trillion debt could soon be a reality.

So, if not us, who is going to do it? If not now, when is it going to happen? Our work is not easy, but it's necessary. It's time to make the tough choices to get this deficit down. Let's vote for this bill.

Mr. VAN HOLLEN. Mr. Speaker, I now yield 1½ minutes to the gentlelady from California (Ms. WATERS), and I congratulate her on becoming the ranking member of the Financial Services Committee.

Ms. WATERS. Thank you very much.

While it is clear that the Republican majority's H.R. 6684 is an attempt to generate votes for Speaker BOEHNER's Plan B, when it comes to protecting the American middle class from another taxpayer bailout, H.R. 6684 gets a failing grade:

First, the plan repeals our financial regulators' existing authority, which was created in the Dodd-Frank Wall Street Reform Act, to end the era of too-big-to-fail institutions;

H.R. 6684 would also tie the hands of the Consumer Financial Protection Bureau, an agency we formed under Dodd-

Frank to make sure financial institutions play by the rules when it comes to mortgage and student loans, credit cards, and payday lenders. H.R. 6684 would eliminate that independent funding and, instead, tie their hands by making the Bureau basically have to go through the appropriations process;

The plan likewise eliminates the Office of Financial Research, an Agency tasked with collecting information on the health of our financial markets and conducting research on financial stability issues;

Finally, H.R. 6684 would just kill the Home Affordable Modification Program. We need to improve our ability to do loan modifications, not kill it.

It is unfortunate that, at the end of another session of Congress, the Republicans are again playing with the U.S. economy when they should be working in a bipartisan manner with the House Democrats in order to avert the fiscal cliff.

Ladies and gentlemen, I know that many of you didn't know that all of this was in this bill; but we have this plan, this orderly way, of dissolving these financial institutions when they put our economy at risk. So vote ''no'' on this particular bill.

Mr. RYAN of Wisconsin. I reserve the balance of my time.

Mr. VAN HOLLEN. May I inquire as to how much time remains on both sides.

The SPEAKER pro tempore. The gentleman from Maryland has 11½ minutes remaining, and the gentleman from Wisconsin has 9 minutes remaining.

Mr. VAN HOLLEN. Mr. Speaker, I will just say a few words again about the priorities reflected in this Republican package.

If you look at Plan B, the tax part, you're giving people who earn over $1 million a year on average a $50,000 tax cut compared to what it would be under the Senate proposal. At the same time, under this proposal that we're talking about here on the floor of the House, you're talking about eliminating important support in food and nutrition programs for millions of Americans, including for 300,000 kids who would no longer be on school lunch programs.

□ 1730

What this boils down to once again, Mr. Speaker, is a question of priorities. We've got to reduce our deficit, and we've got to get the economy moving again. But we have to deal with the deficit in a balanced way, not in a way that provides additional tax breaks to the wealthiest Americans at the expense of the rest of the country.

I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 1 minute.

The food stamp program has grown over the last 10 years by 270 percent. That's far in excess of the recession. With these kinds of reforms, it will have grown by 260 percent. Hardly the kind of draconian cuts the gentleman seems to suggest. What we're saying with these programs is that you need to be eligible for the actual benefit to receive the benefit. That's not asking too much. If we can't put commonsense reforms like this in place, we'll never get anywhere in dealing with this debt crisis.

The gentlelady from the Financial Services Committee says it's just wrong to submit the Consumer Financial Protection Bureau agency to the appropriations process. I find that an amazing critique.

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

Mr. RYAN of Wisconsin. I yield myself another 30 seconds.

This is an agency that gets its money from the Federal Reserve without ever having to go through Congress. When we uphold the Constitution to take office, let's never forget that the power of the purse lies in the legislative branch. All of these executive agencies should have to go through the appropriations process. That's not gutting a program; that's bringing accountability to a program.

With that, I yield 3 minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY of Georgia. Mr. Speaker, I rise in support of the underlying bill, H.R. 6684, the Spending Reduction Act of 2012, because as Chairman RYAN said, we are not only facing a fiscal cliff, but as he put it, we're facing a fiscal abyss. Indeed, if you will, a fiscal Grand Canyon.

I want to address my remarks to title IV of the bill, which was just referenced by the chairman of the Energy and Commerce Committee, the gentleman from Michigan. That's the Help Efficient, Accessible, Low-cost, Timely Healthcare Act of 2012, or the HEALTH Act, to implement reasonable, comprehensive, and effective health care liability reforms; indeed, exactly what the President has been calling for for the last 5 years, even in the first election when he was campaigning and speaking to the American Medical Association in Chicago.

As a physician for over 30 years, I fully understand the importance of finding balance in medical liability by keeping doctors and hospitals accountable for their actions while limiting the frivolous lawsuits that contribute to inflated health care costs and rising insurance premiums. We need to reform the system so that patients who have been duly wronged receive a deserved settlement but, at the same time, protect our Nation's physicians who work hard every day to ensure that their patients receive quality care.

Therefore, I once again introduced the HEALTH Act in this 112th Congress to ensure that those who have valid liability claims are supported while, at the same time, discouraging the practice of jackpot justice.

If enacted, this title in H.R. 6684 would make health care delivery more accessible and cost effective in the United States by limiting the amount of patient awards that are available for plaintiff attorney's fees. Among other things, the legislation would ensure that all settlements against medical providers are proportional to their responsibility for the patient's injury.

Mr. Speaker, the nonpartisan Congressional Budget Office has stated that if the HEALTH Act were enacted, the Federal Government alone would save $48 billion over the next 10 years. Other studies have shown the savings to be much higher, some as high as $200 billion annually over all of health care, which indeed constitutes, as my colleagues know, nearly one-fifth of our entire economy.

Tort reform will also help end the practice of defensive medicine, which is one of the largest cost drivers of health care. When physicians are forced to order these excessive tests simply to avoid malpractice suits, health care costs go up and patient safety goes down.

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

Mr. RYAN of Wisconsin. I yield the gentleman an additional 30 seconds.

Mr. GINGREY of Georgia. I thank the gentleman.

I wholeheartedly believe that the HEALTH Act takes an important step to improve health care delivery in this country. This is the kind of commonsense, market-based reform that a health care system requires.

Mr. Speaker, I fully support H.R. 6684 and, more specifically, the immense benefits that the HEALTH Act will not only have on the Federal budget but on the health of our Nation.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself such time as I may consume. Let's talk a little bit about what this Republican package will and will not do with respect to health issues.

First of all, while their bill would replace much of the sequester, they leave in place the 2 percent across-the-board Medicare cut. Let me say that again. Despite all the talk we're hearing today on the floor about their efforts to replace these across-the-board cuts, they leave them in place for Medicare, which will hit providers and have an impact on the Medicare system.

Second, with respect to children's health, they cut about $20 billion from Medicaid and the Children's Health program over the next 10 years, even though those programs are protected from the sequester. So if we were to go over the fiscal cliff—which apparently is the way our Republican colleagues want to take us right now because we're not down talking with the President but we're here on the floor. If we go over the fiscal cliff, those children's health care is protected. But if we adopt the Republican proposal, those children will actually see less health security. In fact, according to the Congressional Budget Office, in 2015, there will be 300,000 children who no longer have coverage under the Children's

Health Insurance Program. That's what they're proposing here, even as their tax Plan B provides millionaires with an average tax break of $50,000 compared to the Senate plan, and even though their tax plan, while providing millionaires that average rate compared to the Senate plan, is going to increase the tax burden on 25 million families. So an average tax cut for millionaires of $50,000 compared to the Senate plan, and at the same time a sequester proposal that would result in 300,000 kids in the year 2015 losing their Children's Health Insurance coverage, according to the Congressional Budget Office.

There you have, Mr. Speaker, the priorities in the Republican plan. That's not balance.

Look, the reason we're here is because our Republican colleagues refuse to compromise. They bring this bill to the floor in the name of a productive contribution to compromise when this virtually identical bill did not get a single Democratic vote last spring—not one. And that's compromise?

The Senate has already said it's not going to take up this bill. That old bill has been sitting over there, and the President has said he would veto it. We are wasting the people's time, Mr. Speaker. It's time for the Speaker of this House to negotiate with the President.

Now, we know what the problem is. There's this book, Mr. Speaker, which is very aptly titled, ''It's Even Worse Than It Looks.'' This book was written by two scholars of the Congress, one person in a Democratic-leaning think tank and the other in a Republican-leaning think tank. Here's what they say, and they say it with great regret. They say:

> The problem is that in the House today, we have a Republican Party that's become an insurgent outlier, ideologically extreme, contemptuous of the inherited social and economic policy regime, and scornful of compromise.

That's from two independent, nonpartisan scholars. And, Mr. Speaker, that's exactly the problem we've got here today.

□ 1740

It's time for the Speaker to actually follow the good counsel of many members of his caucus. Either take up the Senate bill and pass it, or let's get serious and negotiate with the President, who's put forward a balanced plan, a plan, as many of my colleagues have said, that a lot of Democrats don't like.

In fact, there are going to be Democrats who don't vote for even the proposals the President's put forward already. Many are still reserving judgment.

That's the test of compromise, not a bill that comes to the floor that's never had a single Democratic vote. That's not compromise.

The American people want us to work together. Let's stop playing these political games, Mr. Speaker. Let's not bring to the floor of the House bills that have never gotten a Democratic vote before, and which the President has already indicated he will veto because they fail the important test of balance.

I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, let me just say, over the past decade Medicaid spending increased by 150 percent. Over the next decade it's projected to increase by 225 percent, and an effort to slow the increase is called a cut. That's our problem.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. ISSA), the chairman of the Government Reform and Oversight Committee.

Mr. ISSA. Mr. Speaker, shame on this body. We have a $10 trillion hole in the difference between our spending and our revenue, and we can't find a way to compromise?

The gentleman from Maryland said that it didn't receive a single Democratic vote. This is the most humble and minimal proposal I could imagine. The chairman of the Budget Committee, himself, would recognize that we're not getting close to a balanced budget with this. We're simply making a down payment on it.

My committee marked up one of the largest portions of these improvements, which aligns the Federal workforce's compensation, including Members of Congress and their staffs, a little closer to the rest of the workforce, a little closer to the rest of hard-working Americans, and yet we can't get a single Democratic vote.

I say to the Democrats, quite frankly, shame on you for not being able to make a down payment on a $10 trillion shortfall. And to my colleagues on the Republican side, this isn't enough. This isn't nearly enough, but at least we're showing that we don't have a partner in the White House and we don't have a partner in this body that will work with us to begin a down payment on $10 trillion worth of shortfall.

In closing, even if, in fact, the President got his original wish, that we were going to go over the cliff and raise $538 billion in new revenue, we would still have $500 billion worth of excess spending that has built up since Bill Clinton left office.

I hope the American people are watching. I hope they'll demand that we do more than just make a small down payment and then argue about it; that, in fact, we need to address $10 trillion over 10 years—$1 trillion a year—and we're not even beginning to do that.

I hope that this will pass, because, in fact, we need the Democrats to realize this is only the beginning of what will be a much tougher, tougher effort on behalf of the American people.

Mr. VAN HOLLEN. Mr. Speaker, it's true that our Republican colleagues are not going to have a partner for a totally lopsided, unbalanced approach, that, once again, minimizes the responsibility of the wealthiest of the country at the expense of everybody else.

I yield 1½ minutes to the gentleman from Massachusetts (Mr. FRANK), the ranking member on the Financial Services Committee.

Mr. FRANK of Massachusetts. The previous speaker complained about not being willing to make cuts. That's right after the House is apparently about to vote on a defense bill in which Members boasted about how they were putting weapons systems into play that the Pentagon didn't want, far more expensive than the kinds of things I've been concerned about.

What troubles me most about this, and it's a tough choice, is the attack on the Consumer Financial Protection Bureau. Now, I know my Republican colleagues hated the idea of an independent bureau responsive to consumers and not financial institutions. We created an independent one. They didn't have the votes to stop it. They don't have the willingness to take it on head-on.

This buries in this large bill, which isn't subject to amendment, a provision that would take away the independence of the consumer bureau. It would say that they are now going to be subject to annual appropriations.

Oh, but I'm told that's a matter of principle. But it's apparently not a matter of principle for a financial regulatory institution that the bankers like.

I offered a motion in committee to subject the Federal Reserve System to annual appropriations. That was voted down by the Republicans.

Oh, the consumer bureau, that's dangerous. There they go getting people refunds on credit cards. But the Federal Reserve, oh no, they can stay autonomous. The controller of the currency, the Federal Deposit Insurance Corporation. So this strong principle my Republican colleagues discovered only came to light when we try to protect consumers. And with regard to every other financial institution, they say it's okay.

They also would abolish the Office of Financial Research, a nonpartisan entity that's just to get information. There was a wide consensus that we had a problem in the first part of the century when we didn't know what has happening. The Republicans want us to vote for continued ignorance.

Mr. RYAN of Wisconsin. May I inquire as to how much time remains?

The SPEAKER pro tempore. The gentleman from Wisconsin has 2 minutes remaining, and the gentleman from Maryland has 3½ minutes remaining.

Mr. RYAN of Wisconsin. I'll reserve the balance of my time since we have no more speakers for closing, and leave it to the gentleman from Maryland.

Mr. VAN HOLLEN. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from New York (Mr. RANGEL).

Mr. RANGEL. Let me thank the Speaker for the service that he's given to the Congress.

Some day someone may review our conduct here in the House, and one of the speakers on the other side, I guess he's gone, but he said shame on the Congress. I just wanted to join with him on that.

But I also want history to record that they may ask what the heck was RANGEL doing down there when this was going on? What happened?

And I hope the RECORD is abundantly clear that this was outlined in a campaign. It was a Presidential campaign. And the President said that as a result of America getting into wars and not paying for it, and as a result of wrongdoing in Wall Street, and the result of a whole lot of people getting out of work, that we had to have a program to raise the money and to pay down on the deficit by cutting back programs.

It seems as though what has happened here is that the Republican Party missed something. Maybe it was election night. Maybe it was a small group of the Republican Party. But they really didn't believe, or don't believe that the President won.

And this whole idea of protecting 2 percent of the population actually was on a vote. The people voted, and the President said he was going to protect 98 percent of the taxpayers. And so somehow this is not being understood.

Further from that, if you have to have more savings, and I agree that we do, why would you go, of all places, to the most vulnerable?

My friend from Wisconsin often tells me how fast food stamps have arisen in the last 2, 4, 6 years. I wonder whether he's ever taken time to find out whether there's any relationship between the increase in unemployment and increase in food stamps.

So I just want to be recorded, Mr. Speaker, this ain't for real.

Mr. VAN HOLLEN. Mr. Speaker, I yield 1 minute to the distinguished ranking member from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Speaker, and my colleagues, we've seen this business all over and over again from the Republicans. Plan B, Plan C. Let's work on a bipartisan agreement to avoid the fiscal cliff.

But what they presented to us today would slash Medicaid, which will hurt hundreds of thousands of people, including cutting off 300,000 children from health insurance, hurting some of our most vulnerable citizens. It would impede implementation of the health reform law that's already benefiting millions of Americans.

It fails to protect Medicare from billions of dollars in cuts under the sequestration. It establishes a Federal medical malpractice system trampling on the rights of States. It undermines our future health by cutting today's prevention and public health investments.

This is so unacceptable. We have nothing to solve the looming physician payment cuts.

These are exactly the same Republican proposals that were rejected by the American people. They don't want more tax breaks for the millionaires and billionaires and big corporations paid for by cuts to our poorest Americans.

□ 1750

Mr. VAN HOLLEN. I yield 1 minute to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. I want to thank the gentleman for yielding.

I know that people may be confused by some of this debate, so I just want to bring some common sense to it.

In every instance, A is the preferable option. Whether you get your ticket to heaven or you get to go free or you get the present you want under the Christmas tree, when somebody suggests to you option B, it's something less than the best.

We have the very best country on the face of the Earth. We're the wealthiest, strongest, most powerful nation in the world. And what they're asking us to do is to choose, rather than a grand bargain to put our fiscal house in order, they want us to go with Plan B.

I hope that the House would reject Plan B. Doing something less than our best as a Nation is not worthy of this House. It's not even worthy of the majority to bring this here today, because they know it's not going anywhere. We know it's not going anywhere. And if we want to move our country forward, which is what the American people voted for on the last Election Day, we need to choose the A option rather than Plan B.

Plan B is not the way to go unless we're trying to get in second place to countries like China and others. If we want to stay in the lead, we need to get our fiscal House in order and reject this Plan B.

The SPEAKER pro tempore. All time on the Democratic side has expired. The gentleman from Wisconsin has 2 minutes remaining.

Mr. RYAN of Wisconsin. Mr. Speaker, let's take a step back to remind us where we are.

On January 1, if we do nothing, every American taxpayer will see a massive tax increase. That will dramatically hurt our economy and families. Then, on the next day, we'll face a 10 percent cut in our defense budget.

Americans chose divided government, whether it was intended or not. The President won. The House is still a Republican House. We're going to have to find a way to make this work. This is what we're attempting to do today. We want to avert this crisis, this cliff, but that means to begin to get spending under control, that means to prevent as many tax increases from hitting Americans as possible.

My friend—and I mean this sincerely—my friend from Maryland says we need a balanced approach. The President, in all of his latest proposals, says more taxes and even more net spending. Hardly a balanced approach.

Here's the problem: Our problem is not balanced. Even if all the current tax rates are extended, those taxes still go up. The problem is spending goes way up. Spending is our problem.

The size of our government will double over the course of this generation as a share of the economy. The President has shown no leadership on dealing with the drivers of our debt. We have. We have passed our budget. We put the specifics out there.

Let's avert a fiscal cliff and let's get on to the business of preventing the fiscal abyss, which is the coming debt crisis that will not be resolved until we have real leadership; and that, unfortunately, is sorely lacking.

With that, I urge passage of this. Let's prevent taxpayers from tax increases, get a down payment on spending cuts, and let's pass this bill.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Speaker, I rise today in strong support of H.R. 6684, the Spending Reduction Act of 2012. This bill is essential in stopping the devastating across-the-board sequestration cuts set to take place across the entire federal government in just a few weeks. Half of those cuts would come from the Department of Defense and our national security programs.

The Department of Defense, industry, and the Congressional Defense Committees, have repeatedly and consistently warned of the consequences of letting sequestration take place. If allowed to happen, the impact to the Department of Defense would be a reduction of 8.2 percent or $54.6 billion from the fiscal year 2013 budget. The total sequestration reduction for Defense through fiscal year 2021 amounts to roughly $492 billion—almost half a trillion dollars.

With military pay and personnel costs exempt from the cuts, the actual cut to all other accounts increases to 9.4 percent. Even though the Department of Defense has some limited flexibility to allocate sequestration cuts in the operating accounts, a computer will cut all procurement and research accounts proportionally—which will directly impact more than 2,500 programs and projects. The impact on our national security and readiness will be severe.

Base operating budgets will be cut, negatively impacting readiness. Training could be significantly reduced, resulting in unprepared troops and higher risk to those who deploy. Civilian personnel will certainly be affected, possibly resulting in hiring freezes and unpaid furloughs. Fewer weapon systems will be bought, which starts a vicious circle of rises in unit prices for the remaining weapons. Other major weapon systems will be reduced or terminated, and current contracts may have to be terminated or renegotiated, resulting in additional costs to the government and a loss of favorable contract terms in some cases. Procurement and Depot Maintenance schedules will be severely impacted, which is enormously disruptive, especially in shipbuilding and maintenance when future deployments rely on maintaining schedules.

Earlier this year, Secretary of Defense Leon Panetta testified that the impact of sequestration on the Department of Defense alone would drive up our nation's unemployment rate by a full percent. Jobs will be lost but more importantly, infrastructure and manufacturing capabilities critical to our national security will be lost. Already prime contractors have

notified their suppliers and subcontractors that programs are on hold. This has left thousands of small businesses with no choice but to close their doors and lay off workers as work orders have dried up.

Our nation's manufacturing base relies upon these workers and their special skills. We rely on these small businesses to supply critical components for important weapons systems and platforms.

Mr. Speaker, as you know, the impact of sequestration is very real and is very imminent. Just consider that if sequestration remains in place for its full nine years, our nation will be left with the smallest ground force since 1940, the smallest number of ships since 1915, and the smallest Air Force in history.

When we talk about the impending cliff, these across-the-board cuts to our defense budget will result in not only an economic fiscal cliff, but of greatest concern to me, a cliff off which our national security will fall. This will impact our readiness, our ability to defend our nation, and our ability to ensure the safety of our all volunteer force as they operate around the world.

Mr. Speaker, I want to commend you for keeping the impact sequestration will have on our nation's security at the forefront of your negotiations with President Obama. We cannot, and we must not, let these devastating cuts happen. Unfortunately, only the House has acted to do anything about it, passing a bill on May 10 and considering this bill today. I urge my colleagues in the House to approve this legislation today and for the Senate to follow suit quickly to ensure that sequestration does not become a stark reality just 13 short days from now. Failing to take action will cause irreversible harm to our nation's security and violate our Constitutional responsibility to "provide for the common defense."

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

Pursuant to House Resolution 841, the previous question is ordered on the bill.

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. VAN HOLLEN. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. VAN HOLLEN. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Van Hollen moves to recommit the bill H.R. 6684 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, add the following:

TITLE VIII—DISCLOSURE OF HIGHER BENEFICIARY COSTS AND PROVIDER CUTS UNDER MEDICARE, MEDICAID, AND CHIP CUTS

SEC. 801. DISCLOSURE OF HIGHER BENEFICIARY COSTS AND PROVIDER CUTS UNDER MEDICARE, MEDICAID, AND CHIP CUTS.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act and annually thereafter, the Secretary of Health and Human Services shall publish, on the public Internet Web site of the Department of Health and Human Services, the information described in subsection (b) with regard to each congressional district in the United States (including the District of Columbia and each of the territories of the United States).

(b) REQUIRED INFORMATION.—The information described in this subsection, with respect to a congressional district, is—

(1) the number of Medicare beneficiaries in such district, the number of Medicaid beneficiaries in such district, and the number of Children's Health Insurance Program beneficiaries in such district, who, at any time during the ten-year period beginning on the first day of the first fiscal year that begins after the date of the enactment of this Act, will—

(A) lose coverage under the Medicare program under title XVIII of the Social Security Act, under a State plan or waiver under the Medicaid program under title XIX of such Act, or under a State child health plan under the Children's Health Insurance Program under title XXI of such Act, respectively, as a result of the implementation of this Act; or

(B) experience an increase in premiums, cost-sharing, or other out-of-pocket costs under such respective program as a result of the implementation of this Act; and

(2) the name and location of each hospital and nursing facility that would experience a reduction in payments under the Medicare program, a State plan or waiver under the Medicaid program, or a State child health plan under the Children's Health Insurance Program as a result of the implementation of this Act.

TITLE IX—END TAXPAYER SUBSIDIES FOR BIG OIL

SEC. 901. DEDUCTION FOR INCOME ATTRIBUTABLE TO DOMESTIC PRODUCTION ACTIVITIES NOT ALLOWED WITH RESPECT TO OIL AND GAS ACTIVITIES OF MAJOR INTEGRATED OIL COMPANIES.

(a) IN GENERAL.—Subparagraph (A) of section 199(d)(9) of the Internal Revenue Code of 1986 is amended by inserting "(9 percent in the case of any major integrated oil company (as defined in section 167(h)(5)(B)))" after "3 percent".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2012.

SEC. 902. PROHIBITION ON USING LAST-IN, FIRST-OUT ACCOUNTING FOR MAJOR INTEGRATED OIL COMPANIES.

(a) IN GENERAL.—Section 472 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

"(h) MAJOR INTEGRATED OIL COMPANIES.—Notwithstanding any other provision of this section, a major integrated oil company (as defined in section 167(h)(5)(B)) may not use the method provided in subsection (b) in inventorying of any goods.".

(b) EFFECTIVE DATE AND SPECIAL RULE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2012.

(2) CHANGE IN METHOD OF ACCOUNTING.—In the case of any taxpayer required by the amendment made by this section to change its method of accounting for its first taxable year beginning after December 31, 2012—

(A) such change shall be treated as initiated by the taxpayer,

(B) such change shall be treated as made with the consent of the Secretary of the Treasury, and

(C) the net amount of the adjustments required to be taken into account by the taxpayer under section 481 of the Internal Revenue Code of 1986 shall be taken into account ratably over a period (not greater than 8 taxable years) beginning with such first taxable year.

SEC. 903. LIMITATION ON DEDUCTION FOR INTANGIBLE DRILLING AND DEVELOPMENT COSTS OF MAJOR INTEGRATED OIL COMPANIES.

(a) IN GENERAL.—Section 263(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: "This subsection shall not apply to amounts paid or incurred by a taxpayer in any taxable year in which such taxpayer is a major integrated oil company (as defined in section 167(h)(5)(B)).".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to amounts paid or incurred in taxable years beginning after December 31, 2012.

Mr. RYAN of Wisconsin (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the motion.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Maryland is recognized for 5 minutes.

Mr. VAN HOLLEN. Thank you, Mr. Speaker.

The chairman of the Budget Committee began his closing remarks by saying, "Let's take a step back." Unfortunately, Mr. Speaker, that's exactly what this package of bills does for the country; it takes us many steps back. And the reason it takes us back is because the Speaker of this House has backed out of negotiations with the President for a balanced approach to dealing with our deficit and making sure that we accelerate economic growth and job creation in this country.

The issue has never been whether or not to reduce our long-term deficit. The question has always been: How? And how you do it reflects your priorities. The President has made clear his priority is not to give higher income individuals another tax break relative to what would happen if we went over the fiscal cliff, and yet that's exactly what this package of proposals would do.

□ 1800

I've used this chart a couple of times, Mr. Speaker. I'm going to use it again, and with good reason, because no one has or can dispute the facts in this chart.

The reality is, while folks who earn more than $1 million a year, about 402 families in this country—and God bless them, we want people to keep making more money; the issue here is shared responsibility for reducing our deficit—under the Republican plan relative to the Senate bill, they're going to get a $50,000 average tax break, while over 25 million Americans will see an increase in their tax obligation compared with where we are today. We don't think that's balanced. That's not even balanced within their tax plan.

At the same time, they bring to the floor today a bill, a sequestration bill

that, by the way, leaves in place the cuts to Medicare and then cuts support for kids on food stamps and children under the health insurance bill, groups that, frankly, would be protected if we went over the fiscal cliff under current law.

So, Mr. Speaker, this is a question of priorities. So what this motion to recommit does is say, you know what, we think it's time that we end the taxpayer giveaways and subsidies to the Big Oil companies. My goodness, why should all of us be providing them one more round of tax breaks? Gas prices are high, their profits are going through the roof, taxpayers should not be subsidizing that. And we certainly shouldn't be subsidizing that when we have before us a bill that removes about 300,000 kids from the school lunch program and removes about 300,000 kids from the Children's Health Insurance Program in the year 2015, according to the Congressional Budget Office.

So, again, this is about priorities. What this very simple motion to recommit does, in addition to asking that oil companies no longer keep getting taxpayer subsidies, is just to disclose to the public what the impact of these cuts will be on citizens throughout this country. It says, tell us what the impact of the Medicare and Medicaid and Children's Health Insurance Program cuts will be on kids and others in our congressional districts.

At the very least, we should know what we're doing. The Congressional Budget Office had told us, but anybody who thinks that that independent, nonpartisan group has its projections wrong, we'll get a real world check. So this is simple accountability. This is understanding what the impact of your vote will be. So I would hope that our colleagues would recognize that at this time, when oil companies are doing just great, they don't need welfare from the U.S. Government.

We should also understand very clearly what the impact of these cuts will be because the projections by the nonpartisan Congressional Budget Office are that it's going to have a very serious negative impact on kids' health, as well as in terms of the support under the preventive health fund for women around the country. So, for example, with the $10 billion cut to the prevention fund, 326,000 women would not get breast cancer screenings; 284,000 women would not get cervical cancer screenings they are slated to receive in 2013.

These cuts have real impact. So the question is not whether to make cuts—we have to make cuts. The President has put $1.2 trillion in additional cuts forward on top of the $1 trillion. We're just asking for balance. We're asking for common sense in our priorities. I urge people to support the motion to recommit.

I yield back the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore (Mr. BASS of New Hampshire). The gentleman from Wisconsin is recognized for 5 minutes.

Mr. RYAN of Wisconsin. Mr. Speaker, I enjoy this. It's good reading. It has a very rich irony, ''Title VIII. Disclosure of higher beneficiary costs from provider cuts under Medicare, Medicaid, and CHIP cuts.'' Where was this when they passed ObamaCare? Where was this need for disclosure on the beneficiaries of Medicare when they took $716 billion from Medicare to spend on ObamaCare? Where was this concern when they raised $1 trillion in taxes to pay for ObamaCare? Where was all of this need for disclosure when they were hitting providers and beneficiaries in Medicare to pay for their vaunted ObamaCare program?

The gentleman talks about cuts to food stamps and Medicaid. Food stamps will have grown by 260 percent instead of 270 percent under this bill. Medicaid has grown by 150 percent over the last decade, and it is projected to grow by 225 percent over the next decade. Slowing the growth of spending isn't a cut, it's slowing the growth of spending. This is our problem, Mr. Speaker. If we lambaste these commonsense ideas as draconian cuts, we're never going to fix this problem. If we keep this kind of language and definition, heaven help us.

The other part on oil companies, all these taxes. Look, I've been a member of the Ways and Means Committee for 12 years. A number of years ago we put in place a policy that says: We want more manufacturing in America. We want to reward manufacturing jobs. So if you manufacture something in America, you will pay effectively lower tax rates than if you make something overseas. The idea would be more U.S. manufacturing jobs. Here's what they do. They say ah, ah, ah, not if you're in the oil industry. So, if you're working in the oil fields in North Dakota or the Marcellus shale in Pennsylvania or the Woodford in Texas, we don't want your jobs, because if you manufacture oil in America, we're raising your taxes. We're not going to raise your taxes if you manufacture oil overseas, but if you create American-made energy jobs, this raises your taxes. Not only does it raise our taxes and costs American energy jobs, it raises our gas prices. How is that good for consumers and families?

So, it's an anti-American energy job, pro-high gas tax bill that all of a sudden calls for the kind of disclosure that they weren't willing to disclose when they jammed ObamaCare through. This is not serious and I reject this motion.

I urge all Members to vote against the motion to recommit.

I yield back the balance of my time.

The previous question was ordered.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 6684, if ordered; adoption of the conference report on H.R. 4310; and suspension of the rules with regard to 3197, if ordered; H.R. 6443, if ordered; and S. 925, if ordered.

The vote was taken by electronic device, and there were—yeas 179, nays 243, not voting 9, as follows:

[Roll No. 643]

YEAS—179

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
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
Cummings
Curson (MI)
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
DelBene
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
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)
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NAYS—243

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Burgess
Burton (IN)
Calvert
Camp
Campbell

Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Cuellar
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson (OH)
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Speier
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—9

Buerkle
Culberson
Johnson, Sam
Nunnelee
Olver
Pelosi
Reyes
Rivera
Stark

□ 1828

Mr. HALL, Mrs. BACHMANN, Messrs. CANTOR, COFFMAN of Colorado, GARY G. MILLER of California, SMITH of Texas, GARRETT, REED, BACHUS, and BILIRAKIS changed their vote from ''yea'' to ''nay.''

Ms. WASSERMAN SCHULTZ, Messrs. LEVIN and POLIS changed their vote from ''nay'' to ''yea.''

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.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 215, nays 209, answered ''present'' 1, not voting 6, as follows:

[Roll No. 644]

YEAS—215

Adams
Aderholt
Akin
Alexander
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
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
Hensarling
Herger
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Lamborn
Lance
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Webster
West
Westmoreland
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—209

Ackerman
Altmire
Amash
Andrews
Baca
Baldwin
Barber
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Broun (GA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Cassidy
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Critz
Crowley
Cuellar
Cummings
Curson (MI)
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
DelBene
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gibson
Gohmert
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Labrador
Landry
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Massie
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Whitfield
Wilson (FL)
Wolf
Woolsey
Yarmuth

ANSWERED ''PRESENT''—1

Bishop (UT)

NOT VOTING—6

Costello
Culberson
Johnson, Sam
Reyes
Rivera
Stark

□ 1836

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 4310, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

The SPEAKER pro tempore. The unfinished business is the question on adoption of the conference report on the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the conference report.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 315, nays 107, not voting 9, as follows:

[Roll No. 645]

YEAS—315

Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachus
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonamici
Bonner
Bono Mack
Boren
Boustany
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Capps
Carnahan
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Cicilline
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Cummings
Curson (MI)
Davis (CA)
DeFazio
DelBene
Denham
Dent
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Engel
Eshoo
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gowdy
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grimm
Guinta
Guthrie
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Hinojosa
Hirono
Hochul
Holden
Holt
Hoyer
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (OH)
Johnson, E. B.
Jordan
Kaptur
Keating
Kelly
Kildee
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Long
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Manzullo
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nunes
Nunnelee
Olson
Owens
Palazzo
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Richardson
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Scalise
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waxman
Webster
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—107

Ackerman
Amash
Bachmann
Baldwin
Bass (CA)
Becerra
Blumenauer
Boswell
Braley (IA)
Campbell
Capuano
Carney
Carson (IN)
Chu
Clarke (MI)
Clarke (NY)
Cohen
Conyers
Crowley
Davis (IL)
DeGette
DeLauro
DesJarlais
Doyle
Duncan (TN)
Edwards
Ellison
Farr
Fattah
Frank (MA)
Gibson
Gosar
Graves (GA)
Griffith (VA)
Grijalva
Gutierrez
Hahn
Hall
Harris
Himes
Hinchey
Honda
Huelskamp
Johnson (GA)
Johnson (IL)
Jones
Kind
Kucinich
Labrador
Landry
Latham
Lee (CA)
Lewis (GA)
Loebsack
Lofgren, Zoe
Lummis
Lynch
Mack
Maloney
Marchant
Markey
Massie
Matsui
McClintock
McCollum
McDermott
McGovern
Michaud
Miller (NC)
Miller, George
Moore
Murphy (CT)
Nadler
Napolitano
Neal
Nugent
Olver
Pallone
Paul
Payne
Pelosi
Peters
Pingree (ME)
Polis
Quigley
Rangel
Ribble
Roe (TN)
Rush
Sarbanes
Schakowsky
Schweikert
Sensenbrenner
Serrano
Slaughter
Thompson (CA)
Tierney
Tonko
Van Hollen
Velázquez
Walberg
Walsh (IL)
Waters
Watt
Welch
Woolsey
Yarmuth

NOT VOTING—9

Berkley
Burton (IN)
Culberson
Fortenberry
Johnson, Sam
Reyes
Rivera
Roybal-Allard
Stark

□ 1843

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. KING of Iowa. Mr. Speaker, this evening on rollcall No. 645, the Conference Report for the National Defense Authorization Act for Fiscal Year 2013, I intended to vote "no" but mistakenly cast a "yes" vote.

MANN-GRANDSTAFF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 3197) to name the Department of Veterans Affairs medical center in Spokane, Washington, as the "Mann-Grandstaff Department of Veterans Affairs Medical Center".

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 1, not voting 9, as follows:

[Roll No. 646]

YEAS—421

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Curson (MI)
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
DelBene
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo

Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Marino
Markey
Massie
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Ribble
Richardson
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—1

Rigell

NOT VOTING—9

Courtney
Culberson
Dicks
Emerson
Johnson, Sam
Manzullo
Reyes
Rivera
Stark

□ 1850

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WILLIAM ''BILL'' KLING VA CLINIC

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 6443) to designate the facility of the Department of Veterans Affairs located at 9800 West Commercial Boulevard in Sunrise, Florida, as the ''William 'Bill' Kling VA Clinic''.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HUIZENGA of Michigan. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 422, nays 0, not voting 9, as follows:

[Roll No. 647]

YEAS—422

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Cummings
Curson (MI)
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
DelBene
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Massie
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Ribble
Richardson
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—9

Courtney
Culberson
Dicks
Emerson
Johnson, Sam
Reyes
Rivera
Stark
Waxman

□ 1857

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MT. ANDREA LAWRENCE DESIGNATION ACT OF 2011

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (S. 925) to designate Mt. Andrea Lawrence.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HUIZENGA of Michigan. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 408, nays 7, not voting 16, as follows:

[Roll No. 648]

YEAS—408

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Curson (MI)
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
DelBene
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Massie
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Rehberg
Renacci
Ribble
Richardson
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, David
Sensenbrenner
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walz (MN)
Wasserman Schultz
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (FL)
Young (IN)

NAYS—7

Amash
Campbell
Flores
Reed
Walsh (IL)
Waters
Young (AK)

NOT VOTING—16

Bass (CA)
Courtney
Dicks
Emerson
Grijalva
Honda
Johnson, Sam
Markey
Reichert
Reyes
Rivera
Rush
Schock
Scott, Austin
Serrano
Stark

□ 1903

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 7 o'clock and 6 minutes p.m.), the House stood in recess.

□ 2101

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. GARDNER) at 9 o'clock and 1 minute p.m.

PROVIDING FOR THE APPOINTMENT OF BARBARA BARRETT AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Mr. LATOURETTE. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of Senate Joint Resolution 49, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

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

There was no objection.

The text of the joint resolution is as follows:

S.J. RES. 49

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in accordance with section 5581 of the Revised Statutes of the United States (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Alan Spoon of Massachusetts on May 5, 2012, is filled by the appointment of Barbara Barrett of Arizona. The appointment is for a term of 6 years, beginning on the later of May 5, 2012, or the date of the enactment of this joint resolution.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HOUR OF MEETING ON TOMORROW

Mr. LATOURETTE. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. tomorrow.

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

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 20, 2012.

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 Senate on December 20, 2012 at 7:44 p.m.:

That the Senate agreed to without amendment H.J. Res. 122.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

MEDICARE IDENTITY THEFT PREVENTION ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 1509) to amend title II of the Social Security Act to prohibit the inclusion of Social Security account numbers on Medicare cards, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SAM JOHNSON) that the House suspend the rules and pass the bill, as amended.

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

A motion to reconsider was laid on the table. H.R. 1509.

ELIZABETH L. KINNUNEN POST OFFICE BUILDING

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 3378) to designate the facility of the United States Postal Service located at 220 Elm Avenue in Munising, Michigan, as the ''Elizabeth L. Kinnunen Post Office Building''.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. FARENTHOLD) that the House suspend the rules and pass the bill.

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.

SIDNEY ''SID'' SANDERS McMATH POST OFFICE BUILDING

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 3869) to designate the facility of the United States Postal Service located at 600 East Capitol Avenue in Little Rock, Arkansas, as the ''Sidney 'Sid' Sanders McMath Post Office Building''.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. FARENTHOLD) that the House suspend the rules and pass the bill.

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.

CECIL E. BOLT POST OFFICE

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 4389) to designate the facility of the United States Postal Service located at 19 East Merced Street in Fowler, California, as the ''Cecil E. Bolt Post Office''.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. FARENTHOLD) that the House suspend the rules and pass the bill.

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.

LIEUTENANT KENNETH M. BALLARD MEMORIAL POST OFFICE

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 6260) to designate the facility of the United States Postal Service located at 211 Hope Street in Mountain View, California, as the ''Lieutenant Kenneth M. Ballard Memorial Post Office''.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. FARENTHOLD) that the House suspend the rules and pass the bill.

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.

REPRESENTATIVE CURTIS B. INABINETT, SR. POST OFFICE

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 6379) to designate the facility of the United States Postal Service located at 6239 Savannah Highway in Ravenel, South Carolina, as the ''Representative Curtis B. Inabinett, Sr. Post Office''.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. FARENTHOLD) that the House suspend the rules and pass the bill.

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.

POSTAL INSPECTOR TERRY ASBURY POST OFFICE BUILDING

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 6587) to designate the facility of the United States Postal Service located at 225 Simi Village Drive in Simi Valley, California, as the ''Postal Inspector Terry Asbury Post Office Building''.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. FARENTHOLD) that the House suspend the rules and pass the bill.

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.

FAREWELL TO CONGRESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Arizona (Mr. FLAKE) is recognized for the remaining time until 10 p.m. as the designee of the majority leader.

Mr. FLAKE. Mr. Speaker, I've been putting off these remarks for a few weeks now. The truth is I've been reluctant to deliver my final speech on the House floor. This has been my home away from home for the past dozen years, and it's tough to say goodbye to friends and colleagues.

When I'm asked what I enjoy most about this place, I respond without hesitation: it's the give and take on the House floor. To be sure, much of what is said here is scripted with Members of both parties playing their designated role. Too often, talking points serve as literary guardrails. But every so often, genuine debate breaks out. Spontaneous points are made, Members are persuaded, and minds are changed. This frequently happens late at night when Members are less concerned about whether folks are watching at home. I wish more people would tune in during such nonscripted discussions. It represents Congress at its best.

My first 6 years here were spent in the majority, followed by 4 years in the minority, then 2 years again in the majority.

□ 2110

Having experienced both, I can tell you that I prefer the majority. But either party holding the reins of power should recognize that their grasp is

tenuous, and that's a good thing. Both parties benefit by taking turns in the wilderness every now and then.

Over the past 12 years I've offered hundreds of amendments, privileged resolutions, and points of order in this Chamber. These offerings, most of which were to curb spending, were not always successful. In fact, the vast majority of these offerings resulted in far more red marks next to Members' names than green marks up on the wall above me. But I like to think that we, over time, made a difference, and that this institution is better for it.

In addition to my own capable staff, both here and in Arizona, I want to thank those who staff this Chamber, from the floor staff who answer to leadership on both sides of the aisle, to the clerks, to the stenographers, to the parliamentarians who keep us operating within the rules, to the cloakroom staff who keep us fed and remind us when to vote. I've found that there resides in all of these individuals an abiding love and a deep respect for this institution.

Most of all, I want to thank my family—my wife Cheryl and my five children, Ryan, Alexis, Austin, Tanner, and Dallin. They have been supportive, patient, and long-suffering in dealing with a schedule that is anything but family friendly. Thank you.

Finally, I want to thank the good people of Arizona, who, perhaps against their better judgment, have sent me here six times to represent them. I will be forever grateful.

So now I head through the rotunda and into the other Chamber, the Senate, better known to this body as enemy territory. I've used that phrase many times myself, for which I will have to now repent. But at least my penance will be practiced during a 6-year term.

A few weeks ago the 12 newly elected Senate freshmen were invited to the National Archives. Before our meal we were taken to the legislative vault, where we viewed the original signed copy of the first bill enacted by Congress, as well as other landmark pieces of legislation and memorabilia. Oaths of allegiance signed by Revolutionary War soldiers, witnessed by General Washington, documents and artifacts related to the Civil War, segregation, and women's suffrage were also on hand.

It was an affirmation of the tumultuous seas through which our ship of state has sailed for more than 200 years. We have had many brilliant and inspired individuals at the helm and trimming the sails along the way. We've also had personalities ranging from mediocre to malevolent, but our system of government has survived them all.

Serious challenges lie ahead, particularly on the fiscal side, but any honest reckoning of our history and our prospects will note that we've confronted and survived more daunting challenges than we now face. It's a durable, resilient system of government that we have here, designed to withstand the foibles of men, including yours truly.

May God continue to bless the United States of America, and may He be ever mindful of this great and honorable institution, the House of Representatives, the people's House.

Mr. Speaker, for the last time, I yield back the balance of my time.

PAYING A DEBT OF GRATITUDE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from Indiana (Mr. PENCE) for the remaining time until 10 p.m. as the designee of the majority leader.

Mr. PENCE. Mr. Speaker, it is an honor to rise for what will be my last time speaking as a Member of the United States House of Representatives. The people of Indiana have given me a new assignment. But I rise tonight to pay a debt of gratitude to all those who gave me the privilege to serve in this place.

As a boy, I dreamed of someday representing my hometown in our Nation's Capital. And 12 years ago, the people of the Sixth Congressional District made that dream a reality, and so I begin tonight by simply saying thank you to all of them for letting me live that dream in these past 12 years, to come to this place again and again and to be some small part of the story of this institution and America's story.

My only ambition in Congress has been to look after my family and keep my word to the people that sent me here, to let my yes be yes and my no be no. And it is my hope that as people review the totality of my record and my life, they'll see that we've done just that.

But there are those to thank tonight that made that possible, and that's what brings me to this task this evening.

First, permit me to give thanks to God, whose grace and mercy has sustained us every day that we have served the people of Indiana in this place.

Next, and on this earth most of all, I rise to honor and thank my beloved wife, Karen Pence, whose love, whose support, whose sacrifice, patience and kindness, have made all that I have done in the service of the people of Indiana and this place possible. Thanks for believing in me. I love you, and I'll see you home.

To our children, Michael, Charlotte and Audrey, they were 6, 7, and 8 when I first arrived in this place and stood on this floor with my right hand raised 12 years ago. They're now 18, 19, and 21. Thank you for your love. But thank you for the sacrifices that you made so that we could live our dreams. Now go make your dreams come true. I know every one of you can.

To my colleagues, with whom I've stood in this place, shoulder to shoulder, doing freedom's work, standing each and every day cheerfully on behalf of the founding principles of this Nation, standing for a strong national defense, for limited government, for economic freedom and for the moral foundations of this Nation, you know who you are, and we will take you from this place in our hearts always.

You know, there's a saying back home that when you see a turtle on a fence post, one thing you know for sure is he didn't get there on his own. And so lastly, what I want to do tonight, Mr. Speaker, is really pay a debt of gratitude to the best congressional staff in American history, the men and women who have served our efforts in this city and at home in Indiana for the past 12 years.

I leave this body truly humbled when I look back at the caliber of the staff that we've been able to call to this mission, servant leaders, all. They are men and women who approached each and every day with a servant's heart, made sacrifices over the years in order to serve the people of Indiana with integrity and energy.

Names like Bill Smith and Lani Czarniecki, Jennifer Pavlik and Josh Pitcock, Matt Loyd and Paul Teller, Mark Short, Brian Neale and Ryan Jarmula, just to name a few.

□ 2120

I don't really have time tonight to name all the men and women who've served us in various capacities over these last 12 years.

Before I yield the floor for the last time, let me close simply by speaking a word of confidence and one more word of gratitude.

Some people look on Washington, D.C., and they're rightly frustrated. Some people come to this Nation's Capital and lose their idealism. I'm not such a person. When I walk out of this Capitol for the last time, I will leave here with my idealism in tact. I will continue to believe, as our Founders did, that we are one Nation under God, rich with a purpose yet to be fulfilled. No matter how dark the day may seem, we can be confident when we stand for freedom and we do freedom's work. Because freedom is not just our story, it's His story. And when we stand for freedom, however imperfectly, we make His work on this Earth our own.

In the words of the poet, I depart this place by saying:

> The woods are lovely dark and deep,
> But I have promises to keep,
> And miles to go before I sleep,
> And miles to go before I sleep.

I say to my colleagues and friends and neighbors in Indiana, my duties take me elsewhere, but wherever providence leads this Nation, let us ever remember that we have promises to keep for future generations of Americans in preserving, protecting, and defending the blessings of liberty for ourselves and for our posterity. And I know we'll keep that promise—because we're Americans.

Thank you for the honor of addressing you tonight. And to the people of

the Sixth Congressional District, know that I will always be grateful for the privilege you have given me to serve in this place, and I will always cherish my days in the people's House.

May God bless the United States House of Representatives and all who serve her now and all who will ever serve on this floor. And may God bless the United States of America.

I yield back the balance of my time.

MIKE PENCE STAFF ROSTER: 2001–2012

Acornley, Mark—Part-Time Admin Assistant: October 6, 2011–2012

Adams, Susan—Staff Assistant: October 6, 2003–February 29, 2004

Ahearn, Mark—Legislative Director: January 22, 2002–April 2, 2003

Alexander, Jerry—Constituent Services Representative & Director of Community Outreach: July 9, 2001–May 15, 2007

Arnold, Ron—Director of Administration & Deputy Chief of Staff: January 3, 2001–October 31, 2009

Atterholt, Kathleen—Caseworker: January 3, 2001–January 2, 2010

Bauer, Zachary—Staff Assistant & Legislative Correspondent: January 4, 2010–2012

Bennett, Kim—Deputy District Director: January 3, 2001–2012

Berry, Debra—District Representative: August 6, 2001–2012

Breeding, Mary—Paid Intern & Staff Assistant: April 1, 2001–January 18, 2002

Brinkman, Muffet—Staff Assistant: January 8, 2001–March 31, 2001

Brown, Skip—Communications Assistant: January 2, 2004–November 16, 2005

Brown, Will—Staff Assistant & Legislative Correspondent: January 3, 2009–January 2, 2011

Castor, Amy—Staff Assistant: May 16, 2004–March 12, 2006

Collins, Larry Ken—Communications Director: January 3, 2001–March 31, 2001

Craig, Lindsey—Legislative Assistant: January 2, 2009–April 2012

Crouch, Daniel—Legislative Assistant & Senior Legislative Assistant: January 16, 2007–August 7, 2009

Czarniecki, Cary (Lani)—District Director: January 3, 2001–2012

Dilly, Jonathan—Paid Intern: May 21, 2001–August 8, 2001

Evans, Ben—Constituent Services Representative: January 4, 2010–2012

Fisher, Ryan—Legislative Assistant & Legislative Director: January 3, 2001–January 2, 2007

Fortin, Kristin—Paid Intern: May 7, 2001–July 13, 2001

Gaskill, Kily Smith—Executive Assistant: January 13, 2009–2012

Gibbs, LeAnne Holdman—Staff Assistant, Legislative Assistant, Senior Legislative Assistant & Legislative Director: February 24, 2004–October 21, 2008

Hawkins, Nicole—Community Development Assistant: January 23, 2006–April 6, 2007

Howe, Jeff—Field Representative: January 3, 2003–February 28, 2010

Hughes, Kaitlynn—Press Assistant, Press Secretary: January 2, 2011–2012

Jarmula, Ryan—Staff Assistant, Legislative Assistant and Senior Legislative Assistant: January 22, 2008–2012

Karchner, Derek—Staff Assistant & Press Assistant: January 22, 2002–March 6, 2003

Keller, Aaron—Paid Intern: June 12, 2001–July 31, 2001

Kennedy, Elizabeth—Staff Assistant: February 23, 2004–April 30, 2005

Kiefer, Chris—Legislative Assistant & Senior Legislative Assistant: January 3, 2001–April 30, 2005

Kincaid, Andrew—Legislative Assistant: January 3, 2001–December 31, 2001

Lahr, Matt—Press Assistant: February 1, 2006–January 2, 2007; Press Secretary: May 10, 2010–January 9, 2011

Lavoie, Matt—Staff Assistant: March 13, 2006–April 15, 2007

Likens, Darlene—Caseworker: January 3, 2001–May 31, 2002

Lloyd, Matthew—Communications Director: January 29, 2003–December 31, 2008; Communications Director for GOP Conference: January 1, 2009–December 31, 2010; Communications Director: January 1, 2011–2012

McCarthy, Greg—Staff Director of Foreign Affairs, Middle East and South Asia Subcommittee while Rep. Pence served as Ranking Member: January 1, 2007–January 2, 2009

Meeker, Autumn—Staff Assistant: June 1, 2010–2012

Milazzo, Nathaniel—Legislative Correspondent, Legislative Assistant & Legislative Director: April 25, 2005–January 2, 2011

Miller, Craig—Legislative Assistant: January 3, 2004–June 4, 2005

Miller, Molly Jarmu—Communications Assistant & Legislative Assistant: January 1, 2002–July 28, 2003

Miner, Ryan—Paid Intern: June 1, 2007–July 11, 2007

Myers, Janille—Executive Assistant: January 12, 2009–2012

Neale, Brian—Legislative Assistant & Legislative Director: June 17, 2009–2012

Pardieck, Karrie—Casework Director: January 3, 2001–2012

Pavlik, Jennifer Marsh—Executive Assistant & Staff Director: January 6, 2001–2012

Perdew, Abby—Administrative Assistant & Administrative Director: January 27, 2009–October 31, 2011

Phipps, Andrew—Director of Community Relations: January 3, 2001–October 31, 2001

Piepgrass, Stephen—Communications Director: April 23, 2001–August 15, 2002

Pitcock, Joshua—Legislative Assistant, Deputy Chief of Staff and General Counsel: May 11, 2005–Dec 31, 2008; Deputy Chief of Staff and General Counsel for GOP Conference: January 1, 2009–June 30, 2011; Deputy Chief of Staff and General Counsel: January 1, 2011–July 31, 2012; Chief of Staff—August 1, 2012–2012

Radtke, Schrade (Trip)—Legislative Director: March 22, 2003–December 30, 2003

Reger, Ryan—Field Representative: January 3, 2001–December 31, 2007

Shettle, John—Part-Time Caseworker: January 3, 2001–2012

Siktberg, Alan—Staff Assistant/Field Representative: February 1, 2005–February 14, 2008

Slatter, Ian—Legislative Assistant & Communications Director: January 1, 2002–January 31, 2003

Smith, William A.—Chief of Staff: January 3, 2001–July 31, 2012; Senior Advisor: August 1, 2012–2012

Son, Daniel—Communications Assistant & Press Secretary: January 26, 2008–May 31, 2010

Sulc, Kevin—Constituent Services Representative: July 9, 2001–2012

Tronovitch, Ryan—Staff Assistant: April 27, 2007–December 31, 2007

Wilson, Mikah—Constituent Services Representative/Caseworker/Administrator: January 3, 2003–October 31, 2009

Wilson, Duncan—February 23, 2005–February 28, 2005

Wilson, William Patrick—Legislative Director: January 2, 2001–December 31, 2001

CHAIRMAN MIKE PENCE, REPUBLICAN STUDY COMMITTEE STAFF ROSTER: 2005–2006

Executive Director—Sheila Cole
Deputy Director—Paul Teller
Policy Director—Russ Vought
Senior Policy Analyst—Derek Baker
Policy Analyst—Joelle Cannon
Research Assistant—Marcus Kelley
Communications Director—Matt Lloyd

CHAIRMAN MIKE PENCE, HOUSE REPUBLICAN CONFERENCE STAFF ROSTER: 2009–2010

Name	Title	Tenure
Marc Short	Chief of Staff	Jan. 2009–Dec. 2010
Josh Pitcock	Deputy Chief of Staff	Jan. 2009–Feb. 2010
	Deputy Chief of Staff/General Counsel.	Mar. 2010–Dec. 2010
Emily Seidel	Director of Operations/Assistant to the Chief of Staff.	Jan. 2009–Dec. 2010
Katie Strand	Director of Member Services and Events.	Jan. 2009–Dec. 2010
Melanie Looney	Coalitions Director/General Counsel.	Jan. 2009–Feb. 2010
Russ Vought	Policy Director	Jan. 2009–Aug. 2010
Daris Meeks	Policy Advisor and Legislative Counsel.	June 2009–Aug. 2010
	Policy Director	Aug. 2010–Dec. 2010
Adam Hepburn	Policy Advisor	Jan. 2009–Dec. 2010
Chris Jacobs	Policy Advisor	Jan. 2009–Jan. 2010
Andy Koenig	Policy Advisor	Jan. 2009–Dec. 2010
Jonathan Hiler	Policy Advisor	July 2010–Dec. 2010
John Gray	Policy Advisor	Apr. 2010–Dec. 2010
Sarah Makin	Policy Advisor	Jan. 2009–Mar. 2010
	Policy Advisor/Coalitions Liaison.	Mar. 2010–Dec. 2010
Brian McManus	Policy Advisor/Coalitions Liaison.	Apr. 2010–Dec. 2010
Lisa Tanner	Policy Advisor	June 2009–Aug. 2009
Matt Lloyd	Communications Director.	Jan. 2009–Dec. 2010
Mary Vought	Press Secretary	Feb. 2009–Dec. 2010
Andeliz Castillo	Deputy Press Secretary and Director of Specialty Media.	Feb. 2009–Dec. 2010
Courtney Kolb	Media Coordinator	Jan. 2009–July 2010
	Deputy Press Secretary	July 2010–Dec. 2010
Rachel Semmel	Press Assistant	Jan. 2009–July 2010
	Radio/TV Booker	July 2010–Dec. 2010
Brian Newell	Deputy Press Secretary/Speechwriter.	Jan. 2009–Mar. 2010
Doug Sachtleben	Deputy Press Secretary/Speechwriter.	Apr. 2010–Dec.2010
Katie Hughes	Press Assistant	June 2010–Dec. 2010
Emily Pickett	Press Assistant	June 2010–Dec. 2010
Ben Howard	Staff Assistant	Feb. 2009–Dec. 2010
Scott Neale	Staff Assistant	Jan. 2009–May 2010
Ja'Ron Smith	Staff Assistant	Jan. 2009–Dec. 2010
Ryan Howell	Visual Media	Jan. 2009–Dec. 2010
Bryant Avondoglio	Visual Media	Jan. 2009–Dec. 2010
David Holley	Visual Media	Jan. 2009–Dec. 2010
Rebeccah Propp	Visual Media	June 2009–Dec. 2010
Ericka Anderson	Visual Media (blogger)	Mar. 2009–Dec. 2010

AMERICA'S FUTURE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentlewoman from Tennessee (Mrs. BLACKBURN) for the remaining time until 10 p.m as the designee of the majority leader.

Mrs. BLACKBURN. I am absolutely delighted to stand and say ''thank you'' to Mr. FLAKE—Senator Flake, it will be—and to Mr. PENCE. It will be Governor Pence. We are delighted that they have served here. And I will have to say that they have been happy warriors as we have many times stood on this floor and have fought against earmarks, have fought against increased spending.

And I dare say, Mr. Speaker, as Mr. FLAKE crosses the rotunda and into the other Chamber, I don't think the Senate will ever go back to earmarks, because I know someone who can filibuster an earmark with the best of them. That talent is coming to that other Chamber.

Indeed, the happy warrior who will be the Governor of Indiana, my concern there, quite frankly, Mr. Speaker, is I know some of the reforms that he has in mind for that great State, and I don't want them to become too competitive with my home State of Tennessee. I'm going to be keeping a very close eye on the good work that he is

doing there for the people of Indiana and look forward to what he is going to do.

It is so very true, and we talk about it a lot, but I think we appreciate it here in this Chamber. Our States are the laboratories of democracy in this great Nation. That is where great ideas come from. They bubble up and they get tested. We know that Indiana is going to have quite a few new ideas that they'll be trying, so we're looking forward to seeing what he will do there.

I want to yield at this time to the gentleman from Texas (Mr. HENSARLING) who has worked so closely with these two gentlemen as we have fought expanded government, fought higher taxes, fought uncontrollable and out-of-control spending. I yield to the gentleman for his comments this evening.

Mr. HENSARLING. I thank the gentlelady for yielding to me.

Mr. Speaker, an hour ago, I had no idea that I would be on the House floor to witness the farewell speeches of two giants who have served in this institution. In many ways, Mr. Speaker, I approach my comments tonight with trepidation because my voice is most inadequate and unprepared for this moment.

The term ''happy warrior'' was used. The gentleman from Arizona (Mr. FLAKE), I have never known him not to have a smile on his face. Mr. Speaker, if there was one individual who summed up the phrase that one man in the right makes a majority, it's the gentleman from Arizona, JEFF FLAKE.

Mr. Speaker, I have no doubt whatsoever that the other body will never be the same when the gentleman from Arizona steps into that other Chamber—because of his leadership. Many come here and serve. They speak with eloquence. They represent their values. They represent their constituents. But, Mr. Speaker, not all that many leave this institution and can look themselves in the mirror and know they have made a difference. The gentleman from Arizona has made a difference in the people's House and how the peoples's money has been spent.

Mr. Speaker, it's a challenging time in our Nation's history. There's much turmoil. I know many question Madison's genius—perhaps mad genius—in providing for this thing called divided government. It's sloppy; it's messy; it gets a little noisy; it's not always efficient; but it has produced the greatest, freest, most prosperous Republic in the history of mankind. That divided government is played out in this institution by noble men and women who mean well. Again, I find my voice most inadequate to honor the work of these two great men.

I look at the words above you, Mr. Speaker, ''In God we trust.'' Few have lived that and had it emblazoned on their heart as the gentleman from Indiana, MIKE PENCE.

□ 2130

He knows the words of Jefferson: Can the liberties of a Nation be thought secure when we have removed their only firm foundation, and that is a conviction in the hearts of man that these liberties are gifts of God?

I know this man, this great man from the Heartland. I know Karen, Michael, Charlotte and Audrey. What a strong family. I want to thank them for their sacrifice. We, Mr. Speaker, as you know, we serve our country, but we don't sacrifice. But our families do. What a great sacrifice of the Pence family of Indiana to let this great man come and serve with distinction for these years.

MIKE PENCE has brought the values of the Heartland to this institution and taught us all well. He has led by example, and he's done something that, frankly, few Members have done, and that is he has inspired us to greatness.

Again, Mr. Speaker, many serve here as public servants, but some go beyond being a public servant and they embody everything that was good and great about the Founders. We have a special word for those people, it's called ''patriot.'' MIKE PENCE, the gentleman from Indiana, is a patriot. His moral compass always points true north. His humor and compassion have lifted his colleagues in this Chamber in tough and challenging moments.

He embodies that definition of character that he always does what is right even when no one is watching. And because he understands better than most what the true genius of America is, every day he gets up, he praises his Lord, he thanks Him for his family, and he dreams bold dreams because, Mr. Speaker, he is an American.

Mr. Speaker, I've been granted many blessings in life, many blessings in life, few that I will cherish as much as the blessing of fighting for freedom on the floor of the United States House of Representatives at the side of MIKE PENCE. He has taught me that verse in Proverbs that ''iron sharpens iron.'' Mr. Speaker, he has always sharpened my iron. He has taught me about Proverbs 18:24: And there is a friend that sticketh closer than a brother. MIKE PENCE is my friend that sticketh closer than a brother.

I've often thought, What is the highest praise that I can pay to such a friend? Back in Dallas, Texas, I've got a son, Travis; he's 9. Since it's a school night, he, hopefully, is not playing Angry Birds or Plants Versus Zombie or some other electronic game. He and his sister are the apple of my eye and my wife's eye. And I think, Mr. Speaker, what kind of life might my son have? How do I want to raise my son? What do I want to teach him? Who do I want him to emulate? Mr. Speaker, I've said this about very few people I have met in life, but Mr. Speaker, I could never be more proud than if my son, Travis JEB HENSARLING, grew up to be like MIKE PENCE, the Governor-elect of Indiana, my friend, our patriot.

Mrs. BLACKBURN. I thank the gentleman for those kind remarks.

I know that we all share in expressing how much we have enjoyed having these gentlemen with us. We also want to recognize someone. I want to yield to the gentleman from Florida, who has been with us for all too short a period of time. Mr. WEST is here for his last day on this floor. I know that each of us joins in saying thank you to him.

He came to this floor and, Mr. Speaker, he does not back down from the fight. I think that he runs toward that fight when it is a fight for freedom, when it is a fight for getting this government under control and returning us to our constitutional principles, because he is a constitutional conservative.

As we have, this week, stood on this floor and have discussed the issues that are in front of us, the issues that the media have termed the ''fiscal cliff,'' you know, many of us have talked about this, that this day was coming. Indeed, the Republicans in the House have been working on this issue for months. My goodness, we sent bills starting in May over to the Senate. They've been sitting on HARRY REID's desk, some of them—the last one went over September 19—and they have chosen not to take up those bills.

It's important to note that in that lesson of looking at what the Senate chose not to do and what the leader of the Senate chose not to do, we have people in the House that chose to take an action that would prohibit higher taxes on all Americans. It would prohibit the sequestration from taking place on our military, and it would enable us to move toward a pathway of fiscal responsibility and economic growth and renaissance in this Nation.

So at this time, I yield to the gentleman from Florida (Mr. WEST).

Mr. WEST. I want to thank the gentlewoman from Tennessee for allowing me to participate this evening. Thank you, Mr. Speaker, for allowing me to have this time. But I want to also pay homage to two great men that are going to be departing this House of Representatives.

I think back to 5 years ago, in December of 2007. I had just gotten back from 2½ years of serving in Afghanistan, and I decided that I was going to throw my hat into the ring to run for Congress in 2008. I understood what it meant to be a constitutional conservative. I understood what it meant when you talked about limited government, when you talked about fiscal responsibility, individual sovereignty; when you talked about a free marketplace of ideas, where the American people can prosper, and also a strong national defense. But of course the critical thing was I could go back and I could read Locke and I could read Montesquieu. I could read Hobbes or Rousseau. I could read all of the writings of our Founding Fathers. But I wanted to look at two individuals or several individuals that I could see as role models.

So when you get back and you start to look at C–SPAN and say, Who can I model myself after, I can tell you that the two men that are going to depart this House of Representatives—one to go be Senator-elect from Arizona, another going to be Governor-elect from Indiana—were two individuals that I studied.

When I wanted to know about fiscal responsibility, I heard about this gentleman, Representative JEFF FLAKE from Arizona, who was Mr. Earmark. I, first of all, had to understand, okay, being in the military, what does an earmark mean? Well, I come to understand what it meant, and I come to understand how horrible it is when you look at what is happening with our debt and our deficit and our fiscal irresponsibility.

I came to understand what it meant to have principles and pragmatism and having the courage to stand upon your convictions and continue to push and continue to try to make a difference, even if it seems that you may stand alone. Because that's one of the mottos from a great unit in the 101st Airborne Division, Currahee. We know that from the Band of Brothers what that means, ''stands alone.''

If there is one person that has always stood alone and will continue to do so for the principles that are right, fiscal responsible principles that are right, it's Senator-elect JEFF FLAKE. Being able to study him and see him and not so much worrying about having a bunch of conversations, but learning by example, helped me to have 2 great years here in the people's House, the people's House where for 22 years in uniform I served to protect, and now I got the opportunity to walk in these great Halls with a great man, who I know will continue to go on to the Senate, where they truly do need some help with fiscal responsibility.

I know that when we look across, just the same as that unit in December of 1944, when they were surrounded, they sent back one simple response, that they were not going to surrender. I think we all know what that one-word response is.

□ 2140

If I could think of one person that will stand on the Senate floor and give that same response, it will be Senator-elect, JEFF FLAKE.

Now, when I think about the other gentleman, the Governor-elect of Indiana, there was a person that contacted me, and if you talked to him, he will say I was supporting ALLEN WEST before it became cool to support ALLEN WEST, and that is absolutely 100 percent right. Because MIKE PENCE understood that it's not about the empty promises of outreach to a community, it's about finding those individuals that really and truthfully do believe in constitutional, conservative principles and supporting them to get them to a position where they can have a voice and they can, in turn, be examples to our black communities. That's what MIKE PENCE did for me in 2008. He kept encouraging me. And even though we fell short, on that next day, he was the first person to call and say:

I know what type of man you are, and I know what type of fighter you are, and I know you're going to do it again.

Therefore, I ended up being here in 2010. I had the opportunity to be taught, to be coached and to be mentored by a great man, a great constitutional conservative, a man there that will go make a difference for a State, and I think that one day he will make a difference for our great Nation.

So as once upon a time a general said, as he stood there, that old soldiers never die, they just fade away, I'm not going to fade away, because these two men have encouraged me to do something better and do something different, to take off a camouflage uniform and put on a suit and tie but continue to fight for the principles and values that make this country great and that make this country exceptional. I think that's what we see happening right now.

I am so encouraged that we have the right people here in the House, we will have the right people in the Senate and we will have the right people down in our States to make a difference to secure a better future for all of our children and our grandchildren so we do not saddle them with the debt that we're currently looking at, we do not saddle them with the out-of-control spending, and we do not leave them with an unsecure America and an unstable world.

Those men that are going to depart here are going to be part of that transformation, that restoration, that reclaiming of a sense of American pride and exceptionalism that when we look at those words up there, ''in God we trust,'' we will truly inculcate that back into who we are as a people.

So as we go forth, we talk about this thing called the fiscal cliff, I know that these men understood what the right type of tax policies are that create economic growth. We are not about wealth redistribution. We are about wealth expansion. We are about that American Dream that can take an inner city kid from Atlanta, Georgia, and allow him to be standing here today speaking to the American people before incredible men that will go and do more incredible things for this great Nation.

I believe that we are standing on the verge of a new dawn for America. But all we have to do is go back and recommit to those principles and value that our Founding Fathers accepted, that our Founding Fathers wrote in the Declaration, that they improved and perfected through the Constitution, and now they're looking at us in this generation to be the ones that carry it on. 236 years. And I believe that we will be around for another 236 years.

The test for us right now is do we believe that America is about a bigger government? Or do we believe that America is about an indomitable, entrepreneurial spirit? And if we believe the latter instead of the former, then we will have those right tax policies, we will have the right regulatory policies, and we will have the right monetary policies so that we are not printing more money and devaluing our dollar so that we see commodity prices going up.

Will we, once again, have our small businesses grow, which is a reflection of our entrepreneurial spirit? But, most importantly, will we respect the individual, their sovereignty, their rights, and their freedoms, and make sure that we have the strongest, most powerful military that will cause people to say, we will not challenge you, because they know that what we stand for, this that we will defend, is something that we truly do believe in.

So as this may be my last time speaking here on this House floor, I can tell you that the principles and values that we stand for as constitutional conservatives, you don't have to be in the House of Representatives to continue that fight, because it's a fight worth doing, but it's a fight worth doing because I've had some great men and great women to be examples for me as I go forward.

There are many men and women that are standing on freedom's ramparts, our watchmen on the walls, that are trusting and depending on us right now to make sure that their service, their sacrifice, and their commitment shall not be in vain.

So I thank you all. I thank you for your coaching and your mentoring. I thank you for the example that you set. I thank you for allowing me to be here to speak on this night.

May God bless America, and may God keep us all forevermore.

Mrs. BLACKBURN. We thank the gentleman from Florida for yielding back, and we thank him so much for his service to this House.

Mr. Speaker, as we close for the Christmas season, I do want to make just a few comments about what has transpired today. And I think it is so noteworthy that those Members who are departing have stood on this floor tonight and have talked about what it means to serve in the U.S. House of Representatives, and how grateful we are that they have chosen that service. And we each have shared a commitment to make certain that we are committed to pushing—pushing—the Federal Government to get its fiscal house in order.

Indeed, Mr. HENSARLING many times has said that that is our primary goal as conservatives because we know that the greatest threat to our Nation's security is our nation's debt. Many of us talk about Admiral Mullen's comments on July 6, 2010, when he said that the greatest threat to our Nation's security is our Nation's debt.

This week, as we have looked at the so-called fiscal cliff, as we have looked

at the expiration of the tax cuts, as we have worked through the growing and just boiling and rolling debt that is sweeping over this government, as we have watched this deficit climb higher every year, we have sought to find a solution to this.

As I mentioned earlier in our remarks, we have stood in this House, and going back to May 10, we passed reconciliation August 1, we passed an extension of all the 2001, 2003 tax reductions—they're called the Bush tax cuts. We passed a sequester bill on the 2nd, and on September 19, we passed a pathway to tax reform.

Mr. Speaker, what is so significant about that is that those pieces of legislation left here, some of them with a bipartisan vote, all with a strong vote from this body, and they traveled across to the Senate. And from May to September, they found their place on HARRY REID's desk. What is so sad about this is that HARRY REID made his choice. The Senate made their choice. And their choice was to not take up those pieces of legislation.

This crisis that we have had, our so-called crisis, the fiscal cliff crisis and Taxmageddon, all of this is a crisis of their making because it is a crisis of inaction. But, Mr. Speaker, many times, that is what happens here. It is inaction, what does not get done, that causes the situation where there is a rush to the last minute.

We have had the American people watching closely, and we have had the comments from the President, the comments from different ones in the Cabinet, and the comments from the Senate. But I remind my colleagues that we took our actions here in the body, we sent that legislation, and we did it because we understand that $16 trillion worth of debt and annual deficits of $1 trillion are far too much for our children and grandchildren.

□ 2150

The speakers tonight who have joined me on this floor have talked about how we have hopes and dreams for our children, for our grandchildren, for the futures of our families. You know what? If you're facing $16 trillion, $20 trillion, $25 trillion worth of debt as a nation, it is very difficult to see those hopes and dreams come true.

My concern as I look at my grandchildren is that the decisions—maybe the selfishness even—of people in Washington who want to tax too much and want to spend too much, who are taxing and spending not their money, but my children and grandchildren's money, children of the next generation, leaders maybe even a generation or more away, they are spending their money, because at this point we are borrowing 46 cents of every dollar we spend. It's not sustainable.

That is why we have very thoughtfully, over the last several months, approached this issue, and it's why this week we have worked with our leadership to find a solution to this, to look at different angles. And the decision came that the best decision for this, the best way to approach it, the best way to make certain we address this is to stand firm on the actions that the House has taken and for the Senate to take up the legislation that they've had the opportunity to take up since September 19. They could take up any bill and amend it. They could vote on it. They could send it back to us. They could go to conference.

You see, as we talk about our children and their future and as we talk about this amount of debt, what we do not want to do is to cap our children's future and trade to the people that hold our debt. If we're not careful, that's exactly what is going to happen.

As we have gone through this process this week, as my colleagues have all watched it and said exactly what has happened, what are the decisions, what are the consequences of the decisions we have made, are we going to resolve it, I do believe that you are going to see a resolution to this. It will happen because the American people are saying to us and they're saying to the President, It is time to get this spending under control. Our children deserve better of us. They have the right to live free lives, to dream big dreams, and to make those dreams come true.

I do want to say a ''thank you'' to our leadership. I think the way that Speaker BOEHNER has handled these issues this week, the way he has worked with the Members in this body to show respect to them, to show respect for their opinions and respect for their constituents, I think that that has been a true sign of leadership that was willing to listen and then willing to move the way the body wanted to move.

And the decision was made by the body not to move forward on the Plan B. But I think in making that decision, what you will see is our leadership moving forward more committed and with individuals even more prepared to get to work and to get this solved and to do what the American people are expecting us to do, which is to get this spending under control. They have sent the message loud and clear: Washington does not have a revenue problem; it has a spending problem. It has an out-of-control spending problem and an insatiable appetite for the taxpayers' money.

As we have worked through this week, as we've talked to our constituents—and so many of us in this body have done telephone town halls and we have been on the phone and we have answered emails. And we know that there is no limit to how much money, how much of other people's money government will try to spend. There's no limit to how much of the taxpayers' money. So the American people have sent the message to us and we all have sent it to our leadership, and they have listened and they have responded.

The time to get the spending under control is now. The time to stop kicking the can down the road is now. And we will head away for Christmas and return, I think, with a strength and a resolve and a courage to address the fiscal issues of this Nation. The House, where the spending bills and appropriation process begins, we will tackle this with strength, with resolve, with courage to get the job done so that, just as my colleagues have said here tonight, so that future generations have a brighter future and so that we will continue to stand for the cause of freedom.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CULBERSON (at the request of Mr. CANTOR) for today on account of illness.

Mr. RIVERA (at the request of Mr. CANTOR) for today and the balance of the week on account of a family medical emergency.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2318. An act to authorize the Secretary of State to pay a reward to combat transnational organized crime and for information concerning foreign nationals wanted by international criminal tribunals, and for other purposes, to the Committee on Foreign Affairs.

S. 3202. An act to amend title 38, United States Code, to ensure that deceased veterans with no known next of kin can receive a dignified burial, and for other purposes, to the Committee on Veterans' Affairs; in addition to the Committee on Armed Services and the Committee on the Budget 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.

S. 3630. An act to designate the facility of the United States Postal Service located at 218 North Milwaukee Street in Waterford, Wisconsin, as the ''Captain Rhett W. Schiller Post Office'', to the Committee on Oversight and Governmental Reform.

S. 3662. An act to designate the facility of the United States Postal Service located at 6 Nichols Street in Westminster, Massachusetts, as the ''Lieutenant Ryan Patrick Jones Post Office Building'', to the Committee on Oversight and Governmental Reform.

S. 3698. An act to amend title 40, United States Code, to improve veterans service organizations access to Federal surplus personal property, to the Committee on Oversight and Governmental Reform.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 2170. An act to amend the provisions of title 5, United States Code, which are commonly referred to as the ''Hatch Act'', to scale back the provision forbidding certain State and local employees from seeking elective office, clarify the application of certain

provisions to the District of Columbia, and modify the penalties which may be imposed for certain violations under subchapter III of chapter 73 of that title.

S. 2367. An act to strike the word ''lunatic'' from Federal law, and for other purposes.

S. 3311. An act to designate the United States courthouse located at 2601 2nd Avenue North, Billings, Montana, as the ''James F. Battin United States Courthouse''.

S. 3564. An act to extend the Public Interest Declassification Act of 2000 until 2014 and for other purposes.

S. 3642. An act to clarify the scope of the Economic Espionage Act of 1996.

S. 3687. An act to amend the Federal Water Pollution Control Act to reauthorize the Lake Pontchartrain Basin Restoration Program, to designate certain Federal buildings, and for other purposes.

A BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on December 20, 2012, she presented to the President of the United States, for his approval, the following bill:

H.R. 3783. To provide for a comprehensive strategy to counter Iran's growing hostile presence and activity in the Western Hemisphere, and for other purposes.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 9 o'clock and 56 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, December 21, 2012, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

8856. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Extension of Tolerances for Emergency Exemptions (Multiple Chemicals) [EPA-HQ-OPP-2012-0825; FRL-9372-1] received December 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8857. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flubendiamide; Pesticide Tolerances [EPA-HQ-OPP-2007-0099; FRL-9373-3] received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8858. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pyriproxyfen; Pesticide Tolerances [EPA-HQ-OPP-2011-1012; FRL-9365-6] received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8859. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket: ID FEMA-2012-0003] received December 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8860. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2012-0003] received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8861. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Native American Housing Assistance and Self-Determination Reauthorization Act of 2008: Amendments to Program Regulations [Docket No.: FR-5275-F-13] (RIN: 2577-AC80) received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8862. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Organization and Functions, and Seal (RIN: 2590-AA54) received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8863. A letter from the Deputy Director for Policy, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received December 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8864. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana; South Bend/Elkhart, Indiana Ozone Maintenance Plan Revision to Approved Motor Vehicle Emissions Budgets [EPA-R05-OAR-2012-0536; FRL-9761-1] received December 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8865. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; The 2002 Base Year Emissions Inventory for the Pittsburgh-Beaver Valley Nonattainment Area for 1997 Fine Particulate Matter National Ambient Air Quality Standard [EPA-R03-OAR-2010-0601; FRL-9760-8] received December 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8866. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Fredericksburg 8-Hour Ozone Maintenance Area Revision to Approved Motor Vehicle Emissions Budgets [EPA-R03-OAR-2012-0444; FRL-9760-9] received December 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8867. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Quality Implementation Plans; California; San Joaquin Valley; Attainment Plan for the 1997 8-hour Ozone Standards; Technical Amemdments [EPA-R09-OAR-2011-0589; FRL-9762-4] received December 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8868. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans; State of Wyoming; Regional Haze Rule Requirements for Mandatory Class I Areas under 40 CFR 51.309 [EPA-R08-OAR-2011-0400; FRL-9756-9] received December 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8869. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Bacillus subtilis Strain QST 713 Variant Soil; Amendment to an Exemption from the Requirement of a Tolerance for Bacillus subtilis Strain QST 713 to Include Residues of Bacillus subtilis Strain QST 713 Variant Soil [EPA-HQ-OPP-2011-0669; FRL-9369-3] received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8870. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: Listing of Substitutes for Ozone Depleting Substances — Fire Suppression and Explosion Protection [EPA-HQ-OAR-2011-0111; FRL-9757-5] (RIN: 2060-AQ84) received December 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8871. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Supplemental Determination for Renewable Fuels Produced Under the Final RFS2 Program From Grain Sorghum [EPA-HQ-OAR-2011-0542; FRL-9760-2] received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8872. A letter from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Revisions to Electric Quarterly Filing Process [Docket No.: RM12-3-000] received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8873. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Wildlife and Plants; Endangered Status for the Main Hawaiian Islands Insular False Killer Whale Distinct Population Segment [Docket No.: 0912161432-2630-04] (RIN: 0648-XT37) received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8874. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Specifications and Management Measures [Docket No.: 120917459-2591-01] (RIN: 0648-BC57) received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8875. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Research vessel SIKULIAQ Launch, Marinette, Wisconsin [Docket No.: USCG-2012-0896] (RIN: 1625-AA00) received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8876. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Battle of Queenston Heights Bicentennial, Niagara River, Lewiston, NY [Docket No.: USCG-2012-0849] (RIN: 1625-AA00) received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8877. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: America's Cup World Series Finishline, San Francisco, CA [Docket No.: USCG-

2012-0884] (RIN: 1625-AA00) received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8878. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Columbus Day Weekend, Biscayne Bay, Miami, FL [Docket No.: USCG-2012-0191] (RIN: 1625-AA11) received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8879. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Steam Ship Col. James M. Schoonmaker relocation project, Maumee River, Toledo, OH [Docket No.: USCG-2012-0939] (RIN: 1625-AA00) received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8880. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Leukemia & Lymphoma Light the Night Walk Fireworks Displays; Willamette River, Portland, OR [Docket No.: USCG-2012-0803] (RIN: 1625-AA00) received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8881. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Atlantic Intracoastal Waterway; Carolina Beach, NC [Docket No.: USCG-2012-0741] (RIN: 1626-AA00) received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8882. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Cooper T. Smith Fireworks Event; Mobile River; Mobile, AL [Docket No.: USCG-2012-0869] (RIN: 1625-AA00) received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8883. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Inland Waterways Navigation Regulations [Docket No.: USCG-2011-1086] (RIN: 1625-AB84) received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8884. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Coast Guard Exercise, Hood Canal, Washington [Docket No.: USCG-2012-0822] (RIN: 1625-AA00) recevied December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8885. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Fixed and Moving Safety Zone; Around the USACE Bank Grading Units, Mat Sinking Unit, and the M/V Harrison and M/V William James [Docket No.: USCG-2012-0738] (RIN: 1625-AA00) received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8886. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; 2012 Ironman 70.3 Miami, Biscayne Bay; Miami, FL [Docket No.: USCG-2012-0559] (RIN: 1625-AA08) received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8887. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Shipping and Transporation; Technical, Organizational, and Conforming Amendments [Docket No.: USCG-2012-0832] (RIN: 1625-AB87) received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8888. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-63; Introduction [Docket FAR: 2012-0080, Sequence 6] received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science, Space, and Technology.

8889. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-63; Small Entity Compliance Guide [Docket FAR: 2012-0081, Sequence 8] received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8890. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Adminsitration, transmitting the Administration's final rule — Federal Acquisition Regulation; Iran Threat Reduction [FAC 2005-63; FAR Case 2012-030; Docket 2012-0030, Sequence 1] (RIN: 9000-AM44) received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science, Space, and Technology.

8891. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — 2012 cumulative List of Changes in Plan Qualifications [Notice 2012-76] received December 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8892. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2012-78] received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8893. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Deduction for Qualified Film and Television Production Costs [TD 9603] (RIN: 1545-BJ23) received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8894. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Revenue Procedure: Certain exceptions to disclosure requirements under Tres. Reg. Sec. 1.6011-4(b)(5) (Rev. Proc. 2013-11) received December 11, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8895. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Taxable Medical Devices [TD 9604] (RIN: 1545-BJ44) received December 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

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:

Mr. BONNER: Committee on Ethics. In the Matter of Allegations Relating to Representative Gregory Meeks (Rept. 112–709). Referred to the House Calendar.

Mr. BONNER: Committee on Ethics. In the Matter of Representative Tim Ryan (Rept. 112–710). Referred to the House Calendar.

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 1073. A bill to designate the United States courthouse to be constructed in Jackson, Mississippi, as the ''R. Jess Brown United States Courthouse'' (Rept. 112–711). Referred to the House Calendar.

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 2919. A bill to eliminate the reimbursement requirement for certain tornado shelters constructed with Federal assistance, and for other purposes; with an amendment (Rept. 112–712). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN of Wisconsin: Commitee on the Budget. Activities and Summary Report of the Committee on the Budget, House of Representatives, One Hundred Twelfth Congress fourth quarter (Rept. 112–713). Referred to the Committee of the Whole House on the state of the Union.

Mr. KLINE: Committee on Education and the Workforce. Report on the Activities of the Committee on Education and the Workforce for the Fourth Quarter of the 112th Congress (Rept. 112–714). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 1063. A bill to amend title XVIII of the Social Security Act with respect to the application of Medicare secondary payer rules for certain claims'; with an amendment (Rept. 112–715, Pt. 1). Ordered to be printed.

Mr. BONNER: Committee on Ethics. In the Matter of Allegations Relating to Representative Shelley Berkley (Rept. 112–716). Referred to the House Calendar.

REPORTED BILL SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. KING of New York: Committee on Homeland Security. H.R. 3116. A bill to authorize certain programs of the Department of Homeland Security, and for other purposes; with an amendment, (Rept. 112–717, Pt. 1); referred to the Committees on Energy and Commerce, Science, Space, and Technology, and Transportation for a period ending not later than December 21, 2012, for consideration of such provisions of the bill and amendment as fall within the jurisdication of those committees pursuant to clause 1(f), 1(p) and 1(r) respectively, of rule X.

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. LATHAM (for himself, Mr. BOSWELL, Mr. KING of Iowa, Mr. LOEBSACK, Mr. BRALEY of Iowa, Mr. GRIFFIN of Arkansas, Mr. WOMACK, Mr. TIBERI, and Mr. STIVERS):

H.R. 6690. A bill to limit the Secretary of the Air Force from retiring or transferring certain aircraft of the Air National Guard or Air Force Reserve; to the Committee on Armed Services.

By Mr. SCOTT of Virginia (for himself, Mr. WOLF, and Mr. CUMMINGS):

H.R. 6691. A bill to establish and operate a National Center for Campus Public Safety; to the Committee on the Judiciary.

By Mr. CLARKE of Michigan (for himself, Ms. SCHAKOWSKY, Mr. SABLAN, Ms. LEE of California, Mr. CLEAVER, and Ms. CLARKE of New York):

H.R. 6692. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to exempt the Substance Abuse and Mental Health Services Administration (SAMHSA) from sequestration; to the Committee on the Budget.

By Mr. CONNOLLY of Virginia:

H.R. 6693. A bill to amend the Animal Welfare Act to provide for the protection of birds, rats, and mice, and for other purposes; to the Committee on Agriculture.

By Mr. FINCHER:

H.R. 6694. A bill to amend the definition of mortgage originator under the Dodd-Frank Wall Street Reform and Consumer Protection Act to include certain employees of a retailer of manufactured homes; to the Committee on Financial Services.

By Mr. GARRETT:

H.R. 6695. A bill to amend the Securities Investor Protection Act of 1970 to confirm that a customer's net equity claim is based on the customer's last statement and that certain recoveries are prohibited, to change how trustees are appointed, and for other purposes; to the Committee on Financial Services.

By Mr. GOSAR (for himself and Mr. SCHWEIKERT):

H.R. 6696. A bill to direct the Secretary of the Interior to take certain land located in Pinal County, Arizona, into trust for the benefit of the Gila River Indian Community, and for other purposes; to the Committee on Natural Resources.

By Mr. KUCINICH:

H.R. 6697. A bill to amend the citizen suit provisions in several statutes to impose an additional award to prevailing plaintiffs; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, Transportation and Infrastructure, and Natural Resources, 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. SMITH of New Jersey:

H.R. 6698. A bill to direct the President to submit to Congress a report on fugitives currently residing in other countries whose extradition is sought by the United States and related matters; to the Committee on Foreign Affairs.

By Mr. TURNER of Ohio:

H.R. 6699. A bill to provide certain assistance to North Atlantic Treaty Organization allies; to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, 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. WELCH (for himself, Mr. CONNOLLY of Virginia, and Ms. LEE of California):

H.R. 6700. A bill to amend the Internal Revenue Code of 1986 to disallow deductions for the payment of punitive damages, and for other purposes; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska:

H.R. 6701. A bill to provide for the continued lease or eventual conveyance of certain Federal land within the boundaries of Fort Wainwright Military Reservation in Fairbanks, Alaska; to the Committee on Natural Resources, 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. YOUNG of Florida (for himself and Ms. MATSUI):

H.R. 6702. A bill to amend the National Organ Transplant Act to prevent the sale of bone marrow and umbilical cord blood, and for other purposes; to the Committee on Energy and Commerce.

By Ms. NORTON:

H. Res. 842. A resolution recognizing the contributions of Senator Joseph I. Lieberman to the nation and to the equal rights and general welfare of the citizens of District of Columbia; to the Committee on Oversight and Government Reform.

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. LATHAM:

H.R. 6690.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. SCOTT of Virginia:

H.R. 6691.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution

Clause 18 of section 8 of article I of the Constitution

By Mr. CLARKE of Michigan:

H.R. 6692.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Article I, Section 9, Clause 7 of the United States Constitution

By Mr. CONNOLLY of Virginia:

H.R. 6693.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Unites States Constitution

By Mr. FINCHER:

H.R. 6694.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. GARRETT:

H.R. 6695.

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 uiiform 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. GOSAR:

H.R. 6696.

Congress has the power to enact this legislation pursuallt tOt the following:

''The Congress shall have the power to . . . regulate commerce with foreign nations, and among the several states, and with the Indian tribes;''

Additionally, since this bill directs the Secretary of Interior to take lands into trust for the benefit of an Indian tribe, meaning the federal government would hold title to the land in trust on behalf of the tribe, it is important to note that Congress has the express constitutional authority to manage and convey federal lands, pursuant to Article IV, Section 3, Clause 2:

''The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.''

By Mr. KUCINICH:

H.R. 6697.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause III and/or Article 1, Section 8, Clause IIXX of the Constitution.

By Mr. SMITH of New Jersey:

H.R. 6698.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

Article I, Section 8, Clause 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. TURNER of Ohio:

H.R. 6699.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution: The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. WELCH:

H.R. 6700.

Congress has the power to enact this legislation pursu the following:

Article 1, Section 8, Clause 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. YOUNG of Alaska:

H.R. 6701.

Congress has the power to enact this legislation pursue t to the following:

Article I, Section 8, Clause 14

To make Rules for the Government and Regulation of the land and naval Forces.

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States, and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. YOUNG of Florida:

H.R. 6702.

Congress has the power to enact this legislation pursua the following:

Article 1 Section 8 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 308: Ms. BORDALLO, Mr. DAVIS of Illinois, Mr. SMITH of Washington, Ms. KAPTUR, Mr. COURTNEY, Mr. THOMPSON of California, Mr. ANDREWS, Mr. BRALEY of Iowa, Mr. WATT, Mr. CURSON of Michigan, Mr. BOSWELL, and Mr. SABLAN.

H.R. 591: Mr. LEVIN, Mr. MARKEY, Mr. PALLONE, and Mr. PASTOR of Arizona.

H.R. 751: Mr. LOEBSACK and Mr. LEWIS of Georgia.

H.R. 1054: Ms. BASS of California.

H.R. 1182: Mr. YODER.

H.R. 1781: Mr. PASTOR of Arizona.

H.R. 2033: Ms. WASSERMAN SCHULTZ.

H.R. 2069: Mr. BOREN.

H.R. 2104: Mr. ROE of Tennessee and Mr. TIERNEY.

H.R. 2554: Ms. MOORE, Ms. LEE of California, and Mr. SCOTT of Virginia.

H.R. 2721: Ms. BONAMICI.

H.R. 2775: Ms. LEE of California and Ms. BASS of California.

H.R. 3015: Ms. DEGETTE.

H.R. 3704: Ms. ZOE LOFGREN of California.

H.R. 4103: Mr. ENGEL, Mr. COURTNEY, Ms. MCCOLLUM, Mr. CONYERS, Mrs. MALONEY, Mr. BISHOP of New York, Mr. ACKERMAN, Ms. SCHWARTZ, Ms. LEE of California, Mr. POLIS, and Mr. HIMES.

H.R. 6043: Mr. ROE of Tennessee.

H.R. 6174: Ms. LORETTA SANCHEZ of California.

H.R. 6241: Mr. PERLMUTTER.

H.R. 6299: Mr. ROKITA, Mr. GRIFFIN of Arkansas, Mr. BERG, Mr. TURNER of New York, and Ms. HAYWORTH.

H.R. 6311: Mr. ELLISON.

H.R. 6589: Mr. DOGGETT and Mr. CUELLAR.

H.R. 6597: Mr. GARDNER, Mr. HOLT, and Mr. TIBERI.

H.R. 6646: Mr. SCHWEIKERT, Mr. TIPTON, Mr. BROUN of Georgia, Mr. ROSS of Florida, Mr. WILSON of South Carolina, Mrs. ADAMS, and Mr. WEBSTER.

H.R. 6658: Mr. CLEAVER, Mr. JOHNSON of Georgia, and Mr. PAYNE.

H.R. 6659: Mr. CLEAVER, Mr. JOHNSON of Georgia, Mr. SCHIFF, and Mr. PAYNE.

H.R. 6660: Mr. BOUSTANY and Mr. LARSEN of Washington.

H. Res. 220: Mr. HIMES.

H. Res. 823: Mr. RIVERA, Ms. MATSUI, and Mr. SABLAN.

H. Res. 826: Mr. AMODEI and Mr. CARTER.

H. Res. 834: Mr. WALBERG, Mr. DENHAM, Mr. MILLER of Florida, Ms. HANABUSA, Mr. PASCRELL, Mr. BACHUS, Mrs. LUMMIS, Mr. HULTGREN, Ms. MATSUI, Mr. HANNA, Mr. MICA, Mr. AUSTIN SCOTT of Georgia, Ms. WASSERMAN SCHULTZ, Mr. KINZINGER of Illinois, Mr. RUNYAN, Mr. WILSON of South Carolina, Mr. CICILLINE, Mr. HASTINGS of Florida, Mr. SOUTHERLAND, Mr. SCALISE, Mr. ROYCE, Mr. DUFFY, Mr. SMITH of New Jersey, and Mr. KEATING.