United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157 WASHINGTON, WEDNESDAY, OCTOBER 26, 2011 No. 162

Senate

The Senate was not in session today. Its next meeting will be held on Thursday, October 27, 2011, at 11 a.m.

House of Representatives

WEDNESDAY, OCTOBER 26, 2011

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. CRAVAACK).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
October 26, 2011.

I hereby appoint the Honorable CHIP CRAVAACK to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

''GROWING OPPORTUNITIES: FAMILY FARM VALUES FOR REFORMING THE FARM BILL''

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. This is a special moment for American agriculture as well as an opportunity to address the major challenges America faces: our long-term government spending, our budget deficit, environmental protection, and the health problems of our families. It is also key to improving the economy, which should be our number one priority. Helping more people at less cost by reducing subsidies to large agribusiness also speaks directly to the frustrations of protesters from coast to coast, whether they are occupying Wall Street or they are Tea Party protesters.

Now, there is no doubt that America's massive investment in farm support—hundreds of billions of dollars of taxpayer money—the special rules and regulations, and tariff protections have all contributed to the success of American agriculture. It has boosted productivity and made a difference in providing plentiful low-cost food. Left unaddressed is whether this expensive patchwork of complicated and excessive programs is the best we can do.

The answer from independent analysts is overwhelming. We can do far better for less money and help more farmers and ranchers and especially those Americans in need of food. Today, I am releasing a report entitled ''Growing Opportunities: Family Farm Values for Reforming the Farm Bill,'' which brings together that big picture and illustrates a better way.

The core principles are to reduce the flow of money to the largest agribusiness interests, which shortchanges the majority of farmers and ranchers who receive virtually no assistance from direct commodity payments, an expensive web of programs to shield farmers from market forces and, of course, the unusual program of crop insurance, which pays more to insurance agents than to farmers.

It would, instead, concentrate assistance for people who need help the most, make healthy food more affordable and give assistance to new farmers, which is so necessary to deal with the turnover in American agriculture, where the average farmer today is 55 years of age.

It would stop the inappropriate and expensive subsidization, which compromises our international trade responsibilities, which not only gives these large agribusinesses a leg up but helps them get bigger at the expense of small- and medium-sized farmers and ranchers.

It would stop the insanity of giving a billion and a half dollars to Brazilian cotton farmers over the next 10 years because we don't have the courage and the political will to stop giving support to American cotton farmers, which has been deemed illegal.

We must make the production of food, not commodities, more affordable and more nutritious for all Americans but particularly for our students, our young families, and the elderly.

Redirecting money away from incentives to pollute and paying more to farmers and ranchers to protect water quality and wildlife habitat will give real benefit to American communities, which are the neighbors of our farmers. It fits our economic and recreational

Printed on recycled paper.

opportunities and reduces the cost of the cleanup of our waterways from animal waste, pesticides, and fertilizers. Help with research, marketing, and environmental protection will allow our farmers to be more productive and better stewards of the land while putting money in their pockets—in turn, increasing benefits and reducing costs for everybody else.

Now, I don't pretend this report contains any silver bullet. It's a collection of what I've learned in dealing with these issues in my 15 years in Congress but, more importantly, by spending a lot of time with Oregon farmers and ranchers, people in the nursery industry, the vintners, who are all shortchanged by the current system and deserve better.

Joining me in the release of this report are Representatives who advocate on behalf of the taxpayers, who deal with deficit spending, who are environmental advocates, and people who care deeply about America's farmers and ranchers. There is across this country a grand coalition that is forming and coalescing behind a unified vision for American agriculture at exactly the time when the taxpayers need it, when most farmers and ranchers deserve it and when advocates on behalf of better health and nutrition for all Americans demand it.

EXECUTIVE SUMMARY

Americans deserve a better Farm Bill. Current agricultural policy spends too much money supporting large corporations, doesn't adequately help the majority of small and midsize farmers, and subsidizes manufactured food at the expense of fruits and vegetables. This report outlines a series of reforms to make the Farm Bill more accountable, more affordable, and fairer to taxpayers, farmers, ranchers and consumers alike.

Commodity Programs: The report advocates for eliminating direct payments and storage payments, and placing limits on counter cyclical, market assistance and ACRE payments to save taxpayer dollars and create a more level playing field for America's farmers.

Conservation Programs: While recognizing the important role that conservation plays for farmers, ranchers and the public, the report supports a shift to performance-oriented conservation programs, giving farmers and ranchers flexibility while ensuring that taxpayers get cleaner air and water, and healthier soil.

Research and Development: The report acknowledges the important role that research and development dollars have played in boosting America's farm and ranch productivity, and supports increasing or at a minimum keeping level research funding.

Beginning Farmer and Rancher Programs: Recognizing the importance of engaging younger Americans in farming and ranching, the report advocates for small changes to current programs to support beginning farmers and ranchers.

Crop Insurance: While the last negotiation of the Standard Reinsurance Agreement made some improvements to the crop insurance program, most economists agree that it is still in need of reform. This report advocates for several principles that should be used to guide the creation of any new crop insurance agreement.

Nutrition: The report recognizes the opportunity to improve the outcomes of nutrition programs and local farm economies by coordinating the two. It also advocates for increased local flexibility so that communities can take steps on their own to increase access to fresh, local food.

H.R. 674, REPEALING THE 3 PERCENT WITHHOLDING ON PAYMENTS MADE TO VENDORS BY GOVERNMENT ENTITIES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DOLD) for 5 minutes.

Mr. DOLD. I came to this body as a small business owner, as someone who employs just under 100 people. For me, that's 100 families. I decided to run for Congress because it felt to me as if the Federal Government was making it harder and harder for me to put the key in the door and to open up my business each and every day. Frankly, they should be doing quite the opposite. We here in this body should be making it easier for American businesses to grow their businesses—to be able to hire more people, to invest back in their businesses and to grow.

I am pleased to say that we have an opportunity this week to vote on a bipartisan piece of legislation to end some of the barriers that are preventing businesses from investing back in their businesses. We're going to have an opportunity to vote on H.R. 674, which would repeal a provision that would force government entities to withhold 3 percent from the vendors that they do business with.

Earlier this year, we took care of some legislation that was some overburdensome regulation on 1099s for small businesses. This was going to be paperwork that was going to, in essence, cost small businesses hundreds of thousands of dollars and, in some cases, millions of dollars just to comply, just to cross the T's and dot the I's. Not a single bit would be added to their bottom line or would be helping provide services to consumers.

There is no question that this bill would help small businesses. It would also help governments and municipalities that would be forced to withhold. This withholding requirement is particularly harmful to small businesses, to contractors; and it would undermine our efforts to spur job creation. This requirement needlessly ties up the cash flow of small businesses, and that's exactly what we don't need to do at this particular time.

This is a commonsense piece of legislation, and I am confident that we will be able to pass it. We've got over 269 cosponsors today. Mr. Speaker, the gentleman who was just up here is, in fact, the lead cosponsor, Mr. BLUMENAUER, along with my colleague WALLY HERGER from California. It enjoys broad bipartisan support. It's commonsense legislation.

We do not need to be taking dollars out of the economy at this point in time. It increases costs for goods and services. It increases the burdens on administrative requirements. It increases the costs for recordkeeping. This is another instance of unintended consequences of legislation and ones that, I think, we cannot afford.

We must focus on how we can help small businesses across this land. We in this body need to create an environment where small businesses can have more certainty because, when I talk to businesses all across the 10th District of Illinois, the one thing I hear over and over and over again is that the uncertainty out there is preventing people from investing in their businesses, from moving forward. This would be yet one more burden. We don't need to do that.

□ 1010

So I'm pleased to see that Members on both sides of the aisle are coming together to try to solve some of these issues. It's certainly what the American public is looking for us to do, to be able to find some common ground, to move forward, so that we can eliminate some of these barriers. The number one issue we face, without exception, is jobs and the economy, so it seemed like common sense to me that we try to enable small business to be able to have the tools necessary to forecast, invest in their businesses and to grow.

With 29 million small businesses in our Nation, if we can create an environment where half of those businesses can create a single job, think about where we'd be then. We've got 9.1 percent unemployment in our country. In Illinois it's at 10, and certain areas even in the 10th District we've got unemployment of 20 to 22 percent.

We've just been recognized as the number one manufacturing district in the country. We've lost 750,000 manufacturing jobs in Illinois. We have to step up and allow small business to be able to invest back in their businesses and to grow.

I'm delighted to see that we were able to come together 2 weeks ago on trade legislation to be able to help those manufacturers, to help farmers, to be able to increase exports and grow jobs right here in America. Those are exactly the efforts that we need to do.

So I want to encourage my colleagues on both sides of the aisle to come together on H.R. 674 to help small businesses move forward and get America back to work.

HONORING MAYOR STEPHEN L. LUEKE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Indiana (Mr. DONNELLY) for 5 minutes.

Mr. DONNELLY of Indiana. Mr. Speaker, today I pay tribute to an outstanding citizen of South Bend, Indiana, Mayor Steve Lueke, who devoted his life to the service of our community. Raised in Freeport, Illinois, Mayor Lueke made South Bend his home over 30 years ago after graduating from Fordham University. He

and his beloved wife, Peg, the marketing director for the South Bend Museum of Art, have four children they are so proud of.

Steve has been South Bend's 31st and longest-serving mayor in the city's history. He took office in 1977, succeeding Joe Kernan, who became the lieutenant governor. Now in his fourth term, Mayor Lueke has championed the development of a city in which all residents can be proud to live and work.

Previously Steve served 9 years as a member of the South Bend Common Council, including two terms as president, representing the First District on South Bend's northwest side.

South Bend under his leadership has become a hub of technological diversity. Mayor Lueke spearheaded the demolition of nearly 4 million square feet of obsolete buildings in the former Studebaker Corridor and strengthened partnerships with leading community institutions, including the University of Notre Dame.

These efforts have come together as South Bend created Indiana's first dual-site, State-certified technology park, consisting of Innovation Park at Notre Dame and Ignition Park on the grounds of the former Studebaker Corporation. In addition, South Bend became the first U.S. city to create a broadband network, the Metronet, using its own traffic conduit.

As the owner of a small construction company, Steve took interest in neighborhood restoration, infrastructure improvements, and the revitalization of our city. Among other projects, he fostered the public-private restoration of the Morris Performing Arts Center, the Palais Royale ballroom, the Northeast Neighborhood revitalization, and the renovation of the former Engman Natatorium into the Indiana University South Bend Civil Rights Heritage Center. Under his leadership, South Bend received a White House designation in 2008 as a Preserve America Community. He also directed the completion of the riverwalk along the St. Joseph River and added 50 miles of bicycle lanes and routes throughout our city.

He has served on the advisory board for Indiana University South Bend during a period of expansion and growth that positioned it as an active participant in the economic development of our region. Enrollment growth at Ivy Tech Community College has exploded and has led to a partnership between the city's Redevelopment Commission and the college as the commission acquires and relocates businesses to help expand the campus of Ivy Tech even more.

With concern for the future, Mayor Lueke's vision has helped provide the spark for several environmental efforts that led to South Bend's designation as Indiana's Green Community of the Year in 2009.

Our city has developed into an innovative, dynamic and progressive place, and in 2011 it was named an All-America City. Mayor Steve's progressive vision, collaborative leadership, and passionate advocacy for good government earned him the 2011 Association of Cities and Towns Russell G. Lloyd Distinguished Service Award. He is also the 2011–2012 IACT president.

So today, on behalf of all the citizens of South Bend, Indiana, I want to thank Mayor Steve for his unselfish years of dedication to the city and to its people. You will never be forgotten.

Thank you for everything. Thank you, Mayor, and God bless you, Peg and your family.

YUCCA MOUNTAIN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. SHIMKUS) for 5 minutes.

Mr. SHIMKUS. Mr. Speaker, this is my third time on the floor to talk about high-level nuclear waste in Yucca Mountain. I started talking about Hanford, which is in Washington State, comparing it to the Yucca facility. In Hanford, 53 million gallons of nuclear waste; zero at Yucca. Nuclear waste is stored 10 feet underground in Hanford; waste will be stored 1,000 feet underground in Yucca. Waste 1,000 feet from the water table at Yucca; 250 feet from the water table in Hanford.

At Yucca the nuclear waste will be 100 miles from the nearest river. At Hanford, it's 1 mile from the nearest river. So what are the Senators' positions on Yucca Mountain in Washington State and Oregon, knowing that we have 53 million gallons of high-level nuclear waste 1 mile from the Columbia River?

Senator CANTWELL is not supportive of Yucca Mountain. Senator MURRAY is supportive, at least in her public statements. Senator WYDEN is not supportive. And Senator MERKLEY is silent. They should not be silent.

A couple of weeks ago I then moved to my home State of Illinois and the decommissioned Zion nuclear power plant that still has high-level nuclear waste on site. Again, the same statistics for Yucca are there in a desert away from a river.

Zion is on Lake Michigan. Zion has 65 casks containing 1,135 metric tons of nuclear waste, waste stored above ground 5 feet above the water table, 1,300 feet from Lake Michigan. And Wisconsin has two nuclear power plants also on Lake Michigan. So what do the senators from the two States say?

Well, Senator DURBIN is supportive of Yucca Mountain. Senator KIRK is supportive of Yucca Mountain. Senator KOHL is supportive of Yucca Mountain. Senator JOHNSON is still silent on Yucca Mountain. I imagine we'll know soon.

Now we move to Georgia and South Carolina. Look at the difference here. Savannah River has 6,300 canisters of nuclear waste on-site. The waste is stored right below the ground. It is 0 to 160 feet above the water table, and it's right next to the Savannah River.

Again, compare that to Yucca Mountain—no nuclear waste. Waste would be stored 1,000 feet underground, 1,000 feet above the water table, and 100 miles from the Colorado River.

So where are these senators from Georgia and South Carolina? Well, Senator ISAKSON says ''We need to retain Yucca Mountain as our Nation's high-level waste repository.'' So he supports.

Senator CHAMBLISS says, ''We have long advocated that the Department of Energy immediately halt all actions to dismantle operations at Yucca Mountain.'' He supports.

Senator GRAHAM: ''No one should be required to pay for an empty hole in the Nevada desert.''

''The decision by the Obama administration to close Yucca Mountain was ill-advised and leaves our Nation without a disposal plan for spent nuclear fuel or Cold War waste.'' That's what Hanford is, Cold War nuclear waste from our weapons sector.

What does Senator DEMINT say? ''Without Yucca Mountain, America will not have a safe and secure place to permanently store nuclear waste and instead waste will pile up at existing reactors.''

We will continue, and I will continue to come down on the floor and go through the Nation highlighting high-level nuclear waste all over this country when the Federal law under the Nuclear Waste Policy Act of 1982 says we should have one site, and the law says that site is Yucca Mountain.

And so as we continue to go through the States, hopefully some Senators will get off the dime and state their positions, culminating with 60 Senators in support as we move this forward, this Nation forward, to a more secure location for high-level nuclear waste away from lakes, away from rivers, away from the groundwater tables.

There's no safer place on the planet than underneath the mountain in a desert, and that place is Yucca Mountain.

□ 1020

INCOME DISPARITY IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. RANGEL) for 5 minutes.

Mr. RANGEL. Mr. Speaker, it appeared sometime yesterday that the Congressional Budget Office looked at statistically where the wealth of this country is being held and came to the conclusion that 1 percent of America's high earners have 42 percent of the Nation's wealth. It also pointed out that one out of every five kids, American kids, is born into poverty.

Well, certainly one might look at the income tax system to see whether or not this disparity is being dealt with. But if you do, you will find out that we have aggressively protected income for people who are wealthy enough to invest it at lower rates than lower income people who work hard every day

and yet have a higher rate of their income that they have paid taxes on.

What does this unfairness mean? Well, one thing I can tell you is that you're not going to have too much noise from the spiritual community because somehow they're silent as we deal with the question of budget deficits and budget cuts. They haven't responded to the fact that many of these cuts have to deal with income after retirement, with Social Security. Others deal with the ability to pay for health care. Others just deal with the plight of not being able to put food on the table, to get health care. In other words, it's all biblical as to what is wrong about the disparities in income. But there are other things that we don't talk about. You can rest assured that this includes some of the benefits that the 1 percent have.

Why is it that we know or that we can suspect that in this war where we lost so many lives, where so many people have been wounded, that our brave men and women coming home will subject themselves to a lack of funds to deal with their physical and mental problems, and yet we somehow know that that 1 percent was not involved in defending our great Nation? Oh, we take it for granted that those people who can't get jobs would volunteer, but we can almost know without any investigation that the wealthiest of Americans never found themselves protecting our flag.

What else can we tell? Well, we can tell there's a limited amount of money that billionaires can spend. And we don't expect them to be at the local supermarket or buying a pair of socks or going to the drugstore looking for prescriptions. No, they hold on to their money. They invest their money. They don't even lend their money.

But having said that, one thing is clear, that if we have the other 99 percent of the people that are not wealthy, and if it was possible for them to get a fairer shake and have more expendable income, you wouldn't have to put out ads for them to buy, that they have the needs and they would be purchasing. And small businesses depend on these people—not the barons, not the tycoons, but they depend on the people in the neighborhood. That's why the stores are located there. So it's not a question of having consumer confidence. It's a question of consumers not having the money to buy what they need.

But I really think the worst thing of all when we just overlook and don't pay attention to that is the American Dream that is being shattered, because we do know that poverty means you're not going to have good health; you're not going to get the kind of education to get out of poverty. Poverty means that you lose the hope and the dreams of this great Nation. And more than poverty and wealth, what really is the engine that makes our Nation so great is people from all over the world believe you can make it in the United States of America.

But when you are now going through decades of poverty, kids not able to go to college, those that graduate not able to find jobs, our young people and older alike running to the streets and protesting, explosion of this type occurring all over the great United States, then the hopes and dreams that are the engine that makes our country so great are limited in their ability to bring the scientists and the doctors and the people we need for this country.

One percent of our wage earners, 42 percent of the Nation's wealth, there is something wrong with that formula.

MOVING THE AMERICAN DREAM FORWARD

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. WOODALL) for 5 minutes.

Mr. WOODALL. Mr. Speaker, you probably get the same questions I get when I go back home. Those questions are from folks who came, they sat here in the gallery and they looked down on the House floor, and they thought: Golly, where is everybody? Where's everybody? I thought it was going to be full of 435 Members of Congress. But, of course, as you know, Mr. Speaker, in today's modern technology world, everybody's back in their office watching things on television. But I confess that sometimes during this morning-hour, I turn the volume down a little bit. I turn it down a little bit because sometimes we get into those divisive issues down here on the House floor. It gets my blood pressure up so much I think my head is going to explode first thing in the morning. I sometimes turn the volume down.

But today I wanted to come down here and find those things that bring us together as opposed to divide us, because I really do believe that as we face the kind of economic challenges that we're facing in America today, there is more that unites this body than divides it. There's more that we can do together than we must fight about in order to move the American Dream forward.

I have in my pocket a card. It's titled, ''The House Republican Jobs Plan,'' but I'd tell you it's an American jobs plan. I look down the items that we have brought forward in this Republican House, America's House, the things that they've been able to pass in the United States Senate, those things that have gone to the President's desk, and we are making progress, Mr. Speaker, on those things that unite us.

Of course, we started the year off repealing the 1099 provision from the President's health care bill, that onerous provision that required new paperwork mandates on all of our small businesses, completely unworkable. We came together, the House and Senate, and the President repealed that.

Last week, we came and we passed three new free trade agreements—three new free trade agreements—for this Nation. Mr. Speaker, as you know, with every nation that America has a free trade agreement, we have a manufacturing surplus. Hear that, Mr. Speaker. With every nation with which we have a free trade agreement, we have a manufacturing trade surplus. We ship more American-made goods to those countries than we import. We have a trade deficit as a Nation, but a manufactured goods surplus with the nations with which we signed free trade agreements. Free trade agreements, good for America, good for jobs, good for trade, and we were able to move those across the President's desk with his signature last week—2 weeks ago now.

And this week, we're going to bring two more bills to the floor, things that bring us together. You heard my colleague from Illinois talk about, earlier this morning, the 3 percent withholding, a bill that we passed to say we think there are lots of tax cheats going on out there among folks who contract with the government, so we're going to just withhold those taxes up front and make you get them back later on. Well, it turns out 3 percent withholding, our small businesses owners didn't even have a 3 percent margin.

□ 1030

If we had held all that money, they couldn't even pay the bills. They'd actually have to operate at a loss for the year and ask the government in April for their refund.

The President's onboard with that repeal. I believe the House is going to be onboard with that repeal. The Senate is going to be onboard with that repeal. We're going to move that across the floor this week as well.

Things that are bringing us together, Mr. Speaker, are common ground that we can cover to make it easier to create jobs in this country. Because I agree with my colleague, Mr. RANGEL, the American Dream is that you can come here and do better tomorrow than you did today, that you can provide your kids with more opportunity than what you had. That is the American Dream.

I don't worry that folks want to come to America. I worry about the one day that that dream has disappeared and folks don't want to come to America anymore. They'd rather take their big brain and their hard work ethic to China or to India or Brazil or Argentina. We must preserve America as the magnet of success, the magnet that attracts those that want to improve their lives and believe those opportunities exist here.

Mr. Speaker, there's a commonality in all of those bills that we've passed and sent to the President's desk this year, and it's that these were things the government did to try to encourage compliance, to try to regulate, to try to require that small businesses operate differently, and what we found out is they didn't work. The 1099 provision, free trade, those tariffs and duties that

prevented that free trade, this 3 percent holding provision, what is the common ground, Mr. Speaker? Congress is doing too much in regulating. America is doing too much in regulating this country.

I ran on that premise, Mr. Speaker. The challenge is we are not doing too little. The problem is that we are doing too much and burdening those small businesses.

The former soviet bloc countries, Mr. Speaker, have learned from that example. They have flat tax rates, no exemptions, no exceptions, and their tax collections went up.

Mr. Speaker, folks can't pay taxes if they don't have a job. You can't pay income taxes if you don't have a job. And you can't have a job if you don't have opportunity in your society.

The Fair Tax, Mr. Speaker, H.R. 25, goes right to the heart of these jobs issues. Repealing those burdensome taxes, repealing those regulations, and making sure everybody gets a fair shake, because that is what America is all about.

REPEALING THE 3 PERCENT WITHHOLDING TAX

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. CONNOLLY) for 5 minutes.

Mr. CONNOLLY of Virginia. Mr. Speaker, there are 14 million Americans out of work. They need jobs. This economy needs jobs. Unfortunately, jobs have not been a focus for the House Republican leadership thus far. While private sector job growth has dwindled, House Republicans have repeatedly placed partisanship above policy. It's long past time we vote on a jobs bill.

The President's American Jobs Act contains a number of important jobs initiatives which have traditionally enjoyed bipartisan support: tax cuts for businesses, tax cuts for workers, tax cuts to employ veterans, and investments in critically needed infrastructure in this country. Unfortunately, the Senate Republicans voted to kill this job creator and the House Republican leadership hasn't even brought it up for debate.

Today, however, we have a small opportunity to help small businesses and provide them with greater predictability by repealing the burdensome 3 percent withholding requirement on government contractors, vendors, farmers, and Medicare providers. The President has called for its repeal, and this is a bipartisan bill supported by many of us on both sides of the aisle.

The 3 percent withholding regulation became law under President Bush in 2005 in a Republican Congress. The original intent may have been to ensure tax compliance among a very small number of bad actors, yet the sledgehammer approach that was adopted is creating far more challenges than the problems we're trying to solve. Since then, a number of bipartisan efforts have delayed its implementation, but temporary measures, at best, leave businesses uncertain and wary about future investment.

My district here in the National Capital region is probably home to more Federal contractors than any other in Congress, and I routinely hear from them about this issue everywhere I go. They report that the 3 percent withholding will unduly restrict their cash flows, increase project bond costs, and imperil their ability to expand and create jobs.

In addition, this burdensome regulation won't just harm the private sector. It actually hurts State and local governments that contract with private companies subject to the withholding requirement. I know from my experience as chairman of the Fairfax County Board of Supervisors that this regulation would create an accounting nightmare for our local and State partners. An estimated 20 percent of counties throughout the country have more than $100 million in annual expenditures that would be subject to this withholding. As county chairman of such a jurisdiction, I worked diligently with an open RFP process to ensure the lowest cost and value for our taxpayers.

This will be an administrative nightmare for State and local governments, which would be forced to undergo the collection and forwarding of the unnecessary withholding to the IRS. The cost to the Department of Defense to be compliant with this regulation is they would have to withhold more than $17 billion from private companies every year.

Furthermore, many businesses subject to the requirement would either have to increase their business or stop bidding on projects with local governments. Either way, whether competition is limited or prices are increased, counties would be forced to pay higher costs to vendors, further burdening local taxpayers at a time they can't afford it. We need to partner with the private sector to spur economic growth and recovery from this recession. This regulation would serve only as a roadblock to that effort.

The Government Withholding Relief Coalition represents more than 140 trade associations, State and local governments, and stated that the total cost of the 3 percent regulation would be $75 billion over the next 5 years. Repealing it today will provide businesses with greater predictability and remove undue government intrusion into their operations. With greater predictability, America's businesses will be better able to invest in job creation. We can provide that predictability today.

I urge my colleagues to vote to support small businesses and vote for H.R. 674.

HONORING THE 20TH ANNIVERSARY OF THE MOTHER BACHMANN MATERNITY CENTER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. FITZPATRICK) for 5 minutes.

Mr. FITZPATRICK. There's much debate on the floor of this House about the plight of the uninsured. We need more discussion about health care solutions, and we need more praise for those health care professionals in our communities who do the hard work of providing health care for the poor and the uninsured without government mandate and without government involvement.

I rise today to honor the 20th anniversary of the Mother Bachmann Maternity Center, part of St. Mary Medical Center in Langhorne, Bucks County.

For over two decades, the Mother Bachmann Center has been providing women of Bucks County with the health care they need, regardless of their ability to pay. Certified nurse midwives provide obstetrical care to women who are uninsured and are underinsured. Women who would otherwise go without quality medical care during their pregnancy have access to a wide range of services, including nutrition education, financial counseling, and prenatal and delivery care.

The Mother Bachmann Center is also able to partner with Catholic Social Services in order to identify patients at risk for postpartum depression and to offer them social support and important counseling services.

This Center aims to provide a continuum of care to new mothers and their families who are in need. St. Mary and its partners offer emergency housing in 10 local apartments, where families receive financial counseling, parenting skills instruction, and computer education to help them in their search for employment. The Mother Bachmann Center also offers confidential domestic violence evaluations and resource referrals in partnership with a local nonprofit agency that helps women and helps families in crisis.

This Center is just one part of a larger group of community programs, including the Children's Health Center and the Family Resource Center, that serve expecting and new mothers of Bucks County through St. Mary Medical Center.

The Mother Bachmann Center is a prime example of charitable organizations and community groups coming together to address an important issue with effective local solutions. St. Mary Medical Center, with this center, has provided the community of Bucks County with an alternative to handouts from the State, local, or Federal Government. These types of programs not only provide quality health care services, but they also empower women to take charge of their pregnancies and navigate their first trials as a new mother.

As this Congress continues to debate issues of health care and the proper role of the government in the industry, I urge my colleagues to look at this center as a model for efficient community-based solutions.

Thomas Jefferson once said that ''Health is worth more than learning.'' It is true. But we can all learn from projects like the Mother Bachmann Maternity Center about what it takes and how to provide health and health care for our most at-risk constituents.

Mr. Speaker, I'm proud to rise today to honor the Mother Bachmann Maternity Center as it celebrates 20 years of providing families in need with important health and human services.

□ 1040

GLASS-STEAGALL AND THE ANNIVERSARY OF THE STOCK MARKET CRASH OF 1929

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR) for 5 minutes.

Ms. KAPTUR. Mr. Speaker, this week marks the 82nd anniversary of Black Thursday, the start of the great stock market crash of 1929. On that day, rampant Wall Street speculation that had characterized the Roaring Twenties came to an abrupt end. Our country learned many valuable lessons about the banking system and took action to contain the severe risks of an unregulated banking system. This body passed the Banking Act of 1933, commonly called Glass-Steagall, named after the lead sponsors of the bill. Well, from the shape of our economy today, it appears the U.S. forgot important lessons of economic behavior.

The banking system we have today again is too risky, too concentrated, and with too much absentee ownership. As a result, our system of credit is seized up and also less competitive. This results in lower capital formation in our local communities, which translates into fewer jobs.

Our system also has become one that does not financially empower or reward the average depositor. Consumers know that their interests on certificates of deposit have fallen to all-time lows; yet we see banking fees increasing on all kinds of transactions. Yes, it almost seems like you have to pay the banks to take your money. Money center banks, meanwhile, are earning huge profits while tightly restricting loans and hindering our economic recovery.

The U.S. has far fewer banks and savings and loan institutions today than we did a decade and a half ago. In fact, the Federal Deposit Insurance Corporation's figures show our vast Nation has only 6,414 commercial banks today, half the number that existed in 1990. In addition, 856 banks are on the FDIC's watch list, a very high figure. Moreover, 60 percent of the savings institutions have disappeared over the same period of time.

We see enormous accumulation of banking assets and vast financial power moved to a handful of powerful institutions that are making enormous profits, indeed, the highest profits in our Nation in addition to the oil companies. Fifteen years ago, the assets of the six largest banks were approximately 17 percent of gross domestic product. Today, after the recent financial panic, estimates for assets of those same banks are over half of our gross domestic product. So six financial institutions control an enormous percentage, not just of our banking system but, indeed, our economy and, in turn, our Nation's future. This is too much power in too few hands. The American people are feeling it in the restriction of credit, the lack of jobs with sluggish growth, and the lack of competitive capital opportunities.

Over a decade ago, Congress' ultimate response to the stock market crash of 1929 was abolished. Yes, the law that had separated risky Wall Street speculations from prudent community banking—the Glass-Steagall Act—was obliterated by the conference committee on the Gramm-Leach-Bliley Act. That legislation became law and created an economic time bomb that started ticking and contributed in a major way to the economic explosion in September 2008.

Financial abandon replaced prudence. Wall Street and its supporters in Congress became obsessed with stripping away all the prudent banking rules that were once the cornerstone of what had been a stable financial system. That system formed capital, protected consumer accounts, paid them a decent return on their money, and created the greatest period of growth in American history. That system built confidence, dependability, and wealth across our economy.

Wall Street lobbyists were eager to walk back the hands of time, falsely claiming the Banking Act of 1933—that had formed the basis of stable credit for half a century—was quaint and outdated. But when Graham-Leach-Bliley was signed into law, the protections that had separated prudent banking from risks were swept into the dust bin and financial calamity followed.

The Glass-Steagall protections are not outdated. Wall Street opposed them in the 1930s just as much as they do today. In the 1930s, it was the Pecora Commission—and we need another one—that was an instrument of this Congress that was charged with investigating Wall Street abuses in the banking system following the Great Depression. Their work is often credited with creating the momentum for passage of the Glass-Steagall Banking Act of 1933. And Pecora himself wrote that ''bitterly hostile was Wall Street to the enactment of the regulatory legislation.''

What is different today is how tamely Congress and the executive branch reacted to Wall Street abuse. Following the 2008 economic collapse, there was not an immediate recognition that what was needed was restoration of that sound financial framework.

Mr. Speaker, I have a bill, H.R. 1489, the Return to Prudent Banking Act. I ask my colleagues to cosponsor this bipartisan legislation. America surely needs to restore a secure, dependable, and prudent banking system so we can get on with the job of job creation.

INJUSTICE AT THE LAKE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Missouri (Mrs. HARTZLER) for 5 minutes.

Mrs. HARTZLER. Every day we hear of some new government overreach coming from Washington. Well, today I want to tell you about perhaps the biggest overreach of all—centered around a pristine, beautiful place in my district, the Lake of the Ozarks.

The Lake of the Ozarks was built in the 1930s and includes over 1,100 miles of shoreline and is home to thousands of homes and residents and tens of thousands of Americans who enjoy the beauty and the lifestyle of living on the lake. Every day you'll find families and people of all ages enjoying the waters and being with each other surrounded by God's beauty of the Ozark hills.

In the spring, we enjoy the Dogwood Festival there, when the hillsides are dotted with the whites and pinks of the dogwood amidst the lime green background of budding trees. In the fall, the hills are ablaze with the colors of autumn. There's something special about seeing it all from a boat on the lake, pulling up to one of the many marinas and restaurants to grab a bite to eat on the water, and then head back home as the sun sets over the water and the sky changes from orange to blue to star studded. The lake is a special place, and it is under attack. It is under attack from the Federal Government.

This summer, the Federal Energy Regulatory Commission issued an order requiring the removal of over 4,000 what they call ''encroachments'' from around the shoreline of the lake, including over 1,200 homes. Think about that. The Federal Government has ordered the removal and destruction of over 1,200 homes—all that have free and clear title to their property and have been paying property taxes on them for decades. It's shocking. It's outrageous. It's infuriating. And it's got to be stopped.

You ask, how did this happen? The Lake of the Ozarks is a privately owned lake owned by Ameren UE. Power is generated from a hydroelectric plant at the lake's dam. FERC regulates the power plant and required Ameren to submit a shoreline management plan as part of a 40-year lease application for the continued operation of Bagnell Dam and the Osage Renewable Energy Center.

Ameren submitted the paperwork over 2 years ago; and after sitting on the application for over 2 years, this July FERC rejected their plan and substituted their own plan, which includes

an order requiring Ameren to remove as many as 4,000 out-of-compliance structures near the shoreline and within the boundary of the Bagnell Dam project.

Here's an example of some of the structures they say need to go. FERC stated the structures ''should be removed in a timely manner and the site restored to preexisting conditions.'' This ludicrous order could result in the unnecessary removal of thousands of homes and other structures along over 1,100 miles of shoreline.

What makes this action so onerous is that the property owners have clear title to this land with an easement giving them a right to do with their property as they wish. The deeds issued in the 1930s when the lake was built also reserved a right for the landowners to utilize the lakeshore and adjoining underwater land for ''any and all purposes,'' including ''the erection and maintenance of improvements thereon.''

FERC's order is nothing more than a public taking and it needs to be stopped. If it's not, it will be devastating to our area's economy, home values, businesses and, most importantly, devastating to the wonderful, hardworking people who have invested their life savings to live, raise a family, and retire at Missouri's beautiful Lake of the Ozarks.

□ 1050

The Lake of the Ozarks is one of the most popular tourist destinations, not only in Missouri, but across the Nation. It has homeowners from all 50 States of the union.

FERC's action could cause irreparable harm to the homeowners, boating, to fishing, water sports, and other business interests. It will cause uncertainty and fear that property values will plummet, and has already locked up the real estate market at the lake.

FERC's actions are causing the whole lake community to suffer economically. Economic downturn will lead to delays in much-needed infrastructure repairs and will hurt schools, which depend on property taxes to provide our children with the quality education they deserve.

The Federal Energy Regulatory Commission is a prime example of an out-of-control government agency. It must be stopped. That's why on Monday, I introduced H.R. 3244. This bill will remove FERC's power to tell landowners that they must remove structures from around the lake.

I was joined by all of the other Missouri Members of the House of Representatives, five other Republicans, and three Democrats. Our two U.S. Senators, one Republican and one Democrat, introduced an identical bill in the other Chamber. This is a rare show of bipartisanship these days, which just shows how indefensible FERC's actions are.

We may disagree on other issues, but on this one we are united. Washington's overreach must be stopped. It's time to put the genie back in the bottle and ensure it doesn't wreak havoc on our lives, our lake, and our rights.

BREAST CANCER AWARENESS MONTH

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. ROYBAL-ALLARD) for 5 minutes.

Ms. ROYBAL-ALLARD. Mr. Speaker, as National Breast Cancer Awareness Month comes to a close, I rise to honor our breast cancer warriors who are bravely battling this deadly disease.

According to the American Cancer Society, approximately 2.6 million women and men are living with breast cancer in this country. It is estimated that this year alone there will be 290,000 new cases of breast cancer, and almost 40,000 patients will lose their battle with this disease.

Until 5 years ago I would hear these statistics, sympathize with personal stories of suffering from this tragic disease, and reaffirm my commitment to support finding a cure. But I never fully understood what it meant to have a family diagnosed with breast cancer until the day my sister, Lillian, called to tell me she had breast cancer. At that moment, I fully understood the personal sense of helplessness, anguish, and disbelief that had been described to me so many times before. Now I, too, found myself hoping and praying that I would wake up from the nightmare that was my sister's reality.

Like so many other breast cancer warriors, Lillian bravely confronted her cancer, determined to overcome her devastating illness and the intensely physical and deeply emotional challenge it presented. As my sister moves towards her fifth year free of cancer, there is much to be hopeful for.

From 1998 to 2007, breast cancer incidence rates in the U.S. decreased by about 2 percent a year, due in part, it is thought, to the reduced use of hormone replacement therapy. Since about 1990, death rates from best cancer have also been declining, with larger decreases in women younger than 50.

While breast cancer is still the second leading cause of death in women, exceeded only by lung cancer, the chance that breast cancer will be responsible for a woman's death has been reduced to 1 in 36. These dramatic improvements in life expectancy are believed to be the result of earlier detection through screening and increased awareness, as well as improved treatment.

These improvements also stand as a testament to the investments Congress has made in prevention, screening, and researching new treatments for the disease. But they must not be the final frontier in our efforts to make breast cancer a disease of the past.

I was recently and personally reminded of this fact because once again, breast cancer has attacked someone who is close to my heart. Earlier this summer, Monica, my longtime district office manager, was diagnosed with invasive breast cancer. She faced this unbelievable challenge with characteristic grace and strength.

With family, friends, and colleagues, she has been upfront and upbeat about her illness. And always a stylish dresser, she has donned a number of very fashionable head scarves.

After first undergoing several months of chemotherapy, last Friday Monica had successful surgery and is home recovering. I want her to know we are praying for her continued strength and speedy recovery.

Like so many other breast cancer warriors, Monica's extraordinary courage as she fights against her disease is an example of the power of the human spirit to survive, and it gives renewed fervor to my personal commitment to fight this disease.

As long as women in our country face a 1 in 8 chance of developing breast cancer, we must continue to invest in improved and earlier detection of the disease, better treatments, and educational outreach.

For Lillian, for Monica, and for my colleague who is here, DEBBIE WASSERMAN SCHULTZ, and for all our mothers, sisters, daughters, and friends, let us never abandon our fight to find a cure and finally eradicate breast cancer in our country and ultimately in the world.

PUTTING FREEDOM BACK TO WORK

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCCLINTOCK) for 5 minutes.

Mr. MCCLINTOCK. Mr. Speaker, the government's continuing failure to address our Nation's gut-wrenching unemployment stems from a fundamental disagreement over how jobs are created in the first place.

We're now in the third year of policies predicated on the assumption that government spending creates jobs. We've squandered 3 years and trillions of dollars of the Nation's wealth on such policies, and they have not worked because they cannot work. Government cannot inject a single dollar into the economy until it's first taken that same dollar out of the economy.

True, we see the job that's saved or created when the government puts that dollar back into the economy. What we can't see as clearly is the jobs that are destroyed or prevented from forming because government has first taken that dollar out of the economy. We see those millions of lost jobs in a chronic unemployment rate and a stagnating economy.

Government can transfer jobs from the productive sector to the government sector by taking money from one and giving it to the other. That's at the heart of the President's plan to spend

billions of dollars to hire more teachers and firefighters and police officers. But these temporary government jobs come at a steep price. Every dollar spent sustaining one of these jobs is a dollar taken from the same capital pool that would otherwise have been available to productive businesses to invest in creating permanent jobs.

Government can also transfer jobs from one business to another by taking capital from one and giving it to the other. That's how we got Solyndra. We put a half-billion dollars at risk to create 1,100 jobs. That's $450,000 per job. Now that half-billion dollars is gone and so are the jobs. And who pays for these losses? Other businesses and their employees, meaning fewer jobs created.

What government can do very effectively is to create the conditions in which jobs either flourish and expand or wither and disappear. When we place additional taxes on productivity, jobs disappear.

The President says he only wants to tax millionaires and billionaires, but the tax increases in his so-called jobs plan actually hammer more than 75 percent of net small business income, at a time when we're counting on those small businesses to produce two-thirds of the new jobs that our people desperately need. That is insane.

When we place additional regulations on productivity, jobs disappear. That's what we're watching in real time—thousands of pages of new regulations from Obamacare, from Dodd-Frank, from the EPA stifling American job creation.

It's no secret why business isn't expanding. Just ask a businessman. They're scared to death of the additional taxes and regulations they may be facing in the next few years, and they're pulling back to see what happens. Ask bankers why they're not lending; you'll hear the same answer.

□ 1100

House Republicans have laid out a comprehensive plan to revive the economy through the same policies that worked under Ronald Reagan in the early 1980s, under John F. Kennedy in the early sixties, under Harry Truman in the mid-forties and under Warren Harding in the early twenties. For example, the Congressional Budget Office estimates that ObamaCare by itself will cost our economy a net loss of 800,000 jobs. A few weeks ago, the Natural Resources Committee received testimony that, just by getting government out of the way and opening up American energy resources to development, the economy could create 700,000 jobs and $660 billion of direct revenues to the national and State treasuries. So repeal ObamaCare and open up American energy resources; there's 1½ million jobs right there at no cost to taxpayers.

Now, imagine doing that across all sectors of the economy. That's what Republicans are proposing to do. The fact that the President doesn't even recognize this as a jobs plan leaves me to conclude that he simply doesn't understand how jobs are created in the first place.

When Ronald Reagan inherited an even worse economy from Jimmy Carter, he reduced the tax and regulatory burdens that were crushing the economy , just as Republicans proposed to do today. According to a recent article in The Wall Street Journal, if the economy today under Obama had tracked the same as it did under Reagan, 15.7 million more Americans would be working today and per capita income would be $4,000 higher than it is today, $16,000 higher for a family of four.

Mr. Speaker, freedom works. It is time we put it back to work.

RECOGNIZING NATIONAL WORK AND FAMILY MONTH

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) for 5 minutes.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today in recognition of National Work and Family Month. As a mother of young kids in a household with two working parents, I know all too well the daily struggle facing today's American families. How can we be great parents and also be great at our jobs?

This summer, when I was home in my congressional district, a constituent raised a question that particularly struck me: Can you imagine what a typical workweek would look like if suddenly, without warning, every single child care provider failed to show up to work and left parents with no alternative child care options? From Wall Street to Main Street, America's businesses would come to a grinding halt; and the carefully spun web of endless schedules, systems, and to-do lists that we've created to make it all work would unravel.

With the number of parents working full-time on the rise, more and more families are fully engaged in the daily juggling act that comes with trying to do it all. Particularly in today's economy when secure employment has become more tenuous, parents have become increasingly hesitant to ask their employers for greater flexibility in their work schedule, to encourage their company to open a day care center, or to ask for the option to work remotely.

If anything, the current economic climate has led to an even greater need for increased flexibility. Thousands of parents are at home not by choice but because they lost their jobs and have not yet had the opportunity to reenter the workplace. These parents may be at home, but looking for employment is a full-time job.

With thousands of American families experiencing the situation as we speak, we are hearing too many stories about parents who couldn't get to an interview, a networking opportunity, or a job training session because their partners didn't have the flexibility in their work arrangements to make it work.

Studies show that employees and their families are not the only ones to benefit from greater workplace flexibility. From improved productivity and efficiency to higher employee morale, flexible work arrangements can help employees and help businesses reach their fullest potential.

In the last decade, we have seen significant strides made toward improving the great juggling act that is work-life balance. We cannot let this progress slip away during these challenging economic times. In the spirit of National Work and Family Month, I urge my fellow policymakers, employers, and employees to pause this month to think about how we can better work together to make it just a little bit easier for today's families.

Attending the school play, tending to a sick child, or just being able to meet your family's needs makes a huge difference in the morale and work ethic of an employee. Achieving work-life balance makes a more productive employee and a more loyal one. I encourage all employers to assist their employees in achieving this balance. It will reap immeasurable benefits for both the workplace and for our families.

RECOGNIZING CHIP SMITH AND BLUE RIDGE LOG CABINS

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. GOWDY) for 5 minutes.

Mr. GOWDY. Mr. Speaker, Milt and Suzy Smith from Spartanburg, South Carolina, are parents to three wonderful sons. Doug Smith is a former speaker pro tem of the South Carolina House of Representatives. Stuart Smith has a brilliant real estate mind and is a world-class Sunday school teacher. But, Mr. Speaker, I rise today in praise of their third son, Chip.

Chip Smith is from Spartanburg, South Carolina, and his company, Blue Ridge Log Cabins, employs nearly 100 people in the Fourth Congressional District. Blue Ridge Log Cabins is an innovator and a national leader in the modular log cabin industry and one of the fastest growing, privately held companies in the Nation.

But, Mr. Speaker, I am not here to talk about that today. I'm here to talk about something even more significant and special than that.

On Sunday, September 25 of this year, ''Extreme Makeover Home Edition'' spotlighted the efforts of Blue Ridge Log Cabins in their season opening episode on ABC. Over 10 million viewers witnessed the donation made by Blue Ridge Log Cabins to Barbara Marshall of Fayetteville, North Carolina. Chip Smith decided to build Steps N Stages Jubilee House to serve as a shelter for homeless female military veterans. Chip's generosity and Barbara Marshall's vision are providing an

invaluable service to those who have sacrificed their safety for ours.

This 8,000-square-foot facility will provide the most basic necessity to those who cannot provide it for themselves, which is shelter. And when it comes to our veterans, Mr. Speaker, it is imperative that we encourage efforts like this and help those in need.

So, Chip, thank you and your company for putting your time and treasure to use to help others.

Mr. Speaker, times are tough and people are hurting. The greatness of the American spirit is that, even in those times, we still reach out to others who are in need.

So I am proud to call Chip Smith a constituent. I'm even prouder to call him my friend.

AMERICA IS NOT BROKE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. MURPHY) for 5 minutes.

Mr. MURPHY of Connecticut. Mr. Speaker and colleagues, America is not broke; so Republicans should stop saying it. Conservative pundits should stop spreading it, because this country isn't broke.

Now, our government temporarily is and millions of American families are, but our Nation is not. And my hypothesis is this: If we don't wake up to this fact soon, if we don't start investing our Nation's riches in spreading wealth out across this economy, then our whole economy is sunk whether you are rich or you are poor.

So, let's try to debunk this myth once and for all that America is broke, that we can't afford these investments.

And let's start here. It's pretty simple. The United States is still a global leader. We are still the richest country in the world on a per capita basis. For all the talk about the rise of India, China, and Brazil, if you take their population's adjusted wealth and combine it together, they are still 50 percent of U.S. wealth.

So if our country is still wealthy, we need to understand that we've made a choice to keep our government poor. Now, why is that? Contrary to popular belief, it's not because discretionary spending has run amok. Take a look at this chart. Discretionary spending has essentially remained stable over time. We've had a brief uptick with a couple of extraordinary pieces of legislation, but discretionary spending has remained stable.

Don't believe this chart? Take a look at this. If government is growing at extraordinary rates, you would expect for government employees to be growing at extraordinary rates as well. That's not true either. In fact, we have 16,000 less Federal employees than we did in 1970. And as you can see, the trendline just from 1990 continues to go down as well.

Now, this isn't all to say that government can't get leaner and meaner. It's just a suggestion that there's another culprit at work, and that other culprit is revenue. Despite what you hear on TV, despite what you hear on Fox News today, taxes as a percentage of GDP today are at a 60-year low. Right now, we are collecting about 15 percent of our GDP in taxes. The problem isn't just that the government is broke; it's that we've made a decision, effectively, to keep it broke.

Now, if the government isn't broke and this country is still the richest in the world, why is it that so many families feel broke? Why is it so many families are broke?

□ 1110

Let's explore that for a second. Here is the problem right here:

Over the last 60 years, incomes for the bottom 99 percent of Americans have basically remained flat. What that has meant is that all of the additional wealth that we've accumulated in this Nation has gone to the richest 1 percent as their incomes during that same time have increased by almost 300 percent.

Do you want to see it in even starker terms? Take a look at this chart.

The 400 wealthiest Americans have a net worth that is greater than the net worth of the 100 million poorest Americans. Let me say that again: the 400 richest of us have more money than the 100 million poorest of us.

Now, having said all of this, getting rich is good. It's great. The richest 400 people didn't steal this money. They made it legally. We just have to start having policies in this country that make more people rich, that make more people feel rich. So we need to be having a debate in this country right now about how we do that, about how we put policies in place to lift more people into the ranks of those who have enough to succeed because an economy with this kind of wealth disparity, combined with an unwillingness to make the investments to shrink it, is destined to collapse. This isn't about pitting one group against another. This is just about economics.

It's not class warfare to suggest that, as an economy, we'd be stronger if incomes were rising for a few more people than the top 1 percent—the people who tend to spend domestically, the middle class, rather than invest internationally.

It's not class warfare to suggest that our economy would be stronger if more of our Nation's wealth went to local innovators and small businesses rather than to big multinational companies that tend to take income from the United States and use it to create employment overseas.

It's not class warfare to suggest that our economy would be stronger if more kids had access to the ultimate wealth creator—higher education—if we were investing our Nation's riches in making college cheaper.

Do you know what? If we have this discussion, everybody, not just the bottom 99 percent, benefits from the discussion.

My friends, the government is temporarily broke. Millions of American families are broke, but our Nation is not broke. We're just pretending that we are.

Here's the thing: If we don't wake up from this dream soon, what is fiction today will be fact before we know it.

IN HONOR OF AMERICA'S BRAVEST

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. BRADY) for 5 minutes.

Mr. BRADY of Texas. Mr. Speaker, in having survived Hurricanes Rita and Ike, my district and the people of southeast Texas know and understand hurricanes and the devastation they can bring to our communities.

This past September, we dealt with a very different type of disaster in the form of major wildfires in the Counties of Jasper, Tyler, Trinity, Walker, and in my home county of Montgomery. Luckily for us, we were also granted our September miracle on Labor Day weekend as fire crews from across Texas—and, in fact, from the entire country—came to Magnolia to battle a three-county blaze that threatened to consume well over 10,000 homes and businesses in Magnolia, as well as thousands more in neighboring Grimes and Waller Counties.

In fact, if you look at this map, you can see the structures lost in Montgomery County were a fraction of the percentage of those saved by the brave fire crews. The fire was in this area outlined here, but you can see from the red, the yellow, the green, and the blue going out all the thousands of homes and small businesses which were saved because of the actions of our local firefighters.

I had the privilege to go up twice to those fire areas to see for myself how the fire lines came right up to these homes—within 5 feet of their front doors. Somehow our firefighters saved them, and then they did it to the homes next to them and to the homes next to those. It is impossible for me and for anyone who could see that not to be in awe of these heroes. Their skill and dedication saved the town of Magnolia, and I can't wait to join them this Saturday in Unity Park to honor their success and their hard work.

Chief Gary Vincent led the Magnolia Volunteer Firefighters and exemplified their motto: a community of unity. Gary united over 100 different firefighting agencies by his side. The chief also had help from our dedicated sheriff, Tommy Gage, and his deputies; our constables; our police departments; our terrific fire marshal, Jimmy Williams, who you need to meet; our school districts; and the Texas Forest Service—just to name a few of the people and agencies that stepped up like you can't believe.

California sent from the Federal Government the Interagency Incident Management Team, and I think they had

their eyes open. They got to see what happens when a community rallies together as volunteers. It was a sight to behold. Everyday Texans and everyday citizens in the Montgomery/Magnolia County area joined with our charity agencies from the United Way, to the Red Cross, to our local food banks, to our churches, to our YMCAs, to chambers of commerce in order to provide a response to the firefighters across this Nation, a response that we will be talking about for years to come.

We saw the best of our communities and the massive volunteer effort to feed, clothe, and take care of our bravest. At the Magnolia West High School staging area, I got a tour. If a firefighter were thirsty, three volunteers would rush over with a bottle of water, and there were likely two more behind them, carrying a hot meal, just in case that firefighter might be hungry.

In speaking about the firefighters who came from across the country, all they could talk about was how well they were treated by the community of Magnolia. They came in looking for water and a FEMA bar, and what they got was home-cooked meals, fresh clothes and necessities. If they asked for it, a volunteer found it and brought it right over. When these volunteers ran low, they simply sent out a message on Facebook to the community; and within 3 hours, that staging area in the ag barn was filled to the brim again. It was amazing.

The outpouring of love and support was truly a sight to behold. It's no wonder, back home we consider this God's country.

Today, it's an honor for me to be here on the House floor to honor our heroes. Without all of you, thousands of families wouldn't have homes to go to tonight or businesses in which to work. The proof is right here on this map.

This Saturday afternoon, Unity Park in Magnolia, our community, will come together to honor the men and women who beat back the fire, held the line and saved our community. We'll also honor them by heeding their warnings if the fire danger remains extraordinarily high. We must remain vigilant in our prevention efforts. That's another way we can honor our bravest, who spent the month of September away from their families, saving homes and businesses in our community.

God bless our firefighters. God bless our volunteers and all who supported them, and God bless our community.

RECOGNIZING THE SERVICE AND SACRIFICE OF AMERICA'S VETERANS AND MILITARY SERVICEMEMBERS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kansas (Mr. YODER) for 5 minutes.

Mr. YODER. Today, I rise to recognize the service and sacrifice of our Nation's veterans and military servicemembers who have answered our country's call to serve.

Last month, we commemorated the 10th anniversary of the attacks of September 11, 2001, in remembrance of the victims and their families, while at the same time recognizing the need for continued vigilance as the United States seeks to rid the world of terrorism.

This month, we commemorate the 10th anniversary of the Afghanistan war. Ten years later, our Nation is safer as a direct result of the voluntary service of men and women who are willing to place themselves in harm's way, often under circumstances many Americans cannot fathom.

This willingness to serve and dedication to duty remains consistent with previous generations of veterans who chose to serve their country during our greatest time of need. Unfortunately, we have lost some of our greatest treasure in our fight against terrorism. Since October 2001, 4,914 servicemembers have been killed and another 46,376 injured as a result of military action in Iraq and Afghanistan. Recently, we again faced a tragic loss of life.

On August 6, a CH–46 Chinook twin-engine helicopter, carrying U.S. Army soldiers, U.S. Navy SEALS, and Afghan soldiers, was shot down in the Wardak province of Afghanistan, resulting in the greatest loss of life in any combat incident of the entire conflict thus far. The unit involved, B Company 7th/158th Aviation, is headquartered in New Century, Kansas, in the southernmost part of my district.

□ 1120

Last March I had the privilege to attend the deployment ceremony for the unit as they departed for training at Fort Bliss, ultimately deploying to Afghanistan as part of Operation Enduring Freedom. As my colleagues are well aware, deployment ceremonies are often somber affairs with family members wanting to spend every last second with their loved ones before they depart for duty and soldiers assuring family members that they will be okay and not to worry.

This past August, I was saddened to learn about the tragic events of August 6, 2011, hearing the news that three members of the unit had been killed during the combat operation. These soldiers, Army Specialist Spencer Duncan, Chief Warrant Officer Bryan Nichols and Army Specialist Alexander Bennett, are remembered as outstanding soldiers, dedicated to duty, their unit, and to each other.

Spencer Duncan was just 21, a 2008 graduate of Olathe South High School. He enlisted in the Army Reserve shortly after graduation; and before deployment to Afghanistan, he served at New Century AirCenter Aviation Support Facility in Olathe, Kansas. First he was an aircraft mechanic, and later he trained to become a Chinook door gunner. I had the honor of attending a memorial service for Specialist Duncan and witnessed the outpouring of friends and loving family.

Bryan Nichols was 31 and a pilot from Kansas City, Missouri, who, when hearing of the need to train people for mobilization, followed and sacrificed for our country, leaving behind a wife and son.

Alexander Bennett was 23 and was trained as a Chinook helicopter flight mechanic. Originally from Tacoma, Washington, he had already served one tour of duty in Iraq in 2009 before being deployed again, this time to Afghanistan.

Mr. Speaker, our hearts go out to the families and friends of these three patriotic servicemen who gave the ultimate sacrifice that we all in this country might continue to live in a Nation of freedom and liberty. For their service and sacrifice to our Nation, a grieving country says thank you.

Mr. Speaker, next month we will celebrate Veterans Day and once again remember the service and sacrifice of all those who have faithfully and dutifully served, in peacetime and in war, throughout.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 22 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Scott Eynon, Community Christian Church, Tamarac, Florida, offered the following prayer:

Heavenly Father, it is our prayer that You will grant us wisdom today and that You will bless the Members of Congress as they lead our Nation during these challenging times.

Father, we are amazed by Your grace, awed by Your resplendent creation, captivated by Your love, and dependent upon Your guidance for every day. We do not take these blessings for granted. We thank You for them.

We also thank You for the problems that come our way, for they make us even more dependent upon You for Your guidance and for Your strength.

Father, Your Word tells us that righteousness exalts a nation. So help us to be great by striving to be good. May our Representatives exemplify principle-centered leadership.

Father, we ask that You would bless the men and women who serve in our military. We ask that You would bless those who serve here in Congress. We ask that You bless this great land that we call home. In Jesus' name I pray.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from New York (Ms. HOCHUL) come forward and lead the House in the Pledge of Allegiance.

Ms. HOCHUL 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.

WELCOMING REVEREND SCOTT EYNON

The SPEAKER. Without objection, the gentleman from Florida (Mr. WEST) is recognized for 1 minute.

There was no objection.

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

Mr. WEST. Mr. Speaker, former Secretary of State William Henry Seward said this: ''I do not believe human society, including not merely a few persons in any State, but whole masses of men, ever have attained or ever can attain a high state of intelligence, virtue, security, liberty, or happiness without the Holy Scriptures; even the whole hope of human progress is suspended on the ever-growing influence of the Bible.''

Today I'd like to recognize my pastor, Pastor Scott Eynon, and Community Christian Church for the service that they give to the community of south Florida and for their missionary work in Haiti as well as in Africa.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MURPHY of Pennsylvania). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

RECKLESS REGULATIONS

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

Mr. POE of Texas. Mr. Speaker, right now, there's probably a group of folks at a large oak table in a marble palace down the street nibbling on their $16 muffins, drinking their lattes, and dreaming up new expensive, ineffective regulations to impose on the rest of us. They are the regulators. The very term brings fear and trepidation to the hearts and souls of people who work for a living. Meanwhile, 14 million Americans are sitting at their old kitchen table drinking coffee from their Mr. Coffee pot with no job on the horizon.

In a Gallup poll this week, small business owners said that complying with government regulations was the biggest economic problem they face. Some businesses pack up their bags and even move to places like China. Meanwhile, the U.S. reckless regulators are putting businesses out of business.

The REINS Act will finally bring some accountability to the regulatory bureaucrats by requiring a vote on any regulation costing $100 million or more. Congress must pass this bill now. Cut redtape, clamp down on the renegade regulators, and create jobs. America can't wait.

And that's just the way it is.

LEON MATHIEU SENIOR CENTER

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

Mr. CICILLINE. Mr. Speaker, I rise today to recognize the Leon Mathieu Senior Center. This nationally accredited and certified senior center recently celebrated 30 years of service to seniors in Pawtucket, Rhode Island.

The Leon Mathieu Senior Center is a great success, due in part to the work of its wonderful staff, including the director of the Pawtucket Senior Services Division, Mary Lou Moran, and information specialist and caseworker Joan Newton. Joan and Mary Lou, like the rest of the staff of the center, have committed themselves to improving the lives of seniors in Pawtucket by providing them with a safe, supportive, and nurturing environment where seniors can access information about resources, programs, and services available on the local, State, and Federal levels.

The center acts as an advocate for the rights and well-being of older Americans on a wide variety of issues. The center has worked through 1,200 individual cases and annually serves 3,000 individuals.

The Leon Mathieu Senior Center does not work to be recognized, but today I'm proud to salute their great work and congratulate them on 30 years of service.

OAK RIDGE OFFICE SUPPLY

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

Mr. FLEISCHMANN. Mr. Speaker, today I rise to talk about a successful business in Tennessee's Third District, Oak Ridge Office Supply. For almost 15 years, they have grown their business, weathered through tough times, and brought jobs to Anderson County. With 17 employees now, they are a great example of what hard work and the American free enterprise system can do. I ran a business with my wife for 24 years, and I know how tough it is.

The free enterprise system has helped make this country the greatest Nation the world has ever known. It is those people who risk everything to start their own businesses and pursue their dreams that drive our economy.

I was glad to give Oak Ridge Office Supply my very first Economic Excellence Award last week, and I will continue to hand out these awards as I recognize businesses in east Tennessee that embody the idea of hard work and success.

FILIPINO AMERICAN HISTORY MONTH

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

Ms. CHU. This month is Filipino American History Month. It is time for us to take pride in our country's diversity and to celebrate the ways in which Filipino Americans have contributed to the vibrancy of our Nation.

Filipino Americans are civic leaders, health care providers, educators, and hardworking Americans. They've won Pulitzer prizes, been elected to Congress, served as ambassadors, and pitched in the World Series. Filipinos volunteered by the thousands to help us win World War II and have served our Nation's military in every war since.

Filipinos first came to the U.S. in California over 400 years ago. Today, Filipino Americans have grown to be the third-largest Asian American group in the Nation, and they reside in every corner of the United States.

So as we celebrate Filipino American History Month, I hope you will join me and remember the many contributions that Filipino Americans have made to our great country.

□ 1210

COLORADO MISSION OF MERCY

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

Mr. GARDNER. This past weekend, I volunteered at the fifth annual Colorado Mission of Mercy, a 2-day free dental clinic held in a different Colorado community each year. This year it was in Brush, Colorado, an appropriate name for a dental clinic.

The Colorado Mission of Mercy brings more than 100 portable dental chairs into a Colorado community and provides dental services to children, adults, and elderly who cannot afford them on their own. The group has nearly 200 volunteer dentists from across the State and hundreds of dental hygienists, assistants, and lab technicians.

This year there were approximately 175 dentists, 947 volunteers, and nearly 1,500 patients who were served over the 2-day period. Helping people avoid dental discomfort that can interfere with school and work was a life-changing experience for many at the clinic. One person commented that now he doesn't have to be embarrassed because he

doesn't have any lower teeth. This person now felt confident to go out and look for a job.

Rural communities, in particular, face tougher challenges when it comes to getting proper dental care because there are so few dentists, and people often have to drive long distances to see them.

Proper care is vital to our overall health, and I commend the Colorado Mission of Mercy for sponsoring this event.

JOBS FOR VETERANS

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

Ms. HOCHUL. Mr. Speaker, I welcome President Obama's announcement that our brave men and women in our Armed Forces serving in Iraq will soon be coming home in time for the holidays. This holiday season, we can expect to see 40,000 people returning to this country, particularly some who are coming back to my Niagara Falls Air Force base, where I look forward to welcoming them warmly.

But as we approach Veterans Day and embrace this group of America's newest veterans, I'm troubled that, in a time of 9.1 percent unemployment and an even higher rate of unemployment for our returning veterans, which approaches 12 percent, we have to ensure that these individuals will have jobs; otherwise, it is a national disgrace.

That is why it's critical that we pass the American Jobs Act. This would create a $5,600 ''Returning Heroes'' tax credit for employers who hire veterans, and a $9,600 tax credit for ''Wounded Warriors,'' again, for employers who hire our veterans with service-connected disabilities. In a country as grateful as ours for their service, we owe them no less. We owe them better. That is why I urge my colleagues to join me in supporting the American Jobs Act.

BURDENSOME REGULATIONS

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

Mrs. LUMMIS. Mr. Speaker, as I traveled my district of Wyoming and visited another district, Nevada, over the last work period, I heard repeatedly from small business people about the burdensome regulations that have been placed on their businesses and ability to hire people and put people back to work by the current administration here in Washington.

So when I returned to Washington, I asked for a copy of all of the *Federal Registers*. Those are all the new regulations that have been printed just in this year alone and implemented by this administration. I now have in my office boxes of regulations that are taller than I am, and we're not even finished with this year. And going back to the year before and the year before, those regulations have been growing at exponential paces.

If we're going to put Americans back to work, Mr. Speaker, we need to make sure that these rules that are taller than I am, thousands of pages, tens of thousands of pages, are repealed.

MAKE IT IN AMERICA

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

Ms. TSONGAS. Mr. Speaker, last week I hosted a town hall meeting in Lawrence, Massachusetts, to discuss ways to grow our domestic manufacturing base and promote policies that keep jobs in the United States, not overseas. Participating in this town hall were several major employers who have made the often challenging decision to keep their labor force here in the United States.

Among these employers was New Balance, the last athletic shoemaker to make sneakers from first stitch to final product in the United States, and an employer of more than 800 Massachusetts workers. The success of these types of companies demonstrates that manufacturing jobs can still thrive in the United States, but we need to pursue policies at the Federal level that support their efforts.

House Democrats' Make It In America agenda provides the tax incentives, workforce training, and investment in 21st century education that will help keep the production of goods and services here in the United States.

We can't sit back and allow our manufacturing base to be continually eroded. We must pass the Make It In America agenda.

INVESTING IN SMALL BUSINESS

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

Mr. WALZ of Minnesota. Mr. Speaker, like the last speaker, I had the opportunity last week to visit an American manufacturer, Blue Star Power Systems, a small business in southern Minnesota employing 35 people that manufactures backup generators for schools, hospitals, and businesses.

Doug Fahrforth, the CFO of Blue Star, told me something that made me pause. He said that nowadays his bank will tell him this: We believe in you; we believe in your product; but unless there is no risk, we don't want anything to do with you.

Our economic system relies upon risks that small businesses take, like Blue Star Power, to create innovative products and services which boost our economy and grow our middle class.

Yesterday there was a New York Times story that said banks said they were turning depositors away at the door because the banks have more money than they know what to do with. I have a couple of ideas what they can do with that money. Invest in Main Street. Invest in businesses like Blue Star Power Systems who create first class products right here in the United States.

Blue Star also told me there are things that we can do in Congress that will streamline the Small Business Administration and make it more efficient and effective. I look forward to working with them on that.

There are actions that we can take right now so that Blue Star Power and other businesses just like them can continue to innovate and create jobs in America.

NAVAL RESERVIST LEE REINHART

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

Mr. QUIGLEY. Mr. Speaker, 2 years ago, I stood on this floor and spoke out against the injustice of our Nation's Don't Ask, Don't Tell policy. I told the story of Lee Reinhart, a patriotic constituent of mine who wanted to serve his country in time of war.

Lee had already retired from a 4-year Navy career when our Nation was attacked on September 11. Like many Americans after September 11, Lee wanted to serve his country and again enlisted in the Coast Guard. But 4 months later, he was discharged under Don't Ask, Don't Tell.

Last December my colleagues and I repealed that policy; and Monday, I had the honor of administering the oath to Lee Reinhart as he reenlisted in the Navy.

Dr. Martin Luther King once said, ''The arc of the moral universe is long, but it bends towards justice.'' Mr. Speaker, I was proud of my country and proud of Lee Reinhart when justice finally arrived for both.

JOB CREATION

(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, our top priority must be creating jobs.

Yesterday I hosted a job creation conference for my constituents right here in Washington, D.C. Central Coast business owners, development experts, job trainers, and educators shared their experiences about job creation and discussed actions the Federal Government can take to support them. I'm grateful to these dedicated job creators for taking the time and effort to come all the way from California for this important event.

We had a packed day, hearing from policy experts and top White House economic officials about the steps we need to take now to create jobs today and strengthen our economy for tomorrow. Opinions were diverse and spirited, but there was clear consensus on: making it easier for businesses to succeed by lowering taxes and increasing

access to credit; and making smart investments in education, in innovation, and in infrastructure. These are bipartisan, commonsense solutions.

Mr. Speaker, we simply can't wait any longer. The message from my constituents is clear: Put aside our partisan differences. Take action now for the American people.

STENNIS SPACE CENTER

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

Mr. PALAZZO. Mr. Speaker, there is a saying that the path to space goes through Hancock County, Mississippi. That statement has been true for five decades due to the unequaled excellence and dedication of the men and women of the John C. Stennis Space Center, which commemorates the 50th anniversary of its founding this week.

The work done at Stennis is varied, but it is known worldwide as the home of rocket engine testing. Before we have sent men and women into space, the engines they ascended on were tested on the ground at Stennis. Every mission to the Moon and every flight of the space shuttle roared with Stennis-tested engines. The Space Center is the beacon of innovation for private industry, educational institutions, and students of all ages.

I am honored to serve as chairman of the Space and Aeronautics Subcommittee. In my role, I hope to see all my colleagues visit the Stennis Space Center, especially to see an engine test. You will be awed by the technological ingenuity and complexity of the operation and of the passion and skill of the workforce.

It is so easy to herald the past achievements of NASA and the Stennis Space Center, but it is the future that should drive us toward even greater ones, for the path back to the Moon, to Mars and beyond goes through Hancock County, Mississippi.

□ 1220

SOCIAL SECURITY

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

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to support one of our Nation's crowning achievements, the Social Security program, and the 55 million Americans who benefit from this critical program. Since 1935, Social Security has kept its promise to America's seniors that after a lifetime of working and playing by the rules, you should not have to live in poverty when you retire.

I was happy to see last week that after 2 years, our Nation's seniors will receive a well-deserved cost-of-living-adjustment increase of 3.6 percent. The American people should be concerned, however, that the recently announced COLA increase would effectively disappear if this Congress decides to adopt a chained CPI formula for Social Security. The chained Consumer Price Index would lower benefits by $112 billion for current and future beneficiaries over the next 10 years.

I support efforts to reduce our Federal deficit, but we should not balance the Nation's budget on the backs of seniors, the disabled, and children. I call on our colleagues to stand with America's seniors and support Social Security. It's not a Ponzi scheme, as some candidates for President allege; and let's celebrate the 3.6 percent for our seniors.

STUDENT LOAN DEBT

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

Mr. COHEN. Mr. Speaker, I want to commend President Obama for announcing a plan this morning to lower student loan payments. The New York Times recently reported that student loan debt outpaced credit card debt for the first time last year and that the growth in student loan debt threatens to undermine the future life prospects of the current generation of students.

It was this realization that led me, as a State senator, to pass the Tennessee Education Lottery program that gives scholarships to our Tennessee students.

Too many young people have an unbelievable amount of debt that burdens them for the rest of their lives. The students that participate in Occupy Wall Street are very aware of this threat.

Earlier this year, I reintroduced H.R. 2028, the Private Student Loan Bankruptcy Fairness Act, which will restore fair treatment to Americans in severe financial distress whose debts include private student loans.

Before 2005 private student loans issued by for-profit lenders were appropriately treated in bankruptcy like credit card debt and other similar types of unsecured consumer liabilities. The bill I've introduced with Senator DURBIN in the Senate would ensure that privately issued students loans will once again be treated like other debt and be dischargeable in bankruptcy.

We need to give our students a fair chance.

DOMESTIC VIOLENCE AWARENESS MONTH

(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, I rise today to recognize October as Domestic Violence Awareness Month. As you know, violence against women in the United States is as insidious as it is destructive. And according to a study by the U.S. Department of Justice Bureau of Justice Statistics, there are as many as 3 million cases of domestic violence across the United States every year.

Due to the nature of the crime, the mental and physical cost of domestic violence are difficult to quantify, but they are far too obvious to ignore. Women suffering from domestic abuse average more emergency room visits, a significantly higher rate of unemployment, are more likely to lose the jobs they have, and are also more likely to rely on welfare.

Various studies find the monetary costs to the Federal Government of only the reported cases of domestic violence to be estimated in billions of dollars.

Regrettably, hard economic times make even more crimes of this sort likely to occur, which is why the Congress must ensure not only to address this growing epidemic but to protect the necessary funds to protect the women of this country from domestic abuse.

LOUISVILLE'S FAIRNESS CAMPAIGN

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

Mr. YARMUTH. Mr. Speaker, I rise today to honor Louisville's Fairness Campaign—Kentucky's oldest lesbian, gay, bisexual, and transgender civil rights organization. This month the Fairness Campaign is celebrating 20 years of fighting against discrimination, inspiring hope, and protecting our citizens.

Thanks to Fairness, in 1999 Louisville became one of the first cities to prohibit housing and employment discrimination on the basis of sexual orientation and gender identity. Now Fairness is working tirelessly to secure these protections for all Kentuckians. Because of Fairness, more Kentuckians are seeing that the lines once drawn between us because of sexual orientation and gender identity are only imaginary, and they're realizing that hate has no place in our Commonwealth.

That's a message that needs to be heard not just from Pikeville to Paducah, but from coast to coast. I urge my colleagues to join me in congratulating the Fairness Campaign on two decades of service. It's truly thrilling how much progress they have made.

I would also like to individually honor the 10 brave Louisvillians who co-founded the Fairness Campaign in 1991 to seek equal protections for all citizens under the law: Jim Adams, Eric Graninger, Lisa Gunterman, Ken Herndon, Jane Hope, Pam McMichael, Susan Remmers, Jeff Rodgers, Thom Snyder, and Carla Wallace.

THE SUPERCOMMITTEE

(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, the supercommittee is at a standstill. The Democrats won't consider cuts to entitlement programs if the money is primarily to pay for cutting taxes on the wealthy. Republicans won't consider raising taxes on the wealthy from their currently historically low levels because these are the job creators. But where are the jobs?

The fact is that corporate profits are at historic highs, as are CEO and investor compensation. But the reason for that corporate profit being historically high is that over the last several years, 75 percent of corporate profit has come from reduction in personnel costs. Then the top 1 percent reward themselves for cutting those costs and raising profits by increasing their own income and bonuses to record high levels.

In fact, the CBO report that came out today confirms this. The wealthiest 1 percent, whose income the Republican majority wants so much to protect, went up by 275 percent since 1980. You don't get upward mobility, you don't realize our full potential as a Nation when we have such a concentration of wealth at the top.

FAIRNESS AND TRANSPARENCY IN CONTRACTING ACT

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

Mr. JOHNSON of Georgia. Mr. Speaker, I recently introduced the Fairness and Transparency in Contracting Act, which will help level the playing field for small businesses and ensure that publicly traded companies no longer masquerade and then receive contracts meant for small businesses. Small business contracts should go to small businesses.

Unfortunately, loopholes in the system have resulted in subsidiaries of large corporations receiving Federal small business contracts. The GAO has found that small businesses across the Nation are the real losers when the Federal contracts are awarded to large firms that should not be eligible.

Mr. Speaker, Congress should no longer turn a blind eye when large publicly traded and foreign-owned companies obtain Federal small business contracts. The Fairness and Transparency in Contracting Act will ensure that America's small businesses can compete.

I urge my colleagues to support this legislation.

REDUCING PERSONAL DEBT

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

Mr. CLARKE of Michigan. Mr. Speaker, several months ago, I introduced House Resolution 365, which asks this Congress to cut student loan debt and home mortgage debt.

As a result, several hundreds of thousands of people all around this country signed an online petition to support this resolution. I'm happy to say that our voices are now being heard. The White House is moving in the right direction on helping to cut student loan debt. But I'm urging the American public to keep speaking out, sign on to this petition to support House Resolution 365, and help free the American people from excessive home mortgage and student loan debt.

PROVIDING FOR CONSIDERATION OF H.R. 2576, MODIFYING INCOME CALCULATION FOR HEALTH CARE PROGRAMS, AND PROVIDING FOR CONSIDERATION OF H.R. 674, 3% WITHHOLDING REPEAL AND JOB CREATION ACT

Mr. SCOTT of South Carolina. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 448 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 448

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2576) to amend the Internal Revenue Code of 1986 to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions of the bill are waived. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit.

SEC. 2. Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 674) to amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities. All points of order against consideration of the bill are waived. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions of the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

SEC. 3. (a) In the engrossment of H.R. 674, the Clerk shall—

(1) add the text of H.R. 2576, as passed by the House, as new matter at the end of H.R. 674;

(2) conform the title of H.R. 674 to reflect the addition of the text of H.R. 2576, as passed by the House, to the engrossment;

(3) assign appropriate designations to provisions within the engrossment; and

(4) conform provisions for short titles within the engrossment.

(b) Upon the addition of the text of H.R. 2576, as passed by the House, to the engrossment of H.R. 674, H.R. 2576 shall be laid on the table.

□ 1230

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

Mr. SCOTT of South Carolina. For the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), 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. SCOTT of South Carolina. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. SCOTT of South Carolina. House Resolution 448 provides for a closed rule for the consideration of H.R. 674, a bill to amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, and H.R. 2576, to amend the Internal Revenue Code of 1986 to modify the calculation of modified adjusted gross income for purposes of determining the eligibility for certain health care-related programs.

Mr. Speaker, I rise today in support of this rule and the underlying bills. What we have here is something very simple: a bill to save jobs in America and a way to pay for it through a simple technical fix in the Patient Protection and Affordable Care Act, which is supported by the President and many Democrats in this Chamber.

H.R. 674, or what I call the Saving American Jobs Act, would repeal the 3 percent withholding requirement on government payments to businesses, both large and small. This is truly a bipartisan bill with more than 60 Democrats among the 269 cosponsors. Even the President supports changing the withholding tax. The tax is a job killer, plain and simple.

Beginning January 1, 2013, government agencies at all levels—Federal, State and local—will have to withhold 3 percent of their payments to businesses for goods and services. For many small businesses, this has the potential to completely wipe out their profit margins. At a time when we have a desperate need to create jobs and to create the environment for job creation, the withholding tax does the exact opposite. For many State and local governments, the implementation costs will be huge at a time when their budgets are already stretched thin.

For example, in my home State of South Carolina, the State Comptroller estimates the implementation costs associated with this tax will take up 11.5 percent of its budget. This tax punishes all businesses for the sins of a few, automatically and wrongly assuming all job creators who do business with the Federal Government are somehow

evading full taxation. The last I checked, we should be encouraging people to follow the law, not penalizing them for doing so.

The tax also treats all businesses the same regardless of their taxable incomes. In the construction industry, for example, where unemployment is currently at 13.5 percent, companies rarely have a pretax profit margin of more than 3 percent. Therefore, a 3 percent withholding tax would completely wipe out their profit margins. As a former small business owner myself, I can assure you this is not the kind of math that leads to job creation.

This tax will also harm local governments that are already hurting for dollars by placing on them an unfunded mandate to collect a Federal tax. Again, as former chairman of the Charleston County Council, this is more math that just doesn't add up.

With unemployment still at 9 percent, our job creators need capital to invest and long-term certainty in the Tax Code. Taking hard-earned dollars away from our job creators will only lead to higher prices, lower wages, and lost jobs.

Once again, Mr. Speaker, I rise in support of this rule and the underlying legislation. I encourage my colleagues to vote ''yes'' on the rule and ''yes'' on the underlying bills, and I reserve the balance of my time.

Mr. HASTINGS of Florida. I yield myself such time as I may consume.

Mr. Speaker, I thank my friend for yielding the time, and I rise today in opposition to the combined rule for H.R. 674 and H.R. 2576.

The underlying bill, H.R. 674, repeals the 3 percent withholding for taxes on payments to government contractors, and H.R. 2576 will make health care unaffordable for 500,000 Americans—that's not according to me but according to CBO—leaving them with no choice but to drop their coverage. This bill will also increase the costs or reduce the coverage for many more Americans, including individuals with severe disabilities.

The pairing of these two bills is not, in my considered opinion, an appropriate use of our Nation's Tax Code, and in my opinion, does nothing to create jobs. It is part of the same old ''all or nothing'' majority strategy that led to the debt ceiling standoff earlier this year.

The Republicans have taken a bipartisan idea—and it is bipartisan, as my good friend from South Carolina said—that would actually put money directly in the pockets of hardworking Americans and make its passage contingent on a bill that rehashes the health care reform debate from the last Congress. Once again, my colleagues have chosen to play politics with the lives of middle class and working poor Americans.

The withholding requirement, itself, was passed in 2005 when President George W. Bush was in the White House and when Republicans had majorities in both the House and the Senate, but it was never implemented, and it has been put off a number of times.

Today, there is broad support for repealing this Republican-created provision. H.R. 674 has, as my friend said, 269 bipartisan cosponsors. Since Republicans have now brought a bill to the floor that would repeal this requirement, it is clear that this measure should not be combined, as in this rule, with H.R. 2576.

Getting rid of this provision will keep administrative costs down and assist American businesses during these challenging economic times. However, Republicans want to pay for the 3 percent bill by making it harder for retirees, the disabled, and poor to get access to health insurance. This is, yet again, an inappropriate use of our Tax Code.

This bill is known as the MAGI bill, ''modified adjusted gross income.'' It repeals the provision in the Affordable Care Act that allows individuals and families to exclude nontaxable Social Security benefits from their incomes when determining their eligibility for health care benefits. This definition would also apply when qualifying for Medicaid and Federal subsidies to buy private insurance in the State-run exchanges. According to the Joint Committee on Taxation, the exclusion of nontaxable Social Security benefits is typical when applying income limitations to tax benefits.

Regardless of the facts, my friends in the majority have decided to throw retirees and disabled individuals under the bus in order to offset a completely unrelated bill.

□ 1240

My friends on the other side of the aisle claim that this is about equity and fairness, but is it equitable for as many as 500,000 Americans to lose all their health care coverage as a result of this measure? What are we saying to these individuals; sorry, 500,000 of you are out of luck? Is it fair to make health care less accessible to low- and middle-income individuals rather than close loopholes and cancel special tax deals for wealthy, wealthy oil companies?

In contrast, the Democrats' substitute offered by Mr. LEVIN, the ranking member of the Ways and Means Committee, will make oil companies pay their fair share of taxes, thereby reducing the deficit by $5.3 billion over 5 years and $12.8 billion over 10 years.

It is clear that H.R. 2576 is not about equity at all. It's about forcing individual taxpayers to shoulder the burden of business tax provisions. H.R. 2576 will impose higher costs on retirees and persons with severe disabilities, shifting them out of Medicaid coverage or requiring that they contribute significantly more of their income for health insurance coverage through reduced tax credits.

How do Republicans intend to offset the cost, such as increased trips to the emergency room? How do you offset that association with half a million Americans suddenly losing their health insurance coverage? The Tax Code should not be used to effectively reduce health care coverage and increase costs for those least able to afford it.

Make no mistake, H.R. 2576 is yet another attempt by Republicans to undermine comprehensive health care reform. Last week, the Senate Republicans forced a vote on the 3 percent withholding repeal bill, but it too failed over unreasonable Republican demands.

Where are the jobs? Instead of passing a jobs bill, Republicans are redefining the rules to make health care less accessible for a considerable number of Americans. These bills together are a new approach to cutting the deficit for Republicans. Until recently, they said that the only way to fix the deficit was to starve the beast, that is, spending cuts only. But with a bill like H.R. 2576 that takes away health care from hundreds of thousands of Americans, Republicans have decided that rather than starving the beast, it's better to feed the beast to our society's most vulnerable members.

I reserve the balance of my time.

Mr. SCOTT of South Carolina. Mr. Speaker, it's odd that as the American people continue to watch Congress asking for a bipartisan approach to what we do here, it's very odd for us to find ourselves in that position today saying to the American people, we are finally on the right page of a bipartisan approach. And as it relates to the whole undermining of the health care act, the President himself has released a statement, an administration policy statement, that simply says that he supports H.R. 2576.

The fact of the matter is if we are going to find ways to save Medicaid and keep it available for the next generation, we must do things in a bipartisan approach that actually solve the problems without increasing the system necessarily.

Mr. Speaker, I yield 5 minutes to the gentlelady from Tennessee, Mrs. DIANE BLACK.

Mrs. BLACK. I thank my colleague from South Carolina for yielding.

I'd like to begin by stating that this legislation, H.R. 2576, is about fairness.

When the news broke this summer that the Affordable Care Act contained a loophole that would allow middle-class Americans to receive Medicaid benefits, I, like many of my colleagues, was very concerned. The new income formula that determines eligibility for government subsidies health insurance, the modified adjusted gross income, or also known MAGI, deviated from all of the other Federal assistance programs, failing to include Social Security benefits as income.

Under the health care law, a married couple with an annual income of over $60,000 could qualify to receive Medicaid benefits. Let me put it in more stark terms. Changing the income formula could result in individuals, whose incomes are up to 400 percent of the

poverty level, receiving Medicaid. This is unacceptable. I very strongly believe that it is our duty to ensure that the very scarce Medicaid dollars and resources are there for those who are in the most need.

Again, let me State that the Affordable Care Act's income formula for Medicaid, CHIP, and exchange subsidies deviated from the eligibility requirements for all other Federal assistance programs. Supplemental Security Income, Supplemental Nutrition Assistance Program, also known as food stamps, Temporary Assistance for Needy Families, and public housing all—all—include the entire Social Security benefit as income. My bill, H.R. 2576, would add Social Security benefits back into the equation, realigning Medicaid with all the other programs and stopping these improper payments before they occur.

It is incorrect to assert that this legislation unfairly targets widows, survivors, and the disabled. This is equivalent to asserting that the public housing or the SNAP are unfairly targeted to widows, survivors, disabled simply because, when accounting for the resource programs, they consider the source of income.

The health care law's deviation from the typical method of counting income results in taxpayer dollars being directed to individuals who do not meet the standard definition of low income. According to the current law, a couple who both earned Social Security benefits and have a total income of $22,065 would have a higher income than a couple earning $58,840 for the purpose of determining eligibility for the Federal subsidies in the exchange. This is totally unfair.

When asked about the MAGI glitch, CMS actuary Richard Foster said, ''I don't generally comment on the pros and cons of policy, but that just doesn't make sense.'' Foster said the situation keeps him up at night and has previously compared the MAGI formula to allowing middle-class Americans to receive food stamps.

Additionally, Richard Sorian, the HHS assistant secretary for Public Affairs, conceded that ''as a matter of law, some middle-income Americans may be receiving coverage through Medicaid, which is meant to serve only the neediest Americans.''

Now, it is important to note that my legislation does not take away a benefit from anyone on the Medicaid rolls today. MAGI would not be in effect until 2014, so it's important that we bring Medicaid back into line with all of the other Federal assistance programs as soon as possible.

Additionally, my legislation enjoys bipartisan support. In the Senate, HELP Committee Ranking Member MIKE ENZI has a companion bill, and President Obama himself, as has already been noted, recognizes the problem. In his recent debt reduction plan, the President explicitly—explicitly—proposes that the entire amount of Social Security benefits be included in the definition of income. And, as has already been stated, there was a statement of administration policy put out yesterday, and I want to read that to you:

The administration supports H.R. 2576, which could change the calculation of modified adjusted gross income, as defined in section 1401 of the Affordable Care Act, to include both taxable and nontaxable Social Security benefits.

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

Mr. SCOTT of South Carolina. I yield the gentlelady an additional 30 seconds.

□ 1250

Mrs. BLACK. This commonsense bipartisan solution would bring Medicaid into line with all of the other Federal assistance programs and ensure that the program is there for those who are in the most need. That is very important. Furthermore, and I believe this cannot be emphasized enough, according to CBO and the Joint Tax Committee estimates, this bill could save taxpayers approximately $13 billion over 10 years. Considering our $14 trillion in national debt, closing this loophole as soon as possible is good policy on a number of levels.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 1½ minutes to the distinguished gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. I rise in support of this legislation, which is bipartisan and cosponsored by almost two-thirds of our colleagues in this Chamber. Earlier this year, Congress passed another bill with almost equal support when we repealed the burdensome 1099 requirement. Today, we are again working in a bipartisan way to make this commonsense change to the Tax Code that will provide much needed certainty to businesses around the country.

I've heard from numerous small businesses in my district that if the 3 percent withholding provision goes into effect as scheduled, firms that do business with the Federal, State, and local governments will face what amounts to a tax increase at this time when they can least afford it. Congress has previously voted to delay implementation of this provision, but we can do more to show businesses in western Pennsylvania and across the country that we are serious about helping them succeed.

I urge my colleagues to join me in permanently repealing the 3 percent withholding tax provision.

Mr. SCOTT of South Carolina. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania, Mr. MIKE FITZPATRICK.

Mr. FITZPATRICK. I thank the gentleman for the time and also for his leadership in bringing both parties together around this idea that will create jobs in the United States. I rise in support of the rule today and in support of the underlying legislation.

Throughout the past year, I have heard over and over again from small businesses, from women-owned businesses, from contracting businesses, hospitals and the like that this rule, which essentially amounts to a tax, will hinder business' ability to compete, grow, and thereby create jobs. This bill that's before the House today would right a wrong that unnecessarily punishes good actors, small businesses, and local governments who do business with the Federal Government in good faith. Small businesses, who often operate with the thinnest of margins, will be unnecessarily targeted in the Federal Government's zeal to capture more money. Small and medium-sized businesses are being looked to for our economic recovery. We cannot simultaneously ask American companies to begin hiring again while we withhold the capital that they require to grow.

Additionally, while the 3 percent withholding bill was originally well-intentioned, implementation of this rule has been continuously delayed, most recently in the 2009 stimulus bill and again by the IRS in May of 2011. This is a clear indication of the widespread recognition that this provision is costly and harmful to our economy.

So, Mr. Speaker, I cosponsored this underlying bill because it is bipartisan legislation that will be good for the economy and will help create certainty for job creators. The President has expressed support for this repeal. I urge swift action on the legislation in the Senate. I ask my colleagues to support the rule and the underlying bill.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 3 minutes to my good friend, the distinguished gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. I thank my friend from Florida for yielding.

As we meet this afternoon, 15 million Americans are unemployed. The President has a proposal to put people to work modernizing 35,000 schools in America, but we're not voting on that bill.

The President has a proposal that would avoid a $1,500 a year tax increase on middle class Americans January 1 if we don't act, but we're not voting on that bill.

The President has ideas to help the real job creators, the small businesses of this country, get bank loans from the people they bailed out with their tax dollars in the TARP bill a couple of years ago, but we're not voting on that bill.

Now, we are voting on a bill that we should support that says that businesses should not have to make an interest-free loan to the government when they do business with the government. I'm for that. But you do need to understand the way this bill is paid for.

This bill does have an offset, meaning it will not add to the deficit. I think we're all for that. But it's important to understand the way we make that decision. There were two options as to how we might take care of that offset. We said let's go to the industry that's had the most successful year in its history, the oil industry, and stop giving our tax dollars to the oil industry when they're making record profits. That idea is not up for a vote.

What is up for a vote is a provision that may make some sense. It may make some sense. It essentially deals with the adjustment formula for benefits under the new health care law. But we're not really sure exactly how the proposal will operate. There is a risk that some deserving middle class people will pay higher health insurance premiums if this is not done in the right way.

So understand this: The first way we could have paid for this bill would be to go to the oil industry and say you've had enough time at the public trough, you're making record profits, no. Or we could say let's roll the dice and let's try this experiment with the health premiums of middle class people. Guess who won?

Now we thought it would be a good idea to at least put the two ideas up for a vote, but this rule doesn't do that. So the House will have to work its will today on the underlying bill. I'm going to vote for the underlying bill, but I'd really look forward to voting next week—and let me say one other thing. The plan for the House the rest of the year is to be here another 14 days between now and New Year's Day, and take the rest of the year off. A lot of Americans are going to have the rest of the year off, too—involuntarily, because they're out of work. Let's get to the business of creating an environment where small businesses create jobs for the people of this country. Let's put Americans back to work after we do this good business of today.

Mr. SCOTT of South Carolina. Mr. Speaker, one of the things that is so important for us to recognize is the importance of living within our means and allowing our ability to control our spending to dictate what we are able to use, as opposed to having more tax increases as a way to fund the resource priorities of this Nation.

I yield 3 minutes to the gentleman from Oklahoma, Mr. JAMES LANKFORD.

Mr. LANKFORD. Mr. Speaker, I rise in support of the rule and the underlying bill, H.R. 674, which repeals the 3 percent withholding requirements on State and local governments for goods and services. The 3 percent withholding requirement is just another layer of burden and unfunded mandates on our States, cities, counties, and private entities.

Withholding 3 percent of a contract at the start just in case sets a horrible precedent. When we find a bad actor in the contracting community, we should have aggressive prosecution, suspension, and debarment. But, we should not have a national policy that assumes every contractor in America is a tax cheat. It's a dreadful policy, and it's horrible economics.

Let me break this down to what it will mean for communities in my State of Oklahoma. In Oklahoma City, it will cost between $75,000 and $250,000 to implement the initial financial system and all of the modifications to comply with these rules. After that, it's expected to cost at least $15,000 a year to maintain those modifications in the financial system.

To ensure that Oklahoma City fully complies with these mandates to maintain the financial system, Oklahoma City estimates that they're going to have to hire two additional full-time employees. Now I understand that we're all about job creation here, but our job creation should focus on goods and services and taking care of people, not filling out even more Federal forms.

In Edmond, Oklahoma, they're concerned as to how the 3 percent withholding requirement would eventually be passed along to the buyer, increasing the overall cost. Edmond's annual contractual services expenditures line is over $130 million this year. If the cost of these products and services are increased by 3 percent to cover the withholding costs, Edmond's expenditures could be raised by $4 million. Worse yet, that could mean contractors choosing not to bid on city and local projects, ultimately decreasing competition and increasing the cost.

A contractor in the small town of Tecumseh, Oklahoma, told me that with a down economy, he only had a 2 percent profit margin last year. The 3 percent requirement would stifle his cash flow and would force him to increase his bids, which of course would be passed along to the taxpayer.

Mr. Speaker, as we continue to find ways to kick-start our economy and encourage job growth in the private sector, I'm hopeful we can come to a bipartisan agreement to reduce the regulatory burden on State and local governments and encourage private sector growth. I'm sure it was well intentioned at the start, but it is time to eliminate this burdensome regulation.

□ 1300

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 3 minutes to my friend and classmate from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy.

I am pleased that the House will deal with the repeal this week. I was honored to be the principal cosponsor with my good friend, WALLY HERGER, of the Ways and Means Committee and to have a bipartisan effort to move this legislation forward.

I didn't vote for this bill in 2005, in the first place. And I have been working to fix it ever since the impact was revealed to us. Tax compliance is an important goal. We have somewhere in the neighborhood of $200 billion to $300 billion a year that is owed to the Federal Government to meet our obligations and reduce burdens on others that is not paid. But this bill is decidedly not the approach to take.

My good friend, Congressman HANNA, a freshman Republican from upstate New York, has an excellent op-ed in today's Roll Call that outlines how onerous it is from his perspective of having been a small contractor.

There are three points that I think ought to be made as we go forward. First of all, we got this bill because we didn't follow regular order in 2005. I don't think there was ever a hearing before our Ways and Means Committee that talked about this bill that allowed contractors and small businesses to be able to explain the impact. I am very pleased that I think Chairman CAMP is committed to trying to follow regular order in this Congress, unlike what happened in 2005.

The second point is that this reveals a flaw in the CBO calculation. I'm not faulting CBO. They're following their rules. But they assume that the Federal Government has the capacity to implement it. And they only count the revenues. Well, you don't have to go very far to understand that this wouldn't just be a burden on small business and it wouldn't just be a burden on State and local government. The cost of compliance for the Federal Government itself will, I guarantee you, be more than the amount of money that would be collected.

Finally, I felt that we could do better in paying for it; but, frankly, I think the situation that we are in in the months ahead is that we're going to need to do both. We will be making the adjustment that is advanced by my friends from the Ways and Means Committee, and we will be approving the elements that are in the motion that the Democrats would do in terms of fixing an egregious tax loophole for oil companies that only serves to improve their bottom line and does nothing to increase oil supply, does nothing to lower prices. But I will try and move both of those forward.

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

Mr. HASTINGS of Florida. I yield the gentleman 1 additional minute.

Mr. BLUMENAUER. I very much appreciate it. I get a little wound up on this. But we've been working on it for a long time.

I want to conclude by saying that I hope we don't allow some strategic differences on the floor of the House between the two parties in terms of priorities. As I say, we will end up approving both these approaches because the scale of our deficit is such that we need to do it. The administration will support it, and both parties will ultimately get there. And I think the American public will support it.

But we need to come together to make sure that this legislation that

we're working on this week does not fall victim to crossed signals on the other side of the Capitol. We need to work with the other body. We need to send a strong signal here to make sure that this mistake from 2005 is corrected now and spares unnecessary hardship for our business community and also for State and local government and, indeed, for the Federal Government itself.

Mr. SCOTT of South Carolina. Mr. Speaker, I yield 1 minute to the gentleman from Illinois, Mr. RANDY HULTGREN.

Mr. HULTGREN. I want to thank my colleague from South Carolina.

Mr. Speaker, I rise today in support of both the bills under this rule and, in particular, H.R. 674, repealing the 3 percent withholding tax on government contracts.

It may have seemed like a good idea at the time, but now we clearly see that it is a mandate that drains precious resources from America's job creators—small businesses. The profit margin for many businesses affected by the proposal is often less than the 3 percent mandate. The withholding tax will create substantial cash flow problems and drain capital from many businesses that could otherwise be used to invest and grow or hire more workers.

Mr. Speaker, I join with many business owners, State and local governments, and educational institutions in supporting H.R. 674, to repeal this tax, and provide a meaningful step towards instilling certainty in job creators in getting this economy moving on the right track.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2 minutes to the distinguished gentleman from Massachusetts (Mr. KEATING).

Mr. KEATING. Mr. Speaker, I hope the previous question is defeated so I can offer an amendment, along with my colleagues Mr. LEVIN and Mr. BISHOP, to really correct something that, frankly, is outrageous. It's not only outrageous, but it is exhibit A of what's wrong with this Congress.

The underlying bill to do away with the 3 percent withholding, I've met with my local business people, had discussions, and this is a great opportunity for bipartisan efforts to help create some jobs and help small businesses go forward. We're actually in agreement with something that's going to do all those things; and I'm proud to support that, and I'm proud to reach across the aisle and support that.

But I have got to tell you, you just can't mess things up more than you're messing things up here, because the offset that was taken by the majority party is a tax on people that have Social Security and Medicaid. Why are you doing that when you're trying to get people some economic benefits through businesses, and really an effort that we both should be applauded for working together on.

The amendment that I'm going to offer is going to correct that. It's going to correct it in a way that makes perfect sense and is exhibit A about what can be right about this Congress. We're going to take away that oil subsidy that in the next several years is going to amount to $43.6 billion in a windfall to our richest, most profitable companies that don't need it. Incidentally, 93 percent of that windfall goes to preferred stock buy-backs and CEO remuneration that is not necessary.

So we have something we agree on. We have something that's going to be a benefit and that's going to create jobs and help small businesses. Now, we can go one of two ways in terms of paying for that.

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

Mr. HASTINGS of Florida. I yield the gentleman an additional 30 seconds.

Mr. KEATING. We can have an additional tax on the Medicaid and Social Security recipients, or we can continue to reward the CEOs and Big Oil. That's not a tough choice.

So I hope that the previous question is defeated so we can offer something that makes sense. It's time for this Congress to get it right. We have a chance to do it, and I hope we will.

Mr. SCOTT of South Carolina. I would just encourage my friends on the left who want to raise taxes, raise taxes if you can, but the bottom line is that raising revenues does not make you more responsible, does not make you use the revenues that you currently have more responsibly. So the notion of raising taxes to use that as a fix to this situation is inconsistent with the reality and is part of the alternate universe that we ought not be a part of.

Mr. Speaker, I yield 1 minute to the gentleman from Illinois, Mr. DONALD MANZULLO.

Mr. MANZULLO. I rise in support of the rule and the underlying bill.

Instead of going after tax delinquents, the law punishes everyone for the failings of a few. When I chaired the Small Business Committee several years ago, I saw a lot of harm and injuries taking place to small business people. This is a tough one. H.R. 674 would repeal that.

The 3 percent withholding rule disproportionately hurts small businesses. I met with several electrical contractors in my office recently, and the first thing on their minds and their hearts was the fact that this should be repealed because it simply does not make sense.

The bill would repeal the onerous law to the benefit of farmers and others who sell goods and services to the government at all levels, but also it repeals an unfunded mandate imposed upon State and local governments that requires them to be the tax collectors for the IRS. This bill would free up precious financial resources so businesses have the flexibility to hire more workers to complete the task at hand. I urge my colleagues to support this bipartisan bill.

□ 1310

Mr. HASTINGS of Florida. Mr. Speaker, I would advise my good friend from South Carolina that I am the last speaker. If he has other speakers, then I will reserve my time.

Mr. SCOTT of South Carolina. We have one more speaker.

Mr. HASTINGS of Florida. I reserve the balance of my time.

Mr. SCOTT of South Carolina. Mr. Speaker, I yield 1 minute to the gentleman from Florida, Mr. DENNIS ROSS.

Mr. ROSS of Florida. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of the rule and the underlying bill.

Now more than ever, regulatory and tax reform are needed. The 3 percent contractor withholding requirement is yet another onerous regulatory tax policy that will hinder small business' ability to survive and hire new employees. The 10.6 percent unemployment in my home State of Florida cannot handle another government job-killing regulation.

Repealing this legislation will ensure America's small businesses are not assessed another regulatory cost that will either be passed on to consumers in cost or will force another small business to shut its doors.

The 3 percent withholding requirement was originally intended to make sure contractors paid taxes. In reality, it is simply a one-size-fits-all government approach to a problem filled with unintended consequences.

One of the most tragic consequences could be the cost to our seniors. Ninety-five percent of Medicare physicians will be affected by this withholding tax. Our seniors should not suffer because our Tax Code is too confusing, too burdensome, and too big.

Mr. Speaker, this regulation shows why we need a Tax Code that is flatter and smaller and why we need Medicare reform with fewer scare tactics and more choices.

Mr. HASTINGS of Florida. I yield myself the balance of my time.

Mr. Speaker, President Obama, as has been cited, along with many of our colleagues, supports changing the definition of ''modified adjusted gross income.'' But like on other occasions, I have disagreed with this President on matters, and in this instance I do. There are many in the institution who have a different view. But there is no reason why a bill reducing access to health care for millions of Americans has to be tied to a bill that will put money back into the pockets of middle class and working poor Americans.

My colleagues on the other side of the aisle made a conscious decision to make it harder for Americans to pay their medical bills. Now, they could have just as easily tied this bill to one that reduces oil and gas subsidies. But listen, I just spoke to a group of students, about 15 or 20 of them from American University, and I put the question to them regarding this rule,

explaining to them some of the dynamics of the institution. I put the question to them: What would seem more sensible to you. Would it be that 500,000 people should and may lose their coverage under a measure, or that the oil companies and gas companies—and I added GE—that those kinds of companies that cause these kinds of matters not to have to come into play at this time in our institution?

Now Democrats—SANDER LEVIN, my good friend from Michigan, the ranking member—introduced a substitute that would eliminate oil and gas subsidies in order to repeal the withholding requirement while still allowing Americans to keep their health care coverage. Yet they wouldn't waive the rules for that, as they've done a number of times, my Republican friends, for their own amendments, proving once again that the rules are only sacred when oil and gas and big business profits are at stake.

Mr. Speaker, if we defeat the previous question, an amendment will be offered to the rule to let Mr. LEVIN of Michigan or Mr. BISHOP of New York or Mr. KEATING of Massachusetts offer the amendment we tried to have made in order in the Rules Committee yesterday. As we've said, the amendment will roll back special tax loopholes for immensely profitable big oil companies. Is there anybody that doubts that?

And I'd like to hear from these oil company representatives. They're entitled. They're not a person, as some have said; they're a corporation. And they don't have, I guess, a conscience because their bottom line is to make a profit. Well, they've made a lot of it, and all we're asking them to do in this case and others—and I'll be back down here another time asking them—to share some of it with the American people and not cause the pressing down to our States, the pressing down to our counties and municipalities, and causing people who are disabled—and, indeed, some will lose their insurance because of this.

And maybe some of these persons have never had a disabled person. But I had a mother that was disabled for the last 2 years of her life, 30 years previous to that being almost bedridden, and I know what disability is, as I'm sure some of my friends do here. Had I not been alive, she would have died many years earlier because she had no ability to provide for herself, yet Shell Oil and Exxon and GE and all these people do. And they're right about their profitmaking, but they're wrong about not being able to share it with the people.

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 gentleman from Florida?

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, I urge my colleagues to vote ''no'' and defeat the previous question, I urge a ''no'' vote on the rule, and I yield back the balance of my time.

Mr. SCOTT of South Carolina. Mr. Speaker, we find ourselves at a place where we should have been at for many, many months, and that is working in a bipartisan way to save American jobs.

Mr. Speaker, it is amazing that we have this opportunity to have the President's support with those of us on the right, to have the Democrat leadership joining us, 269 cosponsors on this legislation that simply says to the job creators: We believe in you.

Mr. Speaker, today we have a very simple vote. We can remove an impediment to job creation from the backs of small businesses with no overall increase in government spending. That should be our vote today.

I encourage all of my colleagues to support the rule and the underlying bill.

Mr. MCGOVERN. Mr. Speaker, here we go again. Another day in the House of Representatives, another day without a jobs bill. As a Red Sox fan, I'm not prone to quoting Yogi Berra—but this is déjà vu all over again.

This Tea Party-run Republican House is not only breaking House rules to move a bipartisan bill—something they said they would never do—but they are breaking these rules to protect big oil while taking healthcare away from low-income Americans.

Talk about hitting the trifecta.

Let's start with the rule. We have one rule for two bills, one bill repealing the 3% withholding requirement and another bill offsetting the costs of the first bill. Why have two bills come up under one rule? The only reason is because the Republicans want to shut down debate and limit the motion to recommit. That's why the rule combines these two bills into one bill after they are approved on their own.

This is just one more example of this Republican leadership's continual streak of broken promises.

If this weren't bad enough, this rule waives all points of order—including the Budget Act. Why is this necessary? Well, that's because the 3% withholding bill violates the Budget Act twice.

The sad truth is that the Chairman of the Subcommittee on Health, the gentleman from California Mr. HERGER, didn't even know that his bill violated the Budget Act when he testified before the Rules Committee yesterday.

Chairman DREIER, of course, tried to explain these violations but he was misinformed when he said the only reason for these violations was because the Senate did not pass a budget resolution. To correct the record, that's only one of the violations. The other violation is because this bill violates the House-passed budget resolution. I'm not one to defend the Ryan budget, but I'd like to think that the Republicans wouldn't use one bill to contradict legislation they passed earlier this year.

And the Republican offset for the 3% withholding bill is a bad one—it tightens Medicaid and health insurance exchange subsidy eligibility requirements. In other words, it prevents low-income individuals and families from being eligible for Medicaid, an egregious act during normal times but especially heartless in this difficult economy.

Talk about turning a deaf ear to people who are struggling to make ends meet.

Now, Democrats offered an amendment to replace the bad Republican offset by eliminating subsidies to big oil and gas companies. BP, for example, reported profits of $4.9 billion in the third quarter of this year even though their production decreased by 12 percent over that period. They made more money with less oil and we—the American people—still provide lucrative subsidies to them.

Time after time, the Rules Committee has blocked my amendment ending the subsidy—siding with big oil and defending their subsidy—using procedural excuses.

It's funny how the Republicans waive the rules when it's convenient for their agenda but they refuse to apply that same standard to all bills. In this case, Republicans waive all points of order against the underlying bills but cite germaneness and cut-go as reasons why they're not making the Democratic substitute in order.

The truth is Republicans are hiding behind this flimsy excuse to protect big oil.

To my Republican friends, let me set the record straight. You're making in order a non-germane bill to pay for the repeal of the 3 percent withholding bill—a bill that violates the Budget Act—but you're saying an amendment ending subsidies for oil companies making billions of dollars each month can't be made in order because it's not germane?

You're making in order a bill that violates the rules of the House—and you're protecting this bill from these points of order—but you won't do the same for our proposal?

It's truly outrageous that you're making two bills in order and using the rule to combine these two bills into one; that you're going out of your way to make in order your non-germane bill and you're not doing the same for our bill.

It's truly outrageous that you're more interested in rationing healthcare for those who need it instead of ending subsidies for oil companies who continue to rake in billions of dollars of profits each quarter; and that you're hiding behind procedural excuses in order to get your way.

Mr. Speaker, this is a process even Tom DeLay would marvel at.

The following is a list of the instances when the Republicans have waived germaneness (Clause 7 of Rule XVI) and both cut-go and germaneness (Clause 10 of Rule XXI).

REPUBLICANS' WAIVERS OF CUTGO AND GERMANENESS THIS YEAR SO FAR:

CUTGO WAIVERS—CLAUSE 10 OF RULE XXI (3 TIMES):

H.R. 3079 (H. Res. 425)—Panama trade bill

S. 627 (H. Res. 375)—Budget Control Act of 2011

S. 365 (H. Res. 384)—Budget Control Act of 2011

GERMANENESS WAIVERS—CLAUSE 7 OF RULE XVI (9 TIMES):

H.R. 839 (H. Res. 170)—HAMP Termination Act of 2011 (canceled a program to help homeowners modify their loans)

H.R. 861 (H. Res. 170)—NSP Termination Act (canceled a program to redevelop abandoned and foreclosed homes and residential properties)

H.R. 910 (H. Res. 203)—Energy Tax Prevention Act of 2011 (taking away EPA's authority to regulate greenhouse gases)

H.R. 1315 (H. Res. 358)—Consumer Financial Protection Safety and Soundness Improvement Act of 2011 (weakened the Consumer Financial Protection Bureau)

Senate amendment to H.R. 2608 (H. Res. 405)—CR I11Senate amendment to H.R. 2608 (H. Res. 412)—CR

H.R. 658 (H. Res. 189)—FAA reauthorization

H.R. 754 (H. Res. 264)—Intel Authorization

H.R. 1892 (H. Res. 392)—Intel Authorization

Vote no on the previous question, reject this rule, and reject the pay-for that violates the Budget Act and cuts healthcare for low-income families.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

AN AMENDMENT TO H. RES. 448 OFFERED BY MR. HASTINGS OF FLORIDA

(1) In the first section of the resolution, strike ''the previous question'' and all that follows and insert the following:

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 chair and ranking minority member of the Committee on Ways and Means; (2) the amendment printed in section 4, if offered by Representative Levin of Michigan, or Representative Bishop of New York, or Representative Keating of Massachusetts, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for 30 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

(2) At the end of the resolution, add the following:

SEC. 4. The amendment referred to in the first section of this resolution is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. REPEAL OF IMPOSITION OF 3 PERCENT WITHHOLDING ON CERTAIN PAYMENTS MADE TO VENDORS BY GOVERNMENT ENTITIES.

(a) IN GENERAL.—Section 3402 of the Internal Revenue Code of 1986 is amended by striking subsection (t).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments made after December 31, 2011.

SEC. 2. 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)))'' after ''3 percent''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after the date of the enactment of this Act.

(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. SCOTT of South Carolina. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

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

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

Mr. HASTINGS of Florida. 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.

SOUTHEAST ARIZONA LAND EXCHANGE AND CONSERVATION ACT OF 2011

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1904.

The SPEAKER pro tempore (Mr. SCOTT of South Carolina). Is there objection to the request of the gentleman from Washington?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 444 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1904.

□ 1321

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1904) to facilitate the efficient extraction of mineral resources in southeast Arizona by authorizing and directing an exchange of Federal and non-Federal land, and for other purposes, with Mr. MURPHY of Pennsylvania in the chair.

The Clerk read the title of the bill.

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

The gentleman from Washington (Mr. HASTINGS) and the gentleman from Arizona (Mr. GRIJALVA) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HASTINGS of Washington. I yield myself such time as I may consume.

Mr. Chairman, our Nation has suffered through 32 consecutive months of over 8 percent unemployment, and people everywhere across our great Nation continue to ask, where are the jobs? Congress' top priority right now is job creation, and today we have an opportunity to act on that commitment by passing a bill that would put thousands of Americans to work.

The Southeast Arizona Land Exchange and Conservation Act, sponsored by our colleague from Arizona (Mr. GOSAR), is a commonsense measure that will create new American jobs and strengthen our economy through increased U.S. mineral production.

The bill authorizes an equal-value land exchange between Resolution Copper, the Federal Government, the State of Arizona and the town of Superior, Arizona, that will open up the third-largest undeveloped copper resource in the world. The bill requires the cost of the land exchange to be fully paid for by the mine developer, ensuring fair treatment for taxpayers and for the government.

This project will provide substantial benefits to the United States in the

form of job creation, economic growth, and increased national security. This mining project will support nearly 3,700 jobs. These are good paying, American wage jobs that will equate to more than $220 million in annual wages.

At a time when our economy continues to struggle, this mining project will provide a much-needed boost through private investment. This mining activity will have over $60 billion in economic impact, and will generate $20 billion in total Federal, State, county, and local tax revenue.

So this bill, Mr. Chairman, is a perfect example of how safely and responsibly harnessing our resources will generate revenue and get our economy back on track. The importance of U.S. copper production cannot be overstated. Our Nation has become increasingly reliant on foreign countries for our mineral resources, placing our economic competitiveness and national security at risk.

The U.S. currently imports 30 percent of the copper we need, and we will continue to be dependent on foreign countries if we fail to develop our own resources and the vast resources, indeed, we have in this country. The copper produced from this single project will meet 25 percent of the United States' entire copper demand. The copper could be used for a variety of projects, ranging from hybrid cars like the Prius to medical devices, plumbing, and computers. Without it, the microphones and lights that we're using here right now would not be functioning. It's also essential for national defense equipment and technology. It is used in satellite, space and aviation, weapons guidance, and communications.

The benefits and the reasons to pass this bill, Mr. Chairman, are plentiful. However, we are likely to hear several inaccurate claims from those across the aisle who are opposed to mining in America. I would like to take a moment to set the record straight right from the beginning.

First, the bill follows the standard Federal land appraisal process, procedures issued by the Department of Justice which have been used in this country for decades. The appraisal requires full market value to be paid for both the land and minerals within.

If, by chance, there is copper production beyond the appraised value, Mr. Chairman, the mine developer will be required to pay the United States the difference, which would be assessed on an annual basis. This is an added guarantee to ensure that taxpayers get a fair return on their copper resources.

Second, this bill is about creating nearly 3,700 American jobs. It's not about helping foreign mining interests, as some have charged. Opposing this mine and not producing copper in the U.S. is what truly benefits foreign nations by sending American jobs overseas and making it increasingly reliant on foreign resources of critical minerals.

Third, the bill requires full compliance with environmental laws and tribal consultation prior to constructing the mine. This bill provides more conservation and protection of culturally sensitive riparian and critical habitat than otherwise would occur, especially areas to be conveyed currently under private ownership.

Fourth, the developer has already secured over half the water needed for this project, and has committed to having 100 percent of the water it needs in hand before construction begins. Claims that the project will require the same amount of water used by the City of Tempe is, Mr. Chairman, a gross exaggeration.

Finally, this bill does not trade away sacred sites. As previously stated, the bill requires tribal consultation. And there is a map that will be shown later on today that talks about the copper triangle in this part of Arizona, and you will see that on this map which will be shown later, this mine is right in the middle of that copper triangle.

H.R. 1904 is about creating new American jobs, strengthening our economy, and decreasing our dependence on foreign minerals. The bill has broad support, both locally and nationally, including from Arizona Governor Jan Brewer, the Arizona Chamber of Commerce, the U.S. Chamber of Commerce, the National Association of Manufacturing, and the National Mining Association.

They all, Mr. Chairman, recognize the job-creating benefits of this bill. So I urge my colleagues to strongly support H.R. 1904 to put Americans back to work on American jobs and utilize the vast resources in this country that we should be using for economic and for national security reasons.

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

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

H.R. 1904 is a triple threat. It will rob Native people of their heritage. It will rob local people of their water. And it will rob the American people of their money.

This legislation is simply an abdication of our responsibilities as stewards of public lands and the public trust, and it must be rejected. The Congress routinely considers land exchanges. It is our responsibility to weigh the merits of each proposal to determine whether it is in the best interest of the American people. Some proposals facilitate public recreation, some help local communities build courthouses and schools, and some serve important environmental goals.

The land exchange required by H.R. 1904 serves none of those purposes. Rather, this legislation will take thousands of acres of healthy, protected, sacred public land and convert it into billions of dollars in corporate profits for two foreign mining companies.

H.R. 1904 trades away several sites that are sacred to Native people. The hearing record before the Natural Resources Committee includes desperate pleas from San Carlos Apache, White Mountain Apache, Yavapai-Apache, Tonto Apache, Fort McDowell Yavapai, Hualapai, Jicarilla Apache, Mescalero Apache, and the Zuni Pueblo and others, pleading to respect the religious and cultural traditions.

□ 1330

Instead, the bill waives compliance with NEPA, the Native American Graves Protection Act, the Historic Preservation Act, and all other statutes that might give the tribes a voice and respect at the table before this decision is finalized. The final insult comes when the bill requires consultation with Native people—after the land exchange, after that exchange has already occurred. This will not be government-to-government consultations as required by the treaty trust relationship. Rather it continues a pattern of neglect and belittles Native people once again.

The legislation also threatens to dewater a large and already drought-prone area, turning it from an arid but functioning landscape into a desert. According to testimony received by the committee, a mining operation like the one planned by Resolution Copper requires an estimated 40,000 acre-feet of water per year. This is roughly the amount of water used by the entire city of Tempe in Arizona.

The company does not own any water rights and has failed to indicate where the water from the mining operation will come from. Historically, mining companies have simply sunk their wells deeper than their neighbors and taken the water that they need. A Federal mining permit process, along with compliance with NEPA and other laws, might mitigate or at least explore these concerns; but the legislation allows Resolution Copper to skip these steps, leaving the people of southeastern Arizona in grave danger of severe water shortages. NEPA happens after that land trade is finalized, when Rio Tinto—the parent company of Resolution Copper—holds all the cards. Compliance with NEPA becomes unclear and poses legal issues regarding private property.

Finally, the legislation will allow Rio Tinto—the parent company of Resolution Copper—to realize billions in profits without guaranteeing a fair return to the current owners of the land, the American people. The bill contains appraisal and payment provisions; but the language is nonstandard, and in some cases totally unique. Why are such provisions necessary when a simple, straightforward royalty would provide a fair and predictable return for the taxpayers?

At a time when we are told that everybody from college students to the elderly must accept drastic cuts to basic Federal programs, it is unconscionable that we would approve a massive transfer of wealth from the American people to a foreign-owned mining company without insisting on a fair return.

Supporters of this legislation claim it would create jobs. Job creation has been the excuse used here on the House floor to push legislation dismantling the last century of environmental protection, and H.R. 1904 continues that pattern. The job-creation claims are all based on predictions provided by the industry and the companies which stand to profit from this deal without a mining plan to verify or corroborate any of the information. Thus, they are all highly suspect.

When this proposal was first developed in 2005, the Arizona Republic and Tucson Citizen reported the mine would create 450 jobs. Without explanation, these predictions have skyrocketed over the years to 1,200 jobs to 3,700 today; and 6,000 jobs, as well, have been brought up as numbers of jobs that would be created. None of these numbers are supported by facts.

The trend in mining over the last several decades is clear: mining companies are producing more and more and using fewer and fewer workers. Rio Tinto and BHP-Billiton are pioneers in the use of automation, and the Resolution Copper project is an opportunity to perfect these technologies even further. The number of jobs actually created by H.R. 1904 will pale in comparison to the economic and environmental devastation that it could cause.

Mr. Chairman, this is a special interest legislation that is not in the interests of the American people. This legislation asks Congress to be business agents for foreign-owned corporations and not stewards of the public land or represent the American taxpayer.

With that, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 5 minutes to the gentleman from Arizona (Mr. GOSAR), the sponsor of this bill, somebody who has been absolutely tenacious in seeing that this legislation advances to where it is today.

Mr. GOSAR. I rise today in support of my legislation, H.R. 1904, the Southeast Arizona Land Exchange and Conservation Act, legislation that will create new American jobs, reduce our dependence on foreign sources of energy and minerals, protect high-profile conservation lands, and generate revenue for Federal and State treasuries.

In this time of serious economic hardship, Congress must engage in serious debate over serious issues. What should not guide Congress is an endless game of unfounded attacks that lead to trumped-up fear-mongering to gain political advantage, particularly, in this case, the fear of robots.

This legislation is a real job creator. I would like to tell a story about Chris Astor, a current employee at the mine site and a member of the San Carlos Apache Tribe. Chris grew up attending public schools on the San Carlos Apache Reservation and graduated from high school in nearby Globe. In 2010, Chris was among those in the first group of the Resolution Experience participants—a paid 3-week program Resolution launched in the summer of 2010 to introduce potential employees to the world of mining. Each participant receives a Mining Safety and Health Administration-certified training and then is exposed to the various work disciplines within Resolution Copper. Following this 3-week program, many of the program participants are hired by the company or its contractors. Among the hired employees was Chris Astor.

Chris is one of seven San Carlos Apaches who have been hired by Resolution Copper or its contractor since the program began in the summer of 2010. Chris now works as a core handler—one of a seven-member crew that retrieves drill core samples from the rigs that do the project. I've had the blessing of doing this in my own life for my dad. Under the guidance of geologists, the core handlers log, process, and archive core samples with geologists and mine engineers helping them to rely on and understand the nature of the ore body. ''I would like to eventually try different jobs, get a broader view, learn and grow into a supervisory role,'' Chris says. ''I also want to be trained to work underground.''

Prior to the Resolution Experience, Chris worked at the Pinto Valley copper mine, an open-pit mine a few miles northeast of Resolution Projects, which is owned by BHP-Billiton. However, this mine is currently closed. Before joining Resolution Experience, Chris had been out of work for more than a year.

Chris is now a 31-year-old father of three children, ages 13, 9, and 5. With his stable, good-paying job, including great medical and benefits, Chris is able to confidently support his family. ''I can take care of my kids better and provide what they need—and sometimes even what they want,'' he says.

Life was not always good for Chris. He grew up as an only child raised by his mother and grandparents. He spent most of his childhood on the reservation. ''We went where my mom could find work,'' he says. ''I never knew my dad.'' Chris feels fortunate to have a job and to live on the reservation, where more than 80 percent of the residents live in poverty and seven out of 10 eligible workers are unemployed.

It is true that modern mining technology uses high-tech equipment to accomplish certain tasks. This is done for efficiency's sake and for the sake of worker safety. Mining is a potentially hazardous task and certainly a difficult one that must be done with precision.

Chris is not a robot. You can still see there is a need for people to run the mine, to drive the trucks, to feed the workers, to drill the holes, to engineer the dig, to build the structures, to process the minerals, and, yes, build, maintain and control technology. Chris is a real human being operating this technology already at the site whose life has benefited greatly from this project. If we pass this legislation, over 3,700 more success stories like Chris's will come to fruition.

I urge my colleagues to continue this debate with serious discussions about the facts about this bill, not scare tactics.

Mr. GRIJALVA. Mr. Chairman, I yield such time as he may consume to the gentleman from Arizona, my colleague, Mr. PASTOR.

(Mr. PASTOR of Arizona asked and was given permission to revise and extend his remarks.)

Mr. PASTOR of Arizona. First of all, I want to thank the gentleman from Arizona for the courtesy.

Mr. Chairman, this is an issue that I have been working on for probably the last 10 years. And one of the interests that I have on this issue is because I was born in and grew up in this copper triangle that we're talking about today.

□ 1340

It's a beautiful area, and at one time, copper was the industry for this Copper Triangle. Yet, over the past 20–25 years, many of the mines have shut down, and copper production has stopped in Arizona. So I have to tell you that my interest in this land exchange would be the possible economic development of this area.

I travel through this area because my mom still lives up in Miami, Arizona, where I was born and raised. I travel regularly, at least once a month, through these canyons. I can tell you that it's the most beautiful sight, about 85 miles east of Phoenix, where you can still see a fine, pristine environment with some of the most spectacular rock formations you'll ever see in this country. It's very beautiful, but it's also an area that has been hit by some hard times.

I grew up in a mining town, so I know what a mining town is. During the summers, while I was attending Arizona State University, I'd go to work in the mines. I worked in the leaching plant, the electrolytic plant, the leaching tanks, the ball mills, and the moly plant, so I have the experience of knowing this type of life. I know the economic boom that copper mining can bring to a community, but I also have experience with the adverse impact that copper mining can have, not only on the people who work there, but also on the environment. I have seen both sides.

It's with that interest that I have seen the evolution of this debate. At one time, even I sponsored a bill that would deal with the economic development of these mining towns—Superior, Globe-Miami, et cetera. The area that we're talking about being exchanged, is an area I know well. As a kid growing up, we used this area for a picnic site, and in some cases, when we didn't go to school, that's where we would have our impromptu picnics. So I know this area.

I have to tell you, with regard to the issue of jobs, as will be discussed, I

guess ''a number of jobs'' is in the eye of the beholder. Mining has changed, and I know that it's a different type of mining now from the one I experienced. We can debate the number of jobs, but I will tell you that this will bring some economic development to these areas of the Copper Triangle. That I cannot deny. Yet the issue for me is at what price.

At what price do we bring this economic development without some protection to the environment and without some protection to an employee's rights?

There is no debate that this ore deposit has some of the richest ore bodies. Copper, gold, silver, molybdenum, and other rare metals will be mined here. It's one of the richest deposits of ore not only in North America but probably in this world. That's why Resolution Copper has maintained 8 years, 9 years, 10 years of trying to get this bill done, because they know how rich this deposit is.

So at what price do we pay for this economic boom?

Mr. Chairman, I will tell you of the differences I have with the sponsor of this bill. But, first, I have to thank him because Representative GOSAR reached out very early, and we talked about this particular bill. He has improved the bill I sponsored, but I feel that he has not gone far enough.

This bill would be highly improved if the amendment offered today that gives an 8 percent royalty fee on the extraction of the ore would be adopted, making the bill more fair to the American public. If that amendment is adopted, obviously, it will be very difficult to oppose this bill; but if the amendment is not adopted, then, Mr. Chairman, the American public will be paying too high a price for the economic development of the Copper Triangle. The only enrichment will be for those copper companies that are foreign based.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 2½ minutes to the gentleman from Arizona (Mr. QUAYLE), who also has been very tenacious on this issue.

Mr. QUAYLE. I thank the gentleman for yielding.

Mr. Chairman, I rise today in strong support of H.R. 1904, a bill authored by my good friend and fellow Arizonan, Congressman GOSAR, that will create thousands of jobs in Arizona.

I want to commend Chairman HASTINGS for his work on this and for bringing it to the floor today.

What we see right now is a jobs crisis that we have in America. We need to be able to unleash the ingenuity of our job creators. We also have to make sure that we're not putting up barriers for people to actually start companies, expand companies and hire new workers.

H.R. 1904 will have broad economic impacts, not only for Arizona but for the country as a whole, because it will create 3,700 jobs equaling nearly $220.5 million in annual wages. These are good, high-paying jobs right here in America. It will also generate nearly $20 billion in Federal, State, county, and local tax revenue.

This is a win-win. Not only is this legislation completely paid for, but it also ensures that mining is done in a responsible manner because H.R. 1904 requires full compliance with NEPA and because it requires tribal consultation prior to mine construction.

Now, Mr. Chairman, copper is a vital mineral that we have in the United States and across the world. It's going to continue to be vital because it's a critical mineral that is widely used in construction, telecommunications, electricity, and transportation. Copper is also extremely conductive, which makes it very important in power generation and utility transmission.

Our actual desire and demand for copper is just going to continue to go up. That's why we've actually started to import close to 30 percent of our copper from foreign countries. Now, if we actually open up this mine and allow this land swap to happen, this project alone could provide us with enough copper to meet 25 percent of current U.S. demand. By taking advantage of American sources of copper, we can prevent supply disruptions and decrease our dependence on foreign imports. Most importantly, Mr. Chairman, this bill will create thousands of American jobs in a responsible manner at no cost to the taxpayer.

I urge my colleagues to support this bill.

Mr. GRIJALVA. There is a cost to the taxpayer, Mr. Chairman. I would consider the fact that this very valuable mineral is being extracted without any royalties and without any payment a cost to the American taxpayer.

The issue about NEPA is not semantics. NEPA and other environmental processes should occur before the land trade, not after. After the land trade, it will be very difficult for compliance to happen. As a consequence, this land will be in the hands of a foreign-owned company, and it will be private property.

With that, I yield such time as he may consume to the ranking member of the Natural Resources Committee, the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentleman from Arizona for yielding.

Mr. Chairman, the New Deal was a jobs plan. President Obama has put forward a jobs plan.

H.R. 1904 is not a jobs plan. H.R. 1904 is a massive payout to multinational mining giants that are wearing a jobs plan as a disguise. That disguise is slipping. Real jobs are about making wise investments in businesses and technologies that put Americans to work. This bill just gives billions of dollars in copper to foreign mining companies for free.

□ 1350

Let's do the math. Estimates vary on the value of the copper from $2 billion to $7 billion or $8 billion. So let's just split the difference down the middle and say that the copper might be worth $5 billion. The jobs claims for this bill vary wildly as well from 500 to 5,000 jobs.

Now, there is a good reason to believe the jobs numbers will be on the very low end, but let's be optimistic and take the highest jobs claim possible.

So supporters of this bill are going to give away $5 billion in hopes of creating 5,000 jobs. Well, that's $1 million per job, Mr. Chairman, $1 million not paid necessarily to the workers themselves but to foreign mining giants. Now, is that the kind of wise investment that we need? I do not think so.

I think that we need some new jobs, but they should be real jobs. They should be here.

Much of the work that's going to be done in this mining is going to be done by robots. So there will be full employment for R2–D2 and for the transformers; but the total number of jobs here, very speculative and very expensive per job created. That's the real question here because I think many human beings are just going to remain unemployed under this plan.

And since it's a multinational that gets the benefits, there will be plenty of accountants and lawyers in London and Melbourne, all around the world, that will be employed, but in America, not so many. And those that are there, very expensive, especially since the per capita cost is very, very high.

Now, why do we know that? Well, we know it because Rio Tinto and BHP-Billiton stand to pocket an enormous amount of money, billions of dollars, off of this deal.

So if you count the chauffeurs, if you count the food service workers in the executive dining rooms of these companies, well, you can see where there will be some jobs that are created if you're adding it up that way.

But the truth is, this is a windfall, a windfall, which is why I am going to make an amendment to charge a reasonable royalty for the privilege of mining this copper on public lands in the United States. And when the majority votes ''no'' on that, when the Republicans say, no, we don't want a royalty payment that can actually be collected by the American people, we'll see what the real aim of this is, which is to privatize this resource for multinational corporations without giving the full benefit to the American taxpayer for the copper which is mined.

Mr. GRIJALVA and Mr. GARAMENDI will offer an amendment to require local hiring and local ore processing and Make It in America, make it here and have Americans working here doing this work, people from Arizona itself. That's the real debate that we're going to have.

In conclusion, Mr. LUJÁN as well will offer an amendment to protect Native American sacred sites from being destroyed by this bill. And when that is defeated as well by the majority, it will

be painfully clear just how far they are willing to go to enrich these foreign corporations.

This should not be a Filene's Basement sale. This should not be a fire sale giving away American valuable copper resources to multinationals. We should be able to put a price tag on what the American people are getting from this bargain basement sale, this giveaway, without proper compensation given to the American taxpayer.

That's what this bill and the debate is going to be all about. It's whether or not, in fact, there is corporate profiteering at taxpayer expense, plain and simple, which is at the heart of this bill. History will record that when the public cried out for a jobs plan to put Americans back to work, what was put together was a retirement plan for executives at Rio Tinto and BHP-Billiton that did not, in fact, get a return on investment for the American taxpayers.

THE NATIONAL CONGRESS OF AMERICAN INDIANS RESOLUTION #MKE–11–0XX

TITLE: OPPOSITION TO H.R. 1904, PROPOSING A LAND EXCHANGE IN SOUTHEASTERN ARIZONA FOR THE PURPOSE OF MINING OPERATIONS

Whereas, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution, and

Whereas, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

Whereas, H.R. 1904, entitled ''Southeast Arizona Land Exchange and Conservation Act of 2011,'' was introduced by Arizona District 1 Congressman, Paul Gosar, on May 13, 2011, to approve a federal land exchange to transfer to the ownership of Resolution Copper, a joint venture of two foreign mining companies, Rio Tinto, PLC and BHP Billiton, Ltd., over 2,400 acres of federal lands located within the Tonto National Forest for purposes of an unprecedented block cave copper mine; and

Whereas, the federal lands which are proposed to be exchanged, which are generally known as Oak Flat, are within the ancestral lands of certain Arizona Indian tribes, and these land's are of unique religious, cultural, traditional, and archeological significance to American Indian tribes in this region; and

Whereas, H R. 1904 would require Congress to lift the decades old ban against mining within the 760 acres of the Oak Flat Withdrawal which was expressly set aside from mining by President Eisenhower in 1955 due to the land's value for recreation and other important purposes; and

Whereas, the mining proposed for Oak Flat will destroy the religious, cultural and traditional integrity of Oak Flat for American Indian tribes affiliated with the area, and it will cause serious and highly damaging environmental consequences to the water, wildlife, plants, and other natural ecosystems of the area; and

Whereas, the block cave mining method to be employed at Oak Flat will also cause the collapse of the surface of the earth and endanger the historic terrain at Apache Leap, Oak Flat, and Gaan Canyon, as well as in the surrounding countryside; and

Whereas, the mining activity would deplete and contaminate water resources from nearby watersheds and aquifers leaving in its wake long term and in some cases, permanent religious, cultural and environmental damage; and

Whereas, although we are not opposed to mining in general, this form of mining and mining in this location does not make sense, is offensive to us, and would pose a danger to many important values of this region; and

Whereas, the National Congress of American Indians has adopted resolutions in the past opposing this mining project at Oak Flat and the land exchange to be facilitated by H.R. 1904; and

Whereas, the Inter Tribal Council of Arizona, Inc. has adopted resolutions in the past opposing this mining project at Oak Flat and land exchange, and most recently adopted Resolution 0311 on May 20, 2011, opposing H.R 1904; and

Whereas, the San Carlos Apache Tribe, the Fort McDowell Yavapai Nation, the White Mountain Apache Tribe, and other Tribes have opposed this land exchange due to the environmental consequences to the land in the proposed mining area, as well as the harm to religious, cultural, archeological, and historic resources from the proposed mining by the huge foreign mining companies; and now therefore, be it

Resolved, that the National Congress of American Indians oppose H.R. 1904, providing for a land exchange in southeastern Arizona for the purpose of mining by Resolution Copper; and be it further

Resolved, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

INTER TRIBAL COUNCIL OF ARIZONA RESOLUTION 0311

IN OPPOSITION TO H.R. 1904, PROPOSING A LAND EXCHANGE IN SOUTHEASTERN ARIZONA FOR THE PURPOSE OF MINING OPERATIONS

Whereas, the Inter Tribal Council of Arizona (ITCA), an organization of twenty tribal governments in Arizona, provides a forum for tribal governments to advocate for national, regional and specific tribal concerns and to join in united action to address those concerns; and

Whereas, the member Tribes of the Inter Tribal Council of Arizona have the authority to act to further their collective interests as sovereign tribal governments; and

Whereas, the member Tribes of the ITCA have the charge to support the sovereign right of Indian nations, tribes, and communities on matters directly affecting them upon their request; and

Whereas, H.R. 1904, entitled ''Southeast Arizona Land Exchange and Conservation Act of 2011'', was introduced by District 1 Congressman, PAUL GOSAR, on May 13, 2011, to approve a federal land exchange to transfer to the ownership of Resolution Copper, a joint venture of two foreign mining companies, Rio Tinto, PLC and BHP Billiton, Ltd., over 2,400 acres of federal lands located within the Tonto National Forest for purposes of an unprecedented block cave copper mine; and

Whereas, the federal lands which are proposed to be exchanged, which are generally known as Oak Flat, are within the ancestral lands of certain Arizona Indian tribes, and these lands are of unique religious, cultural, traditional, and archeological significance to American Indian tribes in this region; and

Whereas, H.R. 1904 would require Congress to lift the decades old ban against mining within the 760 acres of the Oak Flat Withdrawal which was expressly set aside from mining by President Eisenhower in 1955 due to the lands value for recreation and other important purposes; and

Whereas, the mining proposed for Oak Flat will destroy the religious, cultural and traditional integrity of Oak Flat for American Indian tribes affiliated with the area, and it will cause serious and highly damaging environmental consequences to the water, wildlife, plants, and other natural ecosystems of the area; and

Whereas, the block cave mining method to be employed at Oak Flat will also cause the collapse of the surface of the earth and endanger the historic terrain at Apache Leap, Oak Flat, and Gaan Canyon, as well as in the surrounding country side; and

Whereas, the mining activity would deplete and contaminate water resources from nearby watersheds and aquifers leaving in its wake long term and in some cases, permanent religious, cultural and environmental damage; and

Whereas, although we are not opposed to mining in general, this form of mining and mining in this location does not make sense, is offensive to us, and would pose a danger to many important values of this region; and

Whereas, the Inter Tribal Council of Arizona has adopted resolutions in the past opposing this mining project at Oak Flat and the land exchange to be facilitated by H.R. 1904; and

Whereas, the San Carlos Apache Tribe, the Fort McDowell Yavapai Nation, the White Mountain Apache Tribe, and other Tribes have opposed this land exchange due to the environmental consequences to the land in the proposed mining area, as well as the harm to religious, cultural, archeological, and historic resources from the proposed mining by the huge foreign mining companies; and now therefore be it

Resolved, that the member Tribes of ITCA oppose H.R. 1904, providing for a land exchange in southeastern Arizona for the purpose of mining by Resolution Copper; and be it finally

Resolved, that the ITCA inform all appropriate Congressional Committees, the Arizona Delegation, and all appropriate state and federal agencies of and the reasons for this position.

CERTIFICATION

The foregoing resolution was presented and duly adopted at a meeting of the Inter Tribal Council of Arizona on May 20, 2011, where a quorum was present.

SHAN LEWIS,
Vice-Chairman, Fort Mojave Tribe
President, Inter Tribal Council of Arizona.

EIGHT NORTHERN INDIAN PUEBLOS COUNCIL INC. RESOLUTION NO. 11–10–15

IN OPPOSITION TO H.R. 1904, PROPOSING A LAND EXCHANGE IN SOUTHEASTERN ARIZONA FOR THE PURPOSE OF MINING OPERATIONS

Whereas, the Eight Northern Indian Pueblos Council Inc. (ENIPC, Inc.), believes in supporting the sovereign rights of Indian nations, tribes, and communities on matters affecting them upon request; and

Whereas, traditional tribal life is rooted in a deep and personal understanding of the natural world and the forces that govern it; the source of tribal health, happiness, strength, and balance is the natural world, making our relationship with the natural world sacred; and

Whereas, H.R. 1904, entitled ''Southeast Arizona Land Exchange and Conservation Act of 2011,'' would approve a federal land exchange to transfer to the ownership of Resolution Copper over 2,400 acres of federal lands

located within the Tonto National Forest for purposes of an unprecedented block cave copper mine; and

Whereas, the federal lands which are proposed to be exchanged, which arc generally known as Oak Flat, are within the ancestral lands of certain Indian tribes, and these lands are of unique religious, cultural, traditional, and archeological significance to American Indian tribes in this region; and

Whereas, H.R. 1904 would require Congress to lift the decades old ban against mining within the 760 acres of the Oak Flat Withdrawal which was expressly set aside from mining by President Eisenhower in 1955 due to the land's value for recreation and other important purposes; and

Whereas, the mining proposed for Oak Flat will destroy the religious, cultural and traditional integrity of Oak Flat for American Indian tribes affiliated with the area, and it will cause serious and highly damaging environmental consequences to the water, wildlife, plants, and other natural ecosystems of the area; and

Whereas, the block cave mining method to be employed at Oat Flat will also cause the collapse of the surface of the earth and endanger the religious and historic terrain at Apache Leap, Oak Flat, and Gaan Canyon, as well as in the surrounding countryside; and

Whereas, the mining activity would deplete and contaminate water resources from nearby watersheds and aquifers leaving in its wake long term and in some cases, permanent religious, cultural and environment damage; and

Whereas, the National Congress of American Indians, the Inter Tribal Council of Arizona, the United South and Eastern Tribes, the San Carlos Apache Tribe, and other Arizona and New Mexico Tribes have opposed this land exchange due to the harm to religious, cultural, archeological, and historic resources, as well as the environmental consequences to the land from the proposed mining activities; and now, therefore, be it

Resolved, that the Eight Northern Indian Pueblo Council, Inc.'s Board of Governors firmly commit their support to oppose H.R. 1904: Southeast Arizona Land Exchange and Conservation Act of 2011; be it further

Resolved, that the ENIPC Board of Governors will inform all appropriate Congressional Committees, the New Mexico Delegation, and all appropriate federal agencies of and the reasons for this position; be it finally

Resolved, that the Tribal Council is expressly authorized to take any and all actions necessary to accomplish the intent of this Resolution.

CERTIFICATION

We hereby certify that Resolution No. 11–10–15 was considered and adopted at an Eight Northern Indian Pueblos Council, Inc., Board of Governors meeting held on October 18, 2011, and that a quorum was present and that the vote was 6 in favor, 0 opposed, 0 abstained and 2 absent.

Signed this 18th day of October 2011

GOVERNOR PERRY MARTINEZ,
Chairman, Pueblo de San Ildefonso.
GOVERNOR MARK MITCHELL,
Pueblo of Tesuque.
GOVERNOR GERALD NAILOR,
Pueblo of Picuris.
GOVERNOR NELSON J. CORDOVA,
Pueblo of Taos.
GOVERNOR RON LOVATO,
Vice Chairman, Ohkay Owingeh.
GOVERNOR GEORGE RIVERA,
Pueblo of Pojoaque.
GOVERNOR ERNEST MIRABAL,
Pueblo of Nambe.
GOVERNOR WALTER DASHENO,
Pueblo of Santa Clara.

Attest:

ROB CORABI,
Interim Executive Director, Eight Northern Indian Pueblos Council, Inc.

ALL INDIAN PUEBLO COUNCIL RESOLUTION 2011–08

IN OPPOSITION TO H.R. 1904, PROPOSING A LAND EXCHANGE IN SOUTHEASTERN ARIZONA FOR THE PURPOSE OF MINING OPERATIONS

Whereas, the All Indian Pueblo Council (''AIPC'') is comprised of the Pueblos of Acoma, Cochiti, Isleta, Laguna, Jemez, Santa Ana, Sandia, San Felipe, Santo Domingo, Zia, Zuni, Nambe, Picuris, Pojoaque, Santa Clara, San Ildefonso, Ohkay Owingeh, Tesuque, Taos and 1 Sovereign Pueblo, Ysleta Del Sur, located in the State of Texas and each possessing inherent government authority and sovereignty over their lands; and

Whereas, the member Tribes of AIPC have the charge to support the sovereign right of Indian nations, tribes, and communities on matters affecting them upon request; and

Whereas, H.R. 1904, entitled ''Southeast Arizona Land Exchange and Conservation Act of 2011'', would approve a federal land exchange to transfer to the ownership of Resolution Copper over 2,400 acres of federal lands located within the Tonto National Forest for purposes of an unprecedented block cave copper mine; and

Whereas, the federal lands which are proposed to be exchanged, which are generally known as Oak Flat, are within the ancestral lands of certain Arizona Indian tribes, and these lands are of unique religious, cultural, traditional, and archeological significance to American Indian tribes in this region; and

Whereas, H.R. 1904 would require Congress to lift the decades old ban against mining within the 760 acres of the Oak Flat Withdrawal which was expressly set aside from mining by President Eisenhower in 1955 due to the lands value for recreation and other important purposes; and

Whereas, the mining proposed for Oak Flat will destroy the religious, cultural and traditional integrity of Oak Flat for American Indian tribes affiliated with the area, and it will cause serious and highly damaging environmental consequences to the water, wildlife, plants, and other natural ecosystems of the area; and

Whereas, the block cave mining method to be employed at Oak Flat will also cause the collapse of the surface of the earth and endanger the religious and historic terrain at Apache Leap, Oak Flat, and Gaan Canyon, as well as in the surrounding country side; and

Whereas, the mining activity would deplete and contaminate water resources from nearby watersheds and aquifers leaving in its wake long term and in some cases, permanent religious, cultural and environmental damage; and

Whereas, the National Congress of American Indians, the Inter Tribal Council of Arizona, the United South and Eastern Tribes, the San Carlos Apache Tribe, and other Arizona and New Mexico Tribes have opposed this land exchange due to the harm to religious, cultural, archeological, and historic resources, as well as the environmental consequences to the land from the proposed mining activities; and now therefore be it

Resolved, the All Indian Pueblo Council Governors firmly commit their support to oppose H.R. 1904: Southeast Arizona Land Exchange and Conservation Act of 2011; and be it further

Resolved, that the AIPC will inform all appropriate Congressional Committees, the New Mexico Delegation, and all appropriate federal agencies of and the reasons for this position; be it finally

Resolved, that the officers of AIPC are expressly authorized to take any and all steps necessary to effectuate the intent of this Resolution immediately.

CERTIFICATION

I, Chairman Sanchez of the All Indian Pueblo Council, hereby certify that the foregoing resolution 2011–08 was considered and adopted at a duly called council meeting held on the 17th day of August 2011, and at which time a quorum as present and the same as approved by a vote of 16 in favor, 0 opposed, 0 abstained and 4 absent.

CHANDLER SANCHEZ,
Chairman.

Attest:

LEROY ARQUERO,
Secretary/Treasurer.

Pueblo of Acoma, Gov. Vicente; Pueblo of Isleta, Gov. Lujan; Pueblo of Laguna, Gov. Luarkie; Ohkay Owingeh, Gov. Lovato; Pueblo of Pojoaque, Gov. Rivera; Pueblo of San Ildefonso, Gov. Martinez; Pueblo of Santa Ana, Gov. Montoya; Pueblo of Santo Domingo; Pueblo of Tesuque; Pueblo of Zia; Pueblo of Cochiti, Gov. Pecon; Pueblo of Jemez, Gov. Toledo Jr.; Pueblo of Nambe, Gov. Mirabal; Pueblo of Picuris, Gov. Nailor; Pueblo of San Felipe, Gov. Sandoval; Pueblo of Sandia, Gov. Montoya; Pueblo of Santa Clara; Pueblo of Taos; Pueblo of Ysleta del Sur; Pueblo of Zuni.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 2 minutes to another gentleman from Arizona, somebody else who has been involved in this issue for some time, Mr. FRANKS.

Mr. FRANKS of Arizona. I certainly thank the distinguished chairman for yielding.

Mr. Chairman, first let me just congratulate Mr. GOSAR on the introduction and passage of this legislation. He has done an amazing job in helping this legislation get to where it is now, and I have every confidence that he will see it through to the end.

Mr. Chairman, according to a United States Geological Survey report, the United States currently imports over 30 percent of the country's copper demand. And in 2010 alone, domestic copper production decreased by another 5 percent; it decreased by another 5 percent.

And just as relying on foreign oil imports threatens national security, relying on foreign copper suppliers also threatens U.S. industry. We must use domestic resources to meet that growing demand; and this legislation is a major step in the right direction, producing enough copper to meet as much as 25 percent of America's current demand.

The Southeast Arizona Land Exchange and Conservation Act would open up the third largest undeveloped copper resource in the world, creating new American jobs, reducing our dependence on foreign sources of energy

and minerals, and generating tens of billions of dollars in revenue.

Now, in the midst of a prolonged recession, Mr. Chairman, that has hit Arizona very hard, we really cannot afford not to pass this legislation because it so uniformly benefits our labor force, our State and local governments and conservationists who would benefit from much of the high-value land exchange in opening this land to mining.

I would just encourage my colleagues to vote in favor of this bill. It's time that America begins to produce our own energy and our own minerals and to get back on track to being the greatest Nation in the history of the world.

Mr. GRIJALVA. Mr. Chairman, the claim is that this legislation is going to boost the U.S. economy tremendously, but the copper will likely benefit China more than the United States.

Nine percent of Rio Tinto is owned by the state-controlled Aluminum Corporation of China. Rio Tinto has a long-established relationship and at our hearings refused to disclaim what level of exportation they were going to make to China of this copper ore.

At a time when we should focus on U.S. industry supporting that industry, creating jobs here in America, we should not be trading away billions in copper to supply China's needs. This bill doesn't even require that the ore extracted from this mine be processed here, much less that it will be marketed or sold here.

With that, let me yield 3 minutes to the gentleman from California, a member of the Resources Committee, Mr. GARAMENDI.

Mr. GARAMENDI. Thank you, Mr. GRIJALVA, and thank you very much for our friends from Arizona.

Let me just tell you, my family has been in mining since the 1860s, gold mining, which isn't working too well in California right now. And I am not at all opposed to mining copper in Arizona, although there are issues, local, to be dealt with; and I will let that go to another individual. I was deputy Secretary of the Department of the Interior and had the opportunity to deal with appraisals and land transfers.

This bill, as structured, is a bad deal for American taxpayers and for Americans. It basically is an enormous giveaway of extraordinary value to these two companies. As has been mentioned by our colleagues from Arizona who are in support of the bill, this is one of the biggest deposits of copper and other minerals in the United States and quite possibly among the biggest in the world.

What is its value? The mechanism that's used to determine the value of the trade is called a capitalization appraisal, which has to assume the cost, has to make assumptions on the extraction, the cost of extraction, and the amount of ore to be obtained.

There is no way in the appraisal process that that can be done with any accuracy at all.

□ 1400

In the language of the bill, there are certain provisions that make it impossible for the United States Government to go back and do a reappraisal, so we're left with a bad financial deal.

I'm all for the copper mining. It has to be done properly, and environmental views and all that. That's not the issue for me. The issue for me is let's make sure the American public gets the right value out of this, and there's only one way to do it. That is as the ore is extracted. It then has a known quantity and a known value, and a royalty on the ore extracted, that is the material—copper, gold, and other materials—is then known. And if you simply put a royalty on it, then the American people will get its fair share of its property.

This property doesn't belong to Rio Tinto or BHP Billiton; this property belongs to us, Americans.

The CHAIR. The time of the gentleman has expired.

Mr. GRIJALVA. I yield the gentleman an additional minute.

Mr. GARAMENDI. It belongs to us, Americans, and we ought to be getting our full value.

This is not an obscure or new provision. This is the standard procedure. We actually use it for oil extraction, except in deep water. It is something that really will give us the value.

Secondly, and I'll make this very, very short, the equipment used ought to be American made. There's going to be a lot of equipment, a lot of different equipment and material used; let's make that American-made. That's an amendment that will come later. But right now, deal with the royalty issues so that us Americans, all of us, 300 million, will get our share of the extraordinary value that this mine will produce.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Michigan (Mr. BENISHEK), a member of the Natural Resources Committee whose district has a long mining history.

Mr. BENISHEK. I thank the gentleman for yielding.

Mr. Chairman, I came to the floor to speak in favor of this bill because frankly, I find it hard to believe what I'm hearing from those arguing against it.

Does anyone honestly believe that passing this bill will create jobs only for an army of robots? Are you kidding me? Robots? According to one study, this bill may create as many as 3,000 real jobs for humans.

Mr. Chairman, my district in northern Michigan is a long way from Arizona, but we, too, have a rich history of copper mining. Today, people need copper in their daily lives, and the growing demand means we need more mines, creating more jobs in Arizona and Michigan. My own father was a miner.

Congress needs to demonstrate to the American people that it supports mining jobs and developing our Nation's resources, as this bill does in a way that is both environmentally responsible and culturally respectful.

I urge passage of this bill.

Mr. GRIJALVA. Mr. Chairman, may I inquire how much time remains?

The Acting CHAIR (Mr. LATOURETTE). The gentleman from Arizona has 8 minutes and the gentleman from Washington has 13½ minutes.

Mr. GRIJALVA. Let me, if I may, yield 3 minutes to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Chairman, I'm afraid that this bill is another example of the majority having no real jobs agenda. The Republicans are claiming that this bill will create jobs in Arizona. And, of course, our whole country wants more jobs anywhere we can get them. But the truth is no one really knows the exact economic impact of this mine.

The only jobs number that we have to go on are those provided by Rio Tinto, the foreign parent company of Resolution Copper. When this proposal was first developed in 2005, it was reported that the mine would create about 450 jobs. Without any explanation, no data, no analysis, the estimates have skyrocketed to over 1,200 jobs or even 6,000 jobs. That sounds enticing, particularly to a country where we have 10 percent, 9 percent unemployment. But without any data to support it, it just seems like speculation. You could just say it's going to create a gazillion jobs. Why not? Anything to get the deal.

There's no way to know because the numbers are not supported by a mining plan of operations or impartial economic documentation of any kind. This bill is an affront to the National Environmental Policy Act. Under this legislation, by the time any environmental review or accurate job figures are available, the land will already be in private hands. In fact, there is no job requirement in the bill. There is no job requirement in the bill despite the vaunted promises of 6,000 jobs. This bill doesn't include any local jobs requirement from the mining company.

At a time when the whole country is looking to Congress to create much-needed jobs, and we really are vulnerable to any promises of jobs, our colleagues across the aisle should be focusing on creating jobs in America, not just large, vaunted promises that really have no background or substantiation. Our colleagues across the aisle are spending time in this House to create a special interest carve-out for a giant, multinational corporation. It's, by the way, owned by people outside the United States.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 2 minutes to another gentleman from Arizona who has been a longtime supporter of this project, Mr. FLAKE.

Mr. FLAKE. I thank the gentleman for yielding.

You know, listening to the debate, you wonder what bill we're debating

here. The opposition seems to be talking about something completely different. We heard under the rule debate yesterday and some of the debate today that this won't create any jobs in Arizona, that somehow these jobs will go to robots. I mean, come on, this isn't the Jetsons doing this. I have no idea what's being talked about here.

Let me give you a couple of examples of those who are employed currently. There are 500 people currently employed by Resolution on the mine, 500, and 90 percent of them are Arizonans. So 90 percent of the 500 right now. There are an estimated 1,400 jobs directly related to the mine or directly in the mine, and some 3,700 beyond that, ancillary jobs, would come as a result of the mine.

Albo Guzman, he's a local Superior Trading contractor. He has several local employees working for him on this project. He is a person, not a robot.

Jeff Domlin, a Globe-based contractor whose company is doing much of the reclamation work on the project.

Elizabeth Magallanez, she's a longtime resident.

Melissa Rabago, she was actually born in the hospital that was run by the company on the previous mine that her father worked on, the Magma project. That company hospital now serves as project headquarters. Two of her sons work for a Resolution contractor.

Mike Alvarez, third generation from Superior, works as a map technician. These are all real people, not robots. You didn't here me say C3PO or anything like that. So the arguments that we hear coming out of the opposition on this are just complete nonsense about this not creating jobs.

And this talk about royalties; if we want to go in and change the Mining Act of 1872, let's do it. I'll be there. A lot of us have argued for that. But this is not the place to address the Mining Act of 1872. Let's address that when it should be addressed, and let's address the facts at hands. The facts are these: Jobs will be created. This is a great bill. Let's pass it.

Mr. GRIJALVA. I thank my friend Mr. FLAKE.

And you're right; this isn't the Jetsons doing this. I probably would feel a lot more comfortable if that were the case.

Given the time we have left, I will reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I have another speaker coming to the floor; so I will yield myself such time as I may consume.

We have heard some curious arguments on the other side, as my colleagues on this side have pointed out a few times, but let me just talk about a couple of them where there's a charge that this will cost the taxpayers.

We measure what the costs are to the taxpayers of this country by the Congressional Budget Office, the CBO. And CBO, in looking at the land exchange aspects of this and the other costs associated, have concluded that the cost to the taxpayer is effectively zero. Now that's the official agency that we go by, so when we hear that there's a whole bunch of costs associated with that to the taxpayer, it's simply not so.

What is even more ironic, Mr. Chairman, when they make that argument, they ignore the fact that jobs that will be created here get paid wages. Those wages then will be subjected to tax policies of the Federal Government to where the Federal Government actually gets more revenue. But that is ignored, it seems like all the time, when we hear the other side argue on this issue.

□ 1410

Let me talk about the issue of NEPA because that has been bandied around a few times. The NEPA laws of our country are not changed at all by the passage of this bill, but what we do is we put logic to the process.

Mr. Chairman, as you know very well, our great government was designed to have a dispersion of power. We sit in the legislative branch and we make the policy of this country, and the executive branch carries out that policy. It's been that way since our Republic was founded. All we are saying is that when Congress directs an action—in this case, an action of a land exchange—it shall not be subject to NEPA because we are exercising our authority under the Constitution to direct policy. Why should a NEPA policy be used to slow down a direction that Congress has given? So that's the only part of the NEPA policy that we are affecting in this bill.

Now, I want to say this very explicitly. Under this bill, all NEPA laws as to the construction and the carrying on of this mine will be subject to NEPA laws. And nothing is changed. Nothing is changed. So when people throw around NEPA as one reason why we shouldn't adopt this, that is simply a bogus argument.

Finally, I just want to make one more point here about this being a giveaway. In fact, there are some of my persuasion that may have a bit of heartburn with this because, as a matter of fact, we are giving the Federal Government more land than we are exchanging for private development of this copper land.

Mr. Chairman, I know you've heard the arguments over this in the time you and I have been here, and yet this is something that I think is worthy of support because we do want to make sure that those lands are protected in a way. So to suggest that there's a giveaway here is simply not the case because the exchange is of equal value.

With that, Mr. Chairman, I am very pleased to yield 3 minutes to a former member of the Natural Resources Committee, the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. I thank the gentleman from Washington for yielding.

Every day in my district in New Mexico, people ask: What's gone wrong with the American economy?

What's gone wrong with the American economy is that the Federal Government spends $3.6 trillion a year and it brings in $2.1 trillion a year.

So they ask then: Why are the revenues to the government down? I said: Well, because jobs are down.

They want to know why jobs are down. And I can point to the resistance to this bill and explain why jobs are down.

This is a very commonsense bill. It says we're going to take almost twice as much land and exchange it to a private company, from a private company, would give them half as much land and let them have a copper mine there. The Americans are currently importing about 32 percent of all the copper that we use. This one mine, if the resistance were dropped and were put into operation, would provide 25 percent of the domestic copper demand for the next 50 years.

Why would we be contesting this? I've heard my friend on the other side of the aisle say it's because there are robots working in the mine. The mines I go in—and I will guarantee you this mine is going to be conducted with engineers, with mechanics. It's going to be conducted with blue-collar labor down the hole working in the mine. They've got better machinery than they did a hundred years ago. They're not there working with pick and shovel. But these are real jobs—1,200 to 15,000 jobs long term, and 2,000 to 3,000 construction jobs. It's a $4 billion increase in our economy and we can't get agreement.

This town talks so much about jobs on both sides of the aisle, and we hear the President moving around the country. I haven't heard the President once come out and say: At least free up these 1,200 jobs. I will sign this jobs package. Instead, he wants to raise taxes to increase jobs. That's his idea.

This is a private investment in a private land where they create a lot of long-term jobs. More than that, they make it self-sufficient.

Now, the price of copper is almost four times what it was 10 years ago. The most recent report is that people are stealing copper bells off of churches and cutting them up and selling them. Copper is in that great a demand and we still find resistance from our friends on the other side of the aisle for creating these jobs, and no one in the American public seems to understand why.

What is this about? It's about agenda politics. It's about saying that we're not going to let any development of resources go in the West. The West has had its timber jobs choked off. It's had its mining jobs choked off. It has resistance to the oil and gas jobs, and there are people who are trying to shut that industry down. They're trying to shut the coal mining jobs down. The West is starving for jobs. In fact, we in

the Western Caucus have recently put out a report highlighting all of the many ways we can create jobs now, called the ''Jobs Frontier.'' I would recommend people go to it. This is one of the bills in the ''Jobs Frontier.''

I heartily recommend that we pass H.R. 1904.

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

As I indicated, much of the opposition to this legislation is coming from Indian country. All the pueblos in New Mexico have opposed this legislation. The Inter Tribal Council of Arizona is opposed to this legislation. Twenty-six tribes from across the country, including Texas, have opposed this legislation. They see an impact on sacred sites, history, and culture that has not been factored into this discussion, nor have native peoples, particularly those affected nearby in San Carlos. Apaches have been allowed to run what is important, which is the government-to-government consultation.

Just a point. The chairman, my friend from the Natural Resources Committee, mentioned the CBO score for this bill. There are also two points to make. The CBO says this bill could cost the taxpayers up to $5 billion over 10 years. This cost is not offset. CBO says the payments to government could be significant, but the bill's provisions don't allow CBO to score them accurately.

A straight royalty, for sure, would have certainty and would return what was needed.

I reserve the balance of my time.

Mr. HASTINGS of Washington. I would just respond that CBO also said in their scoring that it's so insignificant, it's hard to measure.

With that, Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Arizona (Mr. SCHWEIKERT).

Mr. SCHWEIKERT. Mr. Chairman, this is one of those moments where I ran out of the Financial Services Committee where we were voting because I thought it was important, being an Arizonan, but also spending lots of time in this part of the State, which is a beautiful part of the State. And many of these little communities there have devastating unemployment, and they're literally furious with Washington, D.C., for destroying their timber jobs and squeezing their mining jobs. And then we stand here with something that, for a little State like Arizona, could be billions and billions of dollars of economic growth.

When you think about this one ore deposit could represent 20 percent of the Nation's copper, how can we even be debating this when you also realize an average single-family home uses about 440 pounds of copper? Do you want housing? How about a car? A car uses 55 pounds of copper. This is where it will come from.

The Acting CHAIR. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman an additional 30 seconds.

Mr. SCHWEIKERT. The last thing I want to say is my good friend Congressman GOSAR from northern Arizona, and actually from all over Arizona, is deserving of a gigantic thank you here. To be a freshman Congressman and to step into this body to deal with what ultimately is sometimes a cantankerous issue but incredibly important to the Nation and the Southwest and to those of us that live in and love Arizona, this is important. This is a lot of jobs, a lot of economic growth. Congressman GOSAR gets a lot of credit for getting it this far.

□ 1420

Mr. GRIJALVA. May I inquire, Mr. Chairman, how much time each side has?

The Acting CHAIR. The gentleman from Arizona has 3 minutes, and the gentleman from Washington has 5 minutes.

Mr. GRIJALVA. I continue to reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 1 minute to the sponsor of this legislation, again, somebody who has been absolutely tenacious on this issue, the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. I thank the chairman for yielding.

My legislation shows you can protect the land and the water and have a strong economy with good jobs.

The land exchange will bring into Federal stewardship 5,500 acres of high-priority conservation lands in exchange for the third largest undeveloped copper deposit in the world. I'd like to speak about one in particular.

The 7B Ranch, located in Pinal County, Arizona, is 3,073 acres designated by the Nature Conservancy as one of the last great places on Earth. And the Forest Service testified that this property was ''priceless''—and you will get a chance to see some of them.

This area is home to a free-flowing artesian spring-fed wetland populated by lowland leopard frogs, nesting birds, and native fish. In addition, this parcel is recognized by BirdLife International as an ''important bird area.'' These are amazing sites. These have ''priceless'' as their connotation.

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

Let me just talk about the opposition. It is not only with affection for the State that I grew up in and that I was born in, but it's also for the future of that State, and it's also for the future of important rules and laws that have protected our environment for many years, and to ensure that the jobs that we're talking about are not just a panacea and a selling point as opposed to a reality.

The opposition to this Rio Tinto-Resolution Copper land exchange is based on many factors, but let me just point out two. This is the fourth version of the land exchange. It began with former colleague Renzi, then Mr. PASTOR, Ms. Kirkpatrick, and now my friend, Mr. GOSAR, from Arizona. They are not the same, none of those. The one major difference is that, with the exception of the legislation before us, the NEPA process, the ESI, the consultation all occurred before the land exchange, not after. Once we do that process, if something comes up that needs compliance and mitigation, it becomes subject to the private property owner—a foreign company that will now have this public land—to deal with that question, serious compliance issues, and legal issues.

The other point is the water. Twelve years have already been banked of the 20 that the mine would need in order to operate. The point being, and protecting oak flats and other important areas of the water supply for the region, that seems like a significant number. But to bank water for this project on the outskirts of Phoenix does nothing to mitigate the potential usage of water, the potential drain of water in those three aquifers in that region, and the effect that it would have. NEPA would tell us what that effect would be. A full study would tell us what effect it is. But we're not having that done. So the consequence is that we're working on supposition, and I think supposition on this major land exchange is a huge mistake. We cannot afford unintended consequences with this land deal.

And a full and open process. If we would have done that at the initiation with the Renzi bill almost 8 years ago, we would be through that process many, many years ago; and we would be perhaps talking about a differently crafted piece of legislation. We aren't doing that.

And the last thing is, there is something sacred and spiritual about this as well. Native people are not just complaining because they want to complain. They are legitimately saying that we need to have consultations, there should be full studies, and factored into the decisionmaking must be the historical and cultural and religious sacred areas that we need protected and ensured that they will be protected. Those discussions have not occurred.

H.R. 1904 is a land giveaway. And the gentleman from New Mexico said why our economy is in a bad place. Well, this kind of legislation tells you why. It is a sweetheart deal for a multinational corporation foreknown. It gives them breaks.

Mr. PEARCE. Will the gentleman yield?

Mr. GRIJALVA. I have 3 minutes, and I will be glad to as soon as I have finished my summation, if I have time, sir.

But let me go over the points. This is a job for robots. I know it's a touchy term for my colleagues on the other side of the aisle, but the reality is Rio Tinto is a pioneer in automation. They've done it in Australia; they've done it in other parts of the world. There is no reason to believe that that

same pattern is not going to be applied to the mine that they own in Resolution.

The sucking sound that we will be hearing will be the loss of water levels in that area and the effect it will have. And it's a copper caper, using unusual appraisal procedures which does not guarantee that the company is going to pay any fair price for the billions of dollars of copper they stand to receive from the American people.

Like I said earlier, something has to be sacred. H.R. 1904 trades away many sites that are sacred to Native people. We've received pleas from Indian Country over and over again; and we should deal with those issues before the land exchange, not as this legislation has it, after.

Add insult to injury, we keep talking about jobs. There is an agenda before this Congress to begin to immediately create jobs for the American people. That is stalled—and from what I hear from leadership, permanently derailed. So as the American people look for real employment and real opportunity, we present a false hope in this legislation, something that hasn't been vetted.

I urge opposition to the legislation, and I yield back the balance of my time.

Mr. HASTINGS of Washington. I yield myself the balance of my time.

The Acting CHAIR. The gentleman is recognized for 2 minutes.

Mr. HASTINGS of Washington. Mr. Chairman, I just want to make two points in concluding debate before we go into the amendment process.

A reference was made to NEPA, and I responded to that just a bit earlier where I simply said that there is a division of powers. And we are making an action. With passage of this legislation signed into law by the President, we have said that there will be a land exchange. That's the policy of the country. Now, anything that happens on that land after the exchange has happened is subject to NEPA review. I have absolutely no problem with that and nothing in this bill changes that process.

The second point I would want to make is on the issue of creation of jobs. Honestly, when you hear the debate here on the floor on this issue, that's probably emblematic of the debate that has been going on in this Congress since day one. Apparently, the other side thinks that the only way you can create jobs is raising taxes and expanding the public sector. We believe that the best ways to create jobs and grow our economy are based on the principles that have gotten the United States from where we were when the Republic was created until now, by relying on the private sector. This is a private sector investment on lands that create a tremendous amount of wealth. This is a job creator, and I think that this bill deserves passage.

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

Mr. BACA. Mr. Chair, I rise today to voice my strong opposition to H.R. 1904, a bill that would authorize a land exchange in the state of Arizona.

The lands impacted by this legislation contain many sites that are sacred to our Nation's first peoples.

We in Congress have a responsibility to protect the rights of our tribes to conduct religious ceremonies, and use their sacred sites. Unfortunately, H.R. 1904 disregards this obligation.

Previously, Congress passed the Native American Graves Protection and Repatriation Act, NAGPRA, to protect the sacred sites of tribes. H.R. 1904 is a direct violation of the rights afforded to tribes by NAGPRA.

Both Presidents Eisenhower and Nixon worked to ensure the lands in question were protected and available for tribes to worship. H.R. 1904 would reverse these past efforts.

To make matters worse, the legislation does not give the land in question to an American-based company that would reinvest its profits here in the United States.

Instead H.R. 1904 gives control of the land to foreign owned mining corporations.

I urge my colleagues to ensure the religious rights of our Nation's first peoples are respected in the Southwest, and vote no on H.R. 1904.

Mr. BLUMENAUER. Mr. Chair, today I voted against H.R. 1904, legislation to give public lands away to a mining company without an environmental review, without an independent appraisal of the value of the land and the copper beneath it, and which waived all the safeguards applied to other mining projects.

To the San Carlos Apache Tribe and other Tribes that live nearby, these lands are sacred. In addition to the environmental devastation, mining will devastate their relationship to this land. The Apache Treaty of 1852 requires the U.S. to act to secure the permanent prosperity and happiness of the Apache people. Instead, this bill facilitates the destruction of their sacred land. This bill requires consultation with tribes only after the exchange, which makes that consultation a mere formality.

This bill will not create American jobs to help us out of this recession. Any jobs will not begin for years—and most of the mining will be done by machines deep underground. Rio Tinto has stated the mine will be operated through its ''Mine of the Future'' program, which is heavily automated, saving the company money by avoiding job creation.

This legislation undermines basic protections of our public lands, and arguments to the contrary are incorrect and misleading.

For instance, the legislation does not require any independent evaluation of the value of the exchange at any time, taking the Rio Tinto's word for the value of the land, the copper beneath it, and the impacts mining will cause to the land, water resources, ecosystems, and stability of the landscape. The Act exempts Rio Tinto from requirements for bonding and clean-up of the mining project, leaving taxpayers with the bill for the inevitable clean-up.

Even more misleading, the legislation does require the appearance of compliance with NEPA, but only after the exchange has taken place, which is too late to be any more than a formality. The Secretary will have to prepare a single Environmental Impact Statement, which will be the basis for all future decisions under applicable Federal laws and regulations, but only after the exchange, with no discretion after completion of the EIS. The Act prohibits the Secretary from considering alternatives to specific mining activities, including alternatives that would preserve cultural sites, and requires the Secretary to issue permits for mineral exploration within 30 days of enactment of the act. The Act requires Rio Tinto to submit a plan of operations, but does not allow the Secretary to reject the plan, even if it is insufficient to conduct even a limited review.

Lastly, there are no provisions to protect the water supplies in the region from large-scale depletions from mining operations or contamination. There are no protections for groundwater resources under the San Carlos Apache Reservation, which is protected by the Apache Treaty of 1872 and the San Carlos Apache Tribe Water Rights Settlement Act of 1992.

The Act bypasses all normal administrative processes that other mining companies are required to follow. This bill amounts to a land giveaway to a company without a promise of American jobs anytime soon.

Mr. KILDEE. Mr. Chair, I rise today to express my outrage and disappointment about the bill before us, H.R. 1904.

In my 36 years in Congress I have seen many terrible bills, but this legislation stands out as among the worst. In one fell swoop, this legislation tramples on the rights of Indian tribes, damages our environment and cheats American taxpayers.

Mr. Chair, this legislation is, quite simply, a travesty. It authorizes a land exchange giving Resolution Copper, the subsidiary of two foreign companies, the right to mine potentially billions of dollars worth of copper from American land. In return, the American people receive nothing, except the loss of our resources and damage to our land.

My friends on the other side of the aisle like to talk local and state rights, yet this legislation completely ignores the rights and sovereignty of local Indian tribes. Mr. Chair, a large portion of the proposed mine is considered sacred to local Indians. Tribes, nations, pueblos and communities in Arizona, New Mexico, and across the country adamantly oppose this transfer; however, H.R. 1904 ignores these concerns, going so far as to waive federal statutes that require timely consultation with affected tribes. Resolution Copper claims that they can mine the land without disturbing these sites, a ridiculous assertion that is at best naive and at worst, an outright lie.

Mr. Chair, many of us have fought long and hard to protect Indian land and constitutionally retained rights. Over the years we have strived to improve the government to government relationship between the U.S. and Tribal Nations and I am proud of the progress we have made. For this legislation to turn over rights to sacred Indian lands to a foreign mining company, over the clear protests of Indian people is outrageous and would be a shameful step in the wrong direction for U.S.-Tribal relations.

We have no idea how the local environment and water resources would be affected, because no impact analysis would be done until after the transfer. Resolution Copper is estimating they will need as much water as the entire city of Tempe on a yearly basis. It does not take significant analysis to know that this could have potentially devastating impacts on local water resources.

And what does our country get in return for all of this damage? Nothing. Resolution Copper has estimated the mine to be worth several billions of dollars, yet H.R. 1904 does not

require any royalties to be paid to the American taxpayer. Once they have taken our copper, it can be shipped overseas to be processed and utilized. First it was our jobs, now it's our natural resources. And there are no guarantees that there will be any significant local job impacts.

There are so many things wrong with this legislation that it is hard to even mention them all. It is a disgrace that we are debating this ill-conceived and destructive bill and I urge all my colleagues to vehemently oppose it.

Mr. VAN HOLLEN. Mr. Chair, the land swap in today's legislation would grant two of the world's largest, foreign-owned mining companies—Rio Tinto and BHP Billiton—mining rights to 760 acres of the Tonto National Forest in Southeastern Arizona in exchange for other land the companies currently own. This exchange is necessary for Rio Tinto and BHP Billiton to gain access to significant copper deposits they believe lie underneath the land in the Tonto National Forest.

Mr. Chair, I am not opposed to responsible domestic energy and mineral production—but I am strongly opposed to this majority's complete disregard for our environmental laws and this legislation's failure to ensure American taxpayers get full value for the resources at issue in this proposed transaction.

Specifically, H.R. 1904 would exempt this land swap from the requirements of the National Environmental Protection Act—a law specifically designed to evaluate the impacts of proposed actions on our natural resources before public resources are sold to private interests. The value of a thorough NEPA analysis is especially significant in this case, where unanswered questions about the water demands of the proposed mining operation are especially consequential to the surrounding community. Furthermore, as we work to reduce our national debt, I believe taxpayers have a right to fair compensation for resources taken from public lands, something the convoluted appraisal process called for in H.R. 1904 will almost certainly fail to do.

Mr. Chair, if this land swap is truly in the interests of the American people, it has nothing to fear from an appropriate environmental review and should be expected to fairly compensate the American taxpayer for the value of the resources taken from their land.

I urge a no vote.

Mrs. MALONEY. Mr. Chair, I rise today to express my opposition to H.R. 1904, a bill that would transfer 2,400 acres of federal lands in Southeast Arizona to a private copper mining company. There has not been a thorough geological review to assess the impact of mining on water resources or the surrounding communities and ecosystems. Furthermore, the bill includes no protections or consideration for native American tribes.

Since coming to Congress I have fought to ensure that American taxpayers are properly reimbursed for resources like oil and gas extracted from federal lands. This bill does nothing to appropriately compensate American citizens and would instead give a single multinational corporation the benefit from one of the largest copper deposits in the world. Even more astonishing, the corporation benefitting from copper resources cannot guarantee that the copper will stay in America or that the mine will remain American owned.

This bill sets a dangerous precedent with regard to environmental review and resource oversight. The Majority continues to fight against preserving our nation's natural resources with legislation that destroys the environment in favor of big corporations. I urge a no vote.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule the amendment in the nature of a substitute printed in the bill, modified by the amendment printed in part A of House Report 112–258. That amendment in the nature of a substitute shall be considered as read.

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

H.R. 1904

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Southeast Arizona Land Exchange and Conservation Act of 2011''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings and purpose.
Sec. 3. Definitions.
Sec. 4. Land exchange.
Sec. 5. Conveyance and management of non-Federal land.
Sec. 6. Value adjustment payment to United States.
Sec. 7. Withdrawal.
Sec. 8. Apache leap.
Sec. 9. Conveyances to town of Superior, Arizona.
Sec. 10. Miscellaneous provisions.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the land exchange furthers public objectives referenced in section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716) including—

(A) promoting significant job and other economic opportunities in a part of the State of Arizona that has a long history of mining, but is currently experiencing high unemployment rates and economic difficulties;

(B) facilitating the development of a world-class domestic copper deposit capable of meeting a significant portion of the annual United States demand for this strategic and important mineral, in an area which has already been subject to mining operations;

(C) significantly enhancing Federal, State, and local revenue collections in a time of severe governmental budget shortfalls;

(D) securing Federal ownership and protection of land with significant fish and wildlife, recreational, scenic, water, riparian, cultural, and other public values;

(E) assisting more efficient Federal land management via Federal acquisition of land for addition to the Las Cienegas and San Pedro National Conservation Areas, and to the Tonto and Coconino National Forests;

(F) providing opportunity for community expansion and economic diversification adjacent to the towns of Superior, Miami, and Globe, Arizona; and

(G) protecting the cultural resources and other values of the Apache Leap escarpment located near Superior, Arizona; and

(2) the land exchange is, therefore, in the public interest.

(b) PURPOSE.—It is the purpose of this Act to authorize, direct, facilitate, and expedite the exchange of land between Resolution Copper and the United States.

SEC. 3. DEFINITIONS.

In this Act:

(1) APACHE LEAP.—The term ''Apache Leap'' means the approximately 807 acres of land depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2011–Apache Leap'' and dated March 2011.

(2) FEDERAL LAND.—The term ''Federal land'' means the approximately 2,422 acres of land located in Pinal County, Arizona, depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2011–Federal Parcel–Oak Flat'' and dated March 2011.

(3) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(4) NON-FEDERAL LAND.—The term ''non-Federal land'' means the parcels of land owned by Resolution Copper that are described in section 5(a) and, if necessary to equalize the land exchange under section 4, section 4(e)(2)(A)(i).

(5) OAK FLAT CAMPGROUND.—The term ''Oak Flat Campground'' means the approximately 50 acres of land comprising approximately 16 developed campsites depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2011–Oak Flat Campground'' and dated March 2011.

(6) OAK FLAT WITHDRAWAL AREA.—The term ''Oak Flat Withdrawal Area'' means the approximately 760 acres of land depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2011–Oak Flat Withdrawal Area'' and dated March 2011.

(7) RESOLUTION COPPER.—The term ''Resolution Copper'' means Resolution Copper Mining, LLC, a Delaware limited liability company, including any successor, assign, affiliate, member, or joint venturer of Resolution Copper Mining, LLC.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(9) STATE.—The term ''State'' means the State of Arizona.

(10) TOWN.—The term ''Town'' means the incorporated town of Superior, Arizona.

SEC. 4. LAND EXCHANGE.

(a) IN GENERAL.—Subject to the provisions of this Act, if Resolution Copper offers to convey to the United States all right, title, and interest of Resolution Copper in and to the non-Federal land, the Secretary is authorized and directed to convey to Resolution Copper, all right, title, and interest of the United States in and to the Federal land.

(b) CONDITIONS ON ACCEPTANCE.—Title to any non-Federal land conveyed by Resolution Copper to the United States under this Act shall be in a form that—

(1) is acceptable to the Secretary, for land to be administered by the Forest Service and the Secretary of the Interior, for land to be administered by the Bureau of Land Management; and

(2) conforms to the title approval standards of the Attorney General of the United States applicable to land acquisitions by the Federal Government.

(c) CONSULTATION WITH INDIAN TRIBES.—If not undertaken prior to enactment of this Act, within 30 days of the date of enactment of this Act, the Secretary shall engage in government-to-government consultation with affected Indian tribes concerning issues related to the land exchange, in accordance with applicable laws (including regulations).

(d) APPRAISALS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary and Resolution Copper shall select an appraiser to conduct appraisals of the Federal land and non-Federal land in compliance with the requirements of section 254.9 of title 36, Code of Federal Regulations.

(2) REQUIREMENTS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), an appraisal prepared under this subsection shall be conducted in accordance with nationally recognized appraisal standards, including—

(i) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(ii) the Uniform Standards of Professional Appraisal Practice.

(B) FINAL APPRAISED VALUE.—After the final appraised values of the Federal land and non-Federal land are determined and approved by the Secretary, the Secretary shall not be required to reappraise or update the final appraised value—

(i) for a period of 3 years beginning on the date of the approval by the Secretary of the final appraised value; or

(ii) at all, in accordance with section 254.14 of title 36, Code of Federal Regulations (or a successor regulation), after an exchange agreement is entered into by Resolution Copper and the Secretary.

(C) IMPROVEMENTS.—Any improvements made by Resolution Copper prior to entering into an exchange agreement shall not be included in the appraised value of the Federal land.

(D) PUBLIC REVIEW.—Before consummating the land exchange under this Act, the Secretary shall make the appraisals of the land to be exchanged (or a summary thereof) available for public review.

(3) APPRAISAL INFORMATION.—The appraisal prepared under this subsection shall include a detailed income capitalization approach analysis of the market value of the Federal land which may be utilized, as appropriate, to determine the value of the Federal land, and shall be the basis for calculation of any payment under section 6.

(e) EQUAL VALUE LAND EXCHANGE.—

(1) IN GENERAL.—The value of the Federal land and non-Federal land to be exchanged under this Act shall be equal or shall be equalized in accordance with this subsection.

(2) SURPLUS OF FEDERAL LAND VALUE.—

(A) IN GENERAL.—If the final appraised value of the Federal land exceeds the value of the non-Federal land, Resolution Copper shall—

(i) convey additional non-Federal land in the State to the Secretary or the Secretary of the Interior, consistent with the requirements of this Act and subject to the approval of the applicable Secretary;

(ii) make a cash payment to the United States; or

(iii) use a combination of the methods described in clauses (i) and (ii), as agreed to by Resolution Copper, the Secretary, and the Secretary of the Interior.

(B) AMOUNT OF PAYMENT.—The Secretary may accept a payment in excess of 25 percent of the total value of the land or interests conveyed, notwithstanding section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)).

(C) DISPOSITION AND USE OF PROCEEDS.—Any amounts received by the United States under this subparagraph shall be deposited in the fund established under Public Law 90–171 (commonly known as the ''Sisk Act''; 16 U.S.C. 484a) and shall be made available, in such amounts as are provided in advance in appropriation Acts, to the Secretary for the acquisition of land for addition to the National Forest System.

(3) SURPLUS OF NON-FEDERAL LAND.—If the final appraised value of the non-Federal land exceeds the value of the Federal land—

(A) the United States shall not make a payment to Resolution Copper to equalize the value; and

(B) except as provided in section 9(b)(2)(B), the surplus value of the non-Federal land shall be considered to be a donation by Resolution Copper to the United States.

(f) OAK FLAT WITHDRAWAL AREA.—

(1) PERMITS.—Subject to the provisions of this subsection and notwithstanding any withdrawal of the Oak Flat Withdrawal Area from the mining, mineral leasing, or public land laws, the Secretary, upon enactment of this Act, shall issue to Resolution Copper—

(A) if so requested by Resolution Copper, within 30 days of such request, a special use permit to carry out mineral exploration activities under the Oak Flat Withdrawal Area from existing drill pads located outside the Area, if the activities would not disturb the surface of the Area; and

(B) if so requested by Resolution Copper, within 90 days of such request, a special use permit to carry out mineral exploration activities within the Oak Flat Withdrawal Area (but not within the Oak Flat Campground), if the activities are conducted from a single exploratory drill pad which is located to reasonably minimize visual and noise impacts on the Campground.

(2) CONDITIONS.—Any activities undertaken in accordance with this subsection shall be subject to such reasonable terms and conditions as the Secretary may require.

(3) TERMINATION.—The authorization for Resolution Copper to undertake mineral exploration activities under this subsection shall remain in effect until the Oak Flat Withdrawal Area land is conveyed to Resolution Copper in accordance with this Act.

(g) COSTS.—As a condition of the land exchange under this Act, Resolution Copper shall agree to pay, without compensation, all costs that are—

(1) associated with the land exchange and any environmental review document under subsection (j); and

(2) agreed to by the Secretary.

(h) USE OF FEDERAL LAND.—The Federal land to be conveyed to Resolution Copper under this Act shall be available to Resolution Copper for mining and related activities subject to and in accordance with applicable Federal, State, and local laws pertaining to mining and related activities on land in private ownership.

(i) INTENT OF CONGRESS.—It is the intent of Congress that the land exchange directed by this Act shall be consummated not later than one year after the date of enactment of this Act.

(j) ENVIRONMENTAL COMPLIANCE.—Compliance with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) under this Act shall be as follows:

(1) Prior to commencing production in commercial quantities of any valuable mineral from the Federal land conveyed to Resolution Copper under this Act (except for any production from exploration and mine development shafts, adits, and tunnels needed to determine feasibility and pilot plant testing of commercial production or to access the ore body and tailing deposition areas), Resolution Copper shall submit to the Secretary a proposed mine plan of operations.

(2) The Secretary shall, within 3 years of such submission, complete preparation of an environmental review document in accordance with section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4322(2)) which shall be used as the basis for all decisions under applicable Federal laws, rules and regulations regarding any Federal actions or authorizations related to the proposed mine and mine plan of operations of Resolution Copper, including the construction of associated power, water, transportation, processing, tailings, waste dump, and other ancillary facilities.

SEC. 5. CONVEYANCE AND MANAGEMENT OF NON-FEDERAL LAND.

(a) CONVEYANCE.—On receipt of title to the Federal land, Resolution Copper shall simultaneously convey—

(1) to the Secretary, all right, title, and interest that the Secretary determines to be acceptable in and to—

(A) the approximately 147 acres of land located in Gila County, Arizona, depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2011–Non-Federal Parcel–Turkey Creek'' and dated March 2011;

(B) the approximately 148 acres of land located in Yavapai County, Arizona, depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2011–Non-Federal Parcel–Tangle Creek'' and dated March 2011;

(C) the approximately 149 acres of land located in Maricopa County, Arizona, depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2011–Non-Federal Parcel–Cave Creek'' and dated March 2011;

(D) the approximately 640 acres of land located in Coconino County, Arizona, depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2011–Non-Federal Parcel–East Clear Creek'' and dated March 2011; and

(E) the approximately 110 acres of land located in Pinal County, Arizona, depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2011–Non-Federal Parcel–Apache Leap South End'' and dated March 2011; and

(2) to the Secretary of the Interior, all right, title, and interest that the Secretary of the Interior determines to be acceptable in and to—

(A) the approximately 3,050 acres of land located in Pinal County, Arizona, identified as ''Lands to DOI'' as generally depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2011–Non-Federal Parcel–Lower San Pedro River'' and dated July 6, 2011;

(B) the approximately 160 acres of land located in Gila and Pinal Counties, Arizona, identified as ''Lands to DOI'' as generally depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2011–Non-Federal Parcel–Dripping Springs'' and dated July 6, 2011; and

(C) the approximately 940 acres of land located in Santa Cruz County, Arizona, identified as ''Lands to DOI'' as generally depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2011–Non-Federal Parcel–Appleton Ranch'' and dated July 6, 2011.

(b) MANAGEMENT OF ACQUIRED LAND.—

(1) LAND ACQUIRED BY THE SECRETARY.—

(A) IN GENERAL.—Land acquired by the Secretary under this Act shall—

(i) become part of the national forest in which the land is located; and

(ii) be administered in accordance with the laws applicable to the National Forest System.

(B) BOUNDARY REVISION.—On the acquisition of land by the Secretary under this Act, the boundaries of the national forest shall be modified to reflect the inclusion of the acquired land.

(C) LAND AND WATER CONSERVATION FUND.—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–9), the boundaries of a national forest in which land acquired by the Secretary is located shall be deemed to be the boundaries of that forest as in existence on January 1, 1965.

(2) LAND ACQUIRED BY THE SECRETARY OF THE INTERIOR.—

(A) SAN PEDRO NATIONAL CONSERVATION AREA.—

(i) IN GENERAL.—The land acquired by the Secretary of the Interior under subsection (a)(2)(A) shall be added to, and administered as part of, the San Pedro National Conservation Area in accordance with the laws (including regulations) applicable to the Conservation Area.

(ii) MANAGEMENT PLAN.—Not later than 2 years after the date on which the land is acquired, the Secretary of the Interior shall update the management plan for the San Pedro National Conservation Area to reflect the management requirements of the acquired land.

(B) DRIPPING SPRINGS.—Land acquired by the Secretary of the Interior under subsection (a)(2)(B) shall be managed in accordance with

the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and applicable land use plans.

(C) LAS CIENEGAS NATIONAL CONSERVATION AREA.—Land acquired by the Secretary of the Interior under subsection (a)(2)(C) shall be added to, and administered as part of, the Las Cienegas National Conservation Area in accordance with the laws (including regulations) applicable to the Conservation Area.

(c) SURRENDER OF RIGHTS.—In addition to the conveyance of the non-Federal land to the United States under this Act, and as a condition of the land exchange, Resolution Copper shall surrender to the United States, without compensation, the rights held by Resolution Copper under the mining laws and other laws of the United States to commercially extract minerals under Apache Leap.

SEC. 6. VALUE ADJUSTMENT PAYMENT TO UNITED STATES.

(a) ANNUAL PRODUCTION REPORTING.—

(1) REPORT REQUIRED.—As a condition of the land exchange under this Act, Resolution Copper shall submit to the Secretary of the Interior an annual report indicating the quantity of locatable minerals produced during the preceding calendar year in commercial quantities from the Federal land conveyed to Resolution Copper under section 4. The first report is required to be submitted not later than February 15 of the first calendar year beginning after the date of commencement of production of valuable locatable minerals in commercial quantities from such Federal land. The reports shall be submitted February 15 of each calendar year thereafter.

(2) SHARING REPORTS WITH STATE.—The Secretary shall make each report received under paragraph (1) available to the State.

(3) REPORT CONTENTS.—The reports under paragraph (1) shall comply with any recordkeeping and reporting requirements prescribed by the Secretary or required by applicable Federal laws in effect at the time of production.

(b) PAYMENT ON PRODUCTION.—If the cumulative production of valuable locatable minerals produced in commercial quantities from the Federal land conveyed to Resolution Copper under section 4 exceeds the quantity of production of locatable minerals from the Federal land used in the income capitalization approach analysis prepared under section 4(d)(3), Resolution Copper shall pay to the United States, by not later than March 15 of each applicable calendar year, a value adjustment payment for the quantity of excess production at the same rate assumed for the income capitalization approach analysis prepared under section 4(d)(3).

(c) STATE LAW UNAFFECTED.—Nothing in this section modifies, expands, diminishes, amends, or otherwise affects any State law relating to the imposition, application, timing, or collection of a State excise or severance tax.

(d) USE OF FUNDS.—

(1) SEPARATE FUND.—All funds paid to the United States under this section shall be deposited in a special fund established in the Treasury and shall be available, in such amounts as are provided in advance in appropriation Acts, to the Secretary and the Secretary of the Interior only for the purposes authorized by paragraph (2).

(2) AUTHORIZED USE.—Amounts in the special fund established pursuant to paragraph (1) shall be used for maintenance, repair, and rehabilitation projects for Forest Service and Bureau of Land Management assets.

SEC. 7. WITHDRAWAL.

Subject to valid existing rights, Apache Leap and any land acquired by the United States under this Act are withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under the mineral leasing, mineral materials, and geothermal leasing laws.

SEC. 8. APACHE LEAP.

(a) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage Apache Leap to preserve the natural character of Apache Leap and to protect archeological and cultural resources located on Apache Leap.

(2) SPECIAL USE PERMITS.—The Secretary may issue to Resolution Copper special use permits allowing Resolution Copper to carry out underground activities (other than the commercial extraction of minerals) under the surface of Apache Leap that the Secretary determines would not disturb the surface of the land, subject to any terms and conditions that the Secretary may require.

(3) FENCES; SIGNAGE.—The Secretary may allow use of the surface of Apache Leap for installation of fences, signs, monitoring devices, or other measures necessary to protect the health and safety of the public, protect resources located on Apache Leap, or to ensure that activities conducted under paragraph (2) do not affect the surface of Apache Leap.

(b) PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with affected Indian tribes, the Town, Resolution Copper, and other interested members of the public, shall prepare a management plan for Apache Leap.

(2) CONSIDERATIONS.—In preparing the plan under paragraph (1), the Secretary shall consider whether additional measures are necessary to—

(A) protect the cultural, archaeological, or historical resources of Apache Leap, including permanent or seasonal closures of all or a portion of Apache Leap; and

(B) provide access for recreation.

(c) MINING ACTIVITIES.—The provisions of this section shall not impose additional restrictions on mining activities carried out by Resolution Copper adjacent to, or outside of, the Apache Leap area beyond those otherwise applicable to mining activities on privately owned land under Federal, State, and local laws, rules and regulations.

SEC. 9. CONVEYANCES TO TOWN OF SUPERIOR, ARIZONA.

(a) CONVEYANCES.—On request from the Town and subject to the provisions of this section, the Secretary shall convey to the Town the following:

(1) Approximately 30 acres of land as depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2011–Federal Parcel–Fairview Cemetery'' and dated March 2011.

(2) The reversionary interest and any reserved mineral interest of the United States in the approximately 265 acres of land located in Pinal County, Arizona, as depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2011–Federal Reversionary Interest–Superior Airport'' and dated March 2011.

(3) The approximately 250 acres of land located in Pinal County, Arizona, as depicted on the map entitled ''Southeast Arizona Land Exchange and Conservation Act of 2011–Federal Parcel–Superior Airport Contiguous Parcels'' and dated March 2011.

(b) PAYMENT.—The Town shall pay to the Secretary the market value for each parcel of land or interest in land acquired under this section, as determined by appraisals conducted in accordance with section 4(d).

(c) SISK ACT.—Any payment received by the Secretary from the Town under this section shall be deposited in the fund established under Public Law 90–171 (commonly known as the ''Sisk Act'') (16 U.S.C. 484a) and shall be made available, in such amounts as are provided in advance in appropriation Acts, to the Secretary for the acquisition of land for addition to the National Forest System.

(d) TERMS AND CONDITIONS.—The conveyances under this section shall be subject to such terms and conditions as the Secretary may require.

SEC. 10. MISCELLANEOUS PROVISIONS.

(a) REVOCATION OF ORDERS; WITHDRAWAL.—

(1) REVOCATION OF ORDERS.—Any public land order that withdraws the Federal land from appropriation or disposal under a public land law shall be revoked to the extent necessary to permit disposal of the land.

(2) WITHDRAWAL.—On the date of enactment of this Act, if the Federal land or any Federal interest in the non-Federal land to be exchanged under section 4 is not withdrawn or segregated from entry and appropriation under a public land law (including mining and mineral leasing laws and the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.)), the land or interest shall be withdrawn, without further action required by the Secretary concerned, from entry and appropriation. The withdrawal shall be terminated—

(A) on the date of consummation of the land exchange; or

(B) if Resolution Copper notifies the Secretary in writing that it has elected to withdraw from the land exchange pursuant to section 206(d) of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1716(d)).

(3) RIGHTS OF RESOLUTION COPPER.—Nothing in this Act shall interfere with, limit, or otherwise impair, the unpatented mining claims or rights currently held by Resolution Copper on the Federal land, nor in any way change, diminish, qualify, or otherwise impact Resolution Copper's rights and ability to conduct activities on the Federal land under such unpatented mining claims and the general mining laws of the United States, including the permitting or authorization of such activities.

(b) MAPS, ESTIMATES, AND DESCRIPTIONS.—

(1) MINOR ERRORS.—The Secretary concerned and Resolution Copper may correct, by mutual agreement, any minor errors in any map, acreage estimate, or description of any land conveyed or exchanged under this Act.

(2) CONFLICT.—If there is a conflict between a map, an acreage estimate, or a description of land in this Act, the map shall control unless the Secretary concerned and Resolution Copper mutually agree otherwise.

(3) AVAILABILITY.—On the date of enactment of this Act, the Secretary shall file and make available for public inspection in the Office of the Supervisor, Tonto National Forest, each map referred to in this Act.

The Acting CHAIR. No amendment to the amendment in the nature of a substitute is in order except those printed in part B of the report. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. LUJÁN

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 112–258.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, after line 12, insert the following new subsection:

(k) EXCLUSION OF NATIVE AMERICAN SACRED AND CULTURAL SITES.—The Federal land to

be conveyed under this section may not include any Native American sacred or cultural site, whether surface or subsurface, and the Secretary shall modify the map referred to in section 3(2) to exclude all such sacred and cultural sites, as identified by the Secretary in consultation with Resolution Copper and affected Indian tribes.

The Acting CHAIR. Pursuant to House Resolution 444, the gentleman from New Mexico (Mr. LUJÁN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

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

Mr. Chairman, my amendment is significant, but simple. My amendment does not kill this project. As offered, it simply asks the Congress to respect the religious and sacred sites of our tribal brothers and sisters.

This bill does little, if anything, to offer protection to the sacred sites in the area and does not offer true tribal consultation to the tribes. We all know that consultation occurs before, not after, decisions have already been made.

The tribes in this area believe Resolution Copper's block cave mining method will have negative impacts on their sacred, cultural, and traditional sites in the area.

□ 1430

Again, this amendment will not kill this project. It would show respect and offer protections to both surface and subsurface sites in the proposed land conveyance.

More specifically, my amendment states that ''The Federal land to be conveyed may not include any Native American sacred or cultural site, whether surface or subsurface.'' This amendment would merely offer a basic level of respect for many religious and cultural sites to the many tribes in the region.

As our good friend, Congressman KILDEE, reminds us daily, we have a trust responsibility to our tribal brothers and sisters, and those who oppose this responsibility will dismantle it piece by piece with a scalpel and not all at once with an axe. This is what we're seeing today, Mr. Chairman.

In its current form, H.R. 1904 would approve a Federal land exchange to transfer ownership of 2,400 acres of land in the Tonto National Forest to Resolution Copper for the purposes of block cave copper mine.

The Federal lands which are proposed to be exchanged, generally known as Oak Flat, are part of the ancestral lands of the San Carlos Apache tribe and other tribes in the region. These lands have unique religious, traditional, and archaeological significance to many tribes in southern Arizona. Behind me is a photo of one of those areas that's most sacred, Apache Leap.

You've heard from my colleagues on the other side of the aisle that their bill offers protection for sacred, traditional, and cultural sites in the proposed area to be exchanged, but I don't believe that to be true. If it were true, then why is every major tribal organization in the country opposing this bill?

It's because they do not believe these so-called protections to be real. Opposing organizations include, but are not limited to, the National Congress of American Indians, the United South and Eastern Tribes, the All Indian Pueblo Council of New Mexico, the San Carlos Apache Tribe, the Jicarilla and Mescalero Apache Tribes of New Mexico, and many other tribes across the country.

Mr. Chairman, all of these organizations and tribal leaders know that the degradation of these cultural sites means a loss of identity and culture, not to mention utter disrespect for the religion and history of the tribes connected to this area.

Just to be clear: Supporting my amendment will not kill the project. It would simply mean respecting and preserving the religious, cultural, and archeological and historic significance of the lands that mean so much to the tribes in the region.

I urge my colleagues to support my amendment, and I reserve the balance of my time.

Mr. HASTINGS of Washington. I claim time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Chairman, when I became chairman of the Committee on Natural Resources this last January, I established a new subcommittee on Indian and Alaska Native Affairs. The purpose was to ensure a special forum for the issues and concerns important to Indian tribes and native people. I respect the views and special concerns of Indian tribes, and it's important that they have a role and are consulted in decisions that affect the people on their reservation lands.

This bill before the House today explicitly includes a section requiring government-to-government consultation. Section 4c, Mr. Chairman, of the bill is titled, and I quote, ''Consultation with Indian tribes.'' Consultation must occur before the mine operations ever begin.

To repeat, the mine cannot happen without consultation with interested tribes. To be clear, the mine is a site that is not located on reservation land. The closest Native American reservation is the San Carlos Apache, located more than 20 miles east of the mine site.

And it should be noted too that where this mine is proposed to be developed is right in the heart of what we call Arizona's historic copper triangle right here. These orange dots here are where copper is mined or quarried right now. This is the proposed site of the mine. And the San Carlos Apache reservation is up here. As you can see, there's activity between here and the San Carlos reservation.

The real effect of this amendment would be to allow the Department Secretary to veto and block the project on the subjective grounds that a previously identified cultural site exists on these lands. As stated previously, this is a geographic triangle that's historically home to numerous mines.

I might add too, Mr. Chairman, the Forest Service completed an environmental assessment in 2008, 3 years ago, in which, and I quote, ''several attempts were made to identify sacred sites and effects on ceremonial use of sacred sites.'' The official conclusion was a Finding of No Significant Impact, and that finding was sustained on appeal.

Furthermore, the terms ''Native American,'' ''sacred,'' and ''cultural'' in the amendment offered by my friend from New Mexico are undefined, and thus it cannot be predicted what effect this amendment would have. It opens the door to time-consuming litigation and subjective or political decisions.

In the land exchange within the bill, environmentally sensitive and culturally important lands are given protection. Thousands of more acres, as I alluded to earlier on, are added for the protection than are made available for the development of this mine; the ratio is roughly 2–1. The bill specifically and permanently, for example, protects Apache Leap.

Because this bill ensures and requires tribal consultation before development of the mine and because the real effect of the amendment would be for political mischief, I urge my colleagues to vote ''no'' on the Luján amendment.

HARRISON TALGO, Sr.,
Bylas, AZ, October 21, 2011.

Hon. ERIC CANTOR,
House of Representatives,
Washington, DC.

DEAR MAJORITY LEADER CANTOR: I am the former Chairman of the San Carlos Apache Nation and served in the Tribal Council for 16 years. Many times I have come before Congress as an official representative of my government to present issues affecting and in the best interest of the San Carlos Apache Tribal Government. But today I write to you as a concerned private citizen of Bylas, Arizona which is located within the San Carlos Apache Tribal Reservation and want to express my support of H.R. 1904, The Southeast Arizona Land Exchange and Conservation Act of 2011.

The current Tribal leadership does not share my position. I have tried very hard to understand why they oppose this project when we are in such desperate need of jobs and industry. I believe that traditional Apache values are not mutually exclusive with economic development.

We are one of the poorest Indian tribes in the nation. Seven in 10 eligible workers in the Tribe are unemployed. Almost 80 percent of our people live in poverty. Alcoholism and drug use are rampant and suicide rates are high. The average Apache male has a life expectancy of 54 years, about 20 years shorter than the average American male.

The proposed Resolution Copper Mine would bring hundreds of new, high-paying jobs to our region. It represents progress and hope and prosperity.

I have previously testified before Congress in support of economic development

projects. I have done so in the face of opposition from other leaders who have opposed these same opportunities on and near the reservation. Some of those projects experienced costly delays as a result of the Council's opposition, but they all were built eventually. And to our benefit, they have all hired Apaches. I am confident the Resolution project will be no different. In fact, some members of the San Carlos Apache Nation are already employed by the company and its contractors.

I respect the Council's desire to protect sites that have cultural or historical significance. I want that, too. But Oak Flat is a long way from us, and I believe strongly that it is possible for our traditional values to coexist with economic progress. In fact, I don't believe one can survive without the other. Economic progress and prosperity leads to a better standard of living, better health, better services and better education. It increases our capacity to learn and expands our cultural horizons. It gives us additional resources to explore and study our past, to protect what we hold sacred, to showcase and display those things that are culturally important, and to help the outside world better understand and appreciate the stories and traditions of our fathers.

For all these reasons, I respectfully urge your support and passage of the H.R. 1904.

Sincerely,

HARRISON TALGO, Sr.,
Former Chairman, San Carlos Apache Nation.

I reserve the balance of my time.

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

Mr. Chairman, look, just to be clear with this amendment, it does not kill the project. The amendment simply states that the Secretary will exclude sacred and cultural sites as identified by the Secretary. If we're serious about protecting sacred sites and respecting tribes across the country, I don't know why this is so complicated.

And the only area in the legislation, as we look at section 8 of the bill, talks about preserving and consulting with tribes about Apache Leap. But again, it's too little, too late. It's consulting after the fact, not before the legislation is taken into effect.

And so, Mr. Chairman, it's as if we were going to go into a site, say, the cathedral in Santa Fe or the Vatican in Rome, and they were going to go and do something to that land, and they said, well, don't worry, we have some other land that we're going to give you.

It's about the religious and sacred nature of these sites that we're talking about. At the very least, and of its very essence, let's look to see what we can do to preserve the government-to-government trust responsibilities that we have with our tribes and respect those religious sites, respect those sacred sites, and see what we can do to work collectively.

Again, this isn't going to kill the project. Let's work together to make sure that we respect the tribes that we're so honored to represent here in the Congress.

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

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 45 seconds to the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Thank you, Mr. Chairman.

If the gentleman from New Mexico would answer a question, it's my understanding that we have rock climbers who are always out there, hikers up in there. That would be the equivalent of allowing people to rappel down the side of the Washington Monument, but I've never heard an objection from anyone to exclude those kinds of activities. And so it comes across just a little bit strange that we would talk about limiting one activity, while people are crawling and rappelling down these sites already.

Mr. HASTINGS of Washington. Mr. Chairman, I understand the other side has yielded back their time.

How much time do I have left?

The Acting CHAIR. The gentleman has 1 minute remaining.

Mr. HASTINGS of Washington. I am more than happy to yield that 1 minute to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Mr. Chairman, I find it very interesting that my opponent, or our opponent on the other side, actually focuses a picture of Apache Leap, which is specifically excluded from this legislation. Therefore, when we talk about, in regards to protecting the sites, we have done so. As far as the consultation is concerned, we have done consultations.

Mr. LUJÁN. Will the gentleman yield?

Mr. GOSAR. No, I will not yield.

Mr. LUJÁN. Mr. Chairman, we know that that's not in here.

Mr. GOSAR. That is Apache Leap.

The Acting CHAIR. The time is controlled by the gentleman from Arizona, and the Chair would ask all Members to respect that.

Mr. GOSAR. The point of reference is that we cite all the Native tribes. They are far from being in unison. In fact, during our conversation within the Resources Committee, former tribal chairman and 16-year tribal Councilman Harrison Talgo testified that the traditional Apache values are not mutually exclusive with economic development.

Given that the San Carlos Apache is one of the most impoverished tribes in the Nation, with unemployment rates around 70 percent and poverty affecting every facet of tribal members' life, I couldn't agree more with Mr. Talgo.

Mr. Talgo also points out that Oak Flat, the campground in question, is a long way from the reservation. He also pointed out the majority of tribal members he speaks about in this project support this project.

Ms. RICHARDSON. Mr. Chair, as a member of the Native American Caucus, I rise today in strong support of the amendment to H.R. 1904, the Southeast Arizona Land Exchange and Conservation Act of 2011, offered by Congressman LUJÁN of Arizona.

The Luján Amendment exempts Native American sacred and cultural sites from inclusion in the land transfer proposed by this bill.

As it stands, H.R. 1904 is fundamentally unfair to the San Carlos Apache Tribe and other tribes in the region, who have inhabited this land for thousands of years. This bill waives compliance with federal statutes that require timely consultation with affected tribes, who now face the prospect of witnessing their ancestral lands of unique archaeological and religious significance fall victim to destructive mining practices.

These techniques involve utilizing controlled cave-in deep underground, which can cause massive depressions at the surface and forever scar the landscape. Archaeological sites and religious lands would be forever ruined and unrecognizable.

Other surveys have identified Civilian Conservation Corps sites and structures eligible for inclusion in the National Register for Historic Places which could also be destroyed by the proposed mining project.

Mr. Chair, H.R. 1904 has been called a "special-interest" bill whereby a private company, Resolution Copper, which is actually a joint subsidiary of two foreign-owned mining companies. Resolution Copper would receive federal land worth billions of dollars without having to pay royalties on any mineral wealth it extracts.

Furthermore, there are no guarantees that the company would even hire locally, process the ore in the United States, or purchase equipment made in America.

H.R. 1904 excludes the one special interest with an undeniable right in this debate—the Native American tribes—from a decision that affects their community at the absolute deepest level.

I strongly support the Luján Amendment and oppose the underlying bill. I urge my colleagues to do the same.

□ 1440

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. LUJÁN).

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

Mr. LUJÁN. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 2 OFFERED BY MR. MARKEY

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 112–258.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 19, beginning line 8, strike section 6 (value adjustment payment to United States) and insert the following new section:

SEC. 6. ROYALTY PAYMENT TO UNITED STATES FOR MINERALS PRODUCED FROM CONVEYED FEDERAL LAND.

(a) ROYALTY PAYMENT REQUIRED.—As a condition of the land exchange under this Act, Resolution Copper shall pay to the United States, by not later than March 15 of each calendar year, a royalty payment in an amount equal to 8 percent of the value of the quantity of locatable minerals produced during the preceding calendar year from the

Federal land conveyed to Resolution Copper under section 4, as reported under subsection (b).

(b) ANNUAL PRODUCTION REPORTING TO DETERMINE ROYALTY PAYMENT.—

(1) REPORT REQUIRED.—Resolution Copper shall submit to the Secretary of the Interior an annual report indicating the quantity of locatable minerals produced in commercial quantities from the Federal land conveyed to Resolution Copper under section 4.

(2) SUBMISSION DEADLINE.—The first report under paragraph (1) shall be submitted not later than February 15 of the first calendar year beginning after the date of commencement of production of valuable locatable minerals in commercial quantities from the Federal land conveyed to Resolution Copper under section 4 and cover the preceding calendar year. Subsequent reports shall be submitted each February 15 thereafter and cover the preceding calendar year.

(3) SHARING REPORTS WITH STATE.—The Secretary shall make each report received under paragraph (1) available to the State.

(4) REPORT CONTENTS.—The reports under paragraph (1) shall comply with any recordkeeping and reporting requirements prescribed by the Secretary or required by applicable Federal laws in effect at the time of production.

(c) DEPOSIT OF FUNDS.—All funds paid to the United States under this section shall be deposited in the general fund of the Treasury.

(d) STATE LAW UNAFFECTED.—Nothing in this section modifies, expands, diminishes, amends, or otherwise affects any State law relating to the imposition, application, timing, or collection of a State excise or severance tax.

The Acting CHAIR. Pursuant to House Resolution 444, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MARKEY. Mr. Chairman, there are two versions of this land bill: one with the Markey amendment and one without the Markey amendment. The difference is the version with the Markey amendment is a deal the American taxpayers should take. Without my amendment, this is a deal that takes the taxpayers.

Without the Markey amendment, this land deal is a shell game, all about misdirection and surprise outcomes. We are urged to keep our eye on the beautiful surface acres the Federal Government would get in this deal and the unique payment scheme included in the bill. This is like the guy on the street who tells you to watch his right hand while his left hand is picking your pocket.

This is not about the surface. This is about the copper and whether Rio Tinto will have to pay its fair value. And the fact is the payment scheme in this bill is completely—let me say it again—the payment scheme in this bill is completely speculative. It will be based on information only the company has access to and is subject to serious manipulation.

In the end, Rio Tinto could end up paying absolutely nothing for the massive windfall they stand to receive from this legislation. With the Markey amendment, this bill is simple. It would require no guesswork on the part of the taxpayers. It would allow for no manipulation that could shortchange the American taxpayer.

My amendment strikes the convoluted payment scheme in this bill and replaces it with a simple 8 percent royalty on the copper produced each year from this mine. This is the American people's copper. It's not their copper. It's the American people's. What are they going to get out of this? How about 8 percent? Can we give the taxpayer 8 percent?

Now, we don't know how much copper exactly is down there. The benefit of my amendment is we don't need to know ahead of time. If Rio Tinto makes $1, then they owe the taxpayer a nickel and three pennies, and if they make $8 billion, the Treasury gets $640 million.

Now, the company will argue a royalty is unfair. Well, guess who is already paying royalties, Mr. Chairman. Oil and gas companies pay 12.5 percent when they drill on the taxpayers' land. 12.5 percent, that's what ExxonMobil pays. That's what Shell pays. But do you know who else pays the royalty? Rio Tinto and BHP Billiton when they mine on State land. So, if you're in Colorado, you're in Wyoming and you're on State land, you're paying a royalty. But, no, let's go to the American taxpayers' land. Those same companies that pay to the States don't pay to Uncle Sam.

And the revenue from a royalty is money we can use. What can we use the money for? Make sure we don't have to cut Medicare payments for Grandma. Make sure we have student loans for kids to be able to go to college. That's what the money should be used for. Should it just be pocketed by Rio Tinto, by these companies?

So I ask my colleagues, which deal do you want to go home with and tell your constituents you were for? The deal where they got some nice lands in Arizona while a foreign mining company got billions in copper, or the deal where they got the land plus hundreds of millions of dollars in royalty payments for the U.S. taxpayer?

With the Markey amendment, we in Congress are responsible stewards doing our due diligence to protect the Federal Treasury to get the taxpayer what they're owed. Without the Markey amendment, this House looks like the old Keystone Kops, bumbling around in circles while billions walk right out the door that should be in the pockets of every taxpayer in this country.

We have a supercommittee debating how much they're going to cut poor people, students, national defense, what we're going to spend on the protection of our country, and how many policemen we can afford to have. Meanwhile, out here on the House floor, we're going to turn a blind eye to billions of dollars just going right out the floor of the House here today into the pockets of Rio Tinto, into the pockets of a foreign corporation. That's not right.

Vote for the Markey amendment. Capture this money for the American taxpayer.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. I yield myself such time as I may consume.

Mr. Chairman, in deference to my good friend from Massachusetts, there is only one bill before us, and that's a bill without the Markey amendment, and I hope it stays that way.

This amendment requires a company to pay for the minerals twice. The value of the copper is already included in the appraised value of the land under current law of the United States. That's the law. Section 4(e) of the bill requires the developer to pay full market value for the Federal land and minerals within. Under the requirements of this bill, the United States is fully compensated for the copper up front. But, if, in fact, this vein is larger than what is anticipated, there is a further provision that says that should it exceed that appraised value, the developer, i.e., the copper mining company, is required to compensate the United States through annual assessments. As the market moves forward, the Markey amendment adds an 8 percent royalty to the full, to the top payment. This would mean that the company would be paying a huge premium in addition to what current law is of the value they have already paid.

I have to tell you, Mr. Chairman, this is unprecedented in any law or any activity regarding mining.

This amendment isn't about ensuring the full payment to the United States, because that is required in the bill under current law. What this amendment really does is send a signal to companies that want to invest in Federal lands, to utilize the resources we have, that they are not welcome in the United States. They are not welcome, and they should go overseas where they are welcome, taking American jobs with them and making us less economically viable as a country and also costing us jobs.

With that, I would yield 1 minute to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

I would just point out, if we want to address the royalty issue on this and other mining ventures, let's address the Mining Act of 1872. There were attempts to do this in the nineties, attempts to increase royalties or impose a 5 percent royalty, and many on the other side of the aisle opposed that measure. And so there have been a few attempts. I would encourage, let's go back to it. But this is not the place to

do it. We can't do it here on this one bill.

And make no mistake about it; this is an attempt to kill this legislation, nothing else. It's not an attempt to garner the taxpayer more revenue. This is an attempt to kill the bill.

I would encourage rejection of the amendment and adoption of the bill.

Mr. HASTINGS of Washington. How much time do I have remaining, Mr. Chairman?

The Acting CHAIR. The gentleman has 2 minutes.

Mr. HASTINGS of Washington. I am pleased to yield 1 minute to the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Mr. Chairman, it is interesting to listen to the arguments. To listen to the arguments that were given just now on why we should support the Markey amendment, you would believe that Republicans have set up this massive scheme for avoiding payment for royalties.

Now, this law has been in place on the books for a very long time. But additionally, I remember that the Democrats were in control, for 2 years, of the House, the Senate, and the White House, and they elected not to pass this royalty bill because they knew it would damage the economy.

Like the gentleman from Arizona just said, this is a single attempt to kill this one bill. Twenty-five percent of the Nation's copper needs could be met for the next 50 years, and they're trying to kill the bill. That's what defies explanation.

□ 1450

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself the balance of my time.

I just want to point out the unprecedented nature of this amendment. Let's think about it.

The gentleman from Arizona (Mr. FLAKE) properly pointed out that we operate under the 1872 act, and there is some discussion about that; but to single out one company in one area in one State for this tax sends a terrible, terrible signal to our economic system. If this were to be passed, then what is sacred about this industry compared to any other industry that somebody doesn't like? We will sponsor an amendment to tax one individual company. Boy, that is going to instill confidence, I can really see, in our economic system if an amendment like this is adopted. It is a bad amendment, and it will have a detrimental effect on this project.

I urge the defeat of the Markey amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY).

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

Mr. MARKEY. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 3 OFFERED BY MR. GRIJALVA

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 112–258.

Mr. GRIJALVA. I have an amendment at the desk made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 21, after line 8, insert the following:

(e) ADDITIONAL CONDITIONS RELATED TO MINING OPERATIONS ON CONVEYED FEDERAL LAND.—As additional conditions of the land exchange under this Act, Resolution Copper shall agree to the following:

(1) To locate and maintain the remote operation center for mining operations on the conveyed Federal land in the town of Superior, Arizona, for the duration of such operations.

(2) To actively recruit and provide an employment preference for qualified applicants who reside in the State as of date of the consummation of the land exchange for employment positions related to mining operations on the conveyed Federal land.

(3) To ensure that all locatable minerals produced in commercial quantities from the conveyed Federal land remain in the United States for processing and use.

(4) To ensure that all equipment used to mine or support mining activities on the conveyed Federal Land is made in the United States.

The Acting CHAIR. Pursuant to House Resolution 444, the gentleman from Arizona (Mr. GRIJALVA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Chairman, just for clarification of the record, the reform of the Mining Act of 1872 was passed by this House when the Democrats were in the majority, including the 8 percent royalty requirement, and it met almost unanimous opposition from my Republican colleagues on the other side of the aisle.

We have been told that the creation of jobs is the principal motivation and justification for H.R. 1904, but when we examine these jobs claims, they start to fall apart. We've heard varying figures from 450 initially to 3,700 and sometimes even 6,000. The numbers aren't supported by the facts.

The amendment before the House right now that is offered by myself and the gentleman from California (Mr. GARAMENDI) is the only way to ensure that at least some jobs will be created in Arizona as a result of this bill. Our amendment adds conditions to the land exchange to guarantee job creation in the community of Superior, Arizona, and the surrounding area and to strengthen the overall benefits to the U.S. economy.

Section 1 of this amendment guarantees that the Remote Operations Center is located in Superior. Modern mines, Rio Tinto in particular, use a range of automation technology, and most of the human labor is done offsite at the Remote Operations Center. Rio Tinto is presently operating its Pilbara, Australia, mine from 800 miles away in Perth, which is a metro area. Our amendment will ensure that this Remote Operations Center is in and operates from Superior, Arizona.

If this legislation is truly about jobs and lifting up the local economy, it is important to guarantee that local residents will have access to the jobs that are created by this mine. Section 2 of our amendment makes sure that Arizonans are considered first for employment.

Without active recruitment and a hiring preference for area residents, how do we know that the residents of the region and Arizona will benefit from the project? Our amendment makes sure that that happens. If this bill is really about jobs and our national interests, then we should guarantee that the ore produced from this mine has a direct impact on the U.S. economy.

Section 3 of the amendment will make sure that all raw material extracted from the mine is processed in the United States, not in China or in any other foreign country.

Finally, section 4 of this amendment, by ensuring that all equipment used in the mine is made in the USA, puts American manufacturers before foreign competitors. If the promise of job creation is to have even a shred of credibility, the Grijalva-Garamendi amendment must be adopted to ensure that the promises we have heard and the guarantees that have been talked about this afternoon are, in fact, reality. This amendment would make it a requirement.

With that, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I claim time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Thank you, Mr. Chairman.

The fundamental purpose of H.R. 1904 is to make copper in the United States and to create thousands of American jobs.

This amendment is purposefully written to make this mine impossible by mandating conditions that can't be achieved. As a result of that, if this were to pass, the 500 people currently employed on the project would lose their jobs, and the 3,700 total jobs that would be created would never materialize.

The lead sponsor of this amendment has fought this proposed mine for years. Listen, I respect his position, but this amendment isn't written to improve the bill; it's intended to kill the mine. It is simply an amendment in wolf's clothing. This amendment dictates specific mandates on business operations, Mr. Chairman, that are unrealistic, unprecedented, and unworkable. Let me give you an example.

It mandates the precise town in which the mine operations center must be located. The Federal Government should not be dictating where and only where a company is allowed to conduct its private business. If you take this to the logical extreme, what's next? Will House Democrats push a new law to require Apple to move from Cupertino to—where?—Detroit? How ironic that when a company that is investing hundreds of millions of its private dollars in Arizona to create thousands of American jobs that Democrats in the District of Columbia want to dictate where to operate its business.

On the other hand, there may be some consistency, because when President Obama and House Democrats handed out over half a billion stimulus dollars to the Fisker car company, they allowed that to be built in Finland, which, Mr. Chairman, I might add, is not even a State.

The amendment also requires that all copper produced from this mine be used in the United States. Copper is a basic component used to construct and build items. It's ridiculous to mandate that if 1 ounce of copper goes into an item it violates this law, this amendment, to be used outside the United States.

I am sensitive to this because I'm from Washington. If a Boeing plane is using copper made from this mine, that Boeing plane can therefore never fly out of the United States. If copper pipe is used in the plumbing of a boat that's built in America, it can never ship American goods in this global economy. What about copper jewelry, Mr. Chairman, or an American-built car that includes copper components, or the multitude of everyday items that we build in America and sell abroad that contain copper?

The fact is that this amendment would make it impossible to use the copper from this mine; but on the other hand, that's probably what the intent is.

Finally, the amendment mandates that all equipment used to mine or support mining activities be made in the United States. The purpose of the bill is to allow the third largest undeveloped copper resource in the world to be developed in America to create American jobs and provide up to 25 percent of America's copper consumption. It defies reason and logic to say that this economic boost to America can't happen if one piece of equipment used for the mine isn't made in the United States.

Let me go a little bit further, Mr. Chairman. The word ''equipment'' is never defined. Does it include everyday office items that will support mine activities, such as paper or pencils? What about cell phones for workers? iPhones and Blackberries, I might add, are not manufactured in America.

So I urge my colleagues, therefore, to vote against this amendment, which stands in the way of American copper production and American copper creation.

With that, I reserve the balance of my time.

□ 1500

Mr. GRIJALVA. I yield the balance of my time to the cosponsor of the amendment, the gentleman from California (Mr. GARAMENDI).

The Acting CHAIR. The gentleman from California is recognized for 2 minutes.

Mr. GARAMENDI. Our worthy chairman has put up a dozen canards, none of which really address the underlying issue here. This amendment is a very simple one that would locate in Arizona the headquarters for this mine. Is there something wrong with that? We are not moving this off to Finland. Come on.

This amendment would also provide that the copper—and it's been stated by the proponents of the bill that 25 percent of the copper needs in the United States would come from this mine, so why not use this copper in the United States? It seems to me to be perfectly reasonable, despite all the canards that we just tossed around here a few moments ago.

The other part of this has to do with the equipment. Is the worthy gentleman from Washington opposed to using American-made equipment in American mines? Is that what this is all about?

Yes, there may be some definitional problems. I'd be delighted to work with you on the definitional problems, but the underlying point is why would we set up all of this so that we could import the equipment from China or Japan or some other place. Why not simply require that this mine, which under the bill itself is an enormous giveaway of American property, of property owned by the American people and the enormous unparalleled giveaway of our value, why not simply require that at least if they're going to be given all of this, they be required to buy American-made equipment for the mine operation?

What's wrong with that? Why not make it in America? If this mine is in America, why not use American-made equipment and hire Americans and, in this case, Arizonans? You got a problem with hiring Arizonans? You got a problem with locating in Arizona the headquarters of this mine, or would you prefer London or maybe somewhere in Australia?

Come on. These are very simple amendments so that Americans can go to work. These are very simple amendments so that this company will buy American-made equipment to mine our copper which, under your proposal, is given away.

Mr. HASTINGS of Washington. I yield myself the balance of my time.

The Acting CHAIR. The gentleman is recognized for 1 minute.

Mr. HASTINGS of Washington. I just want to respond to my good friend from California about working with us if there is a flaw in this amendment.

I would just remind him he offered a similar amendment in committee; we brought up precisely the same arguments, precisely the same arguments. And here we are, we trot out an amendment on the floor of the House, and it's precisely the same amendment. I have a hard time thinking that somebody wants to work with us when they trot out the same amendment with the same arguments that got defeated twice.

I just want to mention this, Mr. Chairman. It's a worthy goal to buy American and promote buy American, but not when that sentiment is used to block a project to create American jobs and that results in America being less dependent on foreign minerals that gets our economy going.

With that, Mr. Chairman, I urge defeat of this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

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

Mr. GRIJALVA. Mr. Chairman, I demand a recorded vote.

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

Mr. HASTINGS of Washington. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GOSAR) having assumed the chair, Mr. LATOURETTE, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1904) to facilitate the efficient extraction of mineral resources in southeast Arizona by authorizing and directing an exchange of Federal and non-Federal land, and for other purposes, had come to no resolution thereon.

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, not earlier than 3:30 p.m.

Accordingly (at 3 o'clock and 5 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1545

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WESTMORELAND) at 3 o'clock and 45 minutes p.m.

SOUTHEAST ARIZONA LAND EXCHANGE AND CONSERVATION ACT OF 2011

The SPEAKER pro tempore. Pursuant to House Resolution 444 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1904.

□ 1546

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1904) to facilitate the efficient extraction of mineral resources in southeast Arizona by authorizing and directing an exchange of Federal and non-Federal land, and for other purposes, with Mr. LATOURETTE (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 3 printed in part B of House Report 112–258 by the gentleman from Arizona (Mr. GRIJALVA) had been postponed.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 112–258 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. LUJÁN of New Mexico.

Amendment No. 2 by Mr. MARKEY of Massachusetts.

Amendment No. 3 by Mr. GRIJALVA of Arizona.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. LUJÁN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Mexico (Mr. LUJÁN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 189, noes 233, not voting 11, as follows:

[Roll No. 805]

AYES—189

Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
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)
Paul
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
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)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Woolsey
Yarmuth

NOES—233

Adams
Aderholt
Akin
Altmire
Amash
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
Broun (GA)
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
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 (OH)
Johnson, Sam
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
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
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
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ruppersberger
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)

NOT VOTING—11

Ackerman
Alexander
Burgess
Conyers
Giffords
Grimm
Loebsack
Miller, Gary
Polis
Wilson (FL)
Young (IN)

□ 1613

Ms. HAYWORTH and Messrs. RENACCI, ALTMIRE, WHITFIELD, and BARTLETT changed their vote from ''aye'' to ''no.''

Messrs. DAVID SCOTT of Georgia, WAXMAN, and PETERSON changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. MARKEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 173, noes 238, not voting 22, as follows:

[Roll No. 806]

AYES—173

Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Cooper
Costa
Costello
Courtney
Critz
Crowley

Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Neal
Olver
Pallone
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
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
Woolsey
Yarmuth

NOES—238

Adams
Aderholt
Akin
Altmire
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berkley
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
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Goodlatte
Gosar
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)
Johnson, Sam
Jordan
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
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
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—22

Ackerman
Alexander
Clarke (NY)
Conyers
Garamendi
Giffords
Gingrey (GA)
Gohmert
Gowdy
Grimm
Kelly
King (IA)
Loebsack
Miller, Gary
Nadler
Napolitano
Pascrell
Polis
Sánchez, Linda T.
Schrader
Stutzman
Wilson (FL)

□ 1617

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. KELLY. Mr. Chairman, on rollcall No. 806, I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT NO. 3 OFFERED BY MR. GRIJALVA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 182, noes 240, not voting 11, as follows:

[Roll No. 807]

AYES—182

Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
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
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
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
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
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
Shuler
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
Woolsey
Yarmuth

NOES—240

Adams
Aderholt
Akin
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
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
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
Himes
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Mulvaney

Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
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
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—11

Ackerman
Alexander
Forbes
Giffords
Grimm
Loebsack
Miller, Gary
Polis
Sullivan
Walberg
Wilson (FL)

□ 1622

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the amendment in the nature of a substitute.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HUNTER) having assumed the chair, Mr. LATOURETTE, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1904) to facilitate the efficient extraction of mineral resources in southeast Arizona by authorizing and directing an exchange of Federal and non-Federal land, and for other purposes, and, pursuant to House Resolution 444, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment in the nature of a substitute.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The SPEAKER pro tempore. The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House now observe a moment of silence in remembrance of our brave men and women in uniform who have given their lives in the service of our Nation in Iraq and in Afghanistan and their families, and of all who serve in our Armed Forces and their families.

MOTION TO RECOMMIT

Mr. DEUTCH. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. DEUTCH. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Deutch moves to recommit the bill H.R. 1904 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

Page 6, line 19, relating to the definition of Resolution Copper Mining, LLC, insert before the period the following: ", except that such term shall not include any company, successor, assign, affiliate, member, or joint venturer with an ownership interest in any property or project any portion of which is owned by the Iran Foreign Investment Company".

The SPEAKER pro tempore. The gentleman from Florida is recognized for 5 minutes.

Mr. DEUTCH. Mr. Speaker, bipartisan unity may be rare these days, but if there is one issue we have consistently come together on, it is the threat posed by a nuclear-armed Iran.

That's why last year's body voted to enact tough new sanctions aimed at preventing Iran from acquiring nuclear weapons. That's why 332 Members of this House are today cosponsors of new legislation to strengthen Iran sanctions law. And it is also why this body should join me on this final amendment to the bill so we do not reward companies that provide financial and material support to the Iranian regime—because this bill, in its current form, will bolster Iran's illicit quest for nuclear weapons.

This legislation awards U.S. land to Resolution Copper, a company owned by Rio Tinto. Rio Tinto also owns a majority stake in the Rossing uranium mine in Namibia, where it partners with the Iran Foreign Investment Company. The Iran Foreign Investment Company is wholly owned by the Iranian regime, and last summer the Treasury Department added it to the list of Iranian entities in violation of sanctions law.

Quite simply, we are about to reward a company that partners with the Iranian regime to mine, of all things, the uranium it needs to become a nuclear-armed power. This Congress cannot be in the business of assisting a regime that plots an attack on U.S. soil, that kills brave American soldiers in Iraq and Afghanistan, and threatens to wipe our ally Israel off the map.

Iran has made its intentions clear. The Iranian nuclear program is not intended for peaceful purposes. Just last month, an IAEA agency report indicated "increasing concerns" about possible "military dimensions" to the Iranian program. The threat is real, and this Congress has always taken it seriously.

We have watched Iran attempt to make a mockery of U.S. law by finding new ways to evade sanctions. And now we are going to help them do it?

My amendment does one thing: It blocks any land exchange with a company or affiliate connected to the Iran Foreign Investment Company.

Let me be clear. This amendment will not prevent the passage of the legislation. If adopted, it will be incorporated and we will vote on the final bill. We have come together against a nuclear-armed Iran before, and we can do it again today. Let's put bipartisanship aside. Join me on this motion to recommit and let's unite against the very real threat of a nuclear-armed Iranian regime.

I am pleased to yield to the ranking member, the gentleman from Massachusetts.

□ 1630

Mr. MARKEY. I thank the gentleman.

The bill before us today proposes to give away National Forest land to the Resolution Copper Corporation so they can build a giant copper mine. There could be somewhere between $2 billion and $7 billion worth of copper on this land.

So who exactly is this company that is going to be the beneficiary of the Republican majority largesse? A controlling 55 percent of Resolution Copper's shares are owned by the giant mining conglomerate Rio Tinto.

What else does Rio Tinto own? It turns out Rio Tinto owns 65 percent of the world's largest open pit uranium mine, the Rossing Mine, in Namibia. Their second-largest partner in the Rossing Uranium Mine, with a 15 percent stake and two people on the board of directors, is none other than the government of Iran.

The U.N. Security Council has six times approved resolutions condemning Iran for its violations of the Nuclear Nonproliferation Treaty, and this House has twice enacted strong Iran nuclear sanctions. Yet Rio Tinto is in partnership with the Iranian government to mine uranium. For what purpose?

And with this bill today we are rewarding Rio Tinto. We are telling Rio Tinto, Never mind the U.N. sanctions. Never mind the sanctions of U.S. law.

What the Deutch amendment does is say if you want to do business with America, you need to stop doing business with Iran and Mahmoud Ahmadinejad. Under this amendment, as soon as Rio Tinto severs its partnership with Iran and Ahmadinejad, Rio Tinto's Resolution Copper affiliate can proceed to take title to these very valuable Federal lands in Arizona in the United States of America.

I don't think that's too much for this Congress to ask. Vote for a strong nuclear nonproliferation policy. Send a message to Ahmadinejad. Vote for the Deutch amendment.

Mr. DEUTCH. I yield back the balance of my time.

Mr. HASTINGS of Washington. I rise in opposition to the motion to recommit.

The SPEAKER pro tempore (Mr. CHAFFETZ). The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Speaker, let me be perfectly clear, and I will say this as slowly as I can so it can be understood. This bill does not waive any economic sanction laws. All of those laws still stand.

Now, let me say this. This bill is about creating jobs in Arizona. By creating jobs in Arizona, we are creating American jobs in Arizona.

It is interesting to me how I hear the other side come up with all of these different ideas. The debate has been going on for some time—probably about 3 years, come to think of it. Here is what the debate is: It's about creating jobs in this country. Our approach on this side is very simple. It's simple because it's based on the premise of our country. We rely on the private sector. We rely on people to make an investment to create American jobs. Their side wants to—and we heard this in debate—raise taxes and create public jobs. This creates private jobs.

I say vote ''no'' on the motion to recommit and pass the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit H.R. 1904 will be followed by 5-minute votes on passage of H.R. 1904, if ordered; ordering the previous question on House Resolution 448; adopting House Resolution 448, if ordered; and suspending the rules and passing H.R. 2527.

The vote was taken by electronic device, and there were—ayes 187, noes 237, not voting 9, as follows:

[Roll No. 808]

AYES—187

Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
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
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
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
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)
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Woolsey
Yarmuth

NOES—237

Adams
Aderholt
Akin
Amash
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
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
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
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)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
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
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
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
Rivera
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)

NOT VOTING—9

Ackerman
Alexander
Giffords
Grimm
King (NY)
Loebsack
Miller, Gary
Polis
Wilson (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1653

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 235, noes 186, not voting 12, as follows:

[Roll No. 809]

AYES—235

Adams
Aderholt
Akin
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carson (IN)
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
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 (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
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
Rivera
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 (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
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—186

Altmire
Amash
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (NJ)
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
Wolf
Woolsey
Yarmuth

NOT VOTING—12

Ackerman
Alexander
Carney
Giffords
Grimm
King (NY)
Loebsack
Miller, Gary
Polis
Rigell
Sánchez, Linda T.
Wilson (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1659

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. RIGELL. Mr. Speaker, on rollcall No. 809, I was unavoidably detained. Had I been present, I would have voted "aye."

PROVIDING FOR CONSIDERATION OF H.R. 2576, MODIFYING INCOME CALCULATION FOR HEALTH CARE PROGRAMS, AND PROVIDING FOR CONSIDERATION OF H.R. 674, 3% WITHHOLDING REPEAL AND JOB CREATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 448) providing for consideration of the bill (H.R. 2576) to amend the Internal Revenue Code of 1986 to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs, and providing for consideration of the bill (H.R. 674) to amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, 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 243, nays 178, not voting 12, as follows:

[Roll No. 810]

YEAS—243

Adams
Aderholt
Akin
Altmire
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
Costa
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
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)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
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
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
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
Rivera
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
Shuler
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—178

Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
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
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
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
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
Woolsey
Yarmuth

NOT VOTING—12

Ackerman
Alexander
Carson (IN)
Giffords
Grimm
King (NY)
Loebsack
Miller, Gary
Peterson
Polis
Walz (MN)
Wilson (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1706

So the previous question was ordered.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. LOEBSACK. Mr. Speaker, today I was not present for six recorded votes because I was meeting with a group of constituents and the Federal Emergency Management Agency Administrator to discuss Iowa flood recovery.

If had been present, I would have voted "yea" on rollcall 805; "yea" on rollcall 806; "yea" on rollcall 807; "yea" on rollcall 808; "nay" on rollcall 809; and "nay" on rollcall 810.

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. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 253, noes 172, not voting 8, as follows:

[Roll No. 811]

AYES—253

Adams
Aderholt
Akin
Altmire
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berkley
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carson (IN)
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cooper
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
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)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
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
Richardson
Rigell
Rivera
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
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
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)

NOES—172

Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berman
Bishop (GA)
Bishop (NY)
Boswell
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
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
Woolsey
Yarmuth

NOT VOTING—8

Ackerman
Alexander
Giffords
Grimm
King (NY)
Miller, Gary
Polis
Wilson (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1713

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.

NATIONAL BASEBALL HALL OF FAME COMMEMORATIVE COIN ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2527) to require the Secretary of the Treasury to mint coins in recognition and celebration of the National Baseball Hall of Fame, as amended, 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 motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 3, not voting 14, as follows:

[Roll No. 812]

YEAS—416

Adams
Aderholt
Akin
Altmire
Amodei
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Brown (FL)

Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
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
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Filner
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)
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hastings (FL)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
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
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
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)
Paulsen
Payne
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
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
Stark
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
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—3

Amash
Broun (GA)
Paul

NOT VOTING—14

Ackerman
Alexander
Bachmann
Becerra
Giffords
Grijalva
Grimm
Hartzler
Hastings (WA)
King (NY)
Miller, Gary
Polis
Walberg
Wilson (FL)

□ 1720

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HOUR OF MEETING ON TOMORROW

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

NATIONAL ADOPTION MONTH AND NATIONAL ADOPTION DAY

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today in support of the goals and the ideals of National Adoption Month and National Adoption Day, both of which will be held next month in November 2011.

National Adoption Month, which was first designated in 1995, promotes national awareness of adoption, encourages the well-being of every child, and recognizes the thoughtful efforts of individuals and organizations working with orphans and foster children.

In November 2000, National Adoption Day was launched through the National Adoption Day Coalition. National Adoption Day marks the day that agencies, organizations and families come together to complete thousands of foster care adoptions. Too many foster children across the Nation, including almost 10,000 children in Pennsylvania, are waiting to be adopted.

For this reason, I've joined numerous fellow House colleagues in sponsoring H. Res. 433, a bipartisan resolution supporting the goals and ideals of National Adoption Month and National Adoption Day in November. This resolution will bring needed awareness to adoption and encourage our fellow Americans to ensure every child has a permanent home with a loving family.

INFRASTRUCTURE

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

Mr. HIGGINS. Mr. Speaker, I call on my colleagues and call their attention to a report issued last week by Transportation for America. The report identified 99 bridges in western New York, 2,000 bridges in New York State and 63,000 bridges nationwide as structurally deficient.

This should not surprise us. The American Society of Civil Engineers gives our infrastructure a D grade and the World Economic Forum ranks the United States 23rd in infrastructure quality. Our infrastructure is suffering from a crippling lack of investment and our country is falling behind because of it.

Mr. Speaker, the United States has spent over $62 billion nation-building in Iraq. It is time to do some nation-building right here at home. There is work that needs to be done, and a lot of Americans need the work.

So I implore this House, pass a jobs bill that includes $60 billion for infrastructure, pass a 6-year transportation bill, use innovative ideas like the infrastructure bank to create public-private partnerships and do it now. Given the state of our infrastructure and our economy, we can't afford to wait.

BORDER PATROL AGENT SENTENCED TO PRISON

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

Mr. BURTON of Indiana. Mr. Speaker, some of the most important people in America are the people that protect our southern border between the United States and Mexico. They lay their lives on the line to stop drug pushers and potential terrorists. They do this on a daily basis.

Well, one of those agents, Jesus Diaz, Jr., in November of 2009, stopped a fellow coming across the border with 150 pounds of marijuana in his backpack. He arrested him. He put handcuffs on him, and he supposedly lifted his arms a little too high, and he did not subscribe to taking care of this man's constitutional rights.

As a result, Agent Jesus Diaz, Jr., who has been cleared—he's been

cleared by Homeland Security's Office of the Inspector General and the Immigration and Customs Enforcement's Office of Professional Responsibility. He was cleared by both of those of any wrongdoing; yet he got a 2-year jail sentence just in the last couple of days because he supposedly mistreated a drug dealer coming across the border carrying 150 pounds of drugs.

This is just not right. This is just wrong.

[From the Washington Times, Oct. 25, 2011]

(By Jerry Seper)

A U.S. Border Patrol agent has been sentenced to two years in prison for improperly lifting the arms of a 15-year-old drug smuggling suspect while handcuffed—in what the Justice Department called a deprivation of the teenager's constitutional right to be free from the use of unreasonable force.

Agent Jesus E. Diaz Jr. was named in a November 2009 federal grand jury indictment with deprivation of rights under color of law during an October 2008 arrest near the Rio Grande in Eagle Pass, Texas, in response to a report that illegal immigrants had crossed the river with bundles of drugs.

In a prosecution sought by the Mexican government and obtained after the suspected smuggler was given immunity to testify against the agent, Diaz was sentenced last week by U.S. District Judge Alia Moses Ludlum in San Antonio. The Mexican consulate in Eagle Pass had filed a formal written complaint just hours after the arrest, alleging that the teenager had been beaten.

Defense attorneys argued that there were no injuries or bruises on the suspected smuggler's lower arms where the handcuffs had been placed nor any bruising resulting from an alleged knee on his back. Photos showed the only marks on his body came from the straps of the pack he carried containing the suspected drugs, they said. Border Patrol agents found more than 150 pounds of marijuana at the arrest site.

The defense claimed that the smuggling suspect was handcuffed because he was uncooperative and resisted arrest, and that the agent had lifted his arms to force him to the ground—a near-universal police technique—while the other agents looked for the drugs.

The allegations against Diaz, 31, a seven-year veteran of the Border Patrol, initially were investigated by Homeland Security's Office of Inspector General and Immigration and Customs Enforcement's Office of Professional Responsibility, which cleared the agent of any wrongdoing.

But the Internal Affairs Division at U.S. Customs and Border Protection ruled differently nearly a year later and, ultimately, the U.S. Attorney's Office for the Western District of Texas brought charges.

The Law Enforcement Officers Advocates Council said the government's case was "based on false testimony that is contradicted by the facts."

In a statement, the council said that because the arrest took place at about 2 a.m., darkness would have made it impossible for the government's witnesses to have seen whether any mistreatment took place. It said Marcos Ramos, the Border Patrol agent who stood next to Diaz, testified that he did not see any mistreatment of the smuggling suspect.

The council said other witnesses made contradictory claims and some later admitted to having perjured themselves. Such admissions, the council said, were ignored by the court and the government. It also said that probationary agents who claimed to have witnessed the assault raised no objections during the incident and failed to notify an on-duty supervisor until hours later.

"Instead, they went off-duty to a local 'Whataburger' restaurant, got their stories straight and reported it hours later to an off-duty supervisor at his home," the council said. "Then the 'witnesses' went back to the station and reported their allegations."

The council also noted that the teenager claimed no injuries in court other than sore shoulders, which the council attributed to "the weight of the drug load, approximately 75 pounds, he carried across the border."

The U.S. Attorney's Office for the Western District of Texas, which brought the charges, is the same office that in February 2006—under U.S. Attorney Johnny Sutton—prosecuted Border Patrol Agents Ignacio Ramos and Jose Compean after they shot a drug-smuggling suspect, Osvaldo Aldrete-Davila, in the buttocks as he tried to flee back into Mexico after abandoning a van filled with 800 pounds of marijuana. Aldrete-Davila also was given immunity in the case and testified against the agents.

Agents Ramos and Compean were convicted and sentenced to 11 and 12 years in prison, respectively. President George W. Bush commuted the sentences in 2009 after they had served two years.

The same prosecutors also charged Edwards County Deputy Sheriff Gilmer Hernandez in 2005 with violating the civil rights of a Mexican criminal alien after he shot out the tires of a van filled with illegals as it tried to run him over. One of the illegal immigrants in the van was hit with bullet fragments.

PROMOTING WOMEN ENTREPRENEURS

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

Mr. PAULSEN. Mr. Speaker, last week I spent a day traveling my district and meeting with half a dozen women entrepreneurs.

I started the morning spending time with children in Maple Grove, Minnesota, at the LilyPad Daycare that is owned by a dynamic mom and daughter team.

Next I went to Plymouth, and I visited and toured the medical manufacturer ATEK Medical, which is owned by Christy Bieber Orris and Kay Phillips. Now, they've got challenges on the horizon with the FDA and a new medical device tax, but they are determined to move forward.

I also visited a public relations firm that was started from scratch by Cindy Leines in her basement 23 years ago. Then I connected with Makya, who is living the dream of owning and operating her own educational toy store. And finally I sat down with Peg at Peg's Countryside Cafe.

Mr. Speaker, Minnesota is a great State teeming with endless possibilities because of women like these who are entrepreneurs taking risks, and we need to do more to encourage women to take the leap into entrepreneurship.

My hope is that last week's tour will help inspire more women to realize their dream of running their own business. After all, it's small businesses that will lead our way out of this tough economic situation we're in and drive ourselves to more economic growth.

SMALL BUSINESS CERTAINTY

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

Mr. OLSON. Mr. Speaker, I rise to tell the story of an American small business owner, Joe Schneider, struggling to keep his head above water. A few weeks ago, I had lunch with Joe at the Barbed Rose Steakhouse, which he owns in Alvin, Texas.

When we finished our lunch, Joe took me on a walking tour to show me his plans to open five more restaurants in the area. He wants to revitalize his hometown by bringing commerce, jobs and good food to historic downtown Alvin. But the likelihood of a large tax increase, whether it be from tax cuts expiring or the White House's proposed tax hikes, has put his expansion plans on indefinite hold.

Small businesses deserve certainty from Washington and a tax policy that allows them to keep more of their money to expand, to reinvest in their communities, and to grow jobs.

Mr. Speaker, people like Joe Schneider need commonsense tax reform that will encourage American job creation, not hinder it.

AMERICAN JOBS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, thank you for the opportunity to present here on the floor the solution to the question that was just raised by my colleague from the Republican side of the aisle.

A month ago, the President laid out a plan that would create millions of jobs here in the United States. It was the American Jobs Act. We are going to talk about this tonight. Before I get into the details of it, last week, in fact 1 week ago, I held a town hall meeting in Fairfield, California.

At that town hall meeting the question of jobs was on everybody's mind. What are you doing about jobs? What is Congress doing about jobs? It just seems as though nothing is happening, and all we're seeing from Congress is talk of the deficit and cuts.

Every time there's a cut, we have another job loss here in our area. Maybe it's a school teacher that's laid off or some highway project that's not going forward. So what's happening with the jobs?

And I then began to explain the American Jobs Act, and we're going to spend some time this evening talking just about that issue, the American Jobs Act.

□ 1730

As proposed by the President, it does address a variety of ways in which American jobs will be created, and not increasing the deficit at all, but rather fully paid for.

I would like to start off this evening by asking my colleague from the great State of New York (Mrs. MALONEY) if she would like to express the view from the East Coast, and then I'll move to the West Coast.

Mrs. MALONEY. I would like to thank my colleague from the great State of California for bringing the American Jobs Act to the floor, every single week, speaking out in favor of American workers, small businesses, and a sane, balanced approach that not only has a cutback in order to cut back our deficit and our debt, but also a revenue leg and a jobs leg. And the President has come forward with a balanced approach that has won support not only from New York and California but clear across this country. Economists are speaking out in support of the American Jobs Act. There have been two Nobel Laureates that have come out in support of it. Mark Zandi, who was the economist in Senator MCCAIN's race for the Presidency, he has come out and he has said that next year it would increase the GDP by 2 percent. It would lower the unemployment rate by 1 percent, and would create 1.9 million jobs.

Now, after hearing your Special Orders on this, I think it would create even more jobs. But this is just a sense of economists from all sides of the country coming out in support of it.

I think it is unfortunate that the Senate did not pass it because we need this act, and we need it now. Americans have shown that they are worried about their future and they want this Jobs Act. Analysts have speculated that our country faces the same kind of lost decade that Japan has struggled with.

In a New York Times article by Daniel Alpert, a managing partner at a private capital firm, he was quoted as saying, and I'd like to bring it to your attention and the American people's attention: ''Unless we take dramatic steps, it will be Japan all over again—continuous deflation, no economic growth, in and out of recessions, and high unemployment.''

Robert Hockett, a professor of financial law at Cornell in New York and a consultant to the New York Federal Reserve, added: ''It will be like the economic version of chronic fatigue syndrome—a low-grade fever all the time.''

So we need to prevent that fatigue and cure the low-grade fever. That's why we need to pass this bill. It would be the kind of short-term immediate impact that our economy needs. With job creation stalled and median income dropping, Americans just aren't buying. That's why economists and forecasters are so strongly in support of it. And the American Jobs Act goes after unemployment in three big ways: it cuts taxes to spur small business hiring and consumer spending; it prevents layoffs of our vital services, our teachers, our firefighters, and our law enforcement officers; and it puts people to work building roads, bridges, and schools. That's so important.

The infrastructure jobs not only create good paying jobs now, they're an investment in the future to help America compete in the world economy. I know from my own State many of our bridges and tunnels and roads and mass transit are crumbling, and we could use this influx of infrastructure money to rebuild and put people back to work. Very importantly, the President's plan maintains a safety net for Americans most hurt by the economic downturn. It's a good plan.

Mr. GARAMENDI. I thank you very much for bringing us the overall view of this. You are quite correct about the small businesses. Let me just put this pie chart up here.

Small business is where 64 percent of all new jobs have been created over the last 15 years. Big businesses actually lost many, many jobs as they have offshored jobs. In fact, it was just last December that the Democratic-controlled House passed a tax bill that terminated tax breaks for big businesses sending jobs offshore. That was about $12 billion of tax breaks that were terminated so that American businesses would not get a tax break to send jobs offshore. I would just like to point out that not one Republican voted to end that tax break that sent those jobs offshore.

But the point here is that small businesses really do create 64 percent of the jobs. Now, in the American Jobs Act, as my colleague from New York said, there are some very, very important provisions that deal directly with small businesses, encouraging them to hire. For example, we've got some 6 million people that are unemployed more than 6 months, so those are the long-term unemployed. If a small business were to hire one of the long-term unemployed, they would receive an immediate $4,000 tax credit. That is off the bottom line of their taxes, providing a very powerful incentive to hire the long-term unemployed.

Now, I think the entire Nation is sick and tired of our wars, but the wars are real. Those wars have created a situation where a very, very high percentage of the veterans that come back are unable to get a job. These may be those veterans that have been off in Afghanistan or Iraq. There's a tax credit again for a veteran returning from the wars, a $5,600 tax credit for hiring an unemployed veteran. Now if that veteran happens to have a service-connected disability, and we've seen the terrible tragedies of those disabilities, arms, legs, and other problems that have befallen the veterans as they serve our country, there's a $9,600 tax credit in the American Jobs Act for those small businesses that hire the veterans. So by hiring new people, small businesses will be able to receive a very, very significant benefit as a result of this American Jobs Act.

If the gentlelady would like to continue on with some of the reasons why this is important to New York, please, Mrs. MALONEY, if you would take care and have at it.

Mrs. MALONEY. I would like to respond to the point that the gentleman made. Economists tell us that one of the ways that we climb out of recessions—and we're in the worst recession that I've experienced in my lifetime, the worst since the Great Depression—the way we climb out is often small businesses. Small businesses hire and grow. Two out of three people hired in America are hired by small businesses. But at this time their hiring has not moved forward. That's why this subsidy and support for small businesses is so important, and I applaud the President for including it in the American Jobs Act.

But because of the economic downturn, localities across our country are having to lay off workers, essential workers who are investors in the future of our young people: Teachers and the protectors of our communities, firefighters and our law enforcement, are being laid off.

I want to talk a little bit about New York, the great State that I have the honor of representing, and I have some numbers that I would like to share with you, but they are the same in many localities across the country. In my own State of New York, according to the Congressional Research Service, the estimated grant for the teachers and the first responders would be $1.7 billion, which would save an estimated 18,000 educators and first responder jobs. That's important not only to these families but to the localities. These teachers are needed. These fire and police are needed. And very importantly, one of the things that I think is so important is the focus that the President has put on modernizing our schools.

When I was in school, all you needed was a piece of paper and a teacher and a pencil. Now our young people need computers, and we need to start teaching them computer sciences and math and technology very, very early. This would have grants to modernize schools so they are really ready for the 21st century, wired appropriately for high-tech computers. This would have a grant for New York City alone of $1.6 billion to modernize the community colleges and the public schools so they are ready for the next century.

□ 1740

But it's our infrastructure that is so important. We are falling behind in terms of high-speed rail. Much of our infrastructure is crumbling. And the infrastructure investment would total over $105 billion, including $50 billion on transportation infrastructure. This not only moves people and makes a

more livable environment, it's an investment also for not being dependent on oil that we have to import.

Very importantly, there is $10 billion on a new national infrastructure bank that would help finance private ventures of public roads and highways and bridges and railroads. And so that's a very, very important part of it.

Very importantly, it also talks about rehabilitating the foreclosed or vacant properties. This is a problem. Some of my colleagues in Ohio tell me they're literally bulldozing down vacant foreclosed properties. And this would allow to help these blighted neighborhoods and help rebuild.

All in all, it is a great plan. We need to get behind it. We need to put Americans back to work. And we should have passed it yesterday. But I'm here tonight supporting the President's plan to put Americans back to work and to invest in our future, invest in America's competitiveness, and our leadership in so many areas depends on getting our economy moving again.

I appreciate being here with my good friend and colleague, and thank you so much for raising these issues. You're doing an excellent job.

Mr. GARAMENDI. I can go through each one of those numbers that my colleague from the wonderful State of New York talked about. California, similarly, would receive very, very significant benefits.

However, we need to look at the reality of what is happening here in this Chamber where the Speaker of the House refuses to even allow a vote on the President's proposal. All of the things you talked about that would benefit New York will come to nothing unless the Speaker of the House will allow these proposals to come to a vote.

Mrs. MALONEY. Will the gentleman yield?

Mr. GARAMENDI. Certainly.

Mrs. MALONEY. This is a democracy, and I believe that there is no idea in the world that is so dangerous or challenging that you can't debate it in the United States Congress. It should be put up for a debate and have it fully debated and have a vote. That's the least that the Speaker should provide for the American people.

Mr. GARAMENDI. Over on the Senate side, the leader of the Senate, Mr. REID, brought the issue to the Senate floor and was unable to even get a vote on the Senate floor because of the Republican threat of a filibuster and the 60-vote requirement to end that filibuster. And so even though on the Senate side they almost came to a vote, they were stopped short by a filibuster. And the reason, apparently, was that the Republicans did not want to raise a one-half of 1 percent tax on those very small number—the top 1 percent of Americans that are earning more than a million dollars of adjusted gross income a year. And so with that small tax increase, they refused to go along.

So here we are in this House without a vote and on the other side because of the threat of a filibuster, and 280,000 teachers are not going to be hired unless we're able to break through. The only way to break through is for the American public to rise up, the 99ers out there, and say: Enough. Give us our jobs. Give us the opportunity to go back to work.

I yield to my colleague.

Mrs. MALONEY. It could not be stated more appropriately. The 99ers and all Americans should speak out and demand a vote on this.

Now, the President has pointed out that it should be a three-legged stool. It should be revenues, we need to cut back on other expenditures, and we need to invest in jobs. Right now, we have roughly 15 percent of our GDP is revenues, but our expenditures are roughly 35 percent.

The gentleman points out the tax on millionaires and other areas that they were looking at. You have to bring that in balance. You cannot continue with 35 percent of the GDP being expenditures and only 15 percent being revenues. Granted, we do have to cut back, and that's what the supercommittee is working on, but it needs to be a balanced approach. Actually, that's what's always worked in the past. It's always been a balanced approach. That's the only way we can get this country on firm ground to reduce our debt, reduce our deficit, invest in opportunities, innovation, and jobs for the future.

You expressed it very well, and I support your efforts here tonight.

Mr. GARAMENDI. Thank you very much for joining us this evening.

Before I turn to my colleague from California, I want to just emphasize the point that the President's American Jobs program is balanced, fully paid for. It's paid for with a fair tax.

We know that over the last 12 years now the upper income, that top 1 or 2 percent, has enjoyed an enormous tax break that was put in place during the George W. Bush first and third year. They've had it good. They've really seen their share of income in America grow extraordinarily fast while the great middle class of America has had basically a flat situation. They've seen no improvement in their income. And then in the last couple of years, they've seen a very precipitous decline.

The President has also proposed—and I know I agree very strongly with this—end the tax breaks for the oil companies. Why does the oil industry need another $5 billion or $6 billion a year of tax breaks when in fact over the last decade they've earned more than a trillion dollars in profit?

Our colleague from California is ready to go. This is MAXINE WATERS, representing Los Angeles, a colleague of mine dating back to our years in the California Legislature, which was just a few years back.

If you would care to share with us your thoughts on how we're going to get Americans back to work.

Ms. WATERS. Thank you very much. I'm very appreciative, Congressman, for your taking this time out on the floor this evening and sharing this time with your colleagues to talk about the American Jobs Act.

What I'm going to say will take a little bit of a different tack. As you know, we just had a contest about the use of social media in our caucus, and I devised a program where I promoted a campaign on #ourspeech, which asked our followers, if they had the opportunity to speak to Congress, what would they say, using the 140 or so characters on Twitter. We got a lot of comments in. We combined them, and now I'm going to share them. A lot of it is about jobs, but they speak about it in a little bit different way. If you would indulge me, I would like to take a few minutes.

Mr. GARAMENDI. I'd be fascinated to hear. I know that your constituents have been very, very active, and I know that over the years you have been superactive. Please share those tweets with us.

Ms. WATERS. Thank you very much.

Today, I'm delivering what is known as #ourspeech—a speech composed of words solely from my followers and friends on Facebook who posted their thoughts about the economy and jobs online. This is a part of my effort to bring Americans closer to Congress.

To the people that sit on Capitol Hill:

As Members of Congress in the greatest country in the world, you are very well aware of the concerns expressed by the American constituency—jobs, stable economic environment, education, crime, war, et cetera. You are not Republicans. You are not Democrats. You are not an independent. You do not belong to any faction. Stop worrying about party and do something for the people. Pass the jobs bill. Pass the American Jobs Act. We all need to work.

A child with no food doesn't care about your power struggle with those who are across the aisle. You must represent the most downtrodden people in your district, not the most successful business nor any special interest. Big money donations from corporations and the financial industry have purchased our democracy. America elected the House, not corporations. It is time they represent us. You have an obligation as a public servant to ensure that the underprivileged of our society will be protected. Don't forget the poor, a group that continues to grow while the rich get richer. We have to trust you to make the right decisions for us. Support and pass the American Jobs Act.

My Facebook followers continue by saying:

We labor to right our small, overturned coffers to replace what was lost. We labor and pay three and four times over for substandard services.

□ 1750

We have become the disenfranchised while billionaire executives live and work in very comfortable environments. We are bludgeoned with partisan rhetoric that detracts from the

real American issues and Representatives who feel they may act without giving heed to the desires of their constituents.

Put partisan politics aside, they say. Start serving your citizens with measured focus on supporting the people. Congress must support jobs. Congress must support the American Jobs Act. We need jobs so that we can pay our reasonable share for life activities and services. We want the right to realize the promises of our founding documents.

The middle class have been the legs this country has stood on. The lack of meaningful action in D.C. has crippled us. We have not been able to save for our children's college education as we live paycheck to paycheck. We worry about the more immediate dilemma—will we be able to keep our home? We are 2 months behind in our mortgage. Bank of America, our lender, was bailed out with our tax money. Now who is going to bail us, who played by the rules and worked hard, out? Please don't give another dime of our money to save the banks, they do not care about us.

Americans are sick of hearing Congress bicker about who is to blame for our issues. While Congress pontificates and filibusters, Americans are starving, losing their homes, working multiple jobs if they can find them, and puzzling over ways to balance our incredibly shrinking budgets against the rising costs of tolls, gas, food and corporate thievery in the guise of bank fees and loan rates. Good, hardworking Americans shouldn't be rubbing nickels together and shouldn't have to pick food over medicine.

My Facebook followers wrap up by further saying: We wonder how we will pay our taxes and student loans, avoid answering our phones, leave our mail unopened as we struggle. The system, if it ever was for us, has failed at this critical juncture in history to safeguard us. The global Occupy Wall Street movement illustrates beautifully the consciousness of the people which has been missing from the political landscape. Congress must support jobs, education and health care. People are hurting out here. Our silence has finally and irrevocably been broken. Those of us who have been awakened are now willing soldiers in the fight.

The voice of the people occupying around the Nation will not go unrecognized. Our strength, our passion and our vision can, and should be, harnessed to power change.

Thank you so very much for allowing my Facebook followers to have a word on the floor tonight. They are watching us. They will be responding. But I think they are very appreciative that you have allowed me this time to condense those comments and the words that they gave to me to bring to the floor.

Mr. GARAMENDI. I thank the gentlelady from California so very much for sharing with us the words that she has received from her constituents. I know that for me, and I suspect for many of our colleagues, there are similar words, similar comments to us. It's time for us to get with it. Let's pass a jobs bill. Let's really work for the people out there, not only the unemployed, but for the great middle class that has been pushed down over the last decade. It's time for them to have their say. Thank you so very, very much for being with us this afternoon.

Ms. WATERS. Thank you so very much.

Mr. GARAMENDI. You said something that came to my mind—I'm going to do this quickly before I turn to my colleague from—Rhode Island? You mentioned student loans. Now, the President has been out in California, in Los Angeles and in San Francisco, near my district, and he's been saying something that really caught my attention, and that is: we can't wait. Speaking for the American people, we can't wait for Congress to act. We can't wait.

And he did something that is really, really close to home. My daughter and son-in-law just finished medical school. They have huge loans that they took out to go through medical school. But across this Nation, about $1 trillion of loans have been taken out by young men and women—and older—who have gone back to school to improve themselves, to get an education, to learn a skill, $1 trillion out there. And many of those loans are at a very high interest rate, and they may be from different sectors.

And the President says, we can't wait to help these people. These young men and women and others who have these loans, they need help today. And so he put together a new program based upon a law that we passed last year—the Democrats passed last year—that said we're going to do some consolidation. So he's taken that step. He's going to allow for the consolidation of these loans into one loan package and allow the interest rate to be reduced, on the average, at least a half percent interest rate and stretched out—and a small percentage of the income. And many of these young men and women—I'm just going to say men and women, they're not all young—aren't able to get a job other than just a minimum wage, and so they can't pay. So he's giving them a break.

And that's what we want our President to do. We want our President to go out there and say we can't wait for Congress—even though I'm ready to go and I know my colleagues are—and giving them a break. This is really important that he has done this.

Ms. WATERS. I thank you. That is well said. You are absolutely correct. And the young people are waiting on us to act. They are burdened with debt. They can't get careers started. They can't get families started. This will be very helpful to them. The consolidation and the reduction of the interest rate is extremely important.

Mr. GARAMENDI. We can't wait to get a bill out of this House, and hopefully the Speaker will allow us to bring it to the floor. And I can't wait to hear from Mr. COURTNEY of Connecticut.

Mr. COURTNEY, please join us.

Mr. COURTNEY. I thank the gentleman from California. Connecticut, Rhode Island—you know, when you're from California, I'm sure we all look like one of your counties there. But it's eastern Connecticut. At least I abut Rhode Island. But thank you for the invitation to speak this evening.

I wanted to start, first of all, by just sharing with you that I am in the final day of a 1-week challenge that myself and four other Members of Congress have engaged in to live on a food stamp budget for a week. That's $4 a day, which is what the budget is for millions of Americans today. And my wife and I and my daughter got through it in one piece—although I had to kind of take my little care package down to D.C. with me. And frankly, it has been harder than I thought and a real eye opener. I mean, a cup and a half of coffee——

Mr. GARAMENDI. Excuse me. May I interrupt? You and three of your colleagues or four of your colleagues have undertaken a program to try to live on the unemployment insurance?

Mr. COURTNEY. No. This is a food stamp budget, the SNAP program. Again, the SNAP budget for millions of Americans is $4 a day. And so obviously you've got to shop as aggressively as you possibly can, and frankly you're buying somewhat lower-cost items. As I said, we're about to get across the finish line at midnight tonight. Again, a cup and a half of coffee a day, half a peanut butter sandwich for lunch, generic cereal, little bananas, some meals at night. You don't have to worry about cleaning dishes when you're on this kind of budget because you eat every bit of it. And as I said, it has been a real eye opener in terms of the fact that this is really an experience that isn't just limited to 1 week for millions of Americans. It's something that, again, is just part of a growing reality.

I raise it in the context of the Jobs Act because today there are, again, millions of Americans who are 99ers; they are people who have gone through their unemployment compensation period, which, as we all know, has a cap of 99 weeks. For a lot of them, there really is nothing else waiting at the end of that time other than food stamps—or the SNAP program as it's now called. To basically live on $32, which is really what the amount is for a single adult, is really impossible.

As a result, we're seeing, again, record numbers of people showing up at food banks, record numbers of people showing up at soup kitchens. There is now a suburbanization of poverty that's going on in this country. Again, I represent Connecticut, which has the highest per capita income in America—obviously lots of suburbs. There are now, again, food banks that are operating in a lot of these communities.

Clearly, this is an issue in terms of the supercommittee and the sequestration, whether or not a program like SNAP is going to be at risk. For people to go backwards from $4 a day is something that I personally can't imagine.

But at the end of the day, the real solution is to get this economy growing again, and the best social program is a job. I mean, that is the bottom line in terms of what is a real fix to this problem.

One of the things that I just wanted us to, again, spend a minute on, and then I'll hand it over to my friend from Ohio who's here, is that the pay-for that's been proposed and supported in the Senate and the White House is a 5 percent surcharge on income above $1 million. Recently we had, again, in my opinion, a patriotic, courageous American who stepped forward to really put the spotlight on what that means. Warren Buffett, who, again, is a legendary investor, financier, commentator on all the news programs and the business channels, shared his tax return for last year.

□ 1800

His gross income, his top line was $63 million, his adjusted gross income was $32 million, and his payment was roughly about $6 million. As he explained in a number of op-eds, that roughly translates into a tax rate of 17 percent, which, again, you're here, Johnny-on-the-spot with the charts, which is terrific.

If his tax return was subjected to the surcharge which has been proposed and supported in the Senate, basically, it would add about another $2 million to $3 million of tax liability in terms of what his return would be, and his overall effective rate would be roughly about 25 percent.

He clearly makes the argument about the Buffett rule that he should pay a higher rate than his secretary and his staff—today he pays a lower rate than all of them. But the real, I think, power of his argument which he made in The New York Times op-ed piece, ''Stop Coddling the Rich,'' was that the tax rates that he paid gladly back in the eighties and nineties, which again, is even higher than it would be if we passed the surcharge, did nothing to inhibit his willingness or desire to go out and compete and invest and participate in the drive for the American Dream.

And if you look at the growth rates that we experienced in the 1990s when, again, the tax rates on both capital gains and regular income were much higher than today, and would still be higher than if we adopted the Jobs Act pay-for, as he powerfully makes the point, it would do nothing to inhibit growth, and it would do nothing to inhibit or punish success.

It, in fact, would just do a lot to try and create some balance in our public finances so that we can afford to do the great things that a great Nation must do to get us out of the predicament that we're in today.

What I want to say to anyone who's watching here today, who's on food stamps, having experienced briefly the challenge that you face over a 1-week period of time, we can do better, as a Nation, than that, and we must adopt the Jobs Act to make sure that we solve the problems of Americans who today are trapped in an economy that allows no way out except subsistence programs that are inadequate to lead a healthy productive life.

I thank the gentleman for yielding.

Mr. GARAMENDI. I thank the gentleman from Connecticut. My apologies, Rhode Island being not too far away. Thank you very much. And thank you for pointing out that it's very, very difficult in America if you're poor. One out of six Americans now live in poverty and are dependent upon food stamps and other kinds of subsistence in order simply to stay alive.

And we cannot forget that, although we ought to remember that here on this floor very recently there was an effort to reduce the food stamps. So I don't quite understand why anybody would want to do that, given the poverty rate.

You also spoke to the issue of fairness in taxes. Eighty-four percent of all of the wealth in this Nation is now controlled by the top 20 percent, and the bottom have become more and more poor.

Now, one of the States that is struggling to get back into the American Dream is the State of Ohio, and there's a lot of conflict going on there about labor and politics and the like.

But I know, Mr. RYAN, that you're focused solely on trying to get people back to work in your community. If you would please join us. If I recall correctly, you're from the eastern part of Ohio.

Mr. RYAN of Ohio. That is correct, the northeastern part, and I'm happy to be joined by my colleague from the northwestern part, Ms. KAPTUR, to talk about these issues.

I think, as I sat here and I listened, whether it was California or whether it was Connecticut or whether it's Ohio, I think the number one issue facing the country right now is the income inequality. It is now just starting to percolate up as the number one issue, the greatest inequality in this country since the Great Depression.

I know many of us have been talking about this for a long, long time—we've had 30 years of stagnant wages in the United States. There is no way that we're going to be able to continue to be the leader of the free world, or really even have the kind of country that we want, if we have this kind of level of inequality.

There are issues that come before the House of Representatives. There are issues that the President is continuing to push that will help rectify this problem that is not getting any attention at all in the House of Representatives, whether it's the American Jobs Act, which would put people back to work, infrastructure, roads, bridges, get that 20 percent unemployment within the construction trades, or 18 or 19 percent, or whatever it may be, and drive it down.

The China currency bill, passed by the Senate with well over 60 votes, passed the House of Representatives last year, had 99 Republicans, 350 total votes, and we can't get a vote in the House of Representatives to take on the Chinese.

Mr. GARAMENDI. Explain to us what the Chinese currency bill is all about.

Mr. RYAN of Ohio. Well, they're manipulating their currency. They're devaluing it so that the exports coming into the United States are artificially cheaper than they would normally be, already with benefits of no EPA, no OSHA, no regulations. But in addition to that, they manipulate their currency, devalue it to make those exports landing on the shores of the United States even cheaper.

Now, all of these unfair trade practices have cost the United States 2.8 million jobs in the last 10 years; 1.9 million of those are manufacturing, and 100,000 in Ohio. When manufacturing jobs pay more, there's more intellectual property spinoff, better benefits, better pension.

All of this comes together with an issue that we're facing back in Ohio, and a philosophy in the country that is basically saying, if the middle class just made a little bit less, the country would be better off; we'd finally fix these problems. That's what's happening with S.B 5 and S.U. 2 in Ohio, where we have a Republican administration taking on the teachers, the police and the fire, and saying they make too much money, and it's because of them that we have these huge budget issues, when really, they're the last bastion of the middle class, and they run into burning buildings, and they go out and they take care of us when we're in a dangerous situation, or they teach our kids, or they clean the public restrooms, or they clean the restrooms in the schools.

These are people who serve us, all of us as a country. For us to continue to go down the path of, we've got to dismantle the middle class, we've got to dismantle the unions, we've got to cut programs like Pell Grants or food stamps or things that help us invest, or keep interest rates high on student loans, or cut funding for the National Institutes of Health, National Science Foundation, this is not a recipe for success. This is a recipe for the destruction of the middle class.

These are investments we've always made as a country that have benefited us. And to say to these police and fire and teachers and public employees, you're making too much money, you're part of the problem, when they're making $30,000, $35,000 a year, is ridiculous.

The policies coming out of Washington and the House of Representatives, we don't even have the courage

to take on China to say maybe we'll drive some manufacturing jobs back into the United States, create some wealth back in the United States so these local communities have money to fund their police and fire. This is what we've always done.

One final point. You're starting to see it percolate. You saw it in Wisconsin. The coalition in Ohio, now, against this issue too, is incredible. Police, fire, teachers, public employees, building trades, auto workers, machinists, average people, all coming together to say, this is the middle class, and we've had it up to here. With Occupy Wall Street, it's the same thing. Income inequality. High levels, it's been going on for a long time. People are up to here.

And for a while, my friend, they have said, go get Washington, D.C. Look at them. Look, it's the Democrats, get them. It's their fault. But the reality is it's where the money is, and that concentration of wealth you were talking about, that's driving the policies here.

Somebody explain to me how we can pass a China currency bill last year, with 350 votes, 99 Republicans, and we can't get a vote in the House of Representatives on it now. The Senate just passed it. Because there are some very powerful interests that don't want it on the floor. They don't want to vote on this. They like the system just the way it is. They can locate over in China and ship their product back and the Americans will buy it.

But what's coming home to roost now is that the Americans aren't making the wages they were in the last 20 or 30 years.

□ 1810

In the last 20 or 30 years, consumer spending is down, consumer confidence is down, wages are stagnant, and there are high levels of poverty even in the suburbs. And so it's all coming home to roost.

I think it's time for our country and all of these disparate groups to now come together—police, fire, teachers, building trades, and working class people. I'm telling you, in Ohio they're coming together and they're saying: We are the middle class, we are working America, and we are going to set the agenda.

Mr. GARAMENDI. And we can't wait. We cannot wait.

I'm just going to toss out two more statistics here. The top 1 percent of Americans in 1974 had about 9 percent of income of all sorts—capital gains, interest, dividends, as well as earned income, about 9 percent. In 2007—that was 4 years ago—they had 23½ percent. So you've seen the income of the very few at the top grow extraordinarily from 9 to 23. It's probably up to 25 or 27 percent this year. The top one-tenth of 1 percent—this is 15,000 families in America—have raked in more than $1 trillion of income in 2009; just 15,000 families, $1 trillion of income.

Yet, when the Senate took up the bill to provide about 2 million jobs for America to be paid for by these men, women, and families that have had this extraordinary growth in their income, just a small percentage of a surcharge, 5 percent surcharge on that additional income, the Republicans in the Senate refused to pass that bill. So 280,000 teachers are not going to get a job, 100,000 police and firemen will not be back on our streets protecting us, and $50 billion of construction programs will not be built, 35,000 schools will not be renovated, and all across this Nation the pain of the middle class will continue.

It's time for us to have a better deal for America. The American Jobs Act can do that. And I think it can help Ohio in the central part.

Ms. KAPTUR, if you would care to join us, thank you so very much. I yield to a terrific Representative who I know has fought fiercely for years and years here to bring back to middle America the manufacturing base and the middle-income jobs that are so important.

Ms. KAPTUR. Congressman GARAMENDI, I want to thank you for your leadership coming from California. And my dear, dear colleague TIM RYAN from the eastern quarter of Ohio, what a privilege it is to be here with you as well and to be a voice for we the people—we the people, not just the superrich people, not just the people running the six biggest banks in the country that just took the rest of America to the cleaners, but Americans who speak for the vast majority who, like that chart states, want a better deal for America. We want investment in America. We want to make goods in America because we know, when we create here and we make here, we create jobs here and we create real wealth here for everyone, not just the privileged few.

It's really an amazing fact to think about that General Motors, when I was growing up, was the biggest employer in the country, and northern Ohio just hummed. Plants had 14,000 workers, 10,000 workers. Now you're lucky if a plant has 1,200 workers, and you see shuttered plants around our country. Thank God for the recovery package and what was done to resuscitate and refinance the U.S. automotive industry so that other countries can't eat our lunch, that they can't eat our investment capital and all of the investment that still exists around this country, the millions of families and retirees that depend on a healthy automotive sector.

When you think about it, today, Walmart is the largest employer. We have gone from General Motors being the largest employer to Walmart being the largest employer. And this week, Walmart announced that even though it's the largest employer, even though it's making so much money for its shareholders and top executives, if you work for Walmart and you put in under 24 hours a week work, you're not eligible for their health insurance. Yup, I can just think of all those women, all those people that are working in Walmart around the country, their standard of living will drop.

I agree with what Congressman RYAN says about the middle class. We believe in people earning a living and, as a result, being secure in the middle class—earning a decent wage, getting a decent health benefit, and having a retirement program you can depend upon.

I'm really happy that the cost-of-living increase will give, on average, to seniors across this country 360 extra dollars—360 extra dollars a year on average—because they're going to be able to buy some food, better food for themselves. They're going to be able to pay their utility bills. Do you know the first thing they will do? I'll tell you the first thing they'll do. They're going to buy their grandchildren presents. They're going to go spend that money. They're going to spend it in the economy.

Every single business in this country, what do they say? We need customers. We need customers. We don't have enough people working—carrying 14 to 24 million people unemployed or underemployed—to really get this economy to hum. They're waiting for customers. Every Member of Congress, if they're awake, knows that.

And so when we see a call for a better deal for America—for all the people, for we the people, not just for the Wall Street bankers who brought us to this juncture who, by the way, are doing very well and controlling two-thirds of the financial system of this country, which is part of the problem we are facing—too much power in too few hands. But as we look across our country to say what can we do, as Members, in order to create more of an investment climate here, you create investment when you create customers. And, honestly, you don't create customers and create wealth at the same time when you just take all the stuff that's made in China, bring it here and sell it. That money goes—most of it goes back to where those goods were made.

We have a real challenge in our country to reward Make It In America, to make goods here and to sell goods here. And as Congressman RYAN says, for those countries that don't play by the rules—and China doesn't—whether it's on currency, whether it's on the environment, or whether it's on the fair treatment of workers, they're not even living in the same universe as we live in. Who would want to live in Beijing? You'd need a gas mask to survive. Is that really what we want to do is downgrade our standard of living for the American people to that level? And that is the course we are on. That is the course we are on, Congressman GARAMENDI.

When you talk about how many people in America are poor today, do you think they like being poor? God loves them just as He loves everybody in the upper class and the middle class. They don't want to be poor. They want a job.

Here's the figure. Let me put this one on the table. I was talking to one of

the major rail executives today, and I was inviting him to come out to our region because we have a lot of railroads, and they're hiring. He said, Congresswoman, I want you to know something. We posted 4,000 jobs in rail across this country. And he said, Guess how many applications we got? Five hundred thousand. Five hundred thousand applications for 4,000 jobs.

Think about what the American people are saying to us. Austerity will not bring prosperity. What will bring prosperity is investment in America, making goods in America, creating goods in America, growing products in America, processing products in America, and holding our trade partners accountable for their actions, whether it's currency manipulation or renegotiating trade agreements that are not operating in the interests of the United States and that are far out of balance.

Let me tell you, the most out-of-balance trade agreement is with China. And if you go back to NAFTA when it passed here in 1993, they said, Oh, my goodness, there are going to be millions of jobs. Well, they're not in the United States. They're not here. In fact, we've amassed a $1 trillion trade deficit with Mexico since NAFTA passed. So all those people must live somewhere in outer space to think that that has actually created wealth in America. It has been a sucking sound, a sucking sound to other countries—not here.

All you've got to do is know the math. Know the math. Just look at the numbers. You don't have to believe me. Look at the trade accounts. It's written in black and white every month. We aren't winning. We are losing the trade wars all over this world, and it is costing us investment here. It's costing us jobs here. It's costing us wealth here. And that is where those poverty figures are rising, because we aren't reading the math and we aren't making goods in America and balancing our accounts here at home by putting people back to work.

Mr. GARAMENDI. We certainly can rebuild the American manufacturing industry, and there are ways of doing it. That was done in part when the President stepped up using the stimulus money to rebuild General Motors and Chrysler. They're now back, and millions of jobs have been saved and, simultaneously, the entire small business supply chain is in order.

□ 1820

Mr. RYAN, I know that you have other thoughts that you'd like to add, so please share with us.

Mr. RYAN of Ohio. I just think we're competing directly now with China in such a significant and direct way. So we put, say, $8 billion in the stimulus package for high-speed rail. I think China is spending tens of billions of dollars——

Mr. GARAMENDI. Well over $100 billion.

Mr. RYAN of Ohio. I think it's $120 billion, maybe, on high-speed rail. They're going to have more tracks in China than in the rest of the world combined in the next 5 or 10 years; and we're sitting here saying we're not going to do anything because we're not for high-speed rail. Ohio gave back $400 million, and Florida gave back a few hundred million dollars. We know from conversations we've had with businesspeople that that would have lured companies into the State of Ohio because they want to build railcars, but they're not going to build them if we don't have a high-speed rail program. These are investments that we have made.

We've gotten into the mind-set that the government can't do everything, but it has to do something. What it has to do is make sure our roads and our bridges and our infrastructure are up to speed.

I was just talking with Congressman DOYLE from Pittsburgh. He said $3 billion in sewer projects need to get done—EPA-mandated in Pittsburgh. I think Cleveland is $2 billion to $3 billion and that Akron is about $1 billion. It's hundreds of millions in places like Youngstown and in smaller cities. I'm sure Toledo is up there in the hundreds of millions in these older cities.

Ms. KAPTUR. And Sandusky.

Mr. RYAN of Ohio. I saw Rahm Emanuel, the Chicago mayor. He was saying these are 100-year-old systems in Chicago. Do we really think that Pittsburgh and Cleveland and Akron and Youngstown and Toledo have $1 billion to go make these investments? But if we say collectively as a country we're going to rebuild the country and that right now we're going to use the power that we have to go out and get the money and make these investments and put all these people back to work, they'll be working for a decade.

Mr. GARAMENDI. Let me tell you how that could be done. It's in the President's American Jobs Act.

He has suggested that we establish an infrastructure bank. Every one of the projects that you just described is a cash flow project. There is a fee for sewage and there is a fee for water. There are fees that come traditionally with each of these services. If we had an infrastructure bank—and the President has suggested we put $10 billion into it—we know that we could get the various public pension funds around to invest in it and that we could probably have $100 billion within several months that could be invested in each one of the projects that you talked about, and those projects over time are able to repay. Do keep in mind that the Federal Government is now able to borrow that money at about 2 percent for 10 years. So this is an investment opportunity to build for the future.

We've got about 5 minutes. So, Ms. KAPTUR, if you'd like to take it, then we're going to wrap this thing up.

Ms. KAPTUR. I would just like to say, for investment in our ports, in our airports, in our rail, what could be more important to our country?

When I was born, there were 146 million people in this country. We're now near 320 million people. By 2050, we will have 500 million people in this country. We cannot continue to live like it's 1950. We have to sort of catch up, which is where these public investments come in. They create jobs. They create real wealth that you can't take away or outsource. It belongs to the American people. It belongs here.

I wanted to say a word about Ohio. We're facing this vote on Issue 2 in Ohio, which is an effort, as Congressman RYAN says, to dismantle what's left of the middle class in our State: our teachers, our firefighters, our police. We have a Governor who called an Ohio highway patrolman an ''idiot,'' which I consider a complete degradation of the Office of Governor and an insult to those who put their lives on the line for us every day.

We stand against Issue 2. We're going to defeat Issue 2 in Ohio because we believe in building the middle class; and we are proud of our police, of our highway patrolmen, of our firefighters, of our teachers. They hold us together as a community, and it is our job to push investment into airports, highways, high-speed rail, trains, transit, ports, water and sewer—all of the pieces of ''community'' that hold us together and make our economies hum. Either you're looking through the rearview mirror or the windshield going forward. This is an ''I can'' Nation. The last four words of ''American'' are ''I can,'' and we are an ''I can'' country.

Mr. GARAMENDI. Indeed, we can.

This piece of legislation, H.R. 613, is one that I've introduced. It simply says that this money that we want to invest in our sanitation systems—high-speed rail and energy systems, whether those are the wind turbines or similar systems—is American taxpayer money. This bill says, if you're going to use American taxpayer money, then you're going to spend that money on American-made equipment. Make it in America. It's our money. Use it here in America.

The Chinese currency bill ought to be passed. I know that our Republican colleagues are going to be following me here in a few minutes, and they're probably going to say the solution is to end regulation. They had a bill on the floor that would end the regulation that would prevent the despoiling of our air with such things as mercury and arsenic and dioxins and other kinds of poisons. We can't build America by ending the regulations that protect America: the food safety regulations, the environmental safety regulations, the clean water regulations. That's not how we're going to build America. That's how we'll destroy this country.

We will build America through the kinds of programs that the President has proposed with the American Jobs Act, which is fully paid for with a fair tax system, one in which those at the top end of this economy, who have

prospered so well over the last 15 years, will now pay just a little bit more so that Americans can go back to work and so that those unnecessary tax breaks that have been given to the oil industry for a century—that 5, 6, $7 billion a year that they've received on top of their trillion dollars of profit over the last decades—will go back into America's Treasury so that we can build America once again. We will make it in America.

The President is quite right: we can't wait. Americans can't wait. It's time for Americans to go back to work. The American Jobs Act will put Americans back to work without increasing the deficit and, in fact, by creating tax revenues for the American Treasury.

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

AMERICA'S GREATEST GENERATION—OUR SENIOR CITIZENS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from Missouri (Mrs. HARTZLER) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mrs. HARTZLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the topic of this Special Order.

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

There was no objection.

Mrs. HARTZLER. Thank you, Mr. Speaker.

Today, I am here to lead a very important discussion regarding America's Greatest Generation—our senior citizens.

I have the greatest respect and heartfelt affection for this special group of people. This respect and affection originated with the special relationship I had with my grandparents. I valued spending time with them and loved learning from them. I learned how to catch a fish and golf from Granddad Zellmer, how to clean and cook a fish from Grandma Zellmer, how to ride a horse and milk a cow from Granddad Purdy, and how to crochet and make homemade butter from Grandma Purdy.

Out of the love of my grandparents grew a love and respect for all senior citizens. I believe their wisdom should be sought and valued in our society and that generations should be linked to benefit from each other. As a teacher, I initiated programs to bring young people together with senior citizens, and wrote my master's thesis on it. I can tell you that it's a winning combination. Throughout my life, I have been dedicated to advocate for senior citizens. For over 10 years, I served on the Cass County Council on Aging. I helped raise money for our Meals on Wheels program and for other important programs to help senior citizens.

Now I'm honored to represent and to serve the great people of Missouri's Fourth Congressional District, which is home to over 120,000 seniors. You can trust that I will ensure that this cherished generation is never overlooked. There are many challenges facing our Nation's senior citizens: financial stress, health challenges, housing issues, and family difficulties. My Republican women colleagues and I want you to know that we care, that we hear your concerns, and that we are here to stand by you and to fight for you and for workable solutions.

□ 1830

I'm honored to have the privilege tonight of leading this discussion and introducing you to some of the most dedicated women in Congress who, like me, care about seniors and are fighting for you.

I would now like to yield as much time as she may consume to my good friend from just across the State line, a fellow farm girl and my travel buddy back and forth to the Kansas City airport, Representative LYNN JENKINS.

Ms. JENKINS. I thank the gentlelady from Missouri for yielding, and I appreciate my fellow Republican women stepping up this evening to have an honest fact-based discussion about one of our Nation's most valued resources—our senior citizens.

As I travel through Kansas each week, I always hear from folks who have had to tighten their belts over the last few years, and the overwhelming message I hear is that Kansans want their government to do the same, and seniors are no different.

While special interest groups, many in the media, and several of our colleagues across the aisle like to paint our Nation's seniors as weak, terrified of budget cuts, and beholden to the Federal Government for financial security, seniors in Kansas know better. These are strong men and women who have seen our Nation through a world war, cultural upheaval, and cyclical financial turmoil. They have always stayed true to the ideals and principles that make this country great. They have always been willing to make the necessary sacrifices to better their lives and those of their children and grandchildren, and they continue to display that same commitment during our current struggles.

But you know what? Just because our seniors are willing to sacrifice does not mean we should continue to demand it. It's time we, the beneficiaries of their hard work and sacrifice, stopped asking for more and allowed our seniors to have the security and certainty that they have earned through decade upon decade of hard work.

That's why I'm pleased to have supported the Republican House budget earlier this year that will save a Medicare system that could be bankrupt in 8 years if we do nothing, and it makes a plan to save Social Security, which isn't far behind. Our plan saves these programs for the next generation while preserving 100 percent of the benefits for those Americans currently in or near retirement.

I'll continue to fight to ensure seniors don't see any cuts in their benefits, like the cuts that were provided for under the President's health care law, which cuts Medicare by $500 billion and allows a board of bureaucrats to begin rationing care. We will, instead, continue to work to protect and strengthen these important programs.

The economic turmoil over the last several years has impacted all of us, including our seniors. Our Nation's senior citizens, the Greatest Generation, worked their entire lives to make this country what it is today. Keeping the promises made to them over the years must be a priority of this Congress and of this Nation.

Mrs. HARTZLER. Thank you, lady. I appreciate your great remarks.

Now I would like to yield as much time as she may consume to another farm gal, a fellow friend here, from South Dakota, KRISTI NOEM.

Mrs. NOEM. I thank the gentlelady from Missouri for recognizing me and for facilitating this wonderful discussion that we have tonight in front of us to really talk about our seniors and to talk about the challenges that they face and the promises that we've made to them that we intend to uphold and to keep for the years to come.

I rise to speak on this Special Order with our other Republican female colleagues to discuss a lot of important issues, and I want everybody to know across this country, in South Dakota we have more than the average share of seniors in South Dakota. We have a very high number, and all of us have seniors in our families—grandparents, neighbors, friends who are seniors and live under the programs and policies of this country.

Our seniors have worked hard. They've raised their families. They've raised grandchildren with strong values, with good work ethics that are extremely important to them to deal with a lot of the things that this life may throw at them. They paid into Social Security. They fought our enemies on foreign soil to defend our country and our freedoms. They have built businesses, and they literally have created the fabric of our society in America today.

Our Republican agenda reflects the deep gratitude that we have towards our seniors in this country. We're thankful for the country that they have given us. We're thankful for the values that they have taught us, and we intend to follow through on the promises that we've made to them.

So you're asking me today what are the promises that we've made to our seniors? The first promise we have made is to care for them. That's why we chose to step up and to save the Medicare program. That's why we

didn't choose to not address the problem that we have and the fact that it is going to go broke in less than a decade.

We also did this at a time when we can truly fix the program without impacting seniors who currently rely on the program. Future generations will need that program, and we did offer solutions for that. But our current beneficiaries, all of those who are 55 and older, will not be impacted if we do what the Republicans did this year and fix the program so that it's still around. Nothing will change for seniors under the plan the Republicans have put forward.

We have also made important promises to our seniors who are military veterans. South Dakota has a strong history of military service. Thousands of South Dakotans have stepped up and put their lives on the line to defend this country. Many of them have made the ultimate sacrifice, and for that we'll always be grateful.

Many of them came home wounded or forever changed by the experience. Veterans earned and deserve all of the benefits that they were promised going back to the founding of this great country.

We've worked to protect those programs and protect those veterans and the programs that they rely on. Some in Washington, in the media, try to scare our seniors. They try to scare them by telling them that we're going to get military veterans' pensions and payments and programs, and that we're going to cut the military veterans' benefits.

Nothing could be further from the truth. Despite vicious rumors and whatever the media and Democrats try to say, we are not going to let our veterans down and not follow through on the promises that we have made to them. We will continue to fight for those veterans' benefits.

Finally, we also promised our seniors that we would leave to our kids and our grandkids a nation that is as exceptional as they left us. That means that we're focusing on growing our economy, that we're reducing burdensome regulations that are driving people out of business and overseas. We're empowering small business at the same time, letting them make decisions that the government has no right making, and we're cutting wasteful spending that does nothing but bloat government and crowd out the private sector.

In closing, let me just say that I am proud to stand here with Republican women because we take our promises to our seniors very sincerely and seriously, and I know that we will do our part to uphold all of those promises that we have made.

Thank you for the time.

Mrs. HARTZLER. Thank you, lady, and absolutely we are going to fulfill those promises.

Now I would like to yield as much time as she may consume to the gentlelady from Texas, Representative KAY GRANGER, who wants to share a little bit her thoughts on seniors.

Ms. GRANGER. Thank you very much for yielding to me and thank you for the time where we get to talk about women and our seniors.

Women have made great strides in the workforce and in politics—actually, in all areas of life. But while we've had our careers, we're still the primary caregivers for our children, and we're the ones often responsible for managing our household budget.

Additionally, many of us have added the responsibility of caring for our aging and sick parents that we owe so much to, as you've talked about. We know the importance of being there for our parents, the way they were there for us throughout our lives, and that's why tonight the House Republican women are focusing on the issues that matter to America's seniors.

While Medicare and Social Security often make the headlines, Alzheimer's disease is a challenge that's touched nearly all of us in some way, someone we know, if not our own family. Beyond the emotional toll, Alzheimer's is a disease that will weigh down our economy over the next century if it's not addressed head on.

Nearly 6 million Americans are currently living with this disease, and every single day more than 10,000 baby boomers are turning 65. As these baby boomers age, one in eight will develop Alzheimer's. At a time when our government is looking for ways to save money, thinking about the economic cost of diseases like Alzheimer's is an important priority to consider.

□ 1840

Today, Alzheimer's is the sixth leading cause of death in the United States, and we are seriously lacking in ways to prevent, cure, or even slow its progress.

This year alone, the economic impact of caring for Alzheimer's patients will cost our economy a total of $183 billion. Unless something is done soon, the costs of Alzheimer's in the United States will total $20 trillion by the year 2050; $15 trillion of that cost will come from Medicare and Medicaid.

This is a disease that is not only heartbreaking, but it is also a disease that we can't afford if we don't take action now. That means making Alzheimer's a national priority. Leadership from the Federal Government has helped reduce the number of deaths from other diseases, such as HIV–AIDS, influenza, pneumonia, and stroke. We need to do the same thing for Alzheimer's.

We have the potential to create the same success that has been demonstrated in fights against other major diseases. By making Alzheimer's a priority, we can cut down on both the financial and the human cost of this disease. So I'm proud to stand with my Republican colleagues and talk about the issues that seniors and their families are dealing with every day. And we can find solutions.

Mrs. HARTZLER. Thank you, lady. I certainly share your commitment and the heart-wrenching reality of Alzheimer's disease and our need to focus on it here.

Our next speaker is from the great State of Washington, Representative JAIME HERRERA BEUTLER.

Ms. HERRERA BEUTLER. I thank my colleague, and the Republican women who have joined us here tonight to talk about such an important issue and to share what we have been doing on behalf of our Nation's seniors, because I believe we need to protect the rights of our Nation's seniors, the right to make choices about their health care, the right to access what they spend their entire working lives paying into, the right to know that the programs that exist today will be there when they need them.

Now I would like to talk specifically about the right to make choices. Now in my corner of the country in southwest Washington State, more than a third of our seniors have chosen Medicare Advantage. That's 37 percent who have made this choice. In my most populated county, Clark County, half of the seniors have chosen to use Medicare Advantage. Part of the reason for this—and many times you see this happen—is because fewer and fewer doctors are taking traditional Medicare. It just doesn't pay enough to cover the bills. With Medicare Advantage, and you're a new Medicare beneficiary, you might have a shot at getting a doctor. This is very important when we have 10,000 baby boomers retiring every single day.

We stand with our Nation's seniors when it comes to—and I say ''we,'' my Republican colleagues and myself—when it comes to accessing programs they've spent their whole lives paying for.

The Medicare Board of Trustees and the Congressional Budget Office, CBO, two nonpartisan groups who are tasked with figuring out what the cost of bills are, and that's CBO and Medicare, the trustees are tasked with the financial responsibility of keeping Medicare on the straight and narrow. Both have said within the next decade Medicare goes completely bankrupt. So if you are at home and you're watching this, the one thing you need to know is doing nothing is not an option. Ten years, 10 years, and Medicare goes insolvent. You know what that means? It means that those seniors who have paid their whole life into this program are suddenly going to be faced with choices. Are they going to face cuts in benefits or more limited services? Insolvent, completely insolvent. We have to do something, which is why earlier this year my Republican colleagues and myself joined together to put forth solutions for Medicare, to save it and to protect it. Those folks who have paid into this program their whole life deserve to pull that money out when it is time to access it, which means we need to take action now.

I urge my colleagues in the Senate to consider the House-passed budget because what it does is protect retirement benefits for everyone who is 55

and older, completely keeps it as it is. And then for those in my generation who are younger, who are coming up the pike, it changes it necessarily so that we can also access those benefits we will pay into.

So I'm excited today to join with my colleagues to make sure that we protect these important programs. Seniors have a right to these programs, which is why we are stepping forward. We are going to stand with them to make sure that what they've paid into, they'll be able to access when it comes time.

The seniors in southwest Washington have spent years planning for their retirement. My colleagues and I will continue to take the lead when it comes to protecting programs like Medicare and their choices within Medicare. We have fought and will continue to fight against the credit card spending and against that mentality that jeopardizes this program because our seniors deserve that which they have paid into.

Now the Republican women that have joined me tonight on the floor to talk about these important issues, we understand that our Nation's seniors have rights, and they are looking to us to protect those rights, to protect Medicare for them and for future generations.

Mrs. HARTZLER. I thank you, JAIME.

I am now happy to yield to my good friend and fellow runner from the great State of Ohio, Congresswoman JEAN SCHMIDT.

Mrs. SCHMIDT. I thank my good friend from Missouri.

You know, I often talk about kitchen table politics in this well because as Ronald Reagan said in his farewell speech, all good ideas begin at the dinner table. And they do.

Look at this poster. This is a poster that I think really illustrates what's going on in families all across America, including our seniors, and that is, how are we going to pay our bills, and how are we going to move to the future? It's a huge issue, and it's one that this Congress needs to address in many ways.

The U.S. Census says that over 40 million Americans today are 65 years or older, almost 20 percent of our American families. Almost 20 percent of those sitting around that kitchen table. These are an incredible group of people. These are the people who fought in World War II, that created the Greatest Generation. They fought in Korea, sustaining the Greatest Generation. And today, they are now faced with so much anxiety and uncertainty in our Nation.

One of the things that I think we have to do in Congress is to erase that anxiety, whether it's through the financial markets, to ensure that we are putting forth programs that allow our banking systems to work effectively so that they don't have to be concerned with what the cost of banking is going to be or what their financial assets are going to be, to make sure that our businesses are flourishing in this country and are not saddled with unnecessary regulations that constrict them from going forward, to move within the economy. In other words, we have to get our economy moving. It is so important for our Nation, especially for our seniors.

But I think that there are some other things that we have to talk about with our seniors as well. You know, as we sit around the kitchen table and we worry about our bills, they also worry about, not just how they're going to pay their income tax, but the mammoth issue of paying the income tax. And for seniors, instead of having to go to an accountant and use their precious dollars to figure the whole system out, maybe we should pass H.R. 1058, the Senior Tax Simplification Act of 2011. You know, this is a bipartisan bill. If passed, it would direct the Secretary of the Treasury to make available a new Federal income tax form similar to the 1040–EZ form for people who have turned over 65. It would make the completion of the Federal income tax return simpler, faster, easier, and less costly for most of our American hardworking seniors.

I think another bill that we have to really look at, and this is the one that I really want to focus the rest of my talk on, is the repeal of the death tax. This is an issue that I've had to personally face in my life. I grew up on a family farm, and there's nothing better than being raised on a farm. It's the best way you can raise a family, and you do a lot of talking at that kitchen table.

When my dad was seeing his declining days, he realized if he didn't do something, hire a fancy attorney at a lot of money an hour, he wouldn't be able to pass that farm along to his kids. So he did some estate planning, but it wasn't enough. And at the end of the day when my father passed away, my brother, sister, and I had to make a collective decision to sell personal assets to just be able to keep that farm because we want our children and our grandchildren to have the same experience that we had.

And I think, how often is this occurring unnecessarily? And it's not just the family farm, it's the family business, whether it is a manufacturing business, whether it's a winery, whatever the business is. If it's a family business, why do we have to worry as we see our declining years how we're going to do some tax structures and pay an insurance plan and whatever else is out there to try to keep a part of it for our children.

□ 1850

It's counterproductive, because in the end the Federal Government may get a piece of money at your death. But that's the end of the money they'll ever get from you or your family.

Ending the death tax won't hurt our economy. It will only improve our economy. And for our seniors that sit around that kitchen table that may be what we call land poor—have a lot of money in the land, but not a lot of money in the bank—they won't be forced to make the same decisions so many of my friends had to make when I went to their family funerals. And they said, By gosh, we're going to keep Dad and Mom's farm. We're not going to get rid of it. They weren't as fortunate as my sister, my brothers, and I were that we had some personal assets that we could use to keep our farm. They had to sell theirs. And what's left, brick and mortar?

It's a serious issue. We need to repeal it. I urge my colleagues on both sides of the aisle to do this. It will not only move our economy forward, but for our hardworking American seniors it will alleviate that anxiety at the kitchen table.

Mr. Speaker, I want to thank my good friend and colleague from Missouri, Mrs. HARTZLER for hosting this Special Order on seniors, a group to whom we owe so much.

According to the 2010 U.S. Census, over 40 million Americans today are 65 years of age or older. That's almost 20% of our American family.

These are the folks upon whose shoulders we stad today. They are the ones who have carried us through the good times and the bad.

Today's seniors are an incredible group of people. They have witnessed a lot of history, and, in fact, they have made a lot of history.

They served in World War II, the Korean Conflict, and the Vietnam War. They fought and bled on the battlefields of those wars, places such as North Africa, Normandy, Iwo Jima, Pork Chop Hill, Outpost Harry, and Hamburger Hill.

During those wars they built our ships, our tanks, and our planes; they plowed the fields and raised our crops; they manufactured the millions of items necessary to keep a nation at war amply supplied.

Between wars, they built our skyscrapers and our interstate highway system; they developed our space program and landed men on the moon; and, they even invented the first computers.

And, most importantly, while they were accomplishing all these great feats, they also found time to fall in love, to get married, and to have families.

I think it goes without saying that we owe our seniors a huge debt of gratitude. Still, I want to take this opportunity to say to our seniors in this great country, thank you. Thank you for all that you have given and for all that you have sacrificed and for all that you have done for your country and your fellow Americans.

Mr. Speaker, it was with our seniors in mind, and as an expression of gratitude to them, that I proudly co-sponsored three bills of special interest.

The first bill, H.R. 436, is known as the Protect Medical Innovation Act of 2011. This bill, which has support from both sides of the aisle, would, if passed and signed into law, amend the Internal Revenue Code to repeal the excise tax on medical devices.

Eliminating this excise tax would allow medical device manufacturers to better spend that money researching new products. The development of these potential, new medical devices would, ultimately, provide higher health

care standards and lower the costs of health care.

The second bill, H.R. 1058, is known as the Seniors' Tax Simplification Act of 2011. This bill, which also has support from both sides of the aisle, would, if passed and signed into law, direct the Secretary of the Treasury to make available a new federal income tax form similar to Form 1040EZ for individuals who have turned 65 as of the close of the taxable year.

It would make the completion of federal income tax returns simpler, faster and easier for most seniors.

Finally, the third bill, H.R. 1259, is known as the Death Tax Repeal Permanency Act of 2011. This bill, like the previous two bills, also has support from both sides of the aisle.

It would, if passed and signed into law, amend the Internal Revenue Code to: (1) repeal the estate and generation-skipping transfer taxes, and (2) make permanent the maximum 35% gift tax rate and a $5 million lifetime gift tax exemption.

Having spent decades working hard to develop and accrue assets, a person should be able to convey those assets, upon his or her death, to whomever he or she chooses, without the heavy hand of the government reaching in to steal a portion.

Estate taxes are especially harmful to farmers, ranchers, and small business owners. They need to be eliminated.

In conclusion, I want to say again to our seniors, thank you.

I also, once more, want to thank my good friend and colleague, Mrs. HARTZLER, for facilitating this evening's discussion and focusing on a segment of our society that is so deserving of our time and attention and to whom we owe so much.

Mrs. HARTZLER. Thank you, JEAN. Well spoken.

Now I get to introduce the vice chairman of our conference and our good friend from Washington, Representative CATHY MCMORRIS RODGERS.

Mrs. MCMORRIS RODGERS. Thank you very much, VICKY, and I am proud to join a dynamic group of Republican women tonight committed to preserving the American Dream, promoting economic growth, and protecting America's seniors.

We have a story to tell. And it's a story not just of our children and our grandchildren, but also of our parents and our grandparents, of the men and women who raised us, who contributed and fought for this great country, and of the generation that has actually been hit the hardest by the economic downturns. One of these seniors is my own dad.

This summer, when President Obama actually threatened to withhold Social Security checks and not to reimburse Medicare providers, my dad called me and said, Well, CATHY, I might be moving in with you; and, no, I won't be babysitting.

President Obama was wrong, and yet seniors all across this country were threatened and scared by that statement. They continued to be frightened by the administration's policies.

Let's just take a look at Medicare. It's a program that both Republicans and Democrats agree is unsustainable. Yet, today, try to find a doctor who will take a new Medicare patient in America. It is impossible or difficult. The average couple over the course of their lifetime, when they turn 65, will have paid just over $100,000 into Medicare, and they will pull out of that program over $300,000. It's not too difficult to do the math. It is unsustainable. The system is going bankrupt, and now is the time to improve it.

Last year, we saw a health care bill pass that is actually going to make it worse. The President's health care bill will actually give 15 unelected bureaucrats in D.C. the power to cut Medicare and drive providers out of service. The Republicans want to give patients the power to put market pressure on providers and make them compete.

We are here tonight as daughters committed to helping our parents and their entire generation of hardworking Americans ensure that this program does not go bankrupt over the next 10 years. We refuse to let that happen. We're committed to finding the right answers to improving, reforming, and protecting a program that our parents have contributed to for decades.

And so this is our moment. It's our moment to make real changes for America. It's our moment to listen to each other's stories, and it's our moment to protect our seniors, their benefits, and their access to quality care. We're going to continue to do this for many years to come to share the great story of the American Dream and our senior citizens who embody it.

Thank you very much for the opportunity to participate tonight.

Mrs. HARTZLER. Thank you, CATHY.

Now I would like to yield as much time as she would like to my good friend, a neighbor on the east side of Missouri—Tennessee here—Representative DIANE BLACK.

Mrs. BLACK. Thank you for yielding your time, my dear friend from Missouri. It's very good to be here today as Republican women and lifting up seniors.

When I think about the seniors in my life, my grandmother and my grandfather, I really hope that my children and grandchildren will think the same way about me. Because when we ask people who are their heroes, so many times what we hear is about their grandmothers and their grandfathers. And that is because they have so much to offer, especially the Greatest Generation—the generation that right now we are trying to protect every benefit that we can for them because they have worked hard and they have put money into the system and they deserve to be cared for.

Now, one thing I do know about seniors, having worked with seniors in home health care as a nurse, is they really feel like many times they don't have choices. Our seniors, just because they turned 65, should not be having their choices taken away. We shouldn't think that they can't make good choices. And that's exactly what the health care bill that was passed by the Democrats last year, the Patient Affordability Act, does. It removes the ability for them to make choices.

In particular, the Independent Payment Advisory Board, also known as IPAB, is a group of 15 unelected, unaccountable bureaucrats that are assigned by the President; and their job will be to cut the costs and limit access for our seniors to care. They will have the ability to deny care and not give choice to our seniors. This is wrong.

Our plan, the Path to Prosperity, would give our seniors choice. It would not affect those 55 or older, but it would give those 54 and younger an opportunity to be able to have choice in their program. We address the unsustainable growth of Medicare so the program does not bankrupt us in 10 years so that we can have money in the bank for our seniors as they age.

It is only fair and right that our seniors should have choice and that they should have the care that they put into the bank and they so deserve. Let's give seniors their choice.

I thank my friend for yielding.

Mrs. HARTZLER. Thank you, DIANE.

Now I am happy to introduce my good friend from the great State of Alabama, Congresswoman MARTHA ROBY.

Mrs. ROBY. Thank you so much for having this Special Order tonight. It's so important for us to have the opportunity to speak to America, but particularly to home in on our seniors back home.

Of course, throughout my travels back through Alabama during our district work periods, I repeatedly hear two things from seniors in Alabama: When is Congress going to pass a budget, and How is Congress, with all of our budget woes, going to preserve Social Security and Medicare? And the failure of Congress to address these concerns in an honest way threatens the economic security of America's seniors. Seniors deserve better than empty promises from a government that is broke. They deserve straightforward, honest answers and real solutions.

I, too, like many of the women that have spoken tonight, have a grandmother. I call my grandmother ''Gaga.'' I have to look ''Gaga'' in the eye as a Member of Congress and express to her my sincerity in making sure that we are taking care of our seniors.

We all agree that we're facing a serious budget crisis in Washington. It's been more than 900 days since the Senate has passed a budget. I would like to say this is ridiculous. A budget is a basic financial plan for our country. It is a vision for America's future. Approving a budget is a fundamental task for Congress. What business would operate without a basic budget for 3 years?

Republicans in the House have passed a bold budget plan that clearly addresses some of the biggest financial issues that we face. The House Republican

budget addresses Washington's reckless spending. It is an honest, detailed, concrete plan to put our budget on a path to balance and our economy on a path to prosperity through job creation.

Under the Republican House budget, seniors 55 and older will not be affected in any way. As I think about my grandmother that I have already talked about, I have to reiterate this point. It is so important: seniors and those that are 55 and older will not be affected by our Republican plan. They will not be affected. Their benefits will not change. After paying into the system for years, we made a commitment to those seniors, and we must follow through.

□ 1900

For those of us who are 55 and under, we must take steps to ensure that Medicare will still be available when we retire and available for our children and our grandchildren. This is common sense. We know that without reform and repairs, these entitlement programs simply will not be in existence for us when we retire. Without reform, they will collapse. And the nonpartisan Congressional Budget Office anticipates that Medicare will go bankrupt by 2020. It is clear that these programs are not sustainable in their current form, and actions must be taken before it is too late.

What proposals has this administration put forward to address these concerns? None of us in this room have yet to see a solid plan for action. By failing to address the problem, this administration is failing our seniors. Rather than offering solutions, the administration is continually providing our seniors with misleading information regarding the Republican proposal. Let me say it one more time. Those 55 and older, under our plan, will not be affected as it relates to their benefits.

Washington's failure to enact policies that promote long-term economic growth and balance the budget is creating uncertainty for employers and consumers alike. It is time that Washington get serious and put our fiscal house in order.

There are 15 bills—now 16, after today—waiting in the Senate for action that will put Americans back to work if the Senate will only take that action. Congress must act now. It is what we were sent to Washington to do, and protecting our seniors is a huge part of that.

Thank you so much again for hosting this hour tonight and letting me, on behalf of Alabama's Second District, be a part of it.

Mrs. HARTZLER. Absolutely, lady. Thank you.

It is important that we get the truth out and that seniors have an opportunity to hear the truth about our bills and the steps that we are taking to try to protect and defend them.

Now I get to introduce to you my fellow colleague from the great State of North Carolina, Representative RENEE ELLMERS.

Mrs. ELLMERS. Thank you so much, and thank you for leading this Special Order tonight. It's so important.

You've heard from my fellow women colleagues the discussion we're having about our families, our seniors, Medicare, Social Security, and the importance of operating under a budget. We continue to grapple with these issues because here in the House of Representatives we've passed numerous bills, we've passed the repeal of the President's health care bill, and yet only to go on to the Senate and not be taken up for a vote.

You heard my fellow women colleagues discuss how we've passed 15 bills on to the Senate, including the repeal, with no action whatsoever. The American people are calling for jobs, the American people are calling for a change in our economy, and those bills will take care of that issue. Those bills will set us on a path towards recovery, and yet we continuously play politics on the Senate side. We don't bring these things for a vote.

We're here tonight talking about all these issues that affect our families, again, our seniors. Our seniors are so concerned about what's going to happen in the future. Our seniors have paid into a system their entire life, into Social Security and Medicare. They deserve those benefits back.

As a nurse, taking care of seniors was part of my core health care life, taking care of seniors and ensuring that they're going to receive good care throughout the remainder of their life. And they've paid into that benefit willingly. They paid into that benefit and deserve to get it back. They don't look at Medicare and Social Security as budgetary issues. They look at these as benefits that they deserve, and it is incumbent upon us to make sure that they receive them.

You've heard my fellow women colleagues reiterate over and over again that if you are 55 and older, through our House-passed budget they will not be affected. Anyone 55 and older, no benefit is changed whatsoever, and yet in the Senate that budget is not taken up for a vote.

The American people are looking for answers. The American people know the issue. They understand, because we have made the point over and over and over again, that Medicare, down the road, just a few years down the road, will be bankrupt because of the situation that we're in today.

Seniors are calling my office every day concerned that as Republicans we are going to ruin Medicare for them and that somehow they're going to lose that benefit. I can tell them honestly that is the last thing that any of us as Republicans want to do. In fact, the problem lies with the President's health care bill that was passed in the 111th Congress because, in that bill, a half trillion dollars was taken out of Medicare, and put into place was a 15-person panel, which you've also heard my fellow colleagues discuss, IPAB, Independent Payment Advisory Board. Fifteen individuals, 15 bureaucrats will be able to decide what Medicare will pay for and what they will not, essentially taking away the patient-doctor relationship.

My husband is a surgeon. I don't want my husband to have to sit down with his patients and discuss what they cannot do because Medicare will not pay for it. But that, unfortunately, is the future if we are not able to remove this, if we are not able to repeal, as we have already passed here in the House.

My fellow colleagues are working very hard—very hard—to rescue Medicare from the position that it's in right now because it is doomed to failure. But, unfortunately, this issue has been kicked down the road through previous administrations, through previous Congresses. But we can no longer allow this to go on. We have to address the issue now. And I believe that our seniors understand this. And I believe that if we can continue to give them this message that we are in no way wanting to harm the benefits that they're receiving now or the benefits that they will be receiving if you're 55 and older, we will be able to accomplish that.

But again, the calls that are coming into my office—that I am more than willing and my staff is more than willing to answer these issues—need to be going on to the Senate. They need to be going to the Senate and asking why these issues are not being brought up. Why are we not voting on these bills? Why are we not passing a budget?

You've heard my colleagues say it's been over 900 days since the Senate has passed a budget. There is no household that can function without a budget, and there is absolutely no business that can function without a budget. Our seniors understand that, too, because they have lived very responsible lives and deserve all of the benefits that we should be providing for them.

So thank you again for holding this very important Special Order. And to those seniors out there, we are working very hard for you, and we will continue to do so.

Mrs. HARTZLER. Absolutely. And I know that you would agree that it's a privilege to talk about our seniors tonight, and your background in health care certainly lends a lot of expertise to this issue.

I have another friend and colleague who is from the same great State of North Carolina. And I think it's interesting. I learned something here, VIRGINIA, that you're from Grandfather Community, and we're talking about seniors, so it's appropriate. My good friend, Representative VIRGINIA FOXX.

Ms. FOXX. Thank you very much. I want to thank our colleague from Missouri, Congresswoman HARTZLER, for leading this important effort tonight to highlight the concern that Republican women have for the millions of seniors that we represent in Congress.

And, yes, I do come from a little community in western North Carolina

that's called Grandfather Community, because there is a mountain there called Grandfather Mountain that's one of the highest mountains east of the Rockies. It's the second highest mountain east of the Rockies. And I have to tell you, when people come and see the beautiful view I have and say, ''How can you leave this to go to Washington?'' I tell them it isn't easy. But I think that we're doing important work here, and it's important that we continue to do this work and represent, I think, the majority of the people in this country. I think highlighting this is very important.

And it's interesting. My colleague from North Carolina who just spoke, Congresswoman ELLMERS, and I did not exchange notes, but we both were on the same wavelength in terms of what we wanted to talk about. I read my own mail, I answer all my own letters, and I'm astounded at the number of letters I get from seniors who tell me they're very concerned about the health of the Medicare and Social Security programs.

□ 1910

They are concerned, and they've been misled into thinking that Republicans want to do something negative to those programs. It is amazing the misinformation that's out there about Republicans and our attitude toward Medicare and Social Security. In fact, it's Republicans who have a plan to save Medicare and Social Security, and that's what I tell seniors.

But they've heard that the Congressional Budget Office has projected that Medicare part A would be bankrupt in 10 years; and they know they've paid into these programs, and they're relying on them to provide critical medical care for them when they need it.

In the past, Congresses have taken a pass on reforming these programs to keep them solvent for both today's seniors, as well as for future generations, who are currently paying into them, like we are. But the House Republican Path to Prosperity budget plan provides a way forward. It ensures that Medicare lives long past 2020, when it's now projected to be bankrupt.

The Republican plan, as my colleague from North Carolina said, does nothing to impact Medicare benefits for anyone 55 or older, but it will improve the program so that those 54 and younger will have access to the same kind of health care program enjoyed by Federal employees and Members of Congress. We're often criticized for having a separate program, but this will allow the seniors to participate in the same kind of program that we participate in.

It's far better than letting the program wither on the vine, which is what those who refuse to take action would allow to happen. And again, as my colleague pointed out, it's our friends on the other side of the aisle who voted to cut a half trillion dollars from Medicare.

Not a single Republican voted to do that. Our effort has always been to save Medicare, to save Social Security. And we have the plan to do it, the Path to Prosperity budget and its plan to save Medicare. It's the only plan that preserves Medicare for today's seniors and for future generations.

I think this Special Order will help us get the message out to our constituents and those who are constituents of other Members of Congress; and I want to thank you, Congresswoman HARTZLER, for putting on this Special Order tonight.

Mrs. HARTZLER. Thank you so much, VIRGINIA.

Now I would like to yield time to another good friend from New York, ANN MARIE BUERKLE.

Ms. BUERKLE. Thank you very much.

Mr. Speaker, I am so proud to stand here this evening with my fellow Republican female Members of Congress, and we stand here tonight united on behalf of our seniors.

I come before the House tonight, Mr. Speaker, not only as a nurse and someone who's been involved in health care most of my professional life; but I come here as the daughter of a 90-year-old senior citizen.

I rise here tonight to express my appreciation to my mother and to all the other seniors who've made such valuable contributions, both in my district and throughout the United States of America. The seniors of today have fought wars, they've educated us, they've helped to build infrastructure and technology that has led the way to our modern life.

Today's seniors are still busy enriching our society. Some of our seniors are busy in the community with care giving, with volunteering, with sharing important life lessons with their children, with their grandchildren and with their neighbors.

Yet some seniors, Mr. Speaker, in today's economy find themselves working later in life; and when they finally have the ability to retire, they will be dependent on Social Security and Medicare, programs that they have paid into their entire lives.

Mr. Speaker, America must honor its obligations to our seniors. We must achieve bipartisan solutions that don't cut our seniors' benefits but, rather, ensure continued existence of these programs.

I'm so saddened by the calls I get from seniors day in and day out, Mr. Speaker. They call my office, they write letters, and they're so fearful because of the misinformation that they have been given.

I want to stand here tonight with my Republican colleagues and ensure our senior citizens we are protecting your back. We are protecting Medicare and Social Security, the programs that you rely on. We want to assure them they don't have to worry, that we will take care of them. We will honor our commitment to them, just as they honored their commitment to the United States of America.

I thank the gentlewoman from Missouri.

Mrs. HARTZLER. Thank you, ANN MARIE.

I now yield to the woman from Wyoming, Representative CYNTHIA LUMMIS.

Mrs. LUMMIS. I thank the gentlelady from Missouri.

Among the topics we've been discussing tonight is the effects of ObamaCare, the Affordable Care Act, on Medicare. One of the things that I believe is the most egregious is that when the $500 billion was taken out of Medicare to fund ObamaCare, it puts Medicare in a position where access to Medicare becomes a problem; and it becomes a big problem in States like mine, the State of Wyoming, a very rural place. We've got a dearth of physicians.

Every time a Medicare patient walks into their offices, that physician is losing money because the doctors are reimbursed at amounts less than the cost to provide the service. That's happening elsewhere in the country as well, Mr. Speaker.

We know from what the former CBO Director, Douglas Holtz-Eakin, said at a hearing in July of this year, and I quote, Today, Medicare coverage no longer guarantees access to care. Seniors enrolled in the Medicare program face barriers to accessing primary care physicians, as well as medical and surgical specialists.

He cited an example of the clinics that Mayo has in Arizona that are no longer accepting Medicare patients into their primary care facility. This is happening all over my State. I think it happens a lot in rural areas.

So the concern that we have of taking money out of Medicare and not using it to fix physician and hospital compensation, and, instead, taking it to create a whole new program for non-seniors was a big mistake, a huge, huge barrier to making sure that seniors and seniors-to-be, such as people in my age group, those of us 55 and older, will know that we have access to Medicare, the Medicare that we've paid into.

I commend my colleagues for having this Special Order tonight and raising these issues. I want to commend you and thank you for the opportunity to participate as well.

Mrs. HARTZLER. Thank you, CYNTHIA. I appreciate it.

And now my friend from West Virginia, Representative SHELLEY MOORE CAPITO.

Mrs. CAPITO. Thank you. I want to thank my colleague for sponsoring this Special Order. I know we're running close to being out of time, but this is such an incredibly important topic for us as daughters, as granddaughters, as nieces and sisters. We spend a lot of time going to senior centers. I do in my district. I believe, as my colleagues have mentioned tonight, one of the resounding themes of our seniors right now is they're afraid, they're concerned, they're worried. They don't know what the future's going to be because of all the rhetoric surrounding Washington.

The statistics that we've heard, a lot of them tonight, some of the ones that I've heard is that on top of more seniors living longer, we're going to have, the number of disabled elderly persons is projected to rise by one-third by 2030. As of January 1, 2011, each day 10,000, baby boomers turn 65. The numbers just aren't going to fit.

We've talked about the Republican plan to reform Medicare, to not touch those benefits of our present seniors, but to reform it for future seniors, for the baby boomers to come that are going to be turning 65 and going to have to rely on and need to rely on Medicare.

□ 1920

I'd like to talk about something in a personal way. We have a personal story, a lot of us. I'm in the sandwich generation. My parents are both in their eighties, and they're really having a pretty rough spell of bad health. And what it's done for my brother and sister and me, is we've had to spend—and we lovingly do this—but spend many, many hours trying to figure out how to meet their health care needs, try to figure out how to pay for all of their obligations and the worry of talking with doctors, trying to make sure they're comfortable.

This is a real worry for all families across the Nation. In our country, 66 percent of these caregivers are women, and I think that's why we, as women of the House, particularly Republican women of the House, wanted to discuss seniors and care. So, with this sandwich generation, with the rising incidence of Alzheimer's, which touches every family—and my family is no exception—it brings a different type of need to this country on how we're going to address these very difficult medical issues.

But if we don't address them—and we've heard this tonight—if we don't address them, if we just let them lie, let them stay the way they are, the way they are right now today, they will not be there. They cannot exist.

One of the ways I think that we can really help our seniors is to have an economic program in place to grow our economy so that their 401(k)s that they look at monthly, that they rely on for income, are growing rather than just dissipating and shrinking, which is another huge problem for our seniors. Many of our seniors planned very, very well for their retirement. They've kind of thought of them as their golden years, the times when they're going to be able to travel or visit more with their grandchildren and have the ease of life of the day-to-day obligations being met. And with the downturn in the economy, with the lack of growth in our economy, our seniors aren't able to do that. They put their heads on the pillow at night, and they're concerned about whether they're not only going to meet their obligations for their health care, but the gas, the food, and the payment for all of their needs.

We need to realize that we have plans. We have plans for our seniors. We know how important Social Security and Medicare are to our seniors. Maintaining it and making sure it's there for future generations is absolutely critical. I want to thank my colleague for inviting me here this evening and getting a chance to talk about something that I care deeply about, and that is our Nation's Greatest Generation.

Mrs. HARTZLER. Thank you, SHELLEY.

Tonight you have heard from a lot of us, Republican women here in Congress. You've heard our stories and our love and our respect for senior citizens, and our heartfelt desire and commitment to serve and to represent them and to make sure that their rights are protected and that their voice is heard here. You've heard how we have had proactive plans put forth here in the House from our group to address Medicare and to preserve and protect it for the future. You've heard how we care about Social Security, and we're not going to take it away. We want to make sure it is there for future generations.

You've heard of our concerns for Alzheimer's and the other diseases that are ravaging our aging population, and our desire and our commitment to move forward and make sure that those are addressed and that we make sure and find a cure there.

You've heard of how we are listening to the financial challenges that we are hearing from the seniors in our districts and the plans that we put forth to eliminate the estate tax so one generation can pass on their farm or their small business to another generation without the Federal Government taking the property or taking the farm. You've heard our commitment to veterans and to those who have sacrificed so much so that we can stay free. We're going to honor those commitments and those sacrifices.

Lastly, you've heard about our respect for this generation, and we know of their desire to pass on an America to their grandchildren that is just as great and just as promising as the one they grew up in. We are committed to making sure that we rein in our runaway federal spending here, we keep our fiscal house in order as a country, and that that promise is alive and well for their grandchildren. We are committed to moving forward as a group.

We thank you for listening, and we thank you, Mr. Speaker, for this time.

THE OCCUPY MOVEMENT: WE'D BETTER PAY ATTENTION

The SPEAKER pro tempore (Mr. BROOKS). Under the Speaker's announced policy of January 5, 2011, the gentleman from Illinois (Mr. RUSH) is recognized for 30 minutes.

Mr. RUSH. Thank you, Mr. Speaker.

Mr. Speaker, I would like to express my outrage and my disappointment at the Oakland, California, Police Department, which reacted with brutality to those peacefully protesting. Mr. Speaker, I want to remind our Nation's law enforcement authorities all across the land that civil disobedience is as American as American pie. It is the act through which our great Nation was conceived. It required great courage to do what they did at the Boston Tea Party. It required great courage for the great American, Henry David Thoreau, to refuse to go to war against Mexico in 1849, an act that gave birth to the anti-war movement that continues today.

The equalities that we as Americans enjoy today are the result of those great, courageous Americans that fought for our liberties, Mr. Speaker. The women's suffrage movement went from 1848 to 1920. Generations of courageous women marched, they fasted, and they were arrested. Finally, in 1920, the 19th Amendment gave women the right to vote. It took more than seven decades of civil disobedience to achieve the change that they sought.

Let's not forget, Mr. Speaker, that the abolition of slavery, the labor movement and the eradication of child labor, the civil rights movement, and the environmental movement all used civil disobedience as a powerful and peaceful weapon to change laws and to protect all of our liberties.

Members of the Occupy Movement now emerge as yet another generation of courageous Americans voicing a general frustration that many citizens feel: It was a money-driven elite that mismanaged the American economy. They are challenging us, this Congress, our government, to reform not only Wall Street but reform a culture of selfishness and greed that has distorted who we are and made the American Dream appear unattainable. We are losing ground as a result of these individuals, this grotesque, American, greedy and avaricious elite.

The Occupy Movement, Mr. Speaker, embodies a sense of growing disillusionment with the direction of our country. I, for one, understand that feeling. With deadlock a daily occurrence in this very House, it is hard for the American people not to feel a sense of utter frustration. They see their elected representatives unable to govern at this crucial time.

Mr. Speaker, a betrayal of American values occurred last night in Oakland, California, when police fired tear gas on those peaceful demonstrators. It occurred in New York City when police maced and beat protesters. Government violence against our own people? Is this not the very thing that we condemn in other places all around the world? How dare we denounce an action when committed abroad but yet remain silent when it happens in our own, very own—our own backyards.

□ 1930

I, for one, cannot remain silent. History teaches us that a violent response

to civil disobedience never, ever works. It makes people angrier and turns public opinion against law enforcement, against the police. It is counterproductive, and it never achieves the goals of those who are trying to impose order.

Getting arrested is a fundamental part of civil disobedience. The Occupy Movement demonstrators expected to be arrested. Civil disobedience participants all expect to be arrested, but they should also expect that the police will conduct themselves with professional understanding and a sensitivity of the power that they possess and of the government they represent. They carry weapons. They have the power to maim, to kill, to wound, and to arrest.

With that great power comes an even greater responsibility. That greater responsibility includes the freedoms that were promised to all American citizens in that great document, the preamble to the Constitution and the Bill of Rights, which is the freedom from ''unreasonable searches and seizures'' as promised in the Fourth Amendment of the Constitution; the freedom from ''cruel and unusual punishments'' as promised in the Eighth Amendment; finally, Mr. Speaker, and perhaps most importantly, the freedom enshrined in the First Amendment, which guarantees ''the right of the people peaceably to assemble and to petition the government for a redress of grievances.''

It is the job of law enforcement to uphold these freedoms, to uphold our Constitution, to uphold justice even in the most difficult of situations. Beatings and mace and tear gas against our own people exercising their constitutional rights? That is unacceptable. More importantly, it is un-American.

I do sympathize with the tough job our Nation's police officers face now and have faced, and I can understand why they may feel intimidated by the sheer numbers or may mistake the demonstrators' passion for aggression. However, in a humble way, I ask the police officers who are monitoring these protests to act with a rational head, with soberness, with restraint. Violence only breeds violence. Such unwarranted crowd control methods will only serve to create mutual contempt between protesters and the police alike, dividing Americans against Americans and citizens against the police. We don't want that. This is not a nation that supports and encourages that type of activity.

It was only last week, Mr. Speaker, that we—this Nation, the citizens of the greatest country in the history of the world—dedicated a memorial to a man who was the embodiment, the living proof, of the power of civil disobedience and nonviolence. It is those who marched peacefully in the face of fire hoses, in the face of dogs attacking them, of police batons striking them all over their bodies, including their heads, who changed America.

Now a new generation follows boldly and audaciously with an American audacity. They follow in the footsteps of those American patriots who dared to disobey the law of the land as a matter of conscience and priority, as a matter of conscience that created this great civil society called the United States of America. They made our Nation better back then, and I believe the Occupy Movement challenges us to make America better now.

Yes, it can be done. America can be better. America must address the issues that those who are now demonstrating peacefully across the land are raising. They are only trying to peacefully redress their grievances. It is their constitutional right. How dare dogs, how dare tear gas, how dare police attack them in the wee hours of the morning.

Mr. Speaker, the mayor of Oakland, California, Mayor Jean Quan, owes the Occupy Movement a sincere, heartfelt apology. Mayor Quan owes the American people a sincere, heartfelt apology. At 3 a.m. yesterday, the Oakland Police invaded the park where the protesters were assembled.

Forty-five years ago in the same city, 45 years ago this very week, an organization that I became a member of, the Black Panther Party, was founded in Oakland, California, as a result of the police brutality of the Oakland Police Department. Forty-five years later, I as a Member of this esteemed body, the House of Representatives, am ashamed to bear witness once again to the same Oakland Police Department violating and attacking and brutalizing innocent citizens who are protesting, bringing their deep-felt grievances to the forefront and engaging in acts of civil disobedience.

□ 1940

Police batons, tear gas, mace, no matter what the weapon is, no matter what the strategy is, they cannot kill this movement. They cannot stop this movement. This occupy movement is going to move forward. It's going to move forward with an accelerated pace because of the actions of the police department in Oakland and in other cities across this Nation.

They have a right to protest. They have a right to make their voices heard. They have a right, as called for in the gospel of Jesus Christ in the Bible, to make their bodies a living sacrifice. These individuals, they are epitomizing the greatness in this hour. It's a thing that we celebrate all across the land.

We celebrated it in Tunisia, we celebrated it in Egypt, we celebrated it in Libya, we celebrated it in Yemen, we celebrated it in China, we celebrated it in other places all across the world. How can we be so hypocritical? How can we be so insensitive? How can we be so arrogant to celebrate civil disobedience in other places across the world and attack the same, the very same actions and attitude here in our Nation when our citizens engage in civil disobedience?

Mr. Speaker, I say that those who are involved in the occupy movement, you are just lighting the first spark in a prairie fire of peaceful demonstrations across this land. Don't give up, don't give out, and please don't give in.

Godspeed to you. We need you. You're doing the right thing at the right time for the right reasons. Keep doing what you're doing. Stand up for what you believe in. Stand up for what you believe in.

It's high time now that the American people stand up for what they believe in and take to the streets to demonstrate to all that we're sick and tired of being sick and tired. We're sick and tired of home foreclosures. We're sick and tired of unemployment. We're sick and tired of being sick and tired, as Fannie Lou Hamer once said.

We're just sick and tired. We're sick, yes, of the rising cost of health care. We need to demonstrate and protest the rising cost of health care.

We're sick and tired of the rising gap between those who are sitting high on the hog, the wealthy, the elite, and those who are at the bottom; the rising gap between those who are unemployed and underemployed, who are chronically unemployed and the 1 percent who are reaping all the wealth of this Nation and telling the rest of us that they have a right to the wealth of the Nation, but yet we as American citizens don't have a right to a decent job. We as American citizens don't have a right to decent housing, that we as American citizens don't have a right to a decent education, that we as American citizens don't have a right to decent health care.

How can they look down on us and tell us that we don't have a right to the same opportunities and to the same life-style and to the same benefits? How can they tell the dwindling, disappearing American middle class that they don't have a right to demonstrate?

These are our children, and they want a better future. These are our children, and they are willing to fight for a better future.

These are our children, and they have the courage to stand up against the government, to stand up against the elite, to stand for their rights. And I am proud that our children are standing up and standing for something to try to get some meaning into their lives and try to make this Nation a better Nation.

I'm proud of them and, again, I say to them, don't give up, don't give out, and please don't give in. Godspeed to you.

Mr. Speaker, I yield back the balance of my time

AMERICA'S RELIGIOUS HERITAGE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. GOHMERT) is recognized for 30 minutes.

Mr. GOHMERT. Mr. Speaker, I appreciate my friend, the gentleman from Illinois. He knows something about struggling for civil rights, and he's done a great deal for civil rights, and I respect that very much.

As a Christian, it's okay to talk about our religious beliefs as long as we don't ram it down somebody else's throat trying to force them to believe as we do, but the First Amendment allows our right to discuss that.

I'm very grateful for Abraham Lincoln, and as I was just talking with some constituents down in Statuary Hall about John Quincy Adams believing he was called to try to end slavery in the United States after he was defeated in 1828 for a second term, so he did the unthinkable after being President: he ran for the House of Representatives.

And some thought it was extremely strange, and as I told my constituents, my friends, it was reputed that when someone asked him about that, he said he was prouder of being elected to the House of Representatives after being President than he was after being elected President, which seems strange to some of us until you realize that it means after he was President his neighbors still liked him. That's a big deal because most Presidents don't end up going back to their earliest hometown; they go somewhere else. John Quincy Adams got elected nine times, preached sermons over and over down the hall about the evils of slavery.

We really couldn't expect God to keep blessing America while we were treating our brothers and sisters by putting them in chains and bondage. Seventeen years he fought that fight, believing he was called to bring an end to slavery.

His last year there, there was a young, tall man from Illinois who had been elected to Congress one time, most people don't know that he was ever elected anything but President, but Abraham Lincoln was elected.

□ 1950

John Quincy Adams liked him and took him under his wing. It was reported that after Lincoln was defeated after just 2 short years, went back to practicing law, made some money working doing some legal work for the railroads and other things, after the compromise of 1850, he knew he couldn't allow slavery, as even more States were coming in with slavery, and he got back involved and fought the battle. He didn't get elected to the Senate. In 1860, he got elected President.

It was reported that someone asked him if there was anything memorable that happened in his 2 brief years in the House of Representatives, and he replied not other than those powerful sermons John Quincy Adams used to preach on the evils of slavery. He knew it was wrong, but it just etched it on his soul. He had to do something. John Quincy Adams died in 1848 not achieving what he was originally called to do—end slavery.

But a man who believed in God, who read the Bible constantly, whose Second Inaugural Address is etched in marble on the north inside wall of the Lincoln Memorial, one of the greatest theological dissertations on how, if there's a just God, there could be something as horrible as a Civil War, brothers killing brothers. As he said, they all read from the same Bible, pray to the same God. The prayers of both can now be answered; the prayers of neither were fully answered.

But as Lincoln came to realize, if it is that God chooses to have every drop of blood that was drawn by the master's lash be equal with blood from the sword, then as he said, we still must conclude what was concluded 3,000 years ago from the Old Testament: ''The judgments of the Lord are just and righteous altogether.''

Powerful theology of a very difficult subject, but those beliefs drove him to give his life for others.

Downstairs, I just saw the statue of Father Damien, a Catholic priest in the Hawaiian Islands who knew that going to the island where the lepers were, where they had no basic life, that eventually he would get leprosy and he would die from it, but he knew that he had a calling, that God called him to minister to those lepers so they could have a life, they could have a society, a place to worship, a priest to come to for ministering and consolation and direction.

So it is entirely appropriate that despite the existence of the ACLU wanting to tear down so much of what the Founders did and the great things that are emblazoned in the soul of this country, the statue, the plaque starts with John 15:13: ''Greater love hath no one than this, that a man lay down his life for his friends.''

Basically, Abraham Lincoln did that. But there was not full equality in this country. That was clear.

BOBBY RUSH can talk about that authoritatively; I really can't. He can talk about it authoritatively.

And along came an ordained Christian minister named Martin Luther King, Jr. He believed it was his calling, God's calling on his life to bring about real equality in America. As he said, he had a dream that one day people would be judged by the content of their character, not the color of their skin. He had a dream.

I'm so grateful for that heritage that God moved in the hearts and minds of great men like that. Some would say Martin Luther King, Dr. Martin Luther King, Jr., gave his life to help African Americans, black men and women in America to have equality, but it goes much deeper than that. For those of us who are Christians, he created an environment where white Christians could finally really be Christian and treat brothers and sisters as brothers and sisters. That's a big deal, because before that there were too many white Christians who didn't. He freed them up. Now you can treat your brothers and sisters as true brothers and sisters where the color of skin doesn't matter. Powerful.

But the country we have come to know and love is under attack. We, many of us, I was in the Army at Fort Benning in 1979. We look back and we think the war started, radical Islam started at war against us in 1979. More recently, some who know more about the history of radical Islam say it actually started quite a bit before that. But in 1979, it became clear, President Carter, well intending, meaning well, hailed the Ayatollah Khomeini as a man of peace, just like this country did with President Mubarak. We would not assist and, in fact, encouraged rebels and the leader of a country with whom we had agreements. We reneged on our end, not that the Shah was a fine, great, upstanding man. From reports—I never met him—apparently he wasn't. Not that Mubarak was a fine, loving, cuddly fellow—apparently, from reports, he wasn't. And there wasn't equality as there should have been, but he kept radicals at bay from destroying the peace agreement between Israel and Egypt. We had agreements with him, and apparently this administration looked the other way and wouldn't honor those agreements.

I sure never thought much of Qadhafi, but I could not celebrate a man being captured, tortured, and then shot; and then all the adoration and excitement by the same people who get so upset if a terrorist who is trying to kill Americans has water poured on his face, knowing that the water won't hurt him, that there's a doctor right there, and that when he reveals information, as Khalid Sheikh Mohammed did, it will save lives and lead to the saving of many more lives. But he won't be harmed because the doctor would be there if there was any problem. Yet those same people that went ballistic over pouring water on a guy's face, not pleasant, how excited they could be about a man being captured, tortured, and shot in the head routinely. How excited people could be about having a drone take out an American citizen. Well, he had declared war on the United States. You declare war on the United States, the United States has every right to declare war on you back. You are an enemy combatant and the rules of war apply, such as they are.

But we have come so far in the last 10 years from being careful and concerned that it seems that we've gotten careless, gotten ridiculous. Our obligation, even those of us who are Christians, is not to turn the other cheek as part of the government, not to reward evil with good as individual Christians are supposed to. Our obligation is to provide for the common defense. The same thing is set out in Romans 13: ''You do evil, be afraid, because the government is not given the sword in vain.'' You are supposed to encourage good conduct and punish evil, provide for the

defense so that individuals, whether they're Muslims, Christians, Hindu, Scientologists, whatever, they can worship as they wish. But when we fail to protect this Nation and provide for the common defense, we're not doing our job.

□ 2000

We've had a very interesting time today with Secretary of Homeland Security Janet Napolitano. There's some things that have come out that have been very deeply troubling to me, and I would hope that they would be very troubling to many.

I have got numerous articles, things that I have taken out to talk about here today. One is a news segment here about Secretary Napolitano appointing a deradicalization expert, Mohamed Elibiary, to the Homeland Security Advisory Council. Originally, he was made by Homeland Security a member of the Countering Violent Extremism. It's a little strange, violent extremism. Then you realize that's because this administration does not want to use the terms ''radical Islam'' about the people who are radical Islamists.

And when you get to digging a little deeper, you find out that the OIC Islamic group years ago figured out, We need to go on the attack and start calling anybody who mentions radical Islam an Islamophobe. Even if it's a lie, it doesn't matter. Call them Islamophobes. They found if you give universities—even great universities; proud heritage in this country—massive amounts of money, you can also get them to teach seminars on Islamophobia. You can get them to teach courses on Islamophobia. And you can paint the picture that anybody, no matter how open-minded, no matter how well read, how well studied they are, you call them Islamophobes enough, then maybe it will catch on, and people will be afraid to call radical Islamists what they are.

Now, I don't know of anybody who was in Judiciary today that believes that Muslims are terrorists. They're not. The only disagreement among those I know concerned about radical Islam is whether the radical Islamists are 1 percent, 5 percent, maybe a little more. Some might say as much as 10 percent. But at least 90 percent, maybe 99 percent of Muslims are peace-loving people. If you have got a Muslim friend, they are your true friend. And people have experienced that. They have seen that. But those who study radical Islam also come to know that it's very difficult for a moderate, peace-loving Muslim to speak up against radicals because under some of the contorted thinking by people like Khalid Sheikh Mohammed, who helped plan 9/11, that basically makes him an apostate. They're not really Muslim. They're Muslim in name only. They think that means they're okay to be killed because they don't really believe in true Islam.

So when you get down to it, it appears from a studied look at the issue, when you don't worry about what the OIC or Muslim Brotherhood may try to paint you as, or the mainstream media, for whatever reason—though many in the mainstream media would be one of the first ones killed if radical Islam takes over this country. They nonetheless do some of their bidding for them without realizing just how ignorant they're being. But if they were to take over, any area where they take over, as they did in Afghanistan, the moderate, peace-loving Muslims are often the first ones brutalized and killed because they don't see them as true Muslims because they're not radical like that small percentage.

But documents have been discovered going back to the 1993 meeting in Philadelphia of those who would be part of the Muslim Brotherhood and other groups trying to plot a strategy for the years ahead, they believed a number of things that we're now seeing carried out. You intimidate people, you make them think they're much more intellectually elite. They say, Well, gee, we're not going to even say the name of radical Islam. In fact, as Speaker PELOSI led in the last Congress, the 2006 military tribunal bill was changed, the law was changed so we didn't call them ''enemy combatants'' anymore. We changed the name—big deal—changed the name from ''enemy combatants'' to ''unprivileged alien enemy belligerents.'' I guess we just hope that the word ''enemy'' wouldn't offend them, even though they have shown, as they did with Pearl, they will take a jagged knife and cut your head off.

They don't do it in the name of Scientology. They don't do it in the name of the Southern Baptist Convention. And if they did, I would be calling them out for doing so. They do it in the name of a perverted form that they believe is Islam. But it's radicalized jihadist Islam.

So here's an article, October 21, 2010. Secretary Napolitano appoints Islamist to Homeland Security panel. It turns out Mohamed Elibiary had been appointed to her Countering Violent Extremism Working Group and apparently impressed somebody to the point that a year ago, October 21, 2010, Secretary Napolitano swore him in as being part of the Homeland Security Advisory Council. As we found out today from Secretary Napolitano, he was also given a secret security clearance.

We've also seen from other articles we've talked about here before that the White House—and as we found out today, Homeland Security—has implicit trust in the president of the Islamic Society of North America, ISNA, even though ISNA was found to be a named coconspirator in funding terrorism in the Holy Land Foundation trial. CAIR, same way, named coconspirator in the Holy Land Foundation trial. The original prosecutor's thoughts were that the Bush administration, those I have talked to, intended to do everything they could to get convictions because they saw—they had the documentation—that these groups were doing some charity work, and actually doing some, but then sending money—really, the basis of their group—sending money to Hamas to fund terrorism. And that's what they were convicted of. It was 105 counts, as I recall.

There was a move by CAIR, ISNA, some named coconspirators, to have their names struck from the pleadings so the people would not see that they were named coconspirators. But both the judge at the trial court and the Fifth Circuit Court of Appeals found there was sufficient evidence to show that they were coconspirators in funding terrorism and therefore they did not, as the Fifth Circuit ruled, they weren't going to have their names removed.

The evidence was there. In fact, I have got some of it here. There were boxes and boxes and boxes of documents that have these kind of checks and ledgers and deposit slips and things like that that make a clear case that these groups ended up providing funding that funded terrorism. But this Department of Justice, headed by Attorney General Holder, decided not to pursue all of these other named coconspirators. They let the cases drop.

□ 2010

And not only did they not pursue them, they ended up—actually, we have the president of ISNA, who we find in the comments that have been on the White House Web site, actually led the Iftar prayers a year ago at the White House and actually has a very nice relationship, from what the Deputy National Security Adviser said, with the National Security Administration, the National Security Advisor, and the President.

We found out from one article that, with two individuals who were going to participate in training law enforcement at one of our intelligence services, all it took was CAIR calling the White House, reporting to the White House that people were going to say bad things about radical Islam, and that people that wanted to kill us were radical Islamists, and explain how you could look for people who were radicalized, look for telltale signs.

The White House, according to one article, intervened, and we know for sure the conference was canceled immediately before the conference was to start.

And we have an article indicating that actually now they are rewriting the rules so that if you are a government employee, you will not be able to do briefings on the threat of radical Islam. And, also, they will not pay for outside contractors who've spent their adult life studying the issue, so that it will be left to volunteers, like those from the Muslim Brotherhood, who will come brief our intelligence, our State Department, our Justice Department

and the White House on issues to do with violent extremism.

And then we find out more about this person. I'm told he's a very nice gentleman, Mohamed Elibiary, that he's done a lot of nice things. But you don't have to look very far and you find out he was one of the featured speakers for the tribute—in fact, there's a flier—a tribute to the great Islamic visionary, the Ayatollah Khomeini, who has done more to bring hate and war and death and torture into the modern age than most anybody in the last 40 years. And he is a named presenter in the tribute to the great Islamic visionary.

Then we find out not only did he speak at that, but also he's written articles. He got after the administration for the prosecution of the Holy Land Foundation, thought the trial was unfair and unjust and uncalled for. He also speaks glowingly of Qutb, who is the Muslim who was executed in Egypt in the 1960s after being convicted or found to have conspired to kill the leader of Egypt. But he has many writings. And, well, he's held in high esteem not only as a basis for Osama bin Laden, feeling that he should be a barbaric killer and destroyer, but also for Mr. Elibiary. And so we have an article he wrote about the verdict misrepresenting the situation with the Holy Land Foundation.

Then we have an article from the Dallas Morning News where they go through and cite so many of these things that seem to indicate we should be very careful about giving Elibiary access to secrets; but he has been given, by this Homeland Security group, secret clearance.

Then there's an interesting article from May of 2007. The OIC, the Organization of the Islamic Conference, reported in 2007—their words—that Islamaphobia is the worst form of terrorism. In fact, that means it's worse than flying commercial airliners into high-rise office buildings, worse than beheading three teen Christian girls on their way to school, worse than launching attacks from civilian areas in order to use retaliatory actions to score propaganda points. Yeah, worse than that is to be an Islamaphobe.

Then we find out that the ACLU and the Islamists are joining hands. I found out yesterday that actually Mr. Elibiary is working with the ACLU, but he's got a secret security clearance so he can work from the inside and from the outside working with the ACLU to try to get documentation that will ultimately, if he gets it—and this administration may just do this—it will reveal sources and methods of how we are dealing with radical Islam or violent extremism, and he's working with these guys. But the ACLU and Islamists are going after the FBI and trying to destroy their ability to actually fight those who want to destroy our country.

There's an interesting article by Bill Gertz October 5 of this year, and he points out that the anti-terror trainers were blocked. And according to people close to the conference I mentioned awhile ago, the event was ordered postponed after Muslim advocacy groups contacted the Department of Homeland Security and the White House, including scheduled speakers Stephen Caughlin and Steve Emerson, both specialists on the Islamic terror threat. Mr. Caughlin, a former Pentagon joint staff analyst, is one of the most knowledgeable counterterrorism experts specializing in the relationship between Islamic law and terrorism. Mr. Emerson, head of the Investigative Project on Terrorism, is a leading expert on Islamic violent extremism, financing and operations.

But, anyway, it looks like they're rewriting those rules so people like that—since they're not Muslim Brotherhood—will not be able to instruct law enforcement on the threat that radical Islam creates for the country.

And then we find an article here, ''Holder Firmly Committed to Eliminating Any Muslim Training.'' But just so people understand—and I'll close with this—I understand that the vast majority of Muslims are dear, wonderful people, peace-loving people. But the radical Islamists like Khalid Sheikh Mohammed and the other four at Guantanamo Bay who said they wanted to plead guilty in December of 2008—the judge was going to accept it until this Justice Department rushed in and said no, no, no, we'll give you a show trial in New York City, and threw a bunch of gum in the works.

So now there has still been no trial; there has still been no justice. And in his own writing he says, in quotes from the Koran, ''We fight you with almighty God. So if our act of jihad and our fighting with you cause fear and terror, then many thanks to God because it is him that has thrown fear into your hearts which resulted in your infidelity, paganism, and your statement that God had a son and your trinity beliefs.'' Then he quotes from the Koran: ''Soon shall we cast terror into the hearts of the unbelievers, for that they joined companies with Allah, for which he has sent no authority; their place will be the fire; and evil is the home of the wrongdoers.''

People like Khalid Sheikh Mohammed are radical Islamists, and we need to recognize it so that we can perpetuate the freedom that we've had for 200 more years.

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

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 19 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, October 27, 2011, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3596. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Regulation for the Enforcement of Federal Health Care Provider Conscience Protection Laws (RIN: 0991-AB76) received September 26, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3597. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Management Directive 11.6, Financial Assistance Program received October 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3598. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Addition of Certain Persons on the Entity List; Implementation of Entity List Annual Review Change; and Removal of Persons from the Entity List Based on Removal Requests [Docket No.: 110620344-1586-01] (RIN: 0694-AF28) received October 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

3599. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-090, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

3600. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-111, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

3601. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-086, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

3602. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-118, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

3603. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-115, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

3604. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-066, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

3605. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergency Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to Sudan that was declared in Executive Order 13067 of November 3, 1997; to the Committee on Foreign Affairs.

3606. A letter from the Deputy Chief, National Forest System, Department of Agriculture, transmitting the Department's report on the exterior boundary of North Fork Crooked Wild and Scenic River, pursuant to

16 U.S.C. 1274; to the Committee on Natural Resources.

3607. A letter from the Service Officer, American Gold Star Mothers, Incorporated, transmitting the organization's report and financial audit for the year ending June 30, 2011, pursuant to 36 U.S.C. 1101(63) and 1103; to the Committee on the Judiciary.

3608. A letter from the Secretary, Department of Transportation, transmitting a report on the Cross-Border Trucking Pilot Program; to the Committee on Transportation and Infrastructure.

3609. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30799; Amdt. No. 3440] received September 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3610. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30800; Amdt. No. 3441] received September 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3611. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30801; Amdt. No. 3442] received September 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3612. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30802; Amdt. No. 3443] received September 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3613. 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 9551] (RIN: 1545-BF94) received October 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3614. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Nonaccrual-Experience Method of Accounting Book Safe Harbor (Rev. Proc. 2011-46) received October 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3615. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — 2011-2012 Special Per Diem Rates [Notice 2011-81] received October 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3616. A letter from the Inspector General, Department of Health and Human Services, transmitting a report entitled ''Review of Medicare Contractor Information Security Program Evaluations for Fiscal Year 2009''; jointly to the Committees on Oversight and Government Reform, Energy and Commerce, and Ways and Means.

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. SMITH of Texas (for himself, Mr. CONYERS, Mr. GOODLATTE, Mr. BERMAN, Mr. GRIFFIN of Arkansas, Mr. GALLEGLY, Mr. DEUTCH, Mr. CHABOT, Mr. ROSS of Florida, Mrs. BLACKBURN, Mrs. BONO MACK, Mr. TERRY, and Mr. SCHIFF):

H.R. 3261. A bill to promote prosperity, creativity, entrepreneurship, and innovation by combating the theft of U.S. property, and for other purposes; to the Committee on the Judiciary.

By Mr. GUINTA (for himself and Mr. WALSH of Illinois):

H.R. 3262. A bill to amend title 31, United States Code, to increase Government transparency; to the Committee on Oversight and Government Reform.

By Mr. COLE (for himself and Mr. LANKFORD):

H.R. 3263. A bill to authorize the Secretary of the Interior to allow the storage and conveyance of nonproject water at the Norman project in Oklahoma, and for other purposes; to the Committee on Natural Resources.

By Mr. GRAVES of Georgia (for himself, Mr. WESTMORELAND, Mr. DUNCAN of South Carolina, Mr. GOWDY, Mr. MULVANEY, Mr. BROUN of Georgia, Mr. LANKFORD, Mr. CHAFFETZ, Mr. WILSON of South Carolina, Mr. WOODALL, Mr. SCOTT of South Carolina, and Mr. GOHMERT):

H.R. 3264. A bill to empower States with authority for most taxing and spending for highway programs and mass transit programs, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, and 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.

By Mr. GRAVES of Missouri (for himself, Mr. LUETKEMEYER, Mr. MANZULLO, Mr. AKIN, Mr. HANNA, Mr. JONES, Mr. HULTGREN, Mr. BUCSHON, Mr. LONG, Ms. JENKINS, Mrs. EMERSON, Mr. PETERSON, Mr. FORTENBERRY, Mr. TERRY, Mr. PETRI, Mr. SCHILLING, Mrs. NOEM, Mr. JOHNSON of Illinois, Mr. CRAWFORD, Mr. GIBBS, Mr. PAUL, Mrs. HARTZLER, Mr. KING of Iowa, Mr. SMITH of Nebraska, Mr. KINZINGER of Illinois, Mr. DUFFY, Mr. BOSWELL, Mr. SHIMKUS, Mr. SCHOCK, Mr. LATHAM, Mr. LOEBSACK, Mr. KINGSTON, Mr. COSTELLO, Mr. HUIZENGA of Michigan, Mr. WALSH of Illinois, Mr. LATTA, Mr. SCHRADER, Mrs. LUMMIS, Mrs. SCHMIDT, and Mr. CANSECO):

H.R. 3265. A bill to amend the Motor Carrier Safety Improvement Act of 1999 to provide clarification regarding the applicability of exemptions relating to the transportation of agricultural commodities and farm supplies, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LANGEVIN (for himself and Mrs. MCMORRIS RODGERS):

H.R. 3266. A bill to amend title XXIX of the Public Health Service Act to reauthorize the program under such title relating to lifespan respite care; to the Committee on Energy and Commerce.

By Mr. PAUL:

H.R. 3267. A bill to provide small businesses with a grace period for any regulatory violation, and for other purposes; to the Committee on the Judiciary.

By Mr. SABLAN (for himself, Mrs. CHRISTENSEN, Mr. PIERLUISI, Ms. BORDALLO, Mr. FALEOMAVAEGA, Mr. GUTIERREZ, Mr. JACKSON of Illinois, Ms. NORTON, Mrs. MALONEY, Mr. CLAY, Ms. MOORE, Mr. TOWNS, and Mr. BUTTERFIELD):

H.R. 3268. A bill to clarify the application of certain Federal laws relating to elections to American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the United States Virgin Islands; to the Committee on the Judiciary, and in addition to the Committee on House Administration, 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.

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. SMITH of Texas:

H.R. 3261.

Congress has the power to enact this legislation pursuant to the following:

Clause 8 of section 8 of Article I of the Constitution.

By Mr. GUINTA:

H.R. 3262.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 9, Clause 7: No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

By Mr. COLE:

H.R. 3263.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 which grants Congress the power to regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes.

This bill is enacted pursuant to the power granted to Congress under Article IV, Section 3, Clause 2 which grants Congress the power to make all needful Rules and Regulations respecting . . . Property belonging to the United States.

By Mr. GRAVES of Georgia:

H.R. 3264.

Congress has the power to enact this legislation pursuant to the following:

Tenth Amendment—

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Article I, Section 8—

The Congress shall have Power . . . To establish Post Offices and Post Roads

By Mr. GRAVES of Missouri:

H.R. 3265.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Article I, Section 8, Clause 3 of the United States Constitution, Congress shall have the power to Regulate Commerce with foreign Nations, and among several States, and with the Indian Tribes.

By Mr. LANGEVIN:

H.R. 3266.

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 1, ''to provide for the common Defense and general Welfare of the United States.''

By Mr. PAUL:

H.R. 3267.

Congress has the power to enact this legislation pursuant to the following:

This legislation is authorized by Article I, Section 8 of The Constitution:

''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.''

This includes the power to require federal agencies give small business a grace period to correct any violations of federal regulations before imposing job-destroying fines and other sanctions on the business.

By Mr. SABLAN:

H.R. 3268.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, section 8, clause 3 and Article IV, section 3, clause 2 of the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 12: Mr. ACKERMAN, Mr. ANDREWS, Mr. BACA, Ms. BASS of California, Mr. BISHOP of New York, Mr. BLUMENAUER, Ms. BORDALLO, Mr. BOSWELL, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mrs. CAPPS, Mrs. CHRISTENSEN, Ms. CHU, Mr. CLARKE of Michigan, Ms. CLARKE of New York, Mr. COHEN, Mr. CONYERS, Mr. COURTNEY, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Ms. DEGETTE, Ms. DELAURO, Mr. DEUTCH, Mr. DICKS, Mr. DINGELL, Ms. ESHOO, Mr. FARR, Mr. FATTAH, Mr. FILNER, Mr. FRANK of Massachusetts, Ms. FUDGE, Mr. GARAMENDI, Mr. GONZALEZ, Mr. AL GREEN of Texas, Mr. GUTIERREZ, Ms. HAHN, Mr. HASTINGS of Florida, Mr. HINCHEY, Mr. HINOJOSA, Mr. HONDA, Mr. JACKSON of Illinois, Ms. JACKSON LEE of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Ms. LEE of California, Mr. MARKEY, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MEEKS, Mr. MORAN, Mr. PALLONE, Mr. PERLMUTTER, Mr. PETERS, Mr. PIERLUISI, Ms. PINGREE of Maine, Mr. PRICE of North Carolina, Mr. RANGEL, Ms. RICHARDSON, Mr. ROTHMAN of New Jersey, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. RYAN of Ohio, Ms. LINDA T. SÁNCHEZ of California, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCOTT of Virginia, Ms. SEWELL, Mr. SHERMAN, Mr. THOMPSON of Mississippi, Mr. TONKO, Mr. VAN HOLLEN, Mr. WALZ of Minnesota, Ms. WASSERMAN SCHULTZ, Ms. WATERS, Mr. WELCH, Ms. WILSON of Florida, Mr. DOYLE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KEATING, Ms. MOORE, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. RUPPERSBERGER, Mr. CARNAHAN, and Mr. MILLER of North Carolina.

H.R. 57: Mr. HANNA.

H.R. 58: Mr. MCKEON.

H.R. 100: Mr. CRAVAACK, Mr. DESJARLAIS, and Mr. COBLE.

H.R. 110: Mr. ISRAEL.

H.R. 114: Mrs. LUMMIS.

H.R. 181: Mr. BOSWELL.

H.R. 306: Mr. MORAN.

H.R. 420: Mr. BERG and Mr. MULVANEY.

H.R. 451: Mr. MCHENRY.

H.R. 623: Mr. MICHAUD.

H.R. 668: Mr. WILSON of South Carolina and Mr. CALVERT.

H.R. 735: Mr. SIMPSON, Mr. TERRY, and Mr. WEBSTER.

H.R. 886: Mr. WALZ of Minnesota, Mr. BOUSTANY, and Ms. HAHN.

H.R. 890: Mr. CLARKE of Michigan and Mr. HOLT.

H.R. 892: Mr. RYAN of Ohio and Mr. PETERSON.

H.R. 931: Mr. BOUSTANY.

H.R. 942: Mr. MURPHY of Connecticut.

H.R. 1048: Mr. ANDREWS.

H.R. 1092: Ms. SLAUGHTER.

H.R. 1167: Mr. MANZULLO and Mr. ROONEY.

H.R. 1173: Mr. BROOKS, Mr. SHIMKUS, Mrs. ROBY, Mr. SOUTHERLAND, Mr. FLORES, Mr. RIBBLE, Mr. PAULSEN, Mr. AUSTIN SCOTT of Georgia, Mr. JOHNSON of Illinois, and Mr. MATHESON.

H.R. 1288: Mr. FITZPATRICK.

H.R. 1340: Mr. SCHILLING and Mr. SCHOCK.

H.R. 1370: Mr. AUSTIN SCOTT of Georgia.

H.R. 1385: Mr. KELLY.

H.R. 1418: Mr. LEVIN and Mr. PAYNE.

H.R. 1479: Mrs. MYRICK.

H.R. 1499: Mr. CLAY and Mr. JONES.

H.R. 1543: Mr. FRANK of Massachusetts.

H.R. 1639: Mr. BARLETTA.

H.R. 1653: Mr. DIAZ-BALART, Mr. MCKEON, and Mr. HALL.

H.R. 1681: Mr. LARSON of Connecticut.

H.R. 1687: Mr. BURTON of Indiana.

H.R. 1689: Mr. GARAMENDI.

H.R. 1697: Mr. STUTZMAN, Mrs. BLACKBURN, and Mr. BACHUS.

H.R. 1781: Mrs. DAVIS of California.

H.R. 1798: Mr. GRIMM, Mr. HANNA, and Ms. BUERKLE.

H.R. 1815: Mr. LUCAS, Mr. LAMBORN, Mr. BROOKS, Mr. KINGSTON, Mr. LANGEVIN, Mr. JOHNSON of Illinois, and Mr. DANIEL E. LUNGREN of California.

H.R. 1834: Mr. STIVERS.

H.R. 1860: Mr. FRANKS of Arizona.

H.R. 1897: Mr. MICHAUD and Mr. LARSON of Connecticut.

H.R. 1905: Mr. JORDAN, Mr. LATTA, Mr. MURPHY of Connecticut, Mr. BARTON of Texas, Ms. GRANGER, and Mrs. CAPPS.

H.R. 1946: Mr. MCINTYRE.

H.R. 2016: Ms. WATERS and Ms. CASTOR of Florida.

H.R. 2040: Mr. BARTON of Texas, Mr. QUAYLE, and Mr. TIPTON.

H.R. 2059: Mr. HARRIS.

H.R. 2069: Mr. KING of New York.

H.R. 2086: Mr. PAUL.

H.R. 2098: Mr. POLIS and Mr. MEEKS.

H.R. 2103: Mr. PASCRELL.

H.R. 2131: Mrs. HARTZLER, Mr. THOMPSON of Pennsylvania, and Mr. ROGERS of Kentucky.

H.R. 2140: Mr. CLAY, Mr. GRIJALVA, and Ms. NORTON.

H.R. 2167: Mr. KLINE.

H.R. 2168: Mr. BLUMENAUER.

H.R. 2195: Mr. LARSON of Connecticut.

H.R. 2207: Ms. MOORE and Ms. NORTON.

H.R. 2233: Mr. MCINTYRE.

H.R. 2337: Mr. TONKO, Mr. HIGGINS, and Mr. BISHOP of New York.

H.R. 2369: Ms. PELOSI, Mr. BACHUS, Mr. BARTON of Texas, Mr. CULBERSON, Mr. FLORES, Mr. MCCARTHY of California, Mr. MCCLINTOCK, Mr. RENACCI, Mr. ROGERS of Michigan, Mr. ROYCE, Mr. STEARNS, and Mr. STUTZMAN.

H.R. 2387: Mr. ROYCE and Mr. RIVERA.

H.R. 2412: Mr. FILNER and Ms. SPEIER.

H.R. 2432: Mr. DOLD.

H.R. 2437: Mr. PETRI.

H.R. 2459: Mr. BOSWELL.

H.R. 2461: Mr. BUCHANAN and Mr. GRIFFIN of Arkansas.

H.R. 2471: Mr. PITTS.

H.R. 2492: Ms. TSONGAS.

H.R. 2499: Mr. MCINTYRE.

H.R. 2518: Mr. BISHOP of Georgia.

H.R. 2528: Mr. RENACCI and Mrs. BLACKBURN.

H.R. 2536: Mr. MICHAUD and Ms. MOORE.

H.R. 2563: Mr. KLINE, Mr. TIPTON, and Mr. NUGENT.

H.R. 2569: Mr. SULLIVAN, Mr. WILSON of South Carolina, Mr. BOREN, Mr. JOHNSON of Georgia, and Mr. ROSS of Arkansas.

H.R. 2586: Mr. GRIMM, Mr. NEUGEBAUER, and Mr. FITZPATRICK.

H.R. 2645: Mr. HINCHEY.

H.R. 2657: Mr. PASCRELL and Ms. CHU.

H.R. 2718: Mr. CARNAHAN.

H.R. 2722: Mr. BROOKS.

H.R. 2829: Mr. HUIZENGA of Michigan.

H.R. 2848: Mr. YODER and Mr. NUNNELEE.

H.R. 2853: Mr. AL GREEN of Texas.

H.R. 2866: Mr. LYNCH.

H.R. 2874: Mrs. SCHMIDT, Mrs. HARTZLER, Mr. FLEISCHMANN, and Mr. HARRIS.

H.R. 2885: Mr. HUNTER and Mr. GRIFFIN of Arkansas.

H.R. 2897: Mr. REHBERG.

H.R. 2898: Mr. SCOTT of South Carolina, Mr. JOHNSON of Ohio, and Mrs. MCMORRIS RODGERS.

H.R. 2900: Mr. ADERHOLT.

H.R. 2941: Mr. LANKFORD.

H.R. 2945: Mr. STUTZMAN, Mrs. LUMMIS, and Mr. BARTON of Texas.

H.R. 2948: Mr. RUSH, Mr. BERMAN, Ms. SEWELL, Mrs. LOWEY, Ms. CASTOR of Florida, Ms. SPEIER, Ms. BERKLEY, Mr. DEUTCH, Mr. SCHIFF, Mr. YARMUTH, Mrs. DAVIS of California, Ms. ROYBAL-ALLARD, Mr. RICHMOND, Mr. RYAN of Ohio, Mr. ROTHMAN of New Jersey, Mr. STARK, and Ms. LINDA T. SÁNCHEZ of California.

H.R. 2955: Mr. MURPHY of Connecticut and Mr. GARAMENDI.

H.R. 2966: Mr. HOLT and Mr. TIERNEY.

H.R. 2972: Mr. WELCH.

H.R. 3001: Mr. NADLER, Mrs. MALONEY, Mr. GENE GREEN of Texas, and Ms. ROS-LEHTINEN.

H.R. 3010: Mr. GOODLATTE, Mr. GOWDY, Mr. FRANKS of Arizona, Mr. GALLEGLY, Mr. ROSS of Florida, Mr. QUAYLE, Mr. PENCE, Mr. MICA, Mr. KLINE, Mr. SHUSTER, Mr. CHAFFETZ, and Mr. GRIFFIN of Arkansas.

H.R. 3020: Mr. SCHOCK.

H.R. 3035: Mr. ROGERS of Michigan.

H.R. 3036: Mr. HEINRICH.

H.R. 3051: Ms. MOORE, Mr. JOHNSON of Georgia, Mr. LEWIS of Georgia, and Mr. PIERLUISI.

H.R. 3059: Mr. TIERNEY.

H.R. 3074: Mr. BONNER.

H.R. 3083: Mr. CROWLEY, Mr. GUTIERREZ, and Mr. KIND.

H.R. 3090: Mr. LAMBORN.

H.R. 3091: Mr. MCINTYRE.

H.R. 3099: Mrs. HARTZLER.

H.R. 3101: Mr. GOODLATTE and Mr. SHIMKUS.

H.R. 3102: Ms. SLAUGHTER.

H.R. 3118: Mr. MARCHANT.

H.R. 3138: Mr. GEORGE MILLER of California, Mr. MICHAUD, and Mr. HONDA.

H.R. 3145: Mr. FILNER and Mr. LEVIN.

H.R. 3148: Mr. POSEY.

H.R. 3155: Mr. SCHOCK and Mr. WILSON of South Carolina.

H.R. 3156: Mrs. NAPOLITANO.

H.R. 3158: Mr. LONG, Mr. LANKFORD, and Mr. CANSECO.

H.R. 3159: Mr. HEINRICH, Mr. CAPUANO, Mr. MARINO, Ms. BERKLEY, and Mr. DIAZ-BALART.

H.R. 3162: Mr. STUTZMAN, Mrs. MYRICK, and Mr. RIGELL.

H.R. 3167: Mr. GRIFFIN of Arkansas.

H.R. 3168: Mr. BROOKS and Mr. WALSH of Illinois.

H.R. 3187: Ms. ROYBAL-ALLARD, Mr. CICILLINE, Mr. QUAYLE, Mr. GOWDY, and Mr. YODER.

H.R. 3192: Mr. STARK and Mr. DUFFY.

H.R. 3194: Mr. WALSH of Illinois, Mr. DUNCAN of South Carolina, Mrs. SCHMIDT, Mr. HARRIS, Mr. PEARCE, and Mr. BARTLETT.

H.R. 3225: Mr. CARSON of Indiana and Ms. PINGREE of Maine.

H.R. 3236: Mr. BOSWELL, Ms. PINGREE of Maine, and Mr. CONNOLLY of Virginia.

H.J. Res. 20: Mr. MCKINLEY.

H.J. Res. 78: Mr. KEATING.

H.J. Res. 81: Mr. TIPTON, Mr. PENCE, Mr. BISHOP of Utah, Mr. DESJARLAIS, Mr. FRANKS of Arizona, MR. BARTLETT, Mr. PITTS, Mr. SESSIONS, and Mr. ALTMIRE.

H. Con. Res. 21: Mr. WALSH of Illinois.

H. Con. Res. 72: Ms. HIRONO, Mr. LOEBSACK, and Mr. CRITZ.

H. Res. 137: Mr. CUELLAR and Mr. BISHOP of Georgia.

H. Res. 180: Mr. DUNCAN of Tennessee.

H. Res. 364: Mrs. ROBY, Mr. KINGSTON, Mr. MCKEON, Mr. INSLEE, Mr. KILDEE, and Mr. HOYER.

H. Res. 365: Ms. LEE of California.

H. Res. 376: Mr. SCHIFF, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LORETTA SANCHEZ of California, Mr. REYES, Mr. SABLAN, Mr. CLARKE of Michigan, Ms. LINDA T. SÁNCHEZ of California, Ms. RICHARDSON, Mr. FATTAH, Mr. FILNER, Mr. STARK, Mr. GRIMM, Mr. WILSON of South Carolina, Mr. CROWLEY, Ms. LEE of California, Mr. COBLE, and Mr. CONYERS.

H. Res. 397: Mr. ACKERMAN, Mr. CAPUANO, and Mr. HASTINGS of Florida.

H. Res. 407: Mr. LATHAM.

H. Res. 433: Mr. CRITZ, Mr. PETRI, Mr. CARDOZA, Mr. CARNAHAN, Ms. CLARKE of New York, Mr. CONYERS, Mr. COOPER, Mr. DAVIS of Illinois, Mr. GRIJALVA, Mr. HOLT, Mr. MARKEY, Mr. MCDERMOTT, Ms. MOORE, Mr. MORAN, Ms. RICHARDSON, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SPEIER, Mr. STARK, Mr. AKIN, Mr. BARTLETT, Mr. BISHOP of Utah, Mr. BROUN of Georgia, Mr. BURTON of Indiana, Mr. CAMP, Mr. CARTER, Mr. COBLE, Mr. CONAWAY, Mr. CRENSHAW, Mr. DIAZ-BALART, Mrs. EMERSON, Mr. FILNER, Mr. FITZPATRICK, Mr. FRANKS of Arizona, Mr. GALLEGLY, Mr. GINGREY of Georgia, Mr. HANNA, Mrs. HARTZLER, Mr. HUELSKAMP, Mr. HUIZENGA of Michigan, Ms. JENKINS, Mr. JONES, Mr. KING of New York, Mr. LAMBORN, Mr. LUETKEMEYER, Mr. MANZULLO, Mr. MARINO, Mrs. MCMORRIS RODGERS, Mr. NUNNELEE, Mr. REICHERT, Mr. RIVERA, Mr. ROSS of Florida, Mrs. SCHMIDT, Mr. SHIMKUS, Mr. THOMPSON of Pennsylvania, Mr. TIBERI, Mr. WITTMAN, Mr. YOUNG of Indiana, Mr. UPTON, Mr. KILDEE, Mr. LATHAM, and Mr. WALDEN.