United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157 WASHINGTON, TUESDAY, DECEMBER 20, 2011 No. 197

House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. WOMACK).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
December 20, 2011.

I hereby appoint the Honorable STEVE WOMACK to act as Speaker pro tempore on this day.

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

PRAYER

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

Dear God, we give You thanks for giving us another day. Bless the Members of the people's House as they depart the Nation's capital to return to their homes. May they find rest and renewal during their time with family and friends.

Bless our Nation as the year comes to a close. Help us to look to the future with hope and committed to a renewed effort to work together as citizens of a united America.

Help us all to be truly grateful for the blessings of this past year. May this holy season of hope for so many people prove to be a healing balm for our Nation.

Bless, also, as this session comes to a close, the absent Member of this assembly, GABBY GIFFORDS. Speed her recovery. May she be always reminded of our prayers and best wishes for her. Thank You for the remarkable progress she has already made.

And as always, we pray that all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 3(a) of House Resolution 493, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

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

Mr. CARTER 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

THE WORST CASUALTY OF WAR

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

Mr. POE of Texas. Mr. Speaker, just about sunrise in the desert of the sun and the valley of the gun, the last American troops left Iraq. It was this past Sunday, December 18, 2011. It has been 8 years, 7 months, and 24 days since the war began. The Americans are coming home by Christmas. Mission accomplished.

4,474 Americans gave their lives, and thousands of others were wounded. The last American casualty was Army Specialist David Emanuel Hickman from North Carolina, killed on November 14. These Americans died in a land they had never been for a people they had never known.

The Americans have liberated Iraq from a dictatorship. To apply Ben Franklin's statement on the founding of America: We have given the Iraqis a free country; let's see if they can keep it or not.

The choice and responsibility for Iraq is now with Iraq, but we here in America shall remember those who served and returned, those who served and did not return, and those who served and returned with the wounds of war. As one wounded trooper said yesterday: ''The worst casualty of war is to be forgotten.''

And that's just the way it is.

CONGRATULATING SAINT XAVIER UNIVERSITY COUGARS ON WINNING THE NAIA NATIONAL FOOTBALL CHAMPIONSHIP

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

Mr. LIPINSKI. Mr. Speaker, I rise today to congratulate the Saint Xavier University Cougars on winning the NAIA National Football Championship on Saturday.

It was another thrilling game and a fitting way for Saint Xavier to bring home its first national championship in any sport to the school. From the freshmen to the seniors, from the top-ranked offense to the defense and the special teams, everyone played a part in the victory and the Cougars' amazing season.

This is the first time since 1913 that a college football team from Chicago has won a national championship, and the Cougars did it with a lot of home-grown talent. Chicago, Lemont, Joliet, Tinley Park, Oak Lawn, Palos Heights, Park Ridge, Rockford, Frankfort—these and many other towns are well represented on this historic team.

The players, Coach Mike Feminis and his staff, Saint Xavier, the city of Chicago, and the State of Illinois should all be proud. Congratulations to the

Printed on recycled paper.

Cougars, the NAIA national football champions.

WE NEED 1-YEAR EXTENSION

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

Mr. WILSON of South Carolina. Mr. Speaker, yesterday, Peter Isberg, president of the National Payroll Reporting Consortium, Inc., expressed concern over the Senate-proposed payroll tax plan which offers only a 2-month extension instead of the yearlong extension passed last week by the House. In a letter written to several Members of Congress on both sides of the aisle, Isberg stated that, ''insufficient lead time could create substantial problems, confusion, and costs affecting a significant percentage of U.S. employers and employees.''

House Republicans are willing to work for a yearlong extension now instead of passing a 2-month fix that will confuse American taxpayers, medical providers, and small business owners. It is necessary for both Houses of Congress to work together to extend the payroll tax cut for a full year. At a time of continued record unemployment, we should be working to help small businesses create jobs.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism. We are grateful for our servicemembers, military families, and veterans who were successful in Iraq.

STUDENT LOAN DEBT

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

Mr. CLARKE of Michigan. Mr. Speaker, student loan debt is too high and I'm asking this Congress—I'm demanding that this Congress—cut it down.

Student loan debt will soon approach $1 trillion; and as our graduates are struggling to pay off this debt, this debt is robbing them of their future, and it's costing this country jobs. That's why I will soon introduce this bill to responsibly reduce student loan debt, to make repayment simpler and fairer, and to give our graduates a chance that they deserve—a chance to enjoy the American Dream.

CONGRATULATING ROBERT GRIFFIN III ON WINNING THE HEISMAN TROPHY

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

Mr. CARTER. Mr. Speaker, last week, I dropped a resolution commending Robert Griffin III for winning the 2011 Heisman Trophy.

Robert Griffin, a student of Baylor University, is one of the outstanding Americans in this country, an amazing young man who graduated from high school at Copperas Cove, Texas, in my district.

He graduated in 2008, went off to Baylor University to play football and to go to school. He graduated from Baylor University in 2010. I think that alone is pretty fantastic. He went on to be the quarterback of the Baylor football team, leading them to the best season that they've had in generations. They are ranked number 12 in the Bowl Championship Series.

This is a young man whose mother and father are sergeants in the Army. He was born overseas while they were serving. He now is the Heisman Trophy winner, has been named the outstanding player in the country, and he is not only outstanding as a student but he is outstanding as a player and as a human being.

He chose Baylor University because he wanted to go to a good Christian school. This young man won the Davey O'Brien Award. He is the kind of role model that we want our children to aspire to be. He is hardworking, with a good work ethic. He believes in his fellow players. He cares, he leads, and he wins. This young man should be commended. Within 2 years from now, he will have a master's degree and a law degree in addition to his bachelor's degree, and he still has one more year of eligibility. I would say this is the kind of kid we all wish our kid could grow up to be.

I want to commend his parents, the people of Copperas Cove, and the State of Texas for producing this fine young football player. We call him RG3.

□ 0910

TODAY IS AN OUTRAGE

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

Mr. PALLONE. Mr. Speaker, it is outrageous that the House Republicans will not allow the Senate bill to come up today that would extend the payroll tax cut, that would provide unemployment benefits for so many million Americans that are out of work, and also allow seniors to have their Medicaid reimbursement paid to their doctors so the doctors will accept Medicare.

I cannot believe that, at the end of the year now, is this the Christmas present? Is this the New Year's gift that we're going to give to the American people, that their taxes are going to be raised, that they're not going to be able to have unemployment insurance if they're unemployed?

And what does this mean for the economy, Mr. Speaker? Do the House Republicans want to send a message to the President right now when the economy is actually starting to improve slightly? This could easily send us back and make the economy go back into a tailspin. Do they dislike the President so much that they would risk the economy for that?

I cannot believe that we're not going to have an opportunity today to vote on the Senate bill and to make sure that these things are extended, particularly the payroll tax cut, because that is very important for the economy. It's very important for small businesses. It is an outrage, Mr. Speaker.

MAKE THE RIGHT CHOICE

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

Mr. JOHNSON of Ohio. It's amazing, Mr. Speaker. Those that now claim that we're opposed to increasing the sales tax holiday for 1 year actually voted against it just a few weeks ago, but we're here today to make sure that taxes on 160 million Americans don't go up on January 1. We're here to stop politics as usual in Washington. President Obama called for a 1-year extension of the payroll tax holiday, and we're here to do exactly that.

Job creators need economic certainty to create jobs, and to do that, we must extend the payroll tax holiday for 1 year. Kicking the can down the road only introduces more uncertainty into our economy. Payroll experts say that this is going to hurt small businesses.

Enough of these Washington gimmicks. The House already voted to extend the payroll tax holiday for a full year for all hardworking Americans, but the Senate Democrats opposed our bipartisan bill.

Senate Democrats have a clear choice to make: continue the game of Washington politics as usual or join with House Republicans to stop a tax increase on 160 million Americans. I urge them to make the right choice.

ANYTHING LESS THAN CERTAINTY IS UNACCEPTABLE

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

Mr. FITZPATRICK. Mr. Speaker, I rise this morning in support of a long-term extension for an important middle class tax cut for American families that are struggling in these difficult economic times to make ends meet.

We've been elected by the people to do their work and provide the conditions for the private sector to get this economy back on track and put Americans back to work. This work includes stable, predictable policy from Washington, and that includes tax policy. A 2-month extension does not provide any certainty to families or to small business job creators.

The House and President Obama agree that a 12-month extension of the payroll tax cut must be enacted. Therefore, I ask that Leader REID and the

Senate come back to town and join us in passing a long-term extension of the payroll tax cut. Anything less is unacceptable.

SUPPORT SENATE SOLUTION

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

Mr. GEORGE MILLER of California. Mr. Speaker and Members of the House, it is so unfortunate that today we find ourselves continuing to argue over whether or not an extension of the middle class tax cut should take place now as opposed to continuing to try to load the bill up with poison pills, cutting off people's unemployment insurance, and getting into an argument with the Senate.

The proposal after a year of deliberations that the Republicans came up with was rejected in the Senate on a bipartisan basis. Another bill was passed overwhelmingly to give us a 2-month extension so that we can continue to try to work out a long-term solution to a middle class tax cut without accepting poison pills.

But now what we see is the Republicans choose to turn down that compromise that brought the Senate together, that can bring this House together, to refuse to let us have a vote on that measure because they know there will be bipartisan support for that measure in this House.

We can come together and, in this holiday season, give American middle class families the security that they will have a continuation of the tax cut on January 1, but that's not what the Republicans are going to do. They're going to throw families and our economy into chaos for the sake of trying to make political points.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 3630, MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2011; PROVIDING FOR CONSIDERATION OF HOUSE RESOLUTION 501, SENSE OF HOUSE REGARDING ANY FINAL MEASURE TO EXTEND CERTAIN EXPIRING PROVISIONS; AND FOR OTHER PURPOSES

Mr. SCOTT of South Carolina. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 502 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 502

Resolved, That upon adoption of this resolution it shall be in order, without intervention of any point of order or question of consideration, to take from the Speaker's table the bill (H.R. 3630) to provide incentives for the creation of jobs, and for other purposes, with the Senate amendments thereto, and to consider in the House a motion offered by the chair of the Committee on Ways and Means or his designee that the House disagree to the Senate amendments and request a conference with the Senate thereon. The Senate amendments and the motion shall be considered as read. The previous question shall be considered as ordered on the motion to its adoption without intervening motion except one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

SEC. 2. Upon adoption of this resolution it shall be in order, without intervention of any point of order or question of consideration, to consider in the House the resolution (H. Res. 501) expressing the sense of the House of Representatives regarding any final measure to extend the payroll tax holiday, extend Federally funded unemployment insurance benefits, or prevent decreases in reimbursement for physicians who provide care to Medicare beneficiaries. The resolution shall be considered as read. All points of order against provisions in the resolution are waived. The previous question shall be considered as ordered on the resolution and preamble to adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

SEC. 3. During consideration of a motion to instruct conferees pending their appointment to a conference on H.R. 3630, the previous question shall be considered as ordered to its adoption without intervening motion except one hour of debate under clause 7(b) of rule XXII. Such motion shall be considered as read and shall not be subject to any question of consideration.

SEC. 4. During consideration of a motion specified in the first section of this resolution or section 3 of this resolution, the chair may—

(a) notwithstanding the operation of the previous question, postpone further consideration of the motion to such time as may be designated by the Speaker as though under clause 1(c) of rule XIX; and

(b) postpone the question of adoption of the motion as though under clause 8 of rule XX.

SEC. 5. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of January 17, 2012.

SEC. 6. It shall be in order at any time through the calendar day of January 15, 2012, for the Speaker to entertain motions that the House suspend the rules as though under clause 1(c) of rule XV.

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

Mr. SCOTT of South Carolina. Thank you, Mr. Speaker.

For the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself as much 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 502 provides for a motion to go to conference on H.R. 3630 and for a closed ruled on H. Res. 501.

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

□ 0920

To be honest, Mr. Speaker, being here today is almost ridiculous because last week the House passed a very good bill, and the three major components of it are very simple:

Payroll tax extension, a holiday—not a 60-day holiday, but a 1-year payroll tax extension that is paid for;

Unemployment insurance; we addressed unemployment insurance in a very compassionate way, working as the President has suggested. We need to cut it by 20 weeks over time. So our House, in a bipartisan fashion, is working to take it from 99 weeks to 59 weeks, holding in truth the spirit of our President;

Finally, the doc fix. If we're going to keep Medicare and the recipients of Medicare whole, we have to address the reimbursement rates of the doctors. This doc fix stops an almost 30 percent cut in the reimbursement rate.

But beyond that, we decided that it is time to create American jobs. So the Keystone pipeline that creates more than 20,000 jobs is in this bill. But not only do we want to create jobs, we want to save jobs, and so you think of the Boiler MACT that saves more jobs than the pipeline creates. Unfortunately, Mr. Speaker, our friends on the left want to continue to hold the middle class hostage because they have a plan to continue to raise taxes as they have over the last year.

As a matter of fact, in 2010, in one bill only, Mr. Speaker, they raised taxes on the middle class, and this year, because we're moving into an election year, they decided it's time to remember the American middle class. Last year, they were taxing that middle class and taxing that middle class and taxing that middle class.

Let me give you a few examples:

A new $123 billion of taxes on the middle class in investment income; a hike in Medicare payroll taxes with $86 billion passed through to the middle class.

I don't know why this year all of a sudden they want to talk about tax breaks for the middle class and only give them 60 days, Mr. Speaker. I believe that the middle class deserves certainty, and our bill gives them certainty. We say for 1 year we need to extend to the middle class, people who are struggling every day to make their ends meet.

Our friends on the left are getting ready for campaign season, so what they're really concerned about is themselves. But what we've said is, when you take into consideration that a person who needs a medical device must now pay a pass-through tax upwards of $20 billion, that's not compassionate. That's not fair, Mr. Speaker.

When you think about tanning services, a $2.7 billion pass-through tax to the middle class on tanning services. Now, I'm not quite sure what tanning services has to do with health care, but we find ourselves in the midst, sir, of another backdoor tax increase on the middle class.

Or if we need drugs in the future, let's go ahead and tax the innovating companies $22 billion and pass it to the middle class.

Or if you don't like those taxes, we've got another one on health insurers. Let's take $60 billion out of the pockets of the middle class by making the insurers pay more, which they know they will pass it through to the middle class.

But since that may not be enough, they decided that they would actually tax the health plans of the middle class, $32 billion on the plans of the middle class.

I just don't understand it, Mr. Speaker. We must not only extend this tax cut for the middle class; we must also pay for it.

As I was talking to one of my constituents, a 57-year-old who makes $650 every 2 weeks, every 2 weeks she brings home $650, and she needs her $600 tax cut. But she's very close to Social Security so she says to me: TIM, please, as you provide an extension of the tax cut, please don't raid the Social Security funds.

So we on the right have decided, in a bipartisan way, to work with the President. Our offsets include 90 percent offsets that the President, himself, has agreed to. In a bipartisan way, we address the payroll tax extension. We keep Social Security as solvent as it can be today, and we continue to make sure that senior citizens have doctors who will see them because we fixed the problem of reimbursement rates. And unemployment is now a greater incentive for work than it has been in more than 2 years or so because we're taking 99 weeks and we're working in a bipartisan fashion with the President and taking it down to 59 weeks for some States.

Once again, Mr. Speaker, I rise in support of this rule, and I reserve the balance of my time.

Ms. SLAUGHTER. Good morning, Mr. Speaker.

I want to thank my friend, Mr. SCOTT from South Carolina, for yielding me the customary 30 minutes and yield myself such time as I may consume.

A lot of verbiage is going on here this morning, but Mr. and Ms. America, let me tell you what we're doing here—nothing. We were promised that we could have a vote to concur in what the Senate did, 89–10, give it to the President and make sure that the payroll tax continues, but that's not what we're doing here today.

What they changed that to is to reject what the Senate did and ask for a conference, which the other side, the leader of the Senate says he is not going to do. We could have done all of this last week, but instead, 435 of us have been flown back here this week to do absolutely nothing.

At the end of the day here, we will not have accomplished a thing. There will be no payroll tax; there will be no unemployment insurance; there will be no doc fix. It just simply says we reject what they did, 89–10, which is a miracle in itself, but we're not going to do anything here. We're just going to kick it over to the other side.

In addition to this, the President has not signed the omnibus bill. I think he was going to wait for this one, which means that come Friday the government could shut down. We have once again this brinksmanship of hanging by our thumbs.

So if I can make any point today for America: Don't pay any attention to that man behind the curtain here. We are not doing anything. We could have but we are not.

And after that great expense of shuttling us all back and forth last weekend, we come here today, and we really had a rare opportunity to truly come together and provide the vital assistance to Americans in need. The Senate certainly answered the call in a bipartisan bill, which was really quite wonderful. It made us all feel really good about the Congress. It may have even made us go up from 9 to 10 points for all I know.

But they passed a bill with support of 89 Senators, and 80 percent of the Republican Senators, and I'm very proud of them. Not only did they vote for that, but they are signaling their great displeasure that the House can't do the same. And until Saturday night, this bill had the blessings of the Speaker of this House.

After a year of bitter battles in Washington, we stood on the brink of a bipartisan agreement to lower taxes and provide much-needed assistance to those who are struggling to get through the holiday season through no fault of their own, having lost their employment, that is, until a small army of ideologues said ''no'' and demanded that a truly bipartisan bill be tossed out in the cold. What a shame.

So we meet today at the height of the Christmas season as the timeworn tales of Tiny Tim and Mr. Scrooge are playing out in theaters across the country and here in the House. Will we come together to provide a gift for the American people or will a small group of ideologues let taxes rise and the unemployed go without housing and food as we ring in the new year?

It is my belief, and certainly borne out, I think, by not a shortage of media this morning, that one of the reasons that the vote today is to reject the Senate bill was had we had a vote to concur in it instead and say that we agreed with what the Senate had done, then it would have passed.

Now, I spoke about this game of brinksmanship last week, and certainly, you know, we've gone the whole year hoping that there would be no payroll tax on the other side. They didn't believe in that and certainly did not believe in the extension of unemployment. Now, suddenly today, we can't just have two months; we've got to have a year.

□ 0930

The reason they couldn't get a year in the Senate was the difference of opinion on how to pay for it. It was decided that, with the 2-month extension, we would keep it, that we would not lose it after 2 months. During those 2 months, the House and Senate, we would hope, would be working out ways we could continue it for a year. There is not going to be that great hardship of bookkeeping that everybody is talking about. We were going to take our time to fix it during those 2 months, but the 2 months is basically an emergency measure which is being turned down by the House of Representatives.

We'd love to live in a world where every single principle we believe in could be made true, where those who disagree with us would bend to our wishes and support our views, but quite simply, we don't live in that world. After the majority spent the entire year ignoring the need for an extended tax break and renewed insurance for the unemployed, I've heard frequent refrain in the last 24 hours that the policies we are considering today should not be implemented for 2 months but, rather, for a year. That is pretty recent.

The majority should be heartened to know that hardly a soul in the body disagrees with it. We all wanted a year, as did the President of the United States. As I've said before, we know that we will get that year and that we will have the 2 months to work on getting that extension. However, after weeks of negotiation, 435 legislators can't agree on an equally important point: how to pay for the tax cuts for a year.

The Democrats have said that millionaires and those who have benefited the most in the past decade should pay for this tax break. The majority has said that seniors receiving Medicare should pay instead, which was, indeed, in the bill passed here last week. This simple but profound disagreement is part of what has led us here today.

The other part of the equation is that the majority needed to design a vote by which, no matter the vote totals, they would never lose. Isn't that clever? If we had another month to work on resolving our disagreement, we could continue to debate without pause. However, the clock is about to hit midnight, and the taxes of millions of Americans and the unemployment insurance of millions more are about to be harmed because we won't strike a deal.

By now, it should be obvious why we must pass this Senate agreement. It's time that all of us accept the world as

it is. It's time that we came to a compromise, a compromise to benefit millions of Americans in this time of holiday cheer for some. There will be many more debates in the months to come about how to help the American people, but now we must seize our opportunity and provide for the millions of Americans who sent us here in order to make sure the season can be a little better than the last.

So I'm going to urge my colleagues to defeat the previous question when we get to that point, but I want to reiterate again that nothing is happening here today. When we leave here, the tax cut will not be extended; unemployment will not be extended. We will simply go back home to await the consequences of what we're doing here today. I deeply regret that because I would have liked nothing better than the bipartisanship that the Senate showed in this time of need to have been on display here as well in the House of Representatives.

I reserve the balance of my time.

Mr. SCOTT of South Carolina. I yield myself such time as I may consume.

I'm not quite sure if I heard the gentlelady from New York correctly, but she seemed to allude, or to suggest, that the President might not pass the omnibus bill because of this bill, which sounds like a reaffirmation of the fact that they are playing politics on the left while we on the right consistently look for ways to help the middle class.

In addition, when Republican Senator JIM DEMINT and President Obama and Speaker BOEHNER and Democrat Senator MANCHIN are on the same page on the 1-year extension, we ought to act as a sounding board for those four, who are typically in opposite corners.

Mr. Speaker, I yield 3 minutes to the gentleman from the great State of Georgia, Dr. ROB WOODALL.

Mr. WOODALL. I thank my colleague from South Carolina for yielding.

He knows just how excited I am to be down here today. He knows how excited I am because, unlike what my colleague from New York suggests about accepting how the world is, today's a day where we decide: You know what? We can do better. We can do better.

The million folks I represent back home in Georgia don't want to accept the way this body operates today. They want us to do better.

I know, when this body passed this 1-year extension last December, they knew we were going to be back here today. For a year, we've known we were going to be back here today. To suggest if only you'll give us another 60 days we'll do better, that's the way this House has worked in years past. Yet this year—this year—this body has said, if these issues are so important to the American families—and they are—and that if these issues are so critical to the economy—and they are—why do we need another 60 days? Why not do it today? We know that it has to happen. We know that it's coming. Why can't we get together and do it today?

Now, I tell you, I've studied majority politics in this body. Traditionally speaking, the majority, which the Republicans are, would just bring a bill to the floor and jam it through—my way or the highway. You've seen it. You've seen it when Republicans have done it, and you've seen it when Democrats have done it, and it could have happened that way again today.

But what did the Rules Committee do?

The Rules Committee didn't say, My way or the highway. The Rules Committee said, We've got a position here in the House. They have a position. They're in the Senate. Let's do what we've been doing for hundreds of years, and let's come together in a conference to work out our differences.

There are those in this body who would rather work out our differences on the front pages of newspapers, and there are those in this body who would rather work out our differences on Sunday morning talk show programs, but I don't think that's the best way to get the people's business done, and neither do the million folks back home whom I represent.

It's okay that we disagree about what this policy ought to look like. It's not okay if we let the disagreement put the economy in peril and put the budgets of hardworking American taxpayers at home in peril. We can do better, and we are doing better. We are doing better.

The traditional process would have been to go ahead and put this bill through late last night by calling everybody back. We could have just gone ahead and passed it in the dark of night. But the folks said, You know what? That's not the right way to operate this body. We can do better if we're proud of what we're doing. Let's put it off until tomorrow morning. Let's do it in the light of day, and let's let everybody have their say.

That's what we're doing.

That's why we're here today.

I say to my friend from South Carolina: I am proud that we serve on that Rules Committee together. I am proud of our leadership for giving us this opportunity to be open. I am proud that it is not a small band of rebels in the Republican Conference, as my friend from New York would suggest, who are hijacking this process. Rather, it is a proud band of 240 Republicans who say that regular order has merit. Let's do it in the way that we have done it for hundreds of years—House bill, Senate bill.

Let's come together, Mr. Speaker, and work out those differences.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Massachusetts and a member of the Committee on Rules, Mr. MCGOVERN.

Mr. MCGOVERN. Mr. Speaker, last night, at the direction of the Republican leadership, the Rules Committee voted out a martial law rule that will deny the House of Representatives an up-or-down vote on the bipartisan Senate compromise. No vote.

We're only days away from seeing 160 million hardworking middle-income Americans see their taxes increase, and there is no vote. We're on the verge of allowing 2 million jobless people to lose their unemployment benefits and 48 million seniors to lose their health care, and the Republicans tell us there can be no vote. Are you kidding me? Last night, my friends defended their delaying tactics by saying all they wanted was to protect regular order when it comes to legislation. Since when? Regular order? Please.

The Rules Committee is becoming a place where democracy and fairness go to die. This process is shameful. We have a habit in this House in which we like to point fingers and blame at the Senate for its dysfunction, but we can't do that today because the Senate actually functioned and gave us a bipartisan compromise. It's not perfect, and we all want a 1-year extension of the payroll tax cut. Yet, as we struggle to find acceptable pay-fors, which up to this point we have not been able to do, the U.S. Senate has provided us with a bridge to get there.

This compromise includes a short-term extension of the payroll tax cut, unemployment insurance, and the doc fix. The package also includes a requirement that President Obama make a decision on the Keystone XL pipeline, which many of us find hard to swallow. Democrats get something they want, and Republicans get something they want, but that's not good enough for House Republicans.

At a time when the American people want Democrats and Republicans to work together, the Senate actually did. That politicians can come to agreement on important matters I believe is a good thing. But what's a bad thing is what we're doing here in the House today—trying to scuttle this deal by denying us a vote.

□ 0940

In today's Washington Post, a Republican Member is quoted as saying, ''It's high-stakes poker.'' Well, Mr. Speaker, this is not a card game. In fact, this is not a game of any kind. Let me inform my Republican colleagues that this is real life, with real people and real consequences. I would say to the Republican leaders of this House, Show us that you can govern. This is time for an adult moment. It's time to tell your Tea Party wing that the American people come first. It's time to put country ahead of political party.

We're less than 12 days away from a tax increase on middle class Americans; and instead of doing what's right for 160 million Americans, the Republican leadership is playing politics, denying us a vote, and ensuring that today, when all is said and done, we will accomplish absolutely nothing for the American people.

I urge my colleagues on both sides of the aisle, vote down this rule. Don't

leave town until we have a chance to vote on the Senate compromise so that we can ensure that millions of our fellow citizens don't see their taxes going up during these difficult economic times. Give us a vote. Why won't you give us a vote? We demand a vote. Let us have a vote so we can do what's right for the American people.

Mr. SCOTT of South Carolina. Mr. Speaker, I will just simply say that if you are looking for a bipartisan approach to legislation, if you are looking for someone who wants to work with the White House, 90 percent of our offsets have been agreed to by the President.

And I will simply say that when the President is right—and I don't agree with him very often—he is right. The President said that Congress should not go home for vacation until it finds a way to avoid hitting 160 million Americans with a tax hike on January 1. It would be inexcusable for Congress not to extend this tax holiday for an entire year.

I think a bipartisan approach has been taken. I am assured by that fact because the President and I are on the same page, and that doesn't happen but once every year. It must be Christmas.

I yield 3 minutes to the gentleman from Texas, Chairman JEB HENSARLING.

Mr. HENSARLING. The American people know why we are here today. We are here today because the President's economic policies have failed. Since the President was elected, unemployment has been at, near, or above 9 percent, one in seven on food stamps, small business startups at about a 17-year low. That's the Obama economy.

And because of that, Mr. Speaker, almost every single Member of the House and Senate agree that we should extend the payroll tax holiday for another year. What is so confusing to many of us is that, as my friends on the other side of the aisle say, yes, we need to do this for a year, like the President said, like the American people expect, and yet they all want to vote against it.

So the disagreement we have here is: Do you want to punt the ball down the field, do you want to do this for 60 days and do it again in 60 days for another 60 days, or do you want to solve the problem? That's the first debate. And it really begs the question: Why? Why do we have so many people saying they want to do this for a year and yet they're only willing to vote for 60 days? Are people more interested in making a law that will benefit the American people or are they more interested in making a campaign issue that may benefit their own reelection campaigns? That's the question.

The second point of debate is: The American people, many of whom are suffering because of this economy, they're willing to work over the holidays. Are we willing to work over the holidays? The House is willing to work. The question is: Where is the Senate; okay?

Since the dawn of the Republic, we've had this thing called a conference committee. You know, if you took Civics 101, you will remember it. The House passes a bill; the Senate passes a bill; they come together in a conference committee and they work out their differences. We stand ready to work over the holidays.

And here's the third point: Do you want to pass a bill for messaging purposes or do you want to pass a bill that works? ABC reported last night, ''Two-Month Payroll Tax Holiday Passed by Senate, Pushed by President, Cannot Be Implemented Properly, Experts Say.''

The National Payroll Reporting Consortium—this is the group that handles all the payroll issues for practically a third of all of the private sector workers in the country—said that it ''could create substantial problems, confusion, and costs affecting a significant percentage of U.S. employers and employees.''

And, in fact, the Associated Builders & Contractors have said: This sort of temporary fix underscores Congress's uneven ad hoc approach toward the economy and causes more harm than good for America's job creators.

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

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

Mr. HENSARLING. So, Mr. Speaker, it really comes down to this: If you say you want to do this for a year, put your vote where your rhetoric is. If you are not willing to work over the holidays, admit to the American people you're not willing to work over the holidays. And if you want to support a bill that actually works, talk to the job creators in America.

That's the problem in Washington—people get isolated. Talk to the people who are absolutely responsible for this, and they will tell you this 60-day ad hoc approach doesn't work. That's why we need a rule to go to conference and put forth something the American people want and need.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2½ minutes to the gentleman from Colorado (Mr. POLIS), a member of the Rules Committee.

Mr. POLIS. I thank the gentlelady from New York for the time.

These last 2 weeks have really shown us the tax-and-spend Republican Party up close. First we passed a defense authorization with over $800 million in earmarks, according to a study by CLAIRE MCCASKILL. Then we passed a huge omnibus spending bill that spent over $900 billion, actually increasing defense spending, all deficit spending, spending, spending, spending. But, oh, now it gets worse. Republicans are poised today to raise taxes by tens of billions of dollars. Worse yet, they are not even allowing a vote to keep taxes where they are.

Whether this bill passes or not, make no mistake, it's purely symbolic as it advances no bill to President Obama to keep taxes where they are. And so they will go up on January 1 by $1,000 for the average American family, costing American taxpayers tens of billions of dollars without even helping reduce the deficit, since this Republican tax increase is money the Republicans already spent last week in the omnibus $900 billion spending spree.

Spending, spending, spending. Taxes, taxes, taxes. The deficit goes up, up, up. You can't tax your way out of this budget problem this country is in, but the Republicans have been trying to do just that for these last few weeks.

To solve our budget problem, we need to cut spending. Now, there are some balanced plans out there; and most experts agree that as part of a balanced plan with spending cuts, some revenues are necessary.

In fact, President Obama put together the Simpson-Bowles bipartisan plan. The Republican leadership didn't allow a vote.

The ''Gang of Six'' in the Senate put together a bipartisan proposal to cut spending and balance the budget. The Republican leadership didn't allow a vote.

The supercommittee was supposed to come out with a budget fix that includes everything we're talking about here today—the SGR fix, the payroll tax, unemployment insurance—but it failed. The Republicans walked away.

Now, President Obama and a bipartisan group of 90 percent of the Senate proposed not increasing taxes, and yet the Republicans are refusing to bring it to the floor. So, instead of a balanced plan with spending cuts, here we are on the heels of a huge Republican omnibus spending bill with record deficit spending and tax increases, raising taxes, and raising taxes on the middle class. The tax-and-spend Republican Party is here today and here to stay.

Not only that, but while the people of the country are waking up, Congress is going to sleep. With 10 days left and so much work to do, Republicans took the evening off rather than working through the night to try to get something as quickly as possible so the Senate might be able to reconvene. They gave themselves the night off. Congress didn't even debate this topic or have a single vote yesterday night with 10 days to go.

I urge a ''no'' vote on the rule, a ''no'' vote on the bill, and urge the Speaker and the tax-and-spend Republican leadership to let us vote now on preventing a huge tax increase on January 1.

Mr. SCOTT of South Carolina. Mr. Speaker, I enjoy listening to my friends on the left talk about how they need to get on our side and stop the tax increases. But the funny problem is that the American people may like what they say, but they don't like what they do. I would only suggest and ask people to check the voting record on the tax increases.

I would also say that our bill, our payroll tax extension bill, reduces the

deficit, the debt by $953 million, a $953 million reduction.

Mr. Speaker, I yield 3 minutes to the gentleman from Florida, Sheriff NUGENT.

□ 0950

Mr. NUGENT. I would like to thank the gentleman from South Carolina for yielding me this time.

Mr. Speaker, just think about this. Three days ago, Saturday, President Obama said: ''It would be inexcusable for Congress not to further extend this middle class tax cut for the rest of the year.''

The same day, House Minority Leader NANCY PELOSI said: ''House Democrats will return to Washington to take up this legislation without delay, and we will keep up the fight to extend these provisions for a full year.''

And on Saturday, Minority Whip HOYER said he was disappointed that the Senate would not agree to a longer-term extension.

Mr. Speaker, what the Senate has done—and we've heard this term so many times before—it's about business as usual. Let's not make a decision we can put off for another 2 months. This House, in a bipartisan way last week, came up with a 1-year extension and a 2-year doc fix extension that will help those individuals provide medical services to our seniors, that gives them a sustainable way to look forward on our docs and a doc fix for 2 years, not 2 months.

When you hear from other individuals in the real world, those that have to implement a policy that was designed by those in the Senate for 2 months, think about it. When you have to report that tax to the Federal Government, it's quarterly, not 2 months. How are they supposed to do that? How do you reconcile that difference? Once again, the Senate refused to take action that the House did. Everybody talks about what the Senate has done. The House passed a bipartisan bill and moved it forward in regards to a 1-year extension on unemployment benefits, 1-year extension in regards to the payroll tax, and a 2-year doc fix. That's what the House did.

Now all we're asking is that we go to regular order, just like they have done for hundreds of years when the two bodies can't agree. When the two bodies can't agree, they go to conference, where conferees from both sides sit down and hash it out and come up with a resolution to bring back to both bodies. That's what you're supposed to do. That's what our Founding Fathers envisioned; not backroom deals, not things cut in the dead of night. It's not about us voting—and thank God that our Speaker saw the light in regards to not voting in the dead of night. He believes in regular order. He believes that we should move forward as a body and go to conference with our Senate brothers and sisters to decide the course that we need to make.

I can't believe, I can't believe that there aren't folks in the Senate that couldn't get this done with our Members in this House and get it done in 2 weeks.

Mr. Speaker, I support the rule, and I wholeheartedly support the underlying legislation.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from California, the distinguished ranking member of the Committee on Education and the Workforce, Mr. MILLER.

Mr. GEORGE MILLER of California. Mr. Speaker, unfortunately with the procedure that the Republicans are using today, we miss an opportunity for the House and the Senate, Republicans and Democrats, to come together around an extension of the middle class tax cut for the next 2 months. It's unfortunate that it's for 2 months, but the Republicans in this House sent to the Senate a very extreme bill for 1 year by slashing people's unemployment benefits, ruining those families' ability to survive this period of economic downturn. And the Senate rejected that on a bipartisan basis.

The Senate was then encouraged by the Speaker of the House to negotiate a deal. HARRY REID and MCCONNELL negotiated a deal, and the Speaker of the House said he thought it was a good deal. In fact, he used the word ''victory.''

Then when the suggestion was why didn't we vote last week, it was, well maybe when it came back from the Senate we could do it on some sort of unanimous consent procedure.

Then there were rumbles in the House that there were going to be Republicans in the Republican caucus that wanted to join the 39 Republicans in the Senate that voted for this procedure. And all of a sudden what we see is the emergence of the Tea Party Republicans slapping down that idea, slapping down the idea that there'd be independent judgments made in the Republican caucus, and they pulled it to a grinding halt. We will not be allowed to vote on that bipartisan agreement. We will not be allowed to vote on an agreement that brought the Republicans and the Democrats together in the Senate. We will not be able to vote on a bipartisan agreement that has the opportunity to bring Democrats and Republicans together in the House. That's because the Tea Party insists upon this radical agenda where they're going to throw millions of people off of unemployment insurance who've lost their job through no fault of their own, and that's how they'll pay for the middle class tax cut, by injuring middle class families who've been thrown into economic chaos because of the economic downturn caused by their friends on Wall Street and the scandals that they've perpetrated on the American people.

Let's bring people together. Let's pass the Senate bill, and let's get on with taking care of the problems of this Nation.

Mr. SCOTT of South Carolina. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. MEEHAN).

Mr. MEEHAN. I rise in support of this motion this morning, but for a very important reason. The politics here is thicker than Maine molasses, but if you take time and you go back and you talk to the real job creators in your district, you'll see the commonsense approach that's being detailed right here to look for a solution.

The House has already voted. We have supported the idea of passing the payroll tax. We've passed that bill. We supported the reimbursement for the doctors so we can continue to create certainty in the relationships between doctors and their patients. We've passed that bill. Now we've got to come back and work out the differences. But when the difference becomes a 2-month extension, it defies common sense.

I sat this morning and spoke with one of the individuals who is a tax accountant in my district. The quarterly tax return is the way so many small businesses do their work. The quarterly tax return, a 3-month situation. This bill would require us to go and just change these forms all over the country. Let me just close my comments with the words of the NFIB.

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

Mr. SCOTT of South Carolina. I yield the gentleman an additional 15 seconds.

Mr. MEEHAN. Employers who don't have correct withholding calculations will have to collect more from employees and amend their employment tax returns later next year, which may increase their chances for an audit.

This is the kind of insanity that we're looking at: small businesses being audited because Congress can't do their work.

Ms. SLAUGHTER. Mr. Speaker, I yield myself 1 minute.

I would like to include in the RECORD the comments of Republican Senators begging the House to take their bill.

Sen. Scott Brown (R–MA): ''The House Republicans' plan to scuttle the deal to help middle families is irresponsible and wrong. I appreciate their effort to extend these measures for a full year, but a two-month extension is a good deal when it means we avoid jeopardizing the livelihoods of millions of American families. The refusal to compromise now threatens to increase taxes on hard-working Americans and stop unemployment benefits for those out of work. During this time of divided government, both parties need to be reasonable and come to the negotiating table in good faith. We cannot allow rigid partisan ideology and unwillingness to compromise stand in the way of working together for the good of the American people.''

Sen. Scott Brown, Press Release: ''Sen. Brown Blasts House For Jeopardizing Tax Relief, Unemployment Benefits'', Dec 19, 2011.

Sen. Olympia Snowe (R–Maine): ''I spoke out against this unprecedented two-month policymaking experiment on Saturday. That said, there wasn't an indication that the House would be in disagreement with the Senate's action. Nonetheless, what is paramount at this point is that this tax benefit

for hardworking Americans not be allowed to lapse.''

Seung Min Kim and Jonathan Allen, ''New GOP split over payroll bill'', Politico, 12/19/11.

Sen. Dean Heller (R–Nev.): ''there is no reason to hold up the short-term extension while a more comprehensive deal is being worked out.''

Seung Min Kim and Jonathan Allen, ''New GOP split over payroll bill'', Politico, 12/19/11.

Sen. Susan Collins (R–Maine): ''at this point, we must act, as the Senate has done, to prevent a tax increase that will otherwise occur on Jan. 1.''

Seung Min Kim and Jonathan Allen, ''New GOP split over payroll bill'', Politico, 12/19/11.

Sen. Dick Lugar (R–Ind.): ''I'm hopeful there are a majority of Republicans and Democrats 4 today who will proceed, because it seems to me this is best for the country, as well as for all the individuals who are affected.''

Daniel Strauss, ''GOP's Lugar: House should pass tax bill for the good of the country'', The Hill, 12/19/11.

I want to put into the RECORD the key dates in the Boehner payroll tax cut debacle:

Last Wednesday, Speaker BOEHNER sat at a meeting in Senator MCCONNELL's office with REID and MCCONNELL. Speaker BOEHNER said the two Senate leaders should negotiate a deal and that Senator MCCONNELL has his proxy.

Thursday, Speaker BOEHNER made public comments promising to live by whatever agreement the Senate reached. He said: ''If the Senate acts, I'm committed to bringing the House back—we can do it within 24 hours—to deal with whatever the Senate does.''

On Friday, Speaker BOEHNER reacted to reports that we may have to settle on a 2-month extension by saying if the Senate passed that, he would take it, add the Keystone pipeline provision to it, and send it back to the Senate. So we added the pipeline into the deal in the Senate because that's what Speaker BOEHNER said he needed to get the measure through the House.

Friday night after Senator MCCONNELL presents the payroll tax deal to his caucus, he's captured in a video leaving the caucus high-fiving Senator BARRASSO. Later, Senator MCCONNELL tells reporters: ''Obviously, I keep the Speaker informed as to what I'm doing.''

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

Ms. SLAUGHTER. I yield myself an additional 30 seconds.

Saturday, MCCONNELL calls the payroll tax cut compromise a bill designed to pass. MCCONNELL said: ''I thank my friend, the majority leader, for the opportunity to work together with him on something that could actually pass the Senate and be signed by the President.''

Saturday, Speaker BOEHNER called the deal a ''good deal'' and a ''victory,'' and according to reports, urged his caucus to declare victory and pass it, on a conference call.

Saturday afternoon, Senator MCCONNELL gave his consent to allow the Senate to adjourn for the year.

On Sunday, once the Tea Party Republicans in the caucus rebelled, Speaker BOEHNER reversed course and is now disowning the deal he supported 24 hours earlier.

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

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

Mr. ANDREWS. Mr. Speaker, in just over 2 weeks, Americans who are fortunate enough to have work will get their first paycheck of 2012, and the paycheck will be lower because there's a tax increase. The question before the country today is: Should we stop that, yes or no?

In 11 or 12 days, a senior will go to see her doctor, and there's a very high risk that the doctor will not see that Medicare patient because the doctor has seen a 27 percent cut in what the doctor has been paid.

□ 1000

The question before the country is: Should we stop that, yes or no? In just over 11 days, over 2 million Americans will see their unemployment benefits expire and they will have virtually no income to pay any of their bills. The answer is: Should we stop that, yes or no?

Now, the other body has taken up a bill that gives us the answer. The taxes would not go up on the middle class, the senior would be able to see their doctor, and the unemployment benefits would not expire. Eighty-nine Members of the Senate voted for this. The President of the United States said he'd sign this. Virtually every Member of the Democratic side of the House is prepared to vote for this. But this is not on the House floor today. Now it's just fine for a Member to say, yes, I support this compromise or, no, I don't support this compromise, but it is an abrogation of the basic duty of this House not to take a vote on it.

The choices ought to be, yes, we support the bill, or, no, we don't support the bill. It shouldn't be we don't want to take a vote on the bill; we want to duck the question. We are compensated to cast votes and explain our votes to the American people. By refusing to let this bill come to the floor today, the majority is abrogating its responsibility to the country. We should oppose this rule.

Mr. SCOTT of South Carolina. Mr. Speaker, I yield 2 minutes to the gentlelady from North Carolina, Dr. FOXX.

Ms. FOXX. I thank my colleague from South Carolina for handling the rule and for yielding 2 minutes.

I want to say, first off, that we should all vote for this rule, and we should vote for the resolution that's going to come up later.

I want to point out to my colleagues, again, that you are entitled to your opinion, but you're not entitled to rewrite history. The House passed a bill last week, a bipartisan bill.

There's been so much touting of the Senate bipartisan bill, but not one mention by our colleagues on the other side of the aisle of the fact that we passed a bipartisan bill last week which did exactly what the President, Ms. PELOSI, and Mr. HOYER—all those in charge of the Democrat Party—said they wanted, a 1-year extension of the policy that was passed last year. It also stopped raises for Congress and Federal employees and cut spending.

What our colleagues on the other side of the aisle cannot do, and what the President seems incapable of doing, is cutting Federal spending, which is desperately what we need in this country.

And I want to point out to my colleague from New York who says that we're doing nothing here today—we're not doing anything I believe is her comment. I want to point out that the Constitution, in Article I, section 1, divides the Congress of the United States, and in section 2 it talks about the House of Representatives. Well, if the Founders thought that the House is irrelevant—and obviously my colleague thinks that the House is irrelevant—then maybe some people should go home. I don't think the House is irrelevant.

Mr. REID has said the House of Representatives must pass their bill. Well, nobody made Mr. REID the king, and I don't think that we have to do what Mr. REID says. He has a very high opinion of himself. I think we do what the Constitution tells us to do. When there's a difference of opinion, then we go to conference. A ''no'' vote to our colleagues means they don't want to follow regular order and want to continue the uncertainty.

What has the Senate done this year? The Senate has passed approximately 10 substantive bills. It's my opinion that the Senate is out of touch. A 2-month bill is not appropriate. Instead of being in ''Alice in Wonderland,'' like my colleague said last night, we are in ''1984.''

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the Senate or its Members.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Colorado, a member of the Committee on Energy and Commerce, Ms. DEGETTE.

Ms. DEGETTE. Mr. Speaker, I'm mad, too. I'm mad at the Senate. I'm mad this is a short-term extension. I'm mad that this allows this pipeline that I object to to be built, and I, too, am mad at the way it's paid for.

But then, Mr. Speaker, I think about the six constituents that I met with a couple of weeks ago in Denver. All six of them are unemployed and have been for over 2 years. Every morning these six folks wake up with hope. They send out resumes. They make phone calls. They visit offices. They do everything they can think of to get a job. By the end of the day, they're dispirited.

By the end of the week, on Sunday, now we want to remove all hope that

they will have to subsist in any way. This is going to happen in 12 days. There's almost 36,000 people like this in my district. There's 2.2 million of them around the country.

Or I think about the hundreds of thousands of families who do have jobs. Now, these folks, as of January 1, are all going to lose $1,000 in their paychecks in 12 days. These people have planned their Christmas budgets around that money. Now, either they'll have to charge it on their credit cards, racking up more debt, or maybe they just won't buy those toys to put under the tree because of Congress. Merry Christmas.

Don't fool yourselves. I've been in Congress 15 years now. The Senate is not coming back. There won't be a conference committee. This motion effectively kills the bill. Let's stop arguing about process. Let's stop arguing about what we want to see. Let's stop demagoguing this issue. Let's start talking, for once, about the people that we represent and who will lose hope this holiday season because of us.

Let's defeat this motion. Let's adopt the bipartisan Senate bill. Let's come back in January and work together in a bipartisan and a bicameral way to actually fix this bill.

Mr. SCOTT of South Carolina. Mr. Speaker, I yield 1 minute to the gentleman from Georgia, my cousin, AUSTIN SCOTT.

Mr. AUSTIN SCOTT of Georgia. Good morning. I appreciate the opportunity to speak on this issue.

I, as most Americans, love this time of year. It's Christmastime where we celebrate the birth of Christ and spend time with our family and friends and at church. I sent a quick message to my wife last night, and I said: Honey, I may be here for a while.

And she said: We have 5 days until Christmas. Stay in the fight. Americans need you.

I know a lot of people on the other side of the aisle want to use that as an excuse to go home, but America needs us to be up here and work. A lot has been said today, but the fact is simple: The Senate put a bad amendment on a good bill, a bill that passed this House with almost as many Democrats voting for it as Republicans who voted against it, a bipartisan bill that does what the President asked us to do, which is to extend the payroll tax cut for 12 months. Twelve months is what the President asked for; 12 months is what we did.

Now, the Senate, in their haste to get out of town—the Senate, in their haste to get out of town—passed it for 60 days. I would respectfully submit that if they had done any consideration at all, they would have made it at least 90 days. I'm one of those who signed a quarterly wage and tax return like many of my freshman colleagues.

I, again, want to ask the President to stand with the Republican House. Let's pass this tax cut for a year and do what the Americans need us to do.

Ms. SLAUGHTER. Mr. Speaker, I yield a minute and a half to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. You know, I love Christmas, too, but when the gentleman on the other side of the aisle suggests that somehow they are going to stay around here after today, I don't believe that for 1 minute. I guarantee you that at the end of the day, the Republicans are going to go home. The difference is they're going to go home without passing the Senate bill that allows people to get their payroll tax cut, their unemployment insurance, and the seniors to go out and be able to access Medicare. If you really cared about these issues, then you would pass the Senate bill. You wouldn't put up a vote that rejects the Senate bill and doesn't allow us to consider it at all.

Don't kid anybody here. At the end of the day, the Republicans are going to go home, but the consequence for the American people is that the economy is in a very perilous situation right now. If you take this tax cut and you don't extend it, then it's very possible that people won't have money to spend, the economy won't grow, and this teetering economy could easily fall back into a recession again.

So I don't know what's going on here. All I can think of is that the Tea Party Republicans—the extremists on the Republican side—are wagging the Republican dog and saying to your leadership: We don't want to do this.

They don't want the payroll tax extension. They don't want the unemployment extension. I don't know why they don't care about the American people, but that's the bottom line here. You're going to go home at the end of the day, there isn't going to be any bill passed here, the deadline is going to be reached on January 1, people are going to be without their unemployment insurance, and they're going to have a tax increase. That's the consequence of this.

I've been hearing the Republicans for years saying they don't want a tax increase. Well, they don't care if the tax increase is on the middle class. If it's on the wealthy, oh, they don't want that, but it's okay to increase taxes on the middle class.

□ 1010

Mr. SCOTT of South Carolina. Mr. Speaker, I yield 1 minute to the gentleman from New York, Mr. TOM REED.

Mr. REED. I rise in support of this rule and the underlying legislation. Why? Because enough is enough. The arrogance of this place is outstanding. It's unbelievable. You have to look at what we're talking about from the eyes of our constituents and the people back home.

Two months of certainty for people when it comes to their payroll, to their paychecks? Two months for how our doctors are going to get paid for caring for our sick and our old? That's ridiculous.

I will tell my colleagues on the other side of the aisle, there's a new dawn that has emerged in this Chamber. We are no longer going to run from our responsibility to govern. We are going to do it in the open, we are going to do it honestly, and we're going to do it in a way that provides certainty to these problems, because God knows we can no longer afford Band-Aids. We need real solutions, long-term solutions.

I plead with my colleagues on the other side of the aisle to join us and reach a resolution to bring certainty for a longer period of time than 2 months.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield a minute and a half to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Mr. Speaker, we are here basically because the Joker has taken control of the Congress. Everyone knows that this is a procedural calamity that will not work. The House bill was dead on arrival in the other body because it raised the premiums of Medicare on seniors.

Let me tell you what we're doing today. The Washington Republicans are taking a high-risk gamble. This is gambling. This is throwing the dice. DEAN HELLER, a Senator, said, It is important that we extend the short term to get to the long term on payroll tax. RICHARD LUGAR said, We must do what is best for the American people.

My voice may be a little raspy, but I am watching the trees and the lights in people's homes. As we go through the house, you can see those lights brightly shining, and then you get closer to that tree, and you see them beginning to pop and burn as the Christmas tree burns. And then those who have lights in their homes, candles, you see them burning to the very end. It is extinguished.

They're putting the American people in darkness. That's what this joke is doing, not even allowing us to be able to have an up-or-down vote on the Senate bill that gives us 2 months to help out seniors, to have their doctors, and to be able to have the Medicare reimbursement for our doctors fixed.

I submit into the RECORD the Rules Committee agenda, which showed at 7:05 p.m. on Monday night that the House would vote on the Senate compromise to extend the payroll tax cut and unemployment insurance extension. At 9:15 p.m. the Tea Party Republicans said no—and the American people now have lost their holiday season. Millions will now suffer.

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

Ms. JACKSON LEE of Texas. This is a joke. Vote against this rule.

AGENDA—EMERGENCY MEETING, MONDAY, DECEMBER 19, 2011, 7:05 P.M.

A motion to concur with the Senate amendment to H.R. 3630 (Middle Class Tax Relief & Job Creation Act of 2011).

A motion to go to conference on H.R. 3630 (Middle Class Tax Relief & Job Creation Act of 2011).

H. Res. 501—Ways & Means Energy & Commerce House Administration Transportation & Infrastructure—Expressing the sense of the House of Representatives regarding any final measure to extend the payroll tax holiday, extend Federally funded unemployment insurance benefits, or prevent decreases in reimbursement for physicians who provide care to Medicare beneficiaries.

Mr. SCOTT of South Carolina. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana, Mr. JEFF LANDRY.

Mr. LANDRY. Mr. Speaker, I rise to call out hypocrisy because it is amazing that the same level of uncertainty that my colleagues from across the aisle have injected into our economy today, which is failing our economy, they now want to inject that type of uncertainty into the American family's budget.

Two months? One of the pillars of the President's jobs bill was the extension of the payroll tax for 1 year, and Republicans agreed with him and sent over to the Senate a bill which extends that payroll tax holiday for 1 year, and yet, the Senate can only give us a sixth of that.

Where is the compromise? Where is the agreement? Where have the Senate majority leader and the President missed each other? The President wanted a 1-year extension, and that is what we stand for today, a 1-year extension of the payroll tax holiday to give certainty to American families at a time when they need it the most.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from South Carolina, the assistant Democratic leader, Mr. CLYBURN.

Mr. CLYBURN. I thank the gentlelady for yielding me the time.

Mr. Speaker, I rise today to thank the 89 Senators—50 Democrats and 39 Republicans—for their bipartisan agreement to extend the current payroll tax cut, unemployment insurance benefits, and Medicare doctors' payments for another 60 days while we continue to seek common ground for a full 12-month extension.

Let there be no mistake: The only way for the Members of this body to prevent a tax increase on 160 million working Americans is to pass the bipartisan agreement.

Let me be crystal clear: The only way to prevent cutting off unemployment insurance from 2.2 million Americans who are currently unemployed and looking for work is to pass the bipartisan agreement.

The only way to prevent cutting funds to pay doctors who care for Medicare patients is to pass the bipartisan agreement.

Now, a good thing happened last weekend. The Senate majority leader and the Senate minority leader demonstrated to the American people that Democrats and Republicans can work together. They hammered out a compromise on this important legislation.

Mr. Speaker, I'm sure that my colleagues on both sides of the aisle have heard their constituents ask, as I've heard mine ask, time and time again: Why can't you guys work together to get things done for the American people? It's a good question. It's a fair question. The Senate has answered in the affirmative by passing this legislation, and it's my fervent hope that we will do so, also.

Mr. Speaker, I urge my colleagues to put partisanship aside and join our colleagues in the other body to do the right thing for the American people. Bring the bipartisan agreement to the floor, and let's have a vote.

Mr. SCOTT of South Carolina. Mr. Speaker, I yield 4 minutes to the gentleman from California, the great chairman of the Rules Committee, DAVID DREIER.

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

Mr. DREIER. Mr. Speaker, I thank my good friend from North Charleston for his superb management of this rule.

Mr. Speaker, we regularly point to the fact that uncertainty is the enemy of prosperity and economic growth, and we know that extending this package for a year will, in fact, be doing exactly what President Obama has said is necessary for us to do. He said it's inexcusable for us not to extend this for a year, and so we've got a great chance to do this.

The other issue that I think is important to note, Mr. Speaker, is that uncertainty is now posing a national security threat to the United States of America. I say that because last night Stephen Harper, the prime minister of Canada, had an interview on Canadian television in which he made it very clear that he had been told that there would be approval of the Keystone XL pipeline that would have allowed for the flow of Canadian energy to come into the United States, and obviously, uncertainty exists. And so he made it very clear. He said he is very serious about selling that energy, moving that energy to Asia, and we know that that means to China.

Now, I'm not an opponent of China's economic growth, but I do believe that the potential for us to work with our close ally to the north is a very, very important part of our economic growth. Job creation here would be enhanced by it, and we know it would help us have access to lower cost energy.

And so, Mr. Speaker, not only is uncertainty the enemy of economic growth and prosperity, but uncertainty is now jeopardizing our national security.

Now, Mr. Speaker, some have tried to make the claim that we're not going to have an up-or-down vote on the Senate measure. Let me explain to our colleagues what, in fact, is going to happen.

The distinguished chairman of the Committee on Ways and Means, Mr. CAMP, is going to move to disagree with the Senate amendments and request a conference. That's the motion that the chairman of the Ways and Means Committee will have. What that means, Mr. Speaker, is that any Member who believes that we should accept the Senate temporary 2-month extension, that proposal that the National Payroll Reporting Consortium has said is unworkable and that Bloomberg News has said is unworkable and other independent analyses have said is unworkable, if a Member supports that measure, they should vote ''no'' to the motion that will be offered by the gentleman from Michigan (Mr. CAMP) which says, I move to disagree to the Senate amendments and request a conference.

□ 1020

And so I think it's very clear: We have a responsibility, a responsibility to do the people's business.

It's true, our Senate colleagues have gone home. Our Senate colleagues have gone home, and they say they don't want to act. We need to request this conference so that the Speaker of the House can appoint conferees and work can begin immediately.

Why is it that one would believe that creating this uncertainty in a temporary 2-month extension will allow us to get the work done next year? It needs to be done now. We have a December 31 deadline. We're going to see a tax increase go into effect if we don't act because, while the Senate measure provides a $166 tax benefit on the payroll issue, ours would provide $1,000.

Mr. Speaker, we need to make sure that we get this work done as quickly as possible, and we are here prepared to do it.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from New York, a member of the Committee on Energy and Commerce and my colleague from New York, Mr. ENGEL.

Mr. ENGEL. I thank the gentlewoman for yielding to me, and I rise in opposition to this rule.

I have a challenge to my Republican colleagues who claim to want to extend the payroll tax for a year. Give us a clean vote on extending the payroll tax for a year. Give it to us today, and we will pass it.

You talk about the bill that was passed in the House. That bill had poison pills in it. It mixed apples with oranges. It had a vote on the Keystone pipeline. It was designed to kill it.

If you're serious and you really want a middle class tax extension, payroll tax cut, give us a clean vote. That's all we're asking for.

The truth is that my friends on the other side of the aisle are interested in tax cuts for millionaires and billionaires, but they're not interested in tax cuts for the middle class, as the Democrats are.

So give us a clean bill, and then we'll call the Senate back to pass it. What the Senate has done is given us a 2-month breather. Let's take their 2-

month breather and then pass a clean—a clean—doc fix, a clean extension of unemployment benefits, a clean payroll tax cut, not with any poison pills or extraneous materials destined to kill it.

Give us a clean bill, and we'll pass it. I challenge my Republican colleagues who control this House.

Mr. SCOTT of South Carolina. Mr. Speaker, I am prepared to close, so I will reserve the balance of my time.

Ms. SLAUGHTER. If my colleague is prepared to close, I have one more speaker.

I would like to yield 1 minute to the gentlewoman from California, our Democrat leader, Ms. PELOSI.

Ms. PELOSI. I thank the gentlelady for yielding. I thank her for her leadership and fighting the good fight at the Rules Committee. I commend her for her patience and also for her great knowledge that she brings to this debate.

But this is a pretty simple matter. The fact is what we're debating here today is of the utmost importance to the American people, to America's working families, and they know it. So much of what we debate on the floor may appear irrelevant to meeting their needs. This has a direct connection.

The debate that we have around our table of discussion here relates directly to discussions that are happening at kitchen tables across the country, as people prepare for the holidays, to see if they're going to be able to have a holiday and if they're going to be able to pay the bills come January.

Last night, the leadership of the Republican Party announced that the procedure today would be that we would be able to vote up or down on the Senate bill. In a matter of minutes, by the time it went to the Rules Committee, they changed that and said we wouldn't have a chance to vote up or down on the Senate bill.

This isn't, though, about process. It's about why is this happening, and why can't we get the job done for the American people.

What is at stake is the following: Given the chance to have an up-or-down vote on the Senate bill will probably attract some Republican support. When passed, it could go directly to the President, be signed into law today, removing all doubt in the minds of the American people as to whether the following will occur:

They will get up to a $1,500 tax cut, middle income families; 160 million American workers will get the tax cut. It will mean 48 million seniors will have access to their doctors under Medicare. It will mean up to 2 million people will be receiving unemployment insurance in the next 2 months. For some of those people, losing that unemployment insurance cuts off any means of support for them.

Is that what we are here to do?

I thought we were here to do what the American people want us to do. What they have said they want us to do is to work together to get the job done. Why can't we work together, A.

B, they want jobs, and they want this tax cut. Democrats, Independents, Republicans want this tax cut. In fact, Republicans, at 50-something to 30-something support the payroll tax cut. That is Republicans across the country. Republicans in the Senate voted for this tax cut, 39 of them did. Ninety percent of the Senate, in a bipartisan way, voted for this tax cut. It is just the extreme Tea Party element of the Republicans in the House of Representatives who are standing in the way of a tax cut for 160 million Americans, unemployment benefits for millions of Americans, and Medicare opportunity for 48 million seniors.

Republicans say this is too short. It reminds me of a Yogi Berra story. He said: I don't like the food at that restaurant. Besides, the servings are too small.

Well, that's just what they're saying here. They've never wanted a tax cut, and now they're saying the tax cut for middle income people is too small. So what is it?

The record shows that, in the beginning of the summer, Speaker BOEHNER said that the tax cut, even the 1-year tax cut, was a short-term gimmick and he opposed it. It wasn't until President Obama went across the country with the American Jobs Act to persuade the American people to support the job creation that he was advocating, one part of that was a payroll tax cut. The American people overwhelmingly support that. They want us to get that job done.

So the only reason the Republicans are using the subterfuge, these excuses, is because they never wanted the tax cut to begin with. Our distinguished Mr. HOYER said it very well. The bill they put forth is designed to fail, designed to fail because they didn't want it to begin with.

But this is deadly serious to the American people. The Senate Republicans opposed bringing up the House bill, the Republican House bill, in the Senate because they knew it would fail. The Republicans in the House—let's repeat that. The Republicans in the Senate refused to allow a vote on the House Republican bill because they knew it would fail. The Republicans in the House refused to bring up the Senate bill here because they are afraid it will pass, and it will pass and give the tax cut, take us down a path where we can go forward to make plans for how we extend it for one solid year.

But how do you explain this to the American people? Ninety percent of the Senate has voted in a bipartisan way—that's what the American people want us to do, to work together—for a tax cut that the American people want in overwhelming numbers and that we have the opportunity to do right here and now today.

President Thomas Jefferson said very wisely that every difference of opinion is not a difference of principle. And so let's see what this is today. Is this a difference of opinion of the path we can go down to have tax relief for the American people which, economists say, this tax cut will create jobs? If we don't pass it, as many as 600,000 jobs can be affected, either lost or not continued or not added, 600,000 jobs because of the demand injected into the economy by putting money into the pockets of the American people, by providing unemployment benefits, which are spent immediately and inject demand into the economy, therefore creating jobs.

□ 1030

This is dangerous business not only for how it impacts individual families and their survival. It's about the success of our economy, and not passing this bill today can hurt our economic recovery.

So let's really be clear. Republicans said we were going to have a vote on the Senate bill. They were afraid it would win; they pulled that. So now we have to be engaged in these process maneuvers. That's only an excuse. It's not a reason to reject the tax cut. It's an excuse because they never wanted the tax cut from the beginning.

So let's understand what we're here about.

Getting back to President Jefferson, every difference of opinion is not a difference of principle. But maybe here it is. Maybe the principle at stake here is the anti-government, ideological warfare that the Tea Party Republicans in the extreme have taken us to. They, alone, are standing in the way of a tax cut for the middle class. Republicans across the country support it, Republicans in the Senate support it, some Republicans in the House support it. That's why we're not getting a chance to vote on it.

So let's understand that this is a pattern of House Republicans isolating themselves from the mainstream of even their own party across the country and their colleagues in the Senate who may or may not like this bill. It isn't the bill most of us would write, but that's what a compromise is. So it's not as if this is a mad, wild embrace of this. It's facing the reality of a two-party system of needing 60 votes in the Senate and the Republican majority in the House.

I thought the Speaker said that this was a victory after it passed in the Senate. He was the one who instructed HARRY REID—insisted that Senator REID have a discussion with MITCH MCCONNELL. Was that just a farce, too?

Is this all just a delaying, stalling tactic that says we were never going to do it before? Remember Yogi Berra: I don't like the food at that restaurant, and the servings are too small. They don't like the tax cut, and now they're claiming that it is too small. Yet when it was a 1-year tax cut, it was called a gimmick by the Speaker of the House.

So I urge my colleagues to certainly vote ''no'' on the rule. The Speaker is

proud of saying, The House will work its will. Well, it won't if we don't have the opportunity under the rules of the House that are put on this floor in opposition to the wishes of the American people to take a simple vote on a bill that comes in with the strength of a 90 percent bipartisan vote in the Senate of the United States.

So it's clear: they never wanted a tax cut. Anything they put forth is designed to fail because that is what they want to do.

I tell my caucus—and they may be tired of hearing it from me—that it is like a gentleman who is wooing his potential fiancee and keeps asking her to marry him. And she says, Of course I'll marry you. I can only do it on February 30. Well, that day is never coming. Nor is the day coming when the Republicans will wholeheartedly support a tax cut for the middle class. Their focus has been on tax cuts for the wealthiest people in our country, and those wealthy people want a tax cut for the middle class.

Let's see what the American people want.

Let's vote ''no'' on this rule so that we have an opportunity to vote ''yes'' on the Senate bill that can be sent to the President this very day so that we can truly wish people a happy holiday season.

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

I want to reiterate the way I started today that what we're doing here today is killing the tax cut by not voting anything here except that we do not concur with the Senate and that we will hope some conference will come from someplace. That means there will be no tax cut; that means there will be no extension of unemployment benefits.

Now, last night at 7 o'clock when the Rules Committee was supposed to meet, the agenda called for a vote to concur in the Senate bill. But after the stormy 2-hour Tea Party conference, they reversed their course. And now we have a process where no tax cut can pass today, no matter who wins what vote.

If every Member of the House supported the bipartisan proposal, it still does not go to the President, and it does not become law. We have one chance, Mr. Speaker, of being able to vote on the Senate bill and one chance of winning that, and that will be on the previous question.

If we are able to defeat the previous question, we can have what I will construe as an up-or-down vote on the Senate bill. 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, but we want an up-or-down vote on the previous question.

Let me repeat that because it's terribly important. I urge all of my colleagues in the House on both sides of the aisle, if you wish an up-or-down vote on what the Senate has done so that we can actually get some legislation done here and get it sent to and signed by the President of the United States, you must vote ''no'' on the previous question so that we will have that opportunity, which we have absolutely been denied.

Let me repeat, again, what we're doing here is absolutely nothing. It's simply a stalling tactic, I believe, to kill the tax cut and to kill the unemployment benefits.

I urge my colleagues to vote ''no'' to defeat the previous question so we can do the compromise today. I urge a ''no'' vote also on the rule, and I yield back the balance of my time.

Mr. SCOTT of South Carolina. Mr. Speaker, there is no doubt the American people are afraid. They're afraid of the party on the left. They're afraid because the party on the left raided $500 billion out of Medicare to pay for a national health care Ponzi scheme. They're afraid because that same party who talks about tax cuts for the middle class raised taxes by a half a trillion dollars on the middle class.

After being held hostage, the middle class now hears from the party on the left, Trust me with a 60-day extension. No planning time, no time to figure it out. Trust me after I raised taxes on you in the last 12 months by more than a half a trillion dollars.

Mr. Speaker, regular order suggests for the last 200 years that when the House and the Senate don't agree, they go to conference so that the folks on the left and those fighting for freedom on the right have an opportunity to come together in a conference. So to Mr. WAXMAN and Mr. LEVIN and others on the left who want a seat at the table, conference is the way you get a seat at the table. What we're asking for is common sense, something America has not seen from Congress in the last several years.

Mr. Speaker, I ask my colleagues to vote ''yes'' on the rule and ''yes'' on the underlying bill.

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

AN AMENDMENT TO H. RES. 502 OFFERED BY MS. SLAUGHTER OF NEW YORK

Strike all after the resolved clause and insert in lieu thereof the following:

That upon adoption of this resolution it shall be in order, without intervention of any point of order or question of consideration, to take from the Speaker's table the bill (H.R. 3630) to provide incentives for the creation of jobs, and for other purposes, with the Senate amendments thereto, and to consider in the House a single motion offered by the chair of the Committee on Ways and Means or his designee that the House concur in the Senate amendments. The Senate amendments shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the motion to its adoption without intervening motion or demand for division of the question.

(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. 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.

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 233, nays 187, answered ''present'' 1, not voting 12, as follows:

[Roll No. 944]

YEAS—233

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
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)
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
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)
Grimm
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)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
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)

NAYS—187

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
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
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)
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
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
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
Wilson (FL)
Yarmuth

ANSWERED ''PRESENT''—1

Johnson (IL)

NOT VOTING—12

Bachmann
Buchanan
Coble
Diaz-Balart
Filner
Giffords
Johnson, E. B.
Olver
Paul
Platts
Schrader
Woolsey

□ 1103

Messrs. LUJÁN and GARAMENDI changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 944, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 231, nays 187, answered ''present'' 1, not voting 14, as follows:

[Roll No. 945]

YEAS—231

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
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)
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
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
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
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)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
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)

NAYS—187

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
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
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)
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
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
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
Wilson (FL)
Yarmuth

ANSWERED ''PRESENT''—1

Johnson (IL)

NOT VOTING—14

Bachmann
Buchanan
Coble
Diaz-Balart
Filner
Giffords
Gingrey (GA)
Hanna
Johnson, E. B.
Olver
Paul
Platts
Schrader
Woolsey

□ 1110

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GINGREY of Georgia. Mr. Speaker, on rollcall No. 945 on adoption of H. Res. 502, I am not recorded because I was unavoidably detained. Had I been present, I would have voted "yea."

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 945, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

MOTION TO GO TO CONFERENCE ON H.R. 3630, MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2011

Mr. CAMP. Mr. Speaker, pursuant to House Resolution 502, I call up the bill (H.R. 3630) to provide incentives for the creation of jobs, and for other purposes, with Senate amendments thereto, and I have a motion at the desk.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendments.

The text of the Senate amendments is as follows:

Senate amendments:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Temporary Payroll Tax Cut Continuation Act of 2011''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—TEMPORARY PAYROLL TAX RELIEF

Sec. 101. Extension of payroll tax holiday.

TITLE II—TEMPORARY EXTENSION OF UNEMPLOYMENT COMPENSATION PROVISIONS

Sec. 201. Temporary extension of unemployment compensation provisions.
Sec. 202. Extended unemployment benefits under the Railroad Unemployment Insurance Act.

TITLE III—TEMPORARY EXTENSION OF HEALTH PROVISIONS

Sec. 301. Medicare physician payment update.
Sec. 302. 2-month extension of MMA section 508 reclassifications.
Sec. 303. Extension of Medicare work geographic adjustment floor.
Sec. 304. Extension of exceptions process for Medicare therapy caps.
Sec. 305. Extension of payment for technical component of certain physician pathology services.
Sec. 306. Extension of ambulance add-ons.
Sec. 307. Extension of physician fee schedule mental health add-on payment.
Sec. 308. Extension of outpatient hold harmless provision.
Sec. 309. Extending minimum payment for bone mass measurement.
Sec. 310. Extension of the qualifying individual (QI) program.
Sec. 311. Extension of Transitional Medical Assistance (TMA).
Sec. 312. Extension of the temporary assistance for needy families program.

TITLE IV—MORTGAGE FEES AND PREMIUMS

Sec. 401. Guarantee Fees.
Sec. 402. FHA guarantee fees.

TITLE V—OTHER PROVISIONS

Subtitle A—Keystone XL Pipeline

Sec. 501. Permit for Keystone XL pipeline.

Subtitle B—Budgetary Provisions

Sec. 511. Senate point of order against an emergency designation.
Sec. 512. PAYGO scorecard estimates.

TITLE I—TEMPORARY PAYROLL TAX RELIEF

SEC. 101. EXTENSION OF PAYROLL TAX HOLIDAY.

(a) IN GENERAL.—Subsection (c) of section 601 of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (26 U.S.C. 1401 note) is amended to read as follows:

''(c) PAYROLL TAX HOLIDAY PERIOD.—The term 'payroll tax holiday period' means—

''(1) in the case of the tax described in subsection (a)(1), calendar years 2011 and 2012, and

''(2) in the case of the taxes described in subsection (a)(2), the period beginning January 1, 2011, and ending February 29, 2012.''.

(b) SPECIAL RULES FOR 2012.—Section 601 of such Act (26 U.S.C. 1401 note) is amended by adding at the end the following new subsection:

''(f) SPECIAL RULES FOR 2012.—

''(1) LIMITATION ON WAGES AND SELF-EMPLOYMENT INCOME.—In the case of—

''(A) any taxable year beginning in 2012, subsection (a)(1) shall only apply with respect to so much of the taxpayer's self-employment income (as defined in section 1402(b) of the Internal Revenue Code of 1986) as does not exceed the excess (if any) of—

''(i) $18,350, over

''(ii) the amount of wages and compensation taken into account under subparagraph (B), and

''(B) any remuneration received during the portion of the payroll tax holiday period occurring during 2012, subsection (a)(2) shall only apply to so much of the sum of the taxpayer's wages (as defined in section 3121(a) of such Code) and compensation (as defined section 3231(e) of such Code) as does not exceed $18,350.

''(2) COORDINATION WITH DEDUCTION FOR EMPLOYMENT TAXES.—In the case of a taxable year beginning in 2012, subparagraph (A) of subsection (b)(2) shall be applied as if it read as follows:

'' ''(A) the sum of—

'' ''(i) 59.6 percent of the portion of such taxes attributable to the tax imposed by section 1401(a) of such Code (determined after the application of this section) on so much of self-employment income (as defined in section 1402(b) of such Code) as does not exceed the amount of self-employment income described in paragraph (1)(A), plus

'' ''(ii) one-half of the portion of such taxes attributable to the tax imposed by section 1401(a) of such Code (determined without regard to this section) on self-employment income (as so defined) in excess of such amount, plus'.''

(c) TECHNICAL AMENDMENTS.—Paragraph (2) of section 601(b) of such Act (26 U.S.C. 1401 note) is amended—

(1) by inserting ''of such Code'' after ''164(f)'',

(2) by inserting ''of such Code'' after ''1401(a)'' in subparagraph (A), and

(3) by inserting ''of such Code'' after ''1401(b)'' in subparagraph (B).

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to remuneration received, and taxable years beginning, after December 31, 2011.

(2) TECHNICAL AMENDMENTS.—The amendments made by subsection (c) shall take effect as if included in the enactment of section 601 of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010.

TITLE II—TEMPORARY EXTENSION OF UNEMPLOYMENT COMPENSATION PROVISIONS

SEC. 201. TEMPORARY EXTENSION OF UNEMPLOYMENT COMPENSATION PROVISIONS.

(a) IN GENERAL.—(1) Section 4007 of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended—

(A) by striking ''January 3, 2012'' each place it appears and inserting ''March 6, 2012'';

(B) in the heading for subsection (b)(2), by striking ''JANUARY 3, 2012'' and inserting ''MARCH 6, 2012''; and

(C) in subsection (b)(3), by striking ''June 9, 2012'' and inserting ''August 15, 2012''.

(2) Section 2005 of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111–5 (26 U.S.C. 3304 note; 123 Stat. 444), is amended—

(A) by striking ''January 4, 2012'' each place it appears and inserting ''March 7, 2012''; and

(B) in subsection (c), by striking ''June 11, 2012'' and inserting ''August 15, 2012''.

(3) Section 5 of the Unemployment Compensation Extension Act of 2008 (Public Law 110–449; 26 U.S.C. 3304 note) is amended by striking ''June 10, 2012'' and inserting ''August 15, 2012''.

(4) Section 203 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note) is amended—

(A) in subsection (d), in the second sentence of the flush matter following paragraph (2), by striking ''December 31, 2011'' and inserting ''February 29, 2012''; and

(B) in subsection (f)(2), by striking ''December 31, 2011'' and inserting ''February 29, 2012''.

(b) FUNDING.—Section 4004(e)(1) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended—

(1) in subparagraph (F), by striking ''and'' at the end; and

(2) by inserting after subparagraph (G) the following:

''(H) the amendments made by section 201(a)(1) of the Temporary Payroll Tax Cut Continuation Act of 2011; and''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (Public Law 111–312).

SEC. 202. EXTENDED UNEMPLOYMENT BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.

(a) EXTENSION.—Section 2(c)(2)(D)(iii) of the Railroad Unemployment Insurance Act, as added by section 2006 of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) and as amended by section 9 of the Worker, Homeownership, and Business Assistance Act of 2009 (Public Law 111–92) and section 505 of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (Public Law 111–312), is amended—

(1) by striking ''June 30, 2011'' and inserting ''August 31, 2011''; and

(2) by striking ''December 31, 2011'' and inserting ''February 29, 2012''.

(b) CLARIFICATION ON AUTHORITY TO USE FUNDS.—Funds appropriated under either the first or second sentence of clause (iv) of section 2(c)(2)(D) of the Railroad Unemployment Insurance Act shall be available to cover the cost of additional extended unemployment benefits provided under such section 2(c)(2)(D) by reason of the amendments made by subsection (a) as well as to cover the cost of such benefits provided under such section 2(c)(2)(D), as in effect on the day before the date of the enactment of this Act.

TITLE III—TEMPORARY EXTENSION OF HEALTH PROVISIONS

SEC. 301. MEDICARE PHYSICIAN PAYMENT UPDATE.

Section 1848(d) of the Social Security Act (42 U.S.C. 1395w–4(d)) is amended by adding at the end the following new paragraph:

''(13) UPDATE FOR FIRST TWO MONTHS OF 2012.—

''(A) IN GENERAL.—Subject to paragraphs (7)(B), (8)(B), (9)(B), (10)(B), (11)(B), and (12)(B), in lieu of the update to the single conversion factor established in paragraph (1)(C) that would otherwise apply for the period beginning on January 1, 2012, and ending on February 29, 2012, the update to the single conversion factor shall be zero percent.

''(B) NO EFFECT ON COMPUTATION OF CONVERSION FACTOR FOR REMAINING PORTION OF 2012 AND SUBSEQUENT YEARS.—The conversion factor under this subsection shall be computed under paragraph (1)(A) for the period beginning on March 1, 2012, and ending on December 31, 2012, and for 2013 and subsequent years as if subparagraph (A) had never applied.''.

SEC. 302. 2-MONTH EXTENSION OF MMA SECTION 508 RECLASSIFICATIONS.

(a) IN GENERAL.—Section 106(a) of division B of the Tax Relief and Health Care Act of 2006 (42 U.S.C. 1395 note), as amended by section 117 of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110–173), section 124 of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110–275), sections 3137(a) and 10317 of the Patient Protection and Affordable Care Act (Public Law 111–148), and section 102(a) of the Medicare and Medicaid Extenders Act of 2010 (Public Law 111–309), is amended by striking ''September 30, 2011'' and inserting ''November 30, 2011''.

(b) SPECIAL RULE FOR OCTOBER AND NOVEMBER 2011.—

(1) IN GENERAL.—Subject to paragraph (2), for purposes of implementation of the amendment made by subsection (a), including for purposes of the implementation of paragraph (2) of section 117(a) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110–173), for the period beginning on October 1, 2011, and ending on November 30, 2011, the Secretary of Health and Human Services shall use the hospital wage index that was promulgated by the Secretary of Health and Human Services in the Federal Register on August 18, 2011 (76 Fed. Reg. 51476), and any subsequent corrections.

(2) EXCEPTION.—In determining the wage index applicable to hospitals that qualify for wage index reclassification, the Secretary shall, for the period beginning on October 1, 2011, and ending on November 30, 2011, include the average hourly wage data of hospitals whose reclassification was extended pursuant to the amendment made by subsection (a) only if including such data results in a higher applicable reclassified wage index. Any revision to hospital wage indexes made as a result of this paragraph shall not be effected in a budget neutral manner.

(c) TIMEFRAME FOR PAYMENTS.—The Secretary shall make payments required under subsections (a) and (b) by not later than December 31, 2012.

SEC. 303. EXTENSION OF MEDICARE WORK GEOGRAPHIC ADJUSTMENT FLOOR.

Section 1848(e)(1)(E) of the Social Security Act (42 U.S.C. 1395w–4(e)(1)(E)) is amended by striking ''before January 1, 2012'' and inserting ''before March 1, 2012''.

SEC. 304. EXTENSION OF EXCEPTIONS PROCESS FOR MEDICARE THERAPY CAPS.

Section 1833(g)(5) of the Social Security Act (42 U.S.C. 1395l(g)(5)) is amended by striking ''December 31, 2011'' and inserting ''February 29, 2012''.

SEC. 305. EXTENSION OF PAYMENT FOR TECHNICAL COMPONENT OF CERTAIN PHYSICIAN PATHOLOGY SERVICES.

Section 542(c) of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (as enacted into law by section 1(a)(6) of Public Law 106–554), as amended by section 732 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (42 U.S.C. 1395w–4 note), section 104 of division B of the Tax Relief and Health Care Act of 2006 (42 U.S.C. 1395w–4 note), section 104 of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110–173), section 136 of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110–275), section 3104 of the Patient Protection and Affordable Care Act (Public Law 111–148), and section 105 of the Medicare and Medicaid Extenders Act of 2010 (Public Law 111–309), is amended by striking ''and 2011'' and inserting ''2011, and the first two months of 2012''.

SEC. 306. EXTENSION OF AMBULANCE ADD-ONS.

(a) GROUND AMBULANCE.—Section 1834(l)(13)(A) of the Social Security Act (42 U.S.C. 1395m(l)(13)(A)) is amended—

(1) in the matter preceding clause (i), by striking ''January 1, 2012'' and inserting ''March 1, 2012''; and

(2) in each of clauses (i) and (ii), by striking ''January 1, 2012'' and inserting ''March 1, 2012'' each place it appears.

(b) AIR AMBULANCE.—Section 146(b)(1) of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110–275), as amended by sections 3105(b) and 10311(b) of Public Law 111–148 and section 106(b) of the Medicare and Medicaid Extenders Act of 2010 (Public Law 111–309), is amended by striking ''December 31, 2011'' and inserting ''February 29, 2012''.

(c) SUPER RURAL AMBULANCE.—Section 1834(l)(12)(A) of the Social Security Act (42 U.S.C. 1395m(l)(12)(A)) is amended by striking ''January 1, 2012'' and inserting ''March 1, 2012''.

SEC. 307. EXTENSION OF PHYSICIAN FEE SCHEDULE MENTAL HEALTH ADD-ON PAYMENT.

Section 138(a)(1) of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110–275), as amended by section 3107 of the Patient Protection and Affordable Care Act (Public Law 111–148) and section 107 of the Medicare and Medicaid Extenders Act of 2010 (Public Law 111–309), is amended by striking ''December 31, 2011'' and inserting ''February 29, 2012''.

SEC. 308. EXTENSION OF OUTPATIENT HOLD HARMLESS PROVISION.

Section 1833(t)(7)(D)(i) of the Social Security Act (42 U.S.C. 1395l(t)(7)(D)(i)), as amended by section 3121(a) of the Patient Protection and Affordable Care Act (Public Law 111–148) and section 108 of the Medicare and Medicaid Extenders Act of 2010 (Public Law 111–309), is amended—

(1) in subclause (II)—

(A) in the first sentence, by striking ''January 1, 2012'' and inserting ''March 1, 2012''; and

(B) in the second sentence, by striking ''or 2011'' and inserting ''2011, or the first two months of 2012''; and

(2) in subclause (III)—

(A) in the first sentence, by striking ''2009, and'' and all that follows through ''for which'' and inserting ''2009, and before March 1, 2012, for which''; and

(B) in the second sentence, by striking ''2010, and'' and all that follows through ''the preceding'' and inserting ''2010, and before March 1, 2012, the preceding''.

SEC. 309. EXTENDING MINIMUM PAYMENT FOR BONE MASS MEASUREMENT.

Section 1848 of the Social Security Act (42 U.S.C. 1395w–4) is amended—

(1) in subsection (b)—

(A) in paragraph (4)(B), by striking ''and 2011'' and inserting '', 2011, and the first 2 months of 2012''; and

(B) in paragraph (6)—

(i) in the matter preceding subparagraph (A), by striking ''and 2011'' and inserting '', 2011, and the first 2 months of 2012''; and

(ii) in subparagraph (C), by striking ''and 2011'' and inserting '', 2011, and the first 2 months of 2012''; and

(2) in subsection (c)(2)(B)(iv)(IV), by striking ''or 2011'' and inserting '', 2011, or the first 2 months of 2012''.

SEC. 310. EXTENSION OF THE QUALIFYING INDIVIDUAL (QI) PROGRAM.

(a) EXTENSION.—Section 1902(a)(10)(E)(iv) of the Social Security Act (42 U.S.C. 1396a(a)(10)(E)(iv)) is amended by striking ''December 2011'' and inserting ''February 2012''.

(b) EXTENDING TOTAL AMOUNT AVAILABLE FOR ALLOCATION.—Section 1933(g) of such Act (42 U.S.C. 1396u–3(g)) is amended—

(1) in paragraph (2)—

(A) by striking ''and'' at the end of subparagraph (O);

(B) in subparagraph (P), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new subparagraphs:

''(Q) for the period that begins on January 1, 2012, and ends on February 29, 2012, the total allocation amount is $150,000,000.''.

SEC. 311. EXTENSION OF TRANSITIONAL MEDICAL ASSISTANCE (TMA).

Sections 1902(e)(1)(B) and 1925(f) of the Social Security Act (42 U.S.C. 1396a(e)(1)(B), 1396r–

6(f)) are each amended by striking ''December 31, 2011'' and inserting ''February 29, 2012''.

SEC. 312. EXTENSION OF THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM.

Activities authorized by part A of title IV and section 1108(b) of the Social Security Act (other than under subsections (a)(3) and (b) of section 403 of such Act) shall continue through February 29, 2012, in the manner authorized for fiscal year 2011, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose. Grants and payments may be made pursuant to this authority through the applicable portion of the second quarter of fiscal year 2012 at the pro rata portion of the level provided for such activities through the second quarter of fiscal year 2011.

TITLE IV—MORTGAGE FEES AND PREMIUMS

SEC. 401. GUARANTEE FEES.

Subpart A of part 2 of subtitle A of title XIII of the Housing and Community Development Act of 1992 is amended by adding after section 1326 (12 U.S.C. 4546) the following new section:

''SEC. 1327. ENTERPRISE GUARANTEE FEES.

''(a) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

''(1) GUARANTEE FEE.—The term 'guarantee fee'—

''(A) means a fee described in subsection (b); and

''(B) includes—

''(i) the guaranty fee charged by the Federal National Mortgage Association with respect to mortgage-backed securities; and

''(ii) the management and guarantee fee charged by the Federal Home Loan Mortgage Corporation with respect to participation certificates.

''(2) AVERAGE FEES.—The term 'average fees' means the average contractual fee rate of single-family guaranty arrangements by an enterprise entered into during 2011, plus the recognition of any up-front cash payments over an estimated average life, expressed in terms of basis points. Such definition shall be interpreted in a manner consistent with the annual report on guarantee fees by the Federal Housing Finance Agency.

''(b) INCREASE.—

''(1) IN GENERAL.—

''(A) PHASED INCREASE REQUIRED.—Subject to subsection (c), the Director shall require each enterprise to charge a guarantee fee in connection with any guarantee of the timely payment of principal and interest on securities, notes, and other obligations based on or backed by mortgages on residential real properties designed principally for occupancy of from 1 to 4 families, consummated after the date of enactment of this section.

''(B) AMOUNT.—The amount of the increase required under this section shall be determined by the Director to appropriately reflect the risk of loss, as well the cost of capital allocated to similar assets held by other fully private regulated financial institutions, but such amount shall be not less than an average increase of 10 basis points for each origination year or book year above the average fees imposed in 2011 for such guarantees. The Director shall prohibit an enterprise from offsetting the cost of the fee to mortgage originators, borrowers, and investors by decreasing other charges, fees, or premiums, or in any other manner.

''(2) AUTHORITY TO LIMIT OFFER OF GUARANTEE.—The Director shall prohibit an enterprise from consummating any offer for a guarantee to a lender for mortgage-backed securities, if—

''(A) the guarantee is inconsistent with the requirements of this section; or

''(B) the risk of loss is allowed to increase, through lowering of the underwriting standards or other means, for the primary purpose of meeting the requirements of this section.

''(3) DEPOSIT IN TREASURY.—Amounts received from fee increases imposed under this section shall be deposited directly into the United States Treasury, and shall be available only to the extent provided in subsequent appropriations Acts. The fees charged pursuant to this section shall not be considered a reimbursement to the Federal Government for the costs or subsidy provided to an enterprise.

''(c) PHASE-IN.—

''(1) IN GENERAL.—The Director may provide for compliance with subsection (b) by allowing each enterprise to increase the guarantee fee charged by the enterprise gradually over the 2-year period beginning on the date of enactment of this section, in a manner sufficient to comply with this section. In determining a schedule for such increases, the Director shall—

''(A) provide for uniform pricing among lenders;

''(B) provide for adjustments in pricing based on risk levels; and

''(C) take into consideration conditions in financial markets.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be interpreted to undermine the minimum increase required by subsection (b).

''(d) INFORMATION COLLECTION AND ANNUAL ANALYSIS.—The Director shall require each enterprise to provide to the Director, as part of its annual report submitted to Congress—

''(1) a description of—

''(A) changes made to up-front fees and annual fees as part of the guarantee fees negotiated with lenders;

''(B) changes to the riskiness of the new borrowers compared to previous origination years or book years; and

''(C) any adjustments required to improve for future origination years or book years, in order to be in complete compliance with subsection (b); and

''(2) an assessment of how the changes in the guarantee fees described in paragraph (1) met the requirements of subsection (b).

''(e) ENFORCEMENT.—

''(1) REQUIRED ADJUSTMENTS.—Based on the information from subsection (d) and any other information the Director deems necessary, the Director shall require an enterprise to make adjustments in its guarantee fee in order to be in compliance with subsection (b).

''(2) NONCOMPLIANCE PENALTY.—An enterprise that has been found to be out of compliance with subsection (b) for any 2 consecutive years shall be precluded from providing any guarantee for a period, determined by rule of the Director, but in no case less than 1 year.

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be interpreted as preventing the Director from initiating and implementing an enforcement action against an enterprise, at a time the Director deems necessary, under other existing enforcement authority.

''(f) EXPIRATION.—The provisions of this section shall expire on October 1, 2021.''.

SEC. 402. FHA GUARANTEE FEES.

(a) AMENDMENT.—Section 203(c)(2) of the National Housing Act (12 U.S.C. 1709(c)(2)) is amended by adding at the end the following:

''(C)(i) In addition to the premiums under subparagraphs (A) and (B), the Secretary shall establish and collect annual premium payments for any mortgage for which the Secretary collects an annual premium payment under subparagraph (B), in an amount described in clause (ii).

''(ii)(I) Subject to subclause (II), with respect to a mortgage, the amount described in this clause is 10 basis points of the remaining insured principal balance (excluding the portion of the remaining balance attributable to the premium collected under subparagraph (A) and without taking into account delinquent payments or prepayments).

''(II) During the 2-year period beginning on the date of enactment of this subparagraph, the Secretary shall increase the number of basis points of the annual premium payment collected under this subparagraph incrementally, as determined appropriate by the Secretary, until the number of basis points of the annual premium payment collected under this subparagraph is equal to the number described in subclause (I).''.

(b) PROSPECTIVE REPEAL.—Section 203(c)(2) of the National Housing Act (12 U.S.C. 1709(c)(2)) is amended by striking subparagraph (C), as added by subsection (a), effective on October 1, 2021.

(c) REPORT REQUIRED.—Not later than 30 days before the date on which the Secretary of Housing and Urban Development makes a determination under subsection (b)(2), the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that—

(1) explains the basis for the determination; and

(2) identifies the date on which the Secretary plans to make the determination.

TITLE V—OTHER PROVISIONS

Subtitle A—Keystone XL Pipeline

SEC. 501. PERMIT FOR KEYSTONE XL PIPELINE.

(a) IN GENERAL.—Except as provided in subsection (b), not later than 60 days after the date of enactment of this Act, the President, acting through the Secretary of State, shall grant a permit under Executive Order 13337 (3 U.S.C. 301 note; relating to issuance of permits with respect to certain energy-related facilities and land transportation crossings on the international boundaries of the United States) for the Keystone XL pipeline project application filed on September 19, 2008 (including amendments).

(b) EXCEPTION.—

(1) IN GENERAL.—The President shall not be required to grant the permit under subsection (a) if the President determines that the Keystone XL pipeline would not serve the national interest.

(2) REPORT.—If the President determines that the Keystone XL pipeline is not in the national interest under paragraph (1), the President shall, not later than 15 days after the date of the determination, submit to the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, the majority leader of the Senate, the minority leader of the Senate, the Speaker of the House of Representatives, and the minority leader of the House of Representatives a report that provides a justification for determination, including consideration of economic, employment, energy security, foreign policy, trade, and environmental factors.

(3) EFFECT OF NO FINDING OR ACTION.—If a determination is not made under paragraph (1) and no action is taken by the President under subsection (a) not later than 60 days after the date of enactment of this Act, the permit for the Keystone XL pipeline described in subsection (a) that meets the requirements of subsections (c) and (d) shall be in effect by operation of law.

(c) REQUIREMENTS.—The permit granted under subsection (a) shall require the following:

(1) The permittee shall comply with all applicable Federal and State laws (including regulations) and all applicable industrial codes regarding the construction, connection, operation, and maintenance of the United States facilities.

(2) The permittee shall obtain all requisite permits from Canadian authorities and relevant Federal, State, and local governmental agencies.

(3) The permittee shall take all appropriate measures to prevent or mitigate any adverse environmental impact or disruption of historic properties in connection with the construction, operation, and maintenance of the United States facilities.

(4) For the purpose of the permit issued under subsection (a) (regardless of any modifications under subsection (d))—

(A) the final environmental impact statement issued by the Secretary of State on August 26, 2011, satisfies all requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and section 106 of the National Historic Preservation Act (16 U.S.C. 470f);

(B) any modification required by the Secretary of State to the Plan described in paragraph (5)(A) shall not require supplementation of the final environmental impact statement described in that paragraph; and

(C) no further Federal environmental review shall be required.

(5) The construction, operation, and maintenance of the facilities shall be in all material respects similar to that described in the application described in subsection (a) and in accordance with—

(A) the construction, mitigation, and reclamation measures agreed to by the permittee in the Construction Mitigation and Reclamation Plan found in appendix B of the final environmental impact statement issued by the Secretary of State on August 26, 2011, subject to the modification described in subsection (d);

(B) the special conditions agreed to between the permittee and the Administrator of the Pipeline Hazardous Materials Safety Administration of the Department of Transportation found in appendix U of the final environmental impact statement described in subparagraph (A);

(C) if the modified route submitted by the Governor of Nebraska under subsection (d)(3)(B) crosses the Sand Hills region, the measures agreed to by the permittee for the Sand Hills region found in appendix H of the final environmental impact statement described in subparagraph (A); and

(D) the stipulations identified in appendix S of the final environmental impact statement described in subparagraph (A).

(6) Other requirements that are standard industry practice or commonly included in Federal permits that are similar to a permit issued under subsection (a).

(d) MODIFICATION.—The permit issued under subsection (a) shall require—

(1) the reconsideration of routing of the Keystone XL pipeline within the State of Nebraska;

(2) a review period during which routing within the State of Nebraska may be reconsidered and the route of the Keystone XL pipeline through the State altered with any accompanying modification to the Plan described in subsection (c)(5)(A); and

(3) the President—

(A) to coordinate review with the State of Nebraska and provide any necessary data and reasonable technical assistance material to the review process required under this subsection; and

(B) to approve the route within the State of Nebraska that has been submitted to the Secretary of State by the Governor of Nebraska.

(e) EFFECT OF NO APPROVAL.—If the President does not approve the route within the State of Nebraska submitted by the Governor of Nebraska under subsection (d)(3)(B) not later than 10 days after the date of submission, the route submitted by the Governor of Nebraska under subsection (d)(3)(B) shall be considered approved, pursuant to the terms of the permit described in subsection (a) that meets the requirements of subsection (c) and this subsection, by operation of law.

(f) PRIVATE PROPERTY SAVINGS CLAUSE.—Nothing in this section alters the Federal, State, or local processes or conditions in effect on the date of enactment of this Act that are necessary to secure access from private property owners to construct the Keystone XL pipeline.

Subtitle B—Budgetary Provisions

SEC. 511. SENATE POINT OF ORDER AGAINST AN EMERGENCY DESIGNATION.

Section 314 of the Congressional Budget Act of 1974 is amended by—

(1) redesignating subsection (e) as subsection (f); and

(2) inserting after subsection (d) the following:

''(e) SENATE POINT OF ORDER AGAINST AN EMERGENCY DESIGNATION.—

''(1) IN GENERAL.—When the Senate is considering a bill, resolution, amendment, motion, amendment between the Houses, or conference report, if a point of order is made by a Senator against an emergency designation in that measure, that provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

''(2) SUPERMAJORITY WAIVER AND APPEALS.—

''(A) WAIVER.—Paragraph (1) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

''(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

''(3) DEFINITION OF AN EMERGENCY DESIGNATION.—For purposes of paragraph (1), a provision shall be considered an emergency designation if it designates any item pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

''(4) FORM OF THE POINT OF ORDER.—A point of order under paragraph (1) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

''(5) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.''.

SEC. 512. PAYGO SCORECARD ESTIMATES.

The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

Amend the title so as to read: ''An Act A bill to extend the payroll tax holiday, unemployment compensation, Medicare physician payment, provide for the consideration of the Keystone XL pipeline, and for other purposes''.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. Camp moves that the House disagree to the Senate amendments to H.R. 3630 and request a conference with the Senate.

The SPEAKER pro tempore. Pursuant to House Resolution 502, the motion shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

The gentleman from Michigan (Mr. CAMP) and the gentleman from Michigan (Mr. LEVIN) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. CAMP).

GENERAL LEAVE

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

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

There was no objection.

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

The differences between the bipartisan, House-passed Middle Class Tax Relief and Job Creation Act and what the Senate did so it could go on vacation could not be clearer. The House bill puts the American people first. It provided certainty for middle class families struggling to make ends meet by extending the middle class holiday; it provided certainty for those left behind in this economy by extending not only unemployment benefits for 1 year but also the Nation's welfare program; it provided certainty to seniors by ensuring their doctors would not see reimbursement rates slashed by nearly 30 percent; and it provided incentives for job creators looking for ways to hire more workers by extending tax relief.

The Senate decided not to do any of this. Worse yet, in a rush to get home for the holidays, the Senate passed something that is totally unworkable. Yesterday, the Congress received a letter from the National Payroll Reporting Consortium, a nonprofit trading association whose members cover more than one-third of the private-sector workforce. Their letter says the Senate bill ''could create substantial problems, confusion, and costs affecting a significant percentage of U.S. employers and employees.''

The National Federation of Independent Business, the largest small business advocacy group in the Nation, representing 350,000 small business owners nationwide and in every State, has issued a statement on the Senate bill. They say:

''The 2-month payroll tax holiday would present a number of complications and costs that would disproportionately affect small businesses. In addition, many small employers do payroll processing in-house by hand, and this would require them to spend time to make these changes.''

With more than 5 million people working in the construction industry, this is what the Associated General Contractors have said about the Senate bill:

''This legislation will extend the payroll tax holiday in the most complex way possible, at the busiest time possible, provide little benefit to taxpayers and unfairly hit the small member companies of the Associated General Contractors of America the hardest.''

As the Associated General Contractors say, this legislation will provide little benefit to taxpayers and unfairly hit the small member companies of the

organization the hardest. This legislation will add more uncertainty, more confusion for employers and employees, and more complexity, especially for small employers.

''Any economic benefit derived from the law would likely be eaten up by the inefficiency and confusion surrounding the bill's implementation.''

Mr. Speaker, I ask unanimous consent that these letters, along with letters in opposition to the Senate bill from the National Roofing Contractors Association, which has over 4,000 members and is represented in every State; the Associated Builders and Contractors, which represent over 2 million American workers; and the Small Business Entrepreneurship Council, with over 100,000 members, be entered into the RECORD.

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

Mr. RANGEL. Reserving the right to object, and I probably won't object, but if the chairman is asking to put in the RECORD the people that support the awkward position that the majority has taken, my question would be, would we be allowed to put in the RECORD those people who are going through such economic pain and who so badly want to make certain that they don't get a raise in their taxes, would we be able to insert the letters that we get saying please don't come home unless you give us a tax break? I'm asking, maybe, the Parliamentarian whether or not I would be in order if I asked that.

I certainly think the chairman is in order, but then we all have received so many letters from our constituents, it's painful, and I just wanted some equality in terms of how the RECORD would look years from now as to how we treated those people who are the most vulnerable. And I know we all are concerned about that, even though the 2 months may be inconvenient for the electronic way they do these things, but I think the pain will be far more severe for those people who would have a tax increase.

Mr. CAMP. Regular order, Mr. Speaker.

□ 1120

The SPEAKER pro tempore (Mr. YODER). Regular order has been demanded.

Does the gentleman from New York object to the request?

Mr. RANGEL. I said I reserved it. Maybe I didn't make it clear what my position was. I was reserving the right to object.

The SPEAKER pro tempore. Regular order has been demanded. Unless the unanimous-consent request is withdrawn, the gentleman from New York must either object or withdraw his reservation.

Mr. RANGEL. Well, with all respect to my chairman, I withdraw my reservation.

The SPEAKER pro tempore. The gentleman from New York withdraws his reservation of objection.

Without objection, the request is granted.

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan.

Mr. CAMP. I thank the gentleman from New York for withdrawing.

These letters, many of them were written to both parties, both leaders. I think Mr. LEVIN and I both received these letters. They were written to the Congress. It's routine that we do these. And on his own time the gentleman may do as he wishes.

I would say, Mr. Speaker, our economy is too weak and the American people have been struggling for far too long for Congress not to work out our differences. America is not on vacation, nor should the Senate be. We have 2 weeks to find a solution and send something to the President for his signature. That is what House Republicans are proposing today.

Let's look at the differences between the House and the Senate.

The House extended unemployment for 13 months. The Senate bill extended unemployment benefits for only 2 months, meaning an estimated 4 million Americans could lose the extended unemployment benefits next year they would get under the House bill.

The House reformed the unemployment program to focus it more on getting people the training and education they need to get back to work, not just handing out checks. The Senate did not.

The House protected seniors' health care for the next 2 years by ensuring doctors in the Medicare program don't have their reimbursements cut by more than 27 percent. The Senate did this for only 2 months.

The House provided a 1-year extension of the payroll tax holiday, ensuring a worker earning $50,000 next year has $1,000 more in their pocket. The Senate did this for only 2 months, meaning that same worker would have less than $200 in their pocket, or $800 less in take-home pay than under the House-passed bill.

The House included a pay freeze for Members of Congress and civilian Federal workers. The Senate did not.

The House put an end to welfare benefits being accessed at ATMs located in casinos, liquor stores, and strip clubs. The Senate did not.

The House protected Social Security by reducing overpayments. The Senate did not.

The House included a provision that saves taxpayers $9 billion by cracking down on fraud and abuse that is known to exist in a refundable tax credit program. The Senate did not.

The House provided for economic growth and job creation in the high-tech industry through spectrum auctions. The Senate did not.

The House cut taxes to promote business investment and hiring. The Senate did not.

Mr. Speaker, while it may sound like there are great differences between the House and Senate bill, it's not a difference over policy. It's simply a difference between the House deciding to act and the Senate deciding not to act on so many items.

The House bill includes commonsense reforms the American people want, and it adopts a number of the President's legislative initiatives which represent the bipartisan cooperation the American people are demanding. All told, 90 percent of the House bill is paid for with policies the President has endorsed in one form or another.

So what's really standing in our way? I've heard the President's people say that this breaks the agreement over the discretionary caps in the Budget Control Act, but look at that talking point. Those caps are adjusted only because we are proposing, as the President has before, to freeze the pay of Members of Congress and other Federal workers. Do the President and the Senate really want to risk unemployment benefits, a middle class tax cut, and reimbursement to doctors treating seniors and those with disabilities because they don't want to freeze the pay for Members of Congress and Federal workers?

Mr. Speaker, it's not too late. I urge all of my colleagues to support a 1-year extension of the payroll tax holiday, 1 year of unemployment benefits with critical reforms, and a 2-year extension of reimbursements for Medicare doctors.

I urge my Democrat colleagues to name conference committee members to resolve the differences between the two bills. Conference committees are a Jeffersonian concept, and we would be wise to follow the model laid out by our Founding Fathers. If the Senate agrees to work together, we will help get the American people back to work and get those struggling in this economy the help they need.

ASSOCIATED BUILDERS
AND CONTRACTORS, INC.,
Arlington, VA, December 19, 2011.

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

Hon. HARRY REID,
Majority Leader, U.S. Senate, Washington, DC.

DEAR LEADERS: On behalf of Associated Builders and Contractors (ABC), a national association with 75 chapters representing more than 23,000 merit shop construction and construction-related firms with nearly two million employees, I am writing to express our opposition to H.R. 3630 as amended by the Senate last week.

Whether Congress ultimately chooses to extend these various provisions, the proposed two month stop-gap measure merely serves to delay the inevitable tough decisions, compounding the climate of uncertainty that continues to impact small businesses. This sort of temporary fix underscores Congress' uneven, ad hoc approach toward the economy and causes more harm than good for America's job creators.

Moreover, a two month extension of the payroll tax holiday creates an untenable administrative burden for employers in the construction industry and beyond. In a letter sent today to leaders of the tax writing committees, the National Payroll Reporting

Consortium warned of ''substantial problems, confusion and costs'' associated with the extension's implementation.

America's small businesses should not be punished for Congress' inability to do its job. Instead of passing the buck for another two months, the House and Senate must work together to determine their policies for the full year and provide some semblance of certainty for the companies driving our economy.

Sincerely,

GEOFFREY BURR,
Vice President, Federal Affairs.

THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA,
Arlington, VA, December 19, 2011.

Re Oppose the two-month payroll tax holiday provision in H.R. 3630

Hon. DAVE CAMP,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE CAMP: Please oppose the two-month payroll tax holiday provision in H.R. 3630. This legislation will extend the payroll tax holiday in the most complex way possible, at the busiest time possible, provide little benefit to taxpayers and unfairly hit the small member companies of the Associated General Contractors of America (AGC) the hardest. This legislation will add more uncertainty, more confusion (for employers and employees), more complexity (especially for small employers) and provide a maximum tax reduction of only $367. Any economic benefit derived from the law would likely be eaten up by the inefficiency and confusion surrounding the bill's implementation.

There are more than five million people employed in the construction industry. Members of the AGC tend to be small businesses. Many of them prepare their own payroll using programs that will need to be modified by the software vendors and then updated software must be installed on the contractors systems to ensure proper withholding is taken. If they are lucky enough to have a payroll company that handles their payroll processing, then the payroll companies will have to modify their programs to account for the new changes. Construction companies and payroll companies are not idle this time of year. They are doing year-end financials and producing the W–2 forms that construction employees rely on to file their tax returns. If companies are not lucky enough, big enough or profitable enough to have a payroll company, they will be forced to manually modify payroll for all employees, check their work and remit the appropriate amount to the IRS, which can impose hefty penalties for errors in withholding. Again, this is during the holidays, while finalizing their financials and preparing W–2s for their employees.

The IRS will have to issue guidance on this change. That guidance will lead to delays in implementing the law and could add additional complexity above and beyond what is in the statute. The taxable wage limit of $18,350 and a two-month payroll tax holiday appears needlessly arbitrary. It will complicate coordination of the IRS Form 941 that employers have to file quarterly and will likely require that it be redesigned in the first quarter of the year.

Congress had a full year to reach agreement on whether to extend the payroll tax holiday. Congress seems to be ready to extend the holiday for a full year. The two-month extension is an arbitrary and complicated, half-baked, solution to the problem of Congress not getting its act together in a timely fashion. If everyone agrees that the economy needs rational and decisive decision-making to revive it, why would you deliver just the opposite in H.R. 3630? Please oppose the two-month payroll tax holiday. Give employers and employees the certainty they need to make sound personal and business decisions for the entire year.

Sincerely,

JEFFREY D. SHOAF,
Senior Executive Director Government Affairs.

NATIONAL FEDERATION OF INDEPENDENT BUSINESS,
Washington, DC, Dec. 19, 2011.

NFIB EXPRESSES SIGNIFICANT CONCERN ABOUT PAYROLL TAX IMPACT ON SMALL BUSINESS

''The two month payroll tax holiday would present a number of complications and costs that would disproportionately affect small businesses,'' said Brad Close, NFIB Vice President for Public Policy. ''Programming and software to support the new taxable wage limit may not be available for small businesses at the beginning of the year and could present challenges for payroll processors. In addition, many small employers do payroll processing in-house by hand, and this would require them to spend time to make these changes. Employers that do not have correct withholding calculations would need to figure out how much more to collect from employees and amend employment tax returns later in the year, which may also increase their chances for an audit.''

The cost of tax compliance falls heavily on small business. On average, small businesses spend more than $74 per hour on meeting their compliance obligations, which represents the most expensive paperwork burden that the federal government imposes on small business owners.''

NATIONAL ROOFING CONTRACTORS ASSOCIATION
Washington, DC, Dec. 19, 2011.

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

Hon. HARRY REID,
Majority Leader, U.S. Senate, Washington, DC.

DEAR SPEAKER BOEHNER AND LEADER REID: The National Roofing Contractors Association (NRCA) strongly urges the House and Senate to work together to enact a full one-year extension of the payroll tax rate reduction, like that originally passed by the House on December 13, 2011 (H.R. 3630). The much-needed reforms and short-term tax relief provided in that legislation is important to employees and employers during these tough economic times.

As was asserted in the letter sent today to the House Ways and Means and Senate Finance Committees by the National Payroll Reporting Consortium (NPRC), NRCA is concerned that the proposed two-month extension would cause ''substantial problems, confusion and costs'' for employers. As the NPRC states, many payroll systems would simply not be able to make the programming changes that the proposed two-month extension would require. This would impose an undue burden on employers in the form of logistical difficulties and costs.

Rather than enacting a two-month extension, NRCA urges Congress to instead follow the traditional and appropriate procedures and allow the House and Senate to enact policies that will last the full year so that businesses have predictable, certain policies with which to deal.

NRCA commends you for your leadership and continued efforts on this important issue. Thank you for your consideration.

Sincerely,

KENT TOLLEY,
Quality Tile Roofing, Inc.,
President, NRCA.

SMALL BUSINESS & ENTREPRENEURSHIP COUNCIL,
Oakton, VA, Dec. 19, 2011.

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

Hon. HARRY REID,
Majority Leader, U.S. Senate, Washington, DC.

DEAR SPEAKER BOEHNER AND MAJORITY LEADER REID: politically expedient solutions that address legislative emergencies often end up having unintended or costly consequences. Such is the case with the proposed two-month extension of the reduced payroll tax rate and its potential impact on America's small employers and the economy at large.

On behalf of the Small Business & Entrepreneurship Council (SBE Council) and its 100,000 members, we urge the House and Senate to agree on a full year extension of the payroll tax reduction. While SBE Council believes that the payroll tax cut itself is doing very little to stimulate the economy and supports solutions that permanently reform the tax system through lower rates on entrepreneurs and investment, we need to proactively protect our members against potentially higher payroll costs and the uncertainty that the two-month extension would generate.

In a letter to the House Ways and Means and Senate Finance Committees, the National Payroll Reporting Consortium wrote that ''insufficient lead time'' to implement changes mandated by H.R. 3630 ''could create substantial problems, confusion and costs affecting a significant percentage of U.S. employers and employees.'' SBE Council agrees with this assessment. Unfortunately, small businesses would bear the costs of the uncertainties and complex changes that face payroll processors given a two-month extension. Small businesses that don't use payroll companies also face complexity and a significant cost burden.

The confusion that the two-month extension would impose on employers or their payroll providers will inevitably divert resources away from productive activities. Indeed, the uncertainty regarding what happens next following the two-month expiration date will serve as additional fuel to currently low business confidence levels.

Already, small business owners are frustrated by one and two-year extensions of various tax measures. Individual Americans and entrepreneurs need to plan, and they are tired of these short-term fixes. The two-month extension is unacceptable. SBE Council urges the House and Senate to enact a solution that will allow businesses and individuals to properly plan.

Sincerely,

KAREN KERRIGAN,
President & CEO.

NATIONAL PAYROLL REPORTING CONSORTIUM,
Henrietta, NY, Dec. 19, 2011.

Re. H.R. 3630 Payroll Tax Relief Proposals

Representative DAVE CAMP,
Chairman, Committee on Ways and Means, United States House of Representatives, Longworth House Office Building, Washington, DC.

Senator MAX BAUCUS,
Chairman, Senate Finance Committee, Dirksen Senate Office Building, Washington, DC.

Representative SANDER LEVIN,
Ranking Member, Committee on Ways and Means, United States House of Representatives, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN CAMP, CHAIRMAN BAUCUS, RANKING MEMBER LEVIN AND RANKING MEMBER HATCH: we are writing to express concerns regarding Section 101 of H.R. 3630,

which would establish a new Social Security Taxable Wage limit of $18,350, to which a reduced 4.2% rate would apply through February 29, 2012. Wages over $18,350 paid during the first two months of 2012 would be subject to a 6.2% Social Security tax rate.

The National Payroll Reporting Consortium (NPRC) is a non-profit trade association whose member organizations provide payroll processing and related services, including electronic payment and filing of employment taxes, and related information returns, to over 1.5 million employers nationwide, covering over one-third of the private sector work force. Payroll service providers serve an important role in our nation's tax collection system as a conduit between employers and government authorities, improving the efficiency of tax collection through electronic filing and improving compliance.

As mentioned in our correspondence to the tax-writing committees in July, the NPRC is strictly neutral on virtually all policy matters, such as whether a reduced Social Security tax rate is necessary or desirable. The organization serves largely to advise policymakers as to the administrative implications of proposals affecting payroll and payroll tax administration.

NPRC

Accordingly, NPRC advises policymakers that we believe there is insufficient lead time to accommodate the proposal embodied in H.R. 3630. In our opinion enactment of H.R. 3630 as written could create substantial problems, confusion and costs affecting a significant percentage of U.S. employers and employees.

The difficulty is in establishing a new Social Security Taxable Wage limit of $18,350 for the two-month extension period. More than ten percent of the workforce is likely to meet that limit, and would be subject to the higher 6.2% tax rate for earnings over that amount. However, many payroll systems are not likely to be able to make such a substantial programming change before January or even February. The systems affected tend to be highly complex, normally requiring at least ninety days for a change of this magnitude for software testing alone; not to mention analysis, design, coding and implementation.

As we commented to the Treasury Department concerning the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (P.L. 111–312), which was enacted December 17, 2010 and effective on January 1, 2011, payroll service providers are probably the best equipped of those affected to handle last-minute tax law changes. However, programming to support the new taxable wage limit might not be available to employers that do not use a payroll service provider until well after the effective date. Affected employees could be confused by payroll adjustments seeking to collect additional taxes late in the year for wages paid in January or February.

Given a two month extension, policymakers may feel they have no alternative than to establish a new Social Security Taxable Wage limit of $18,350; i.e., to do otherwise may invite criticism because highly compensated employees could meet their entire 2012 Social Security obligation at the reduced 4.2% tax rate, whereas others would (assuming the reduced rate is not further extended by subsequent legislation) enjoy the 4.2% rate only in the first two months.

PRC understands Congress' concern that highly compensated employees not enjoy the full benefit of the 2% tax break because of bonuses or other high compensation falling into the first two months of the year. Nevertheless with the first of January now only two weeks away and payroll departments trying to meet year-end compliance mandates and reconciliation, there simply is insufficient time to implement this major change in withholding requirements. It would also be necessary to await IRS regulatory guidance for further details concerning the change.

If the 4.2% rate is later extended for the full year, the $18,350 taxable limit for the first two months would be unnecessary. However, even if subsequent legislation extends the 4.2% rate for the full year, employers would still have to make costly programming changes to accommodate the 6.2% tax rate on wages in excess of $18,350 paid prior to March.

RECOMMENDATIONS

1. We recommend that Congress omit Section 101 from H.R. 3630 and not prospectively extend the reduced tax rate for the first two months of 2012. Instead, we would suggest that the Congress enact the reduced tax rate at a later date, but make the change retroactive to January 1. For example, a 4.2% employee Social Security tax rate enacted on February 15, 2012 should still be retroactively effective on January 1, 2012. Virtually all payroll systems are built to self-correct Social Security taxes, so employers would automatically accommodate a late but retroactive change, automatically refunding to each employee any over-withholding from early 2012 payrolls. The same tax rate and taxable wage limit should apply for the full calendar year.

If this is not feasible, we recommend that the Social Security Taxable Wage limit of $18,350 be removed from H.R. 3630. If the reduced tax rate is later extended through 2012, this would likely avoid the substantial reprogramming of payroll systems that would otherwise be necessary. If the reduced tax rate is not subsequently extended, the proposed taxable wage limit of $18,350 could be established in later legislation. This would require a recalculation and collection of additional tax later in the year, but given the lack of time permitted for reprogramming systems, most employers will already need to collect any additional tax through adjustments later in the year.

If neither of the options is feasible, it would mitigate the difficulty moderately to apply the reduced rate to the entire calendar quarter; i.e., through March 31. We recognize that this would represent a substantial change, and its impact in facilitating programming would be relatively minor.

A more detailed explanation of the difficulties inherent in the current Section 101 is attached. Please contact me if you have any questions or if we can be of service. We appreciate this opportunity to advise congressional policymakers as to the impact of H.R. 3630.

Sincerely,

PETE ISBERG,
President
National Payroll Reporting Consortium, Inc.

TAXPAYER IMPACT

As a ballpark number, according to IRS Statistics of Income, over 18 million returns were filed for Tax Year 2008 with more than $100,000 in Adjusted Gross Income, or about 13 percent of all returns. Individuals earning over $110,100 annually are likely to be affected by the 6.2% Social Security rate for January and February.

Taxpayers who are paid more than $18,350 in the first two months of the year could be confused or upset by application of the higher tax rate. For example, an individual who is laid off in January may receive a lump-sum severance payout of $50,000, which may be the bulk of their income in 2012. Nevertheless, they would pay $633 more in Social Security taxes than had they simply received the same income over a six month period, or later in the year.

If the OASDI rate of 4.2% is ultimately extended through 2012, those who are paid over $18,350 prior to March will have paid at the higher rate due to the timing of their compensation, whereas someone who earns the same amount for 2012 but receives less than $18,350 in the first two months of the year would pay at the 4.2% rate through 2012.

TIMING OF COMPENSATION

The limitation creates new incentives for employers and employees to shift compensation earlier or later in the year (depending on their guess as to whether the 4.2% OASDI rate may be extended for the full year). Some taxpayers receive significant bonuses, commissions or other lump-sum compensation in January. Some employers and/or employees may have discretion over when such compensation is paid (e.g., exercise of stock options).

If employers and/or taxpayers believe that a reduced OASDI rate of 4.2% will ultimately be extended, they may defer wages over $18,350 until after February. If the IRS sought to challenge such a result, they would need to ask the employer for details as to the timing of wages paid.

EMPLOYER IMPACT

To accommodate a new Social Security Taxable Wage limit of $18,350, to which a reduced 4.2% rate would apply through February 29, 2012, payroll systems would need to be modified to calculate, withhold and store separately:

Social Security Wages paid through February 29 up to $18,350

Social Security Wages paid through February 29 over $18,350 but less than $110,100

Social Security Wages paid after February 29 up to $110,100

Social Security tax on wages paid through February 29 up to $18,350 (× 4.2%)

Social Security, tax on wages paid through February 29 over $18,350 but less than $110,100 (× 6.2%)

Social Security tax on wages paid after February 29 up to $110,100 (× TBD%)

ISSUES

The separate reporting implied would require businesses to expand payroll databases and modify programs with insufficient lead time. January 2012 payrolls are already being processed in late December. It is likely that many software developers, service providers and employers would not be able to modify payroll software in time for January or February payrolls. This could lead to difficult situations later in the year as employers sort out what should have been collected, and in some cases collect additional taxes, and determine how to amend employment tax returns.

Employers might not be able to collect additional taxes from workers who have subsequently changed jobs, and could also be subject to substantial IRS underpayment penalties if they are unable to calculate, withhold and pay the higher OASDI amounts in January and February.

IMPACT TO THE INTERNAL REVENUE SERVICE AND THE SOCIAL SECURITY ADMINISTRATION

The IRS may not be able to quickly produce guidance necessary to enable appropriate design of such systems. Businesses and software developers may have to guess as to what the IRS may require in terms of recordkeeping and reporting. It would be very costly if developers made assumptions as to what reporting the IRS might require, and the IRS announced something different. The IRS would likely need to change Forms 941 and W–2 to require separate reporting of the same information:

Social Security Wages paid through February 29 up to $18,350

Social Security Wages paid through February 29 over $18,350 but less than $110,100

Social Security Wages paid after February 29 up to $110,100

Social Security tax on wages paid through February 29 up to $18,350 (×4.2%)

Social Security tax on wages paid through February 29 over $18,350 but less than $110,100 (×6.2%)

Social Security tax on wages paid after February 29 up to $110,100 (×TBD%)

ISSUES

The IRS may not be able to change Form 941 for the quarter ended March 31 in time. If this occurs, businesses may need to amend their returns, or the IRS may need to modify subsequent tax forms to permit adjustments, further complicating tax forms and reconciliation systems.

There is also insufficient space on Form W–2 for such information. Consequently, Form W–2 would need to be significantly expanded, complicating the 2012 tax season (in 2013) for taxpayers and tax preparers.

I reserve the balance of my time.

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

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

Mr. LEVIN. Let me put this very simply: this is a dishonest procedure. This is a ruse to avoid a straight up-or-down vote on the Senate bill and the 2-month extension.

Why not hold a straight vote, as indeed called for under regular order? That's the regular order. Because the Republican majority is afraid of a straight vote. They're afraid some Republicans would vote ''yes,'' and the Senate bill would pass and the President would sign it, and it would become law today. And they don't want other Republicans on record voting against a payroll tax cut. That is the epitome of a ruse.

Thirty-nine Republican Senators—39, all but a handful—voted for the bill before us. But what has happened since Saturday's bipartisan Senate bill that Speaker BOEHNER said was a good deal? Well, the sailors staged a mutiny and the captain decided to surrender. He decided to join the mutiny to keep the ship from coming to port. But the problem is that on board are millions of passengers waiting to dock.

This chart shows the number of passengers: 160 million Americans would see their taxes increased; 2.3 million Americans on board looking for work would lose their critical unemployment benefits; and 48 million seniors—Americans on Medicare—will have access to their doctors they know and they trust jeopardized.

So I want it clear for these people, all of these people: the Republican vote today is a vote to nowhere. DICK LUGAR said that. I'm hopeful that there are a majority of Republicans and Democrats today who will proceed because it seems to me it is the best for the country, as well as for all the individuals who are affected.

Another Republican Senator from Massachusetts: ''The House Republicans' plan to scuttle''—that's the correct word—''the deal to help middle class families is irresponsible and wrong. The refusal to compromise now threatens to increase taxes on hard-working Americans and stop unemployment benefits for those out of work. We cannot allow rigid partisan ideology and unwillingness to compromise stand in the way of working together for the good of the American people.''

And a third Republican Senator, Senator HELLER, a former colleague here of Nevada: ''There's no reason to hold up the short-term extension while a more comprehensive deal is worked out.''

And I want to quote a statement from Treasury about the notion that the 2-month extension cannot be implemented:

''While any short-term extension is bound to create some administrative complexities, it is feasible to implement the bipartisan Senate bill''—this is Treasury that is in charge of implementation of this—''and the Treasury Department will work with employers to ensure the smoothest possible implementation. In the current economic situation, any such complications will be outweighed by the economic benefits of ensuring that taxes do not go up on 160 million Americans starting on January 1.''

I would like to place the entire statement in the RECORD.

Statement from Jenni LeCompte, Assistant Secretary for Public Affairs, United States Treasury Department: ''Everyone agrees that a full-year extension of the payroll tax cut would have been preferable, which is why the Administration has long advocated an extension for the entirety of 2012. Unfortunately, in the waning days of this session of Congress, Members were unable to reach agreement on the details of a year-long extension that could generate strong bipartisan support. The best they could do was the two-month extension passed by a vote of 89–10 in the Senate on Saturday.

''While any short-term extension is bound to create some administative complications, it is feasible to implement the bipartisan Senate bill, and the Treasury Department will work with employers to ensure the smoothest possible implementation. In the current economic situation, any such complications will be outweighed by the economic benefits of ensuring that taxes do not go up on 160 million Americans starting on January 1st.''

□ 1130

I want to close with what HARRY REID said. Take it seriously. This is on what 39 Republicans and 50 Democrats voted for, the bill you will not let us vote on:

''I have always sought a yearlong extension. I've been trying to forge one for weeks.'' He could have said for months. ''And I'm happy to continue negotiating one once we have made sure middle class families will not wake up to a tax increase on January 1. So, before we reopen negotiations on a yearlong extension, the House of Representatives must protect middle class families by passing the overwhelmingly bipartisan compromise that Republicans negotiated and was approved by 90 percent of the Senate.''

You are snubbing a bipartisan compromise. You are jeopardizing the lives of millions of taxpayers, millions of the unemployed, and millions of seniors. To keep harmony within your ranks, you are creating the possibility of immense discord within the United States of America. We're not going to let you do it.

I reserve the balance of my time.

Mr. CAMP. Mr. Speaker, I yield 2 minutes to the distinguished chairman of the Health Subcommittee, the gentleman from California (Mr. HERGER).

Mr. HERGER. Mr. Speaker, taxpayers, small businesses, and health care providers need certainty and predictability to plan for the future. Unfortunately, the bill that's come back to us from the other Chamber makes our usual habit of only 1-year long extensions look responsible by comparison.

The Senate bill extends a number of key policies, including the patch preventing a steep cut to doctors' Medicare payments, for just 2 months.

Mr. Speaker, we've been down this road before. Last year, under the previous majority, Congress passed five separate extensions of Medicare physician payments, mostly for just a month or two. Several times these patches missed the deadline, meaning payment cuts took effect and then had to be reversed.

The failure to responsibly address the SGR created an unprecedented amount of chaos and confusion, both for doctors and the Medicare agency. House Republicans have been determined not to let this happen again. That's why we passed a fully paid-for 2-year fix.

The American people are tired of Congress wasting time on political stunts and waiting till the last minute to cobble together half measures.

Mr. Speaker, we still have 2 weeks before the end of the year to get this right, and there's no reason to think we'll do better in 2 months. I urge my colleagues to support the motion to go to conference so we can get a responsible solution.

Mr. LEVIN. I yield 2 minutes to a very senior member of our committee, the very distinguished gentleman from New York (Mr. RANGEL).

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

Mr. RANGEL. I am amazed at the ability of the majority to change its position so fast. Sometimes I wish Democrats had the ability to do this. It wasn't too long ago that there was objection for the taxpayers holiday because of the impact on Social Security. Then there was objection to the unemployment insurance because people on the other side said that people wouldn't go look for a job, that they would just stay home and watch television and receive the check. And of

course, no one can deny that the doctors that give care to 48 million people deserve compensation for what they do.

But, being here as long as I have, I can see how, in the majority, a handful of people will try to prove to their constituents that they're not marching in line with regular order; that they didn't come down here just to go along with the Senate or their leadership. And it's kind of rough to be a part of a party that is so widely split.

I had only hoped that they could come up with a better excuse than the fact that 2 months is not enough time to prevent an increase in the taxes of so many, 160 million people. And I know that everyone in this Chamber knows that if the American people that will suffer such a painful, insensitive act were to be asked, would you want it for 2 months, and then have the Congress to extend it? Would you take that? Or would you want it to be for 1 year and the possibility of getting absolutely nothing?

That is such a fearful, such a cruel thing to do, to gamble with other people's ability to be able to enjoy this holiday season as best they can. And so, I don't think that there will be any winners in what's going on today. But I hope that the regular Republicans would be able to see their way clear.

I thank the gentleman for yielding.

Mr. CAMP. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Florida (Mr. WEST).

Mr. WEST. Thank you, Mr. Chairman.

You know, last week we voted to have a 1-year extension of a payroll tax holiday. Last week we voted to have a 1-year extension of unemployment insurance with reforms. Last week we voted to have a 2-year extension of the Sustained Growth Rate for Medicare recipients and the doctors that provide that care.

Last week we voted for certainty, and we voted to restore confidence. We voted for a measure that was paid for, that will have no detriment or negative outcomes to Social Security. Last week we voted for job-creating policies and a bill that had 10 to 12 Obama-approved provisions.

We are not afraid to vote. And if you don't want to accept this measure, then continue to vote ''no,'' just the same as our colleagues from across the aisle last week voted ''no.'' They voted ''no'' against what President Obama wanted; they voted ''no'' against what Senator HARRY REID said he wanted; they voted ''no'' against what Senator CHUCK SCHUMER said he wanted.

The Senate sent us back a 2-month extension which is irresponsible and cannot be implemented, and it reflects abject incompetence.

I urge all of my House colleagues to vote ''yes'' on this motion to disagree with the irresponsible Senate amendment and move to conference. Or do we just want to continue to see the American people suffer?

Mr. LEVIN. I yield a minute and a half to the distinguished gentleman from Washington (Mr. MCDERMOTT).

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

Mr. MCDERMOTT. Mr. Speaker, a famous speech started, ''We will little note or long remember what we say here today.'' But the Bible says, ''By your deeds ye shall know them.''

Now, the Republicans have said that it's Christmastime. Kids are hanging their socks all over the world. And they're all getting up and hoping there will be something in that sock on Christmas Day. And the Republicans have something to put in it. They have a lump of coal.

They're going to say to 160 million people, we're going to boost your taxes. Here's your Christmas gift, right?

They're going to say to 2.5 million unemployed people, no unemployment benefits because it's only for 2 months and we can't—there's every excuse in the book you can give, but when they get up on Christmas there's going to be coal in their socks.

The working poor of this country are counting on that tax break. They've gone out and bought gifts for their kids, and they think they're going to pay for them because they have this tax reduction. And you're taking it away from them after they've spent the money on the Christmas gifts. That's your lump of coal to the middle class.

Now, for the seniors, the lump of coal is, we're not going to pay the doctors. We're going to cut the doctors by 25 percent. And doctors are going to say, I'm going to limit the number of seniors.

Remember the lump of coal in November of 2012, folks. They gave it to you.

□ 1140

Mr. CAMP. Mr. Speaker, I yield 1 minute to the distinguished majority leader, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. I thank the gentleman from Michigan.

Mr. Speaker, tonight's the first night of Chanukah and Christmas is fast approaching for families across America.

And what do families see coming out of Washington? Dysfunction and half of Congress unwilling to do its job. Mr. Speaker, we were elected to work for the best interests of the American people. In this tough economy, middle class Americans and working families need to know that their taxes won't be going up at any point next year.

So far the House has passed a bipartisan year-long plan to ensure that taxes do not go up. The Senate, on the other hand, has passed a 2-month plan. According to experts, the 2-month plan is simply unworkable. Families, employers, and workers can't live their lives month-to-month. Washington needs to stop adding confusion and more uncertainty to people's lives.

I think we can all agree that the 2-month concept doesn't make a whole lot of sense. Mr. Speaker, bottom line, a 2-month patch is irresponsible. That's why the House is taking a stand. We believe all Americans deserve certainty. We want a year-long extension of the payroll tax cut which will prevent a tax increase on every American with a job.

Luckily, Mr. Speaker, everyone claims to agree. In fact, the President himself said it would be inexcusable not to extend the payroll tax cut for a year. The leader of the Senate says that we should be working on extending the payroll tax for a year, but only after the new year.

Mr. Speaker, a great Virginian once said, ''Never put off to tomorrow what you can do today.'' That man was Thomas Jefferson.

Let us dedicate ourselves to that spirit. People across our great country are tired of hearing why Washington cannot do things. They're seeing day in and day out that Washington is not working together, but we have the ability to give them some hope. Let's show the American people that there's a reason to believe that we can work together and deliver results.

Truth is, we're not far apart on this issue. The negotiators got extremely close. We owe some stability and good tax policy to the hardworking people of this country, not more gimmicks and political games.

Today, this House will vote to go to conference and work these differences out in regular order. We need to come together in a responsible manner to find common ground where we can accomplish everyone's goal of a year-long payroll tax extension.

Mr. Speaker, there is no reason why the House, the Senate, and the President cannot spend the next 2 weeks working to get that done. America will be waiting.

Mr. LEVIN. I yield 2 minutes to another distinguished member of our committee, the gentleman from the great State of Massachusetts (Mr. NEAL).

Mr. NEAL. Mr. Speaker, we would be very happy in this institution if just the Speaker of the House and the majority leader could work together.

There was a deal over the weekend. The Speaker of the House accepted the Senate's version of that agreement only to discover in a conference call that he had to back down. The chairman of the Ways and Mean Committee, my friend, he doesn't believe what they're doing here for one moment. They're courting disaster.

This is the season of Advent and Christmas for Christians. Chanukah begins today. It is the quest for light in our lives, to enlighten the American people as to what is taking place here today; 160 million Americans are going to lose this tax cut. Organized labor and management, they do this all the time. You have a cooling-off period. You get to a more benign time, and you negotiate in good faith.

You've seen what's happened here. A radical element has seized the Republican Party. The Senator from Massachusetts, Senator BROWN, is on the

front page of the Boston Globe today criticizing his own party. DEAN HELLER criticizing his own party. RICHARD LUGAR criticizing his own party.

We're arguing today about unemployment benefits in this season for members of the American family who are going to lose those benefits. We're arguing about a tax cut for middle-income Americans today, 160 million strong; for doctors who care for the most vulnerable amongst us, the Medicare patients over their reimbursement rates.

When you consider what Republicans did during the Bush years with those tax cuts for wealthy people, they never flinched for one moment. The rich were rich, and they weren't going to take it anymore. And they were going to reinforce that idea—cut taxes 10 times in 10 years for the wealthiest among us. We should be voting on what the Senate did. No chicanery.

Put that motion in front of us today, and let's have an up-or-down vote and then explain it to the American people.

Mr. CAMP. Mr. Speaker, I yield 2 minutes to the distinguished chairman of the Trade Subcommittee, the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Mr. President, Senate Democrat leaders, don't vacation until you finish your job. Families and small businesses need tax relief for a full year, not just for 2 months.

The House, we've already done our job. We've already passed a full 1-year extension of the payroll tax holiday. We've included unemployment reforms for those who are out of work, paying our local doctors fairly in Medicare for a full 2 years, unlocking the Keystone pipeline, and cutting spending to completely pay for it.

We've done our job.

But the Democrat-led Senate shortchanged the American public by rushing through a partial 2-month extension and then hurrying home for their Christmas vacations. That's irresponsible. Families and small businesses need to be able to plan with confidence for a full year, not just 2 measly months.

You said, Mr. President, just last week, that the American people deserve a 1-year bill. Our Democratic friends said a 1-year bill. The Democrats in the Senate said a 1-year bill. Well, House Republicans are going to hold you to your word by moving forward today to a conference committee to work out the differences. We're going to work it out—not next year, not when you get around to it, but now. That's the next step in the constitutional process, and we House Republicans are willing to work through the holidays to make sure we get the job done for the American public.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind the Members that remarks in debate must be addressed to the Chair and not to others in the second person.

Mr. LEVIN. I yield 1 minute to the gentleman from Georgia, a very distinguished member of our committee, Mr. LEWIS.

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my friend and my colleague, Mr. LEVIN, for yielding.

If we go home without passing the bipartisan Senate bill, we disgrace ourselves and this Congress. We are out of time. We cannot go into this holiday season without helping our unemployed brothers and sisters. We cannot keep our seniors from seeing their doctors. We cannot allow taxes to go up for millions of Americans.

What is happening here today is shameful, it is a disgrace, it is unreal, it is unbelievable. We can do better.

If we fail today, how will you face your neighbor, your family, who are suffering? Where is your compassion? Where is your heart? Where is your soul? I, sir, vote ''no'' on this motion and pass the Senate bipartisan bill.

□ 1150

Mr. CAMP. I yield 4 minutes to the distinguished Conference chairman, the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. I thank the gentleman for yielding.

Mr. Speaker, we all need to be reminded of why we're here in the first place.

We're here because the President's economic policies have failed. They've failed this Nation. Ever since he was elected, unemployment has been at, near, or above 9 percent. And the people suffer. So that's why I believe almost every Member of this body believes that we must extend the payroll tax holiday.

That's not the debate, Mr. Speaker.

What is most curious, though, is our President. Our President has said it would be inexcusable for Congress not to further extend this middle class tax cut for the rest of the year. He didn't say 60 days. He said the rest of the year. The Democratic leader has said that she intends to fight to extend these provisions for a full year.

So, Mr. Speaker, I guess I'm confused.

I hear my friends on the other side of the aisle say they want to do this for a year. They say they want to do it for a year, but they're just not willing to vote to do it for a year. That's most curious, Mr. Speaker. I don't think I understand it. That's what the President asked for. It's what the American people deserve. They don't want us to punt the ball. They want us to do our job. So there is no point of contention on whether or not this should be extended.

But the question is: Are we going to do it for a full year, or are we going to punt the ball down the field and, once again, disappoint the American people?

Here is the next point of contention:

We stand ready to work over the holidays to get this done. That's the question. Are you willing to work over the holidays, or are you not willing to work over the holidays? The American people, most of them, are going to have to work over the holidays. Why shouldn't we be willing to do this?

Mr. Speaker, I guess it's just curious how many people seem to be unaware that there is this thing called a ''conference committee.'' Since the dawn of the Republic, these are how differences are settled between the House and the Senate. If you don't remember your Civics 101, and maybe if you have small children like I do, you can go back and watch the Schoolhouse Rock video. It's very clear. All we're asking is that the Democrats appoint conferees and negotiate in good faith—except the Senate Democrat leader said he wouldn't do it, and the House Democrat leader said she wouldn't do it.

So it kind of begs the question, Mr. Speaker: Do they want to make laws that benefit the American people in a time of need, or do they want to perpetuate a campaign issue that maybe they believe helps their campaigns? That's really the question.

Then last but not least, we ought to pass laws that actually work around here. ABC News reported last night: ''Holiday Passed by Senate, Pushed by President, Cannot Be Implemented Properly, Experts Say.''

Well, isn't that interesting.

The National Payroll Reporting Consortium that handles payroll for about a third of the private economy said that this ''could create substantial problems, confusion and cost, affecting a significant percentage of U.S. employers and employees.''

The Associated Builders and Contractors, the people who actually go out and build things in America, have said: ''This sort of temporary fix underscores Congress' uneven, ad hoc approach toward the economy, and causes more harm than good for America's job creators.'' The leading building trade association in the Nation said the Senate's 60-day plan will cause more harm than good.

Mr. Speaker, House Republicans have passed a good and reasonable bill. It's for 1 year. It does what the President asks us to do. It does what the American people ask us to do. It's actually paid for. It doesn't increase the deficit, and it blocks tax increases. I don't know how my friends on the other side of the aisle think we're going to create jobs with temporary tax increases with permanent tax increases. It doesn't happen.

Mr. LEVIN. It is now my privilege to yield 2 minutes to another member of our committee, the distinguished gentleman from California, XAVIER BECERRA.

Mr. BECERRA. I thank the gentleman for yielding.

My friends, we've seen this movie before. House Republicans, once again, are driving our government and our economy to the edge of the cliff, and this time they've placed 160 million workers and 48 million seniors in the front seat of that car.

House Republican leaders are refusing to allow 435 Members of this House

to vote on a bipartisan proposal that was passed by 89 out of 100 Senators next door. My Republican colleagues know that this bipartisan bill passed by the Senate would pass on this floor and that it would save working Americans from having their taxes increased during the holidays.

The truth is the Republicans are feuding amongst themselves. House Republicans are fighting with Senate Republicans, and quite frankly, they're fighting with Republicans throughout this country, because a majority of them supports the President's payroll tax cut.

Mr. Speaker, once again, the people—Republicans and Democrats alike—are way ahead of the politicians. They want us to get our work done and get it done now. Let's stop showing the American people B-rated movies on the floor of the House, and let's pass the Senate bipartisan legislation.

Mr. CAMP. I yield 3 minutes to a distinguished member of the Ways and Means Committee, the gentleman from Louisiana, Dr. BOUSTANY.

Mr. BOUSTANY. I thank Chairman CAMP for yielding time to me.

Mr. Speaker, before I came to Congress, I was a practicing cardiovascular surgeon with many years of experience, and it was not unusual to get called out in the middle of the night or on a holiday to an emergency. Just like doctors all over this country, we're there 24/7 to deal with problems.

Now, I remember distinctly one night—Christmas Eve, in fact. I was getting ready to sit down for dinner with my family when I got called to see an 85-year-old Cajun gentleman, with a very large family, who had a ruptured aneurysm, and he was in shock. I spent the entire night operating on this man. We saved his life, long story short.

We have a duty, an obligation, to our patients. By God, to put physicians in a position of seeing a 27, 28 percent cut in reimbursement is just untenable. Why? It's not because of the physicians. It's because of patients who are going to lose access. Medicare beneficiaries, seniors, those with disabilities will lose access to care during a situation in which we're already seeing eroding access. We have an obligation to act because the consequences are not good with regard to all of these provisions we're trying to extend.

This House passed a bill last week. It was a very responsible bill with good reforms, and it gave a 2-year stability period for physicians and for those patients who desperately need this care. And what did the Senate do? The Senate capitulated. The Senate caved. The Senate basically just gave up with contempt for the American people.

That's what it comes down to.

They're basically content with allowing confusion and disruption and chaos and uncertainty for patients who deserve good, high-quality care. They did the same thing to those who depend on these unemployment benefits, and they did the same for those who depend on this payroll tax cut during this holiday season.

We're going to pass a bill today that basically says we want to go to conference to resolve these differences, and the Senate has an obligation to the American people to stand with us and to follow its constitutional duty to go to conference in order to resolve these disputes, these differences, in a time-honored way.

Mr. Speaker, the Senate has an obligation to the American people. The Senate has an obligation to carry out its duty to the American people. We can get this right. Let's do it and be done with it, but let's get it done and let's get it done right.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. CAMP) has 10½ minutes remaining. The gentleman from Michigan (Mr. LEVIN) has 15½ minutes remaining.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to another distinguished member of our committee, the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I thank the gentleman for yielding.

Some say that the House Republican leadership pulled the plug on the Senate bipartisan bill because they were afraid of their Republican Tea Party freshmen.

Perhaps.

But what is clear is that we're not being allowed by the Republican leadership to vote on the Senate bill because the Republicans are afraid of their moderates, of their independents, of their reasonable ''unhardliners.''

□ 1200

The measure of this Congress is that the House Republicans won't act until they are forced to as a result of self-imposed, crisis-inducing deadlines. Then if they can't get their own way on an agenda that could never be passed through regular order in both Chambers and signed by the President, they throw a tantrum. And what we're dealing with today: a legislative tantrum.

Now, I don't like the 2-month extension. It has some difficulties and uncertainties. But there would be far more uncertainty and difficulty if there were a 2-week gap or a 2-month gap where 700,000 people in early January will lose their unemployment benefits, 2 million in the next 2 months. If we simply would follow regular order, allow a vote on the Senate amendment, we could build on this glimmer of bipartisanship from the other body. Allow your Members to vote. Who knows where it could lead? We actually may be able to solve some of these long-term problems.

Mr. CAMP. I would ask if the gentleman from Michigan would like to yield again so that we can even up the time.

Mr. LEVIN. I thank the gentleman.

I now yield 2 minutes to another distinguished member of our committee, the gentleman from the great State of New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Good afternoon, Mr. Speaker.

This is not a fraternity house. This is the House of Representatives. Yet what have we wrought? I heard someone, two people say on this floor, quoting the President of the United States—they should apologize to him immediately—that the President was urging us to vote a 1-year plan. He wasn't asking us to vote on your plan for a year. You know what he thinks about what you proposed. And it didn't even come up in the Senate. In fact, 39 Republicans—that's 82 percent of the entire delegation of a Republican Senate—and 89 percent of the total Senate voted for this compromise.

I know you hate the word. ''Compromise'' does not mean that you surrender your values or your principles. Compromise is what was the basis of the Founding Fathers. That's how we got a Constitution. Nobody was happy with that Constitution. They didn't get everything they wanted, and you're not going to get everything you want. So you'd better get it out of your head right now.

The majority leader—wonderful cliches—he forgets that only 2 years ago a Republican Member of the House sponsored a 2-month payroll tax holiday and had 59 cosponsors. We have amnesia, selective amnesia. He changed his tune this Saturday. He was against the idea of a short-term gimmick. This Saturday he said it's a good deal. ''It's a victory,'' he said. He claimed victory. That reminds me of another victory I heard a couple of years ago. Once the same Members of this party, in this caucus rebelled, the Speaker reversed his course.

Keeping the payroll tax cut in place as we figure out a way to extend it for the year reduces uncertainty among employers, workers, and families in my district. And I ask that we reconsider what we're doing today.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind the Members that remarks in debate must be addressed to the Chair and not to others in the second person.

Mr. CAMP. Mr. Speaker, I yield 2 minutes to a distinguished member of the Ways and Means Committee, the gentlewoman from Kansas (Ms. JENKINS).

Ms. JENKINS. I thank the gentleman for yielding.

Mr. Speaker, folks are mad out there. They're mad because what Congress is doing—or not doing, in many cases—makes absolutely no sense.

As a CPA, I'll tell you that handling tax policy on a month-to-month basis isn't just irresponsible; it's downright crazy. According to the nonpartisan National Payroll Reporting Consortium, the cost of complying with the 2-month extension proposed by the Senate may actually harm many small businesses. In fact, implementing the cuts on this short timeline may not even be possible.

In addition to being a CPA, I'm also a mom, and I would do just about anything to be working out of our Topeka office at this time of year so that I could spend evenings with my kids. But agreeing to a tax policy that is so short-lived that it costs not just our government but also our small businesses big bucks is not one of them.

The American people are exhausted. They are sick and tired of Congress kicking the can down the road on hard decisions. So I ask our leaders in the Senate, Are your vacation plans more important than good policy? Why will it be easier to negotiate a deal in February than it is today? Come back. We still have time. Work with us to do the job we were elected to do. Let's make the hard decisions today. Let's extend the payroll tax cuts for the entire year, and let's not do it on the backs of a generation more focused on Santa right now than they are on tax policy.

Mr. LEVIN. I yield 3 minutes to the gentleman from Maryland (Mr. VAN HOLLEN) who is the ranking member on the Budget Committee.

Mr. VAN HOLLEN. I thank the gentleman from Michigan.

The American people should understand very clearly what's going on here right now, and that is that the Republican majority in this House of Representatives is refusing to allow a vote in this House on the Senate bipartisan compromise. They are refusing to even allow a vote on a bill that received 89 of 100 votes in the Senate, including 85 percent of the Senate Republicans. What are they so afraid of? It's very clear that the Republican leadership is afraid that that same bipartisanship that took place in the Senate will take place right here in the House because they don't want a bipartisan bill; otherwise, we would have a vote on it.

What we are witnessing today, Mr. Speaker, is the triumph of Tea Party extremism over the good of the country. The sad part is, we probably shouldn't be surprised because it was just a few months ago that the Republican leadership was opposed to extending the payroll tax cut at all. They originally said that raising taxes on 160 million Americans would be okay, no problem. I have a long list of statements from Republican House leaders to that effect.

Then two things happened: A whole lot of economists told us what was common sense; that, in fact, if you raise taxes on 160 million Americans, it will hurt the economy. And it also began to sound a little strange for our Republican colleagues to be zealously protecting tax breaks for special interests and for millionaires while allowing tax increases on 160 million Americans. So they changed their story. Then it was, We couldn't do this because it was going to hurt the Social Security trust fund—that coming from the party that wanted to privatize Social Security. And then the Social Security actuary told us and the country that it wouldn't take 1 cent from the Social Security trust fund. So now we have a whole different story today. Now the same folks who were opposed to any continuation of the payroll tax cut say they oppose the bipartisan Senate bill because it is only for 2 months, and now they are preventing a vote on that bill.

The consequence is going to be very clear: On January 1, 160 million Americans are going to see their payroll taxes increased. At the end of the day, the Republican majority here in the House is going to go home. They're going to go home. But you know what will remain here? The Senate bipartisan bill, because we will never have voted on it. So, at any time in the next several weeks, we can all come right back here and in a matter of 5 minutes, send that bill to the President's desk, which he said he will sign, and make sure that we avoid a payroll tax increase on 160 million Americans. Make sure that folks who are unemployed through no fault of their own get unemployment compensation; make sure that doctors will continue to be paid when they treat Medicare patients, so they can serve those patients. It will be sitting right here for 3 weeks. Why? Because the Republican majority won't let us vote on it.

I would be happy to yield 30 seconds to my friend, the chairman of the Ways and Means Committee, to tell us why you refuse to allow a vote on the Senate bipartisan bill.

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

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

I would just say that if Minority Leader PELOSI and Senator REID appoint conferees, there's no reason for taxes to go up.

With that, I would yield——

Mr. VAN HOLLEN. You didn't answer my question. The question is, Why can't we have a vote?

Mr. CAMP. Regular order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Michigan controls the time. The gentleman from Maryland is not recognized. The gentleman from Maryland shall suspend.

The Chair recognizes the gentleman from Michigan.

Mr. CAMP. I can see why the gentleman is a little bit defensive about that.

With that, I would yield 2 minutes to the distinguished member of the Ways and Means Committee, the gentlewoman from Tennessee (Mrs. BLACK).

□ 1210

Mrs. BLACK. Fixing something for 2 months is not fixing something. It's a Band-Aid and it's bad policy. I've been a nurse for over 40 years, and I'm going to use a medical analogy to illustrate this point.

If someone were to come into the emergency room where I'm working with a medical issue and I said to them: I'll give you a choice; we can either fix your problem for 2 months or we can fix your problem for a year, I have no doubt that the patient would choose certainty of 1 year over 2 months.

For the past 10 months, I have been visiting individuals and businesses in my district, and what I continually hear from them is uncertainty is hurting them and it's hurting our economy. Now, the House sent a bill to the Senate that contains some certainty, and we get back a 2-month Band-Aid.

In this bill, we have certainty for businesses, certainty for doctors, certainty for individual taxpayers, and certainty for our seniors. There is a need for a 2-year extension on the Medicare reimbursement for our doctors to ensure that seniors receive access to care. There is a need for a 1-year payroll holiday for individuals and businesses.

As has already been said, the National Payroll Reporting Consortium, which is a nonpartisan group, has expressed concerns to Members of Congress that the 2-month payroll tax holiday passed by the Senate and supported by the President cannot be implemented properly. We also need a 2-year extension or a fix for our unemployment benefits to give certainty to businesses and also to individuals.

Mr. Speaker, I am frustrated that the Senate kicked the can down the road one more time for only 2 months after we sent them a bill that was not only bipartisan—yes, a bipartisan bill passed by this House—but also had good job policies. I came back to D.C. yesterday to do something better, a package that creates certainty rather than a 2-month patch.

Mr. LEVIN. I yield 2 minutes to a very distinguished Member, the gentlelady from Illinois, JAN SCHAKOWSKY.

Ms. SCHAKOWSKY. I thank the gentleman for yielding.

Don't blame Congress for not working together; blame the House Republicans who can't even work with each other. The one and only reason this House of Representatives is not voting for the bipartisan Senate bill to provide relief to middle class taxpayers, seniors, and disabled people on Medicare and jobless Americans is because it would pass. That's right. The Republican scam was to bring up the bill supported by 90 percent of the Senate and then kill it. But on the way to this slaughter, a funny thing happened. Sensible Republicans basically said: You want me to vote to abandon millions of middle class Americans without the help they need this holiday season? No way.

So the sanctimonious rhetoric you hear today from the Republicans is nothing but talk, baby talk. If they don't get their way exactly, then they won't play.

What they're saying to millions of Americans, saying, Happy Hanukkah to middle class Americans who are lighting the first candle tonight and won't get their $1,000 tax break; Happy

New Year to our seniors and people with disabilities who may lose their doctor; Merry Christmas to the jobless Americans desperate for work, looking for work, who barely survive on their unemployment checks.

The House Republicans are the grinches who stole your Christmas.

Mr. CAMP. Mr. Speaker, I yield 2 minutes to a distinguished member of the Ways and Means Committee, the gentleman from New York (Mr. REED).

Mr. REED. To my colleagues on the other side of the aisle, it's not a $1,000 payroll tax reduction, just as was quoted by my colleague who just spoke. The Senate bill is 2 months. It is $160. So let's be clear and honest with the American people.

What we're talking about here in the House of Representatives on our side of the aisle today is that we want to do our work. Yes, we want to be with our families for Christmas and we want to be home ringing in the new year with our family and friends. But you know what, the American people deserve better. We are willing to stay here and do the work, not do Band-Aid type of policy. Tax policy on a 2-month basis, are you kidding me? That is ridiculous.

We need long-term solutions to our problems in America. We need to put the political bickering aside. Two months is not a solution. It's dodging responsibility in the Senate.

And so where I'm at today is I support the underlying bill that we stand and rise to support today, and it is a vote. We will have a vote to reject the Senate's position with its amendments and its Band-Aid policy, and we will send a clear message to the American people that we in the House of Representatives are about finding solutions long term—1, 2 years at a minimum—and we're willing to do the work.

I call on the Senate to come back to D.C. and finish the job. Hardworking taxpayers of America deserve no less than for us to honor our oath and our responsibility to govern through solutions, not political games.

Mr. LEVIN. Could the Speaker please verify how much time each side has.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. LEVIN) has 7½ minutes, and the gentleman from Michigan (Mr. CAMP) has 5 minutes remaining.

Mr. LEVIN. I now yield 2½ minutes to the very distinguished colleague from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today in firm opposition to this motion to go to conference without a vote on the Senate bill to extend the payroll tax cut and unemployment benefits. It is deeply disappointing and troubling that we'll be denied the opportunity to vote on the Senate's overwhelmingly bipartisan compromise that would bring relief to millions of America's working families.

Now, my Republican colleagues have said: Pass the 1-year bill that passed the House last week.

Well, talk to your Republican colleagues in the Senate. Four times the Senate Democrats tried to bring up your bill, and four times a Senate Republican objected. Facts are hard.

If we do not pass this bill, 160 million Americans will face a $1,000 tax increase as we go into the new year. If we do not act, in my home State, 9 million Floridians will see this tax increase next year. If we do not act, 2.2 million unemployed Americans will lose their unemployment benefits. And if we do not act, 48 million seniors will face the specter of having to find new doctors due to cuts to Medicare reimbursement rates.

Like many of my colleagues, I have received countless constituent calls, letters, and emails, many of them very personal and emotional.

Just this morning, I was especially moved by a note from a single mom, Christine, with a 3-year-old daughter, from my congressional district. She wrote: I am pleading my case to you out of desperation to extend unemployment insurance.

These benefits help her provide food and necessities for her daughter. Too many of my colleagues like to paint unemployment beneficiaries with one insensitive and cruel brush. This young woman is not someone sitting around just collecting government checks. She was laid off from her job this fall and has only been on unemployment for a couple of months while she looks for another job.

My constituent's story, while personal and moving, is, unfortunately, not a unique one. My Republican colleagues who callously ignore the needs of middle class Americans by refusing to vote on the payroll tax extension and unemployment benefits are sending the message to millions of working families that, despite their efforts to look for and find work in this delicate economy, they simply don't care.

The House Republican leadership needs to allow a straight up-or-down vote on the Senate bill which passed 89–10 with strong bipartisan support. Clearly, they are afraid it might pass.

I urge you to listen to the plight of constituents like Christine who said: I'm asking that they give people more time to find work by pushing these dates back further. I'm having a very hard time trying to find work that will accommodate my living expenses for myself and 3-year-old daughter.

Christine has only been on unemployment since September. She needs our help. Millions of Americans need our help. Pass this bill and stop playing politics with people's lives.

Mr. CAMP. Mr. Speaker, I yield a minute and a half to the distinguished gentleman from Louisiana (Mr. SCALISE).

□ 1220

Mr. SCALISE. I thank the gentleman from Michigan for yielding.

What we're talking about here today, Mr. Speaker, is the difference between passing a tax policy that would only last 2 months or passing a tax policy that lasts the entire year. During this next week and a half, while families are sitting at home doing their budget for next year, they're going to be making their budget for the entire year 2012, not for just 2 months. And yet what the Senate sent over is a plan that only kicks the can down road, and we'd be right back here again having this same debate in 2 months.

People are sick and tired of this kind of absurd action from Congress. If you look at early civics courses, anybody that takes their first civics course knows that when there's a difference between the House and the Senate—as there is here—then the two sides appoint conferees, they get together and they work out those differences. That's what the legislative process is about. And clearly we have a difference.

We think the policy should be for an entire year, as even the President has said, and the Senate sent us over a 2-month patch that doesn't even fix the problem. In fact, outside groups like the National Federation of Independent Businesses said this would hurt small businesses. And yet what do we get from the other side? Minority Leader PELOSI, Mr. Speaker, said she will not appoint any House Democrats to participate in the negotiations. She just said this last night. So in the spirit of Christmas, you've got the minority leader saying she's just going to take her toys and go home. That's not the responsible thing to do.

Let's stay here, let's get the policy right, let's do our work, and let's have the Senate do their work, too, for the American people.

Mr. LEVIN. I yield 1 minute to the distinguished gentleman from Georgia, Mr. DAVID SCOTT.

Mr. DAVID SCOTT of Georgia. Thank you very much, and I appreciate the opportunity to come down and to say a few words on this.

Ladies and gentlemen, I'm so glad that the people of this country are tuning into what's happening on the floor of this House of Representatives. What we are seeing is a great dysfunction in the Republican Party in the House of Representatives.

Here is this situation: the American people are hurting, and 160 million American people do not need their taxes to go up. There are 2.2 million American people who are without unemployment benefits who will have those unemployment benefits not extended. And there are seniors, 48 million of them, who will not be able to go and visit their doctors. America is hurting, and what does the Republican Party in the House of Representatives want to do? They want to hurt them some more by not even allowing a vote on a compromise bill that was passed by the Senate with 89 votes, 39 of them members of the Senate Republican Party.

Ladies and gentlemen, what's at stake here is a failure to compromise.

That is the key. When Hamilton and Jefferson failed to compromise, it was John Adams that brought them together. Where would this country be if that had not happened? Ladies and gentlemen of America, wake up and realize that this is not a party just of Tea Party people, or Republicans or Democrats, it's a party of all of us.

Mr. CAMP. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the gentleman.

The President of the United States has said it would be inexcusable not to extend the payroll tax cut for 1 year. Ms. PELOSI and Mr. HOYER have said the same thing, as have dozens of other leading Democrats. I agree with them and so does a bipartisan majority of the House who last week voted to extend the tax cut for 1 year.

Now why do we support it for 1 year? Because 2 months only gives uncertainty to this fragile economy. Uncertainty. Families can't plan, businesses can't plan, and jobs can't be created. So why do the Democrats want the 2 months? Sadly, because like their Democrat colleagues in the Senate, they want to go home. But do you know what? There is a 200-year-old mechanism for ironing out Senate and House agreements. It's called ''conference committee.''

Now your leader has decided not to appoint people to this conference committee. You want to compromise, that's what this vote is all about. We want to compromise. We know we can't get everything we want. But unlike the Senate, we're not saying it's our way or the highway. We're saying compromise. Vote ''yes'' on this vote. Let's compromise, and let's get this done.

Mr. LEVIN. I yield 1 minute to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, tax cuts delayed are tax cuts denied. Last year, just before the holidays, the House Republicans extended the Bush tax cuts for millionaires and billionaires, no strings attached. And this year, Republicans won't even allow a vote to extend middle class tax cuts. Republicans want to procrastinate. Democrats want to legislate.

When it comes to millionaires, the Republicans are Santa Claus. For the middle class, they are the Grinch. This isn't ''Mission Impossible,'' Mr. Speaker. We don't need Tom Cruise to save seniors, the middle class and the unemployed. We just need to pass the Senate compromise right now. By not allowing an up-or-down vote on this bipartisan compromise, the Republicans are raising the curtain on their real priorities: millionaires and billionaires.

Americans don't need any more meetings, and they don't need any more debate. They just need us to make sure their taxes do not go up on New Year's Day. Today, we can protect the middle class, the seniors, and the unemployed by passing this bipartisan compromise right now. Do it now.

Mr. CAMP. I yield 1 minute to the distinguished chairman of the Select Revenue Measures Subcommittee, the gentleman from Ohio (Mr. TIBERI).

Mr. TIBERI. Mr. Speaker, this debate is in many ways surreal—surreal. I learned in Civics 101 that the House is a coequal branch to the Senate. Members on the other side say, well, this is a compromise. It's a compromise in the Senate, not the House. The House has spoken. The Senate says, my way or the highway.

Now, I understand that that's how it's kind of become around here, and I know there are friends on the other side of the aisle who are upset with the Senate when they've done it on other bills when they were in the majority.

This is enough. The American people deserve better. We need to get back to regular order. We need to compromise between the House-passed bill and the Senate-passed bill. That's the way the Founding Fathers wanted it: compromise between the House and the Senate, not between the Senate and the Senate. Two months for the American people, that's outrageous. They deserve a year, a full year to have a payroll tax holiday, not 2 months.

Come on, ladies and gentlemen, let's send the Senate a message: come back to Washington and do your work. Give the American people a year, not 2 months.

Mr. CAMP. Mr. Speaker, I would advise my colleague that I have no further speakers and am prepared to close.

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

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 3 minutes.

Mr. LEVIN. I remember when I was doing arguments before a court and the judge would ask me a very salient question that would get to the heart of the matter. And that's where we are today. There's this question to the Republican majority: If you're so sure of your arguments, why not allow a vote on the Senate bill? Otherwise, everything you've said is a smoke screen. It's because you're afraid you'd lose it, or you don't want some people voting ''no'' on the RECORD. That's really what this is about.

And there's a second question: If you believe in bipartisanship, why not allow a vote on a bipartisan bill in the Senate? I quoted three Senators, and three more now have spoken out, Senators SNOWE, WICKER and GRASSLEY. Senator GRASSLEY says, if it doesn't pass the House today, there's a chance the payroll tax holiday will be lost. And Senator WICKER says, I'm surprised the House isn't willing to take a 2-month time-out to do something more lasting.

So I think the answer is, again, your talk about bipartisanship is totally shallow. The previous speaker said that the Senate said, it's my way or the highway. No, that isn't accurate. The Speaker of the House said to the Senate, get on the road and pass a bill. He never said don't do it. He said do it.

□ 1230

No, the problem is that many people in the House never wanted to extend the payroll tax in the first place. And you sent over a bill that deleted 40 weeks of unemployment insurance for the millions who are looking for work and can't find a job. So today we have no choice but to vote ''no'' and insist that this obligation be met in this House of Representatives.

Vote. Vote. Vote on the bill that the Senate passed. Your denial of allowing us a vote is a denial to the people of this country who are uninsured as of December 1 for unemployment, who need Medicare, and also those who need the continuation of the payroll tax cut. That's what all of this is about. And anything else is a pure smoke screen that all the American people will see through.

I yield back the balance of my time.

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

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 1½ minutes.

Mr. CAMP. What we're voting on today is to disagree with what the Senate did to our bill. We're voting to disagree to the Senate amendments. Once that's adopted, the House message on this bill goes back to the Senate, and the Senate then is the only body in possession of the bill. And we cannot move forward to resolve the differences between the House and the Senate until Leader REID and Representative PELOSI appoint conferees. So we're voting to disagree with the Senate.

And let me just say, 2 months isn't long enough. You've heard a lot of people talk today in this debate. It's embarrassing that we're doing tax policy for 2 months. But it's not just House Republicans who think we need a longer term extension, it's supporters, including many of our Nation's Democratic Governors.

I received a letter, a letter that actually went to our leaders last week, from 16 of the Nation's Governors, Democratic Governors, after we approved H.R. 3630. They called for a swift passage of a 1-year extension—not 2 months, 1 year. That's what the House bill does. And what's more, that's what the Senate bill specifically rejects.

I urge that we vote to disagree with the Senate amendments and let's get on to a conference. Let's resolve this this year so we can make certainty in our Code, certainty for all of those people who are out of work, and certainty for those seniors who need to see a physician—for more than 2 months, but for 2 years.

DECEMBER 15, 2011.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.
Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate,
Washington, DC.
Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington, DC.

DEAR SENATOR REID, SENATOR MCCONNELL, SPEAKER BOEHNER, AND REPRESENTATIVE PELOSI: We write to urge you to swiftly pass a one-year extension of the Emergency Unemployment Compensation Program (''EUC'') and 100% federal funding of the Extended Benefits (''EB'') Program before they expire on December 31.

We are extremely concerned about the potential impact of the expiration of these programs on families and our economic recovery as a whole. Unless Congress extends these programs before adjourning for the holidays, nearly 2 million unemployed workers will lose this critical support in January 2012 alone. Now is not the time to turn our backs on hard-working Americans. Individuals who are laid off through no fault of their own rely on these funds to support their families.

Extending unemployment insurance is a critical part of our ability to speed up the economic recovery process. Unemployment insurance benefits are immediately injected back into the economy. According to the Congressional Budget Office, federally extended unemployment insurance benefits provide one of the best bangs for the buck in terms of stimulating economic growth.

Congress has never failed to act on extending federal unemployment insurance benefits when the unemployment rate has exceeded 7.2%, and we must not fail our citizens now.

We urge immediate action to extend Emergency Unemployment Compensation and 100% federal funds for the Extended Benefits program through the end of 2012.

Sincerely,

Governor Pat Quinn, Illinois; Governor John Hickenlooper, Colorado; Governor Jack Markell, Delaware; Governor Steven L. Beshear, Kentucky; Governor Deval Patrick, Massachusetts; Governor Andrew Cuomo, New York; Governor Edmund Gerald Brown, California; Governor Dannel P. Malloy, Connecticut; Governor Neil Abercrombie, Hawaii; Governor Martin O'Malley, Maryland; Governor Mark Dayton, Minnesota; Governor Bev Perdue, North Carolina; Governor John A. Kitzhaber, M.D., Oregon; Governor John deJongh, Jr., Virgin Islands; Governor Peter Shumlin, Vermont; Governor Chris Gregoire, Washington.

Mr. Speaker, I yield back the balance of my time.

Ms. HIRONO. Mr. Speaker, I rise today in support of the Senate Amendment to H.R. 3630, the Temporary Payroll Tax Cut Continuation Act of 2011.

Unfortunately, this isn't the legislation we will be voting on today. The Majority has decided to side-step that bill, which passed the Senate this weekend on a bipartisan 89–10 vote.

Instead, the House Majority's aim is to reopen negotiations in an attempt to force the Senate to include in the bill many poison pill provisions, like requiring a high school diploma to receive unemployment benefits.

President Obama has said that the Senate's compromise bill is ''the only viable way to prevent a tax hike on January 1.''

The legislation the Senate passed this weekend, and that we should be considering today, would provide for a two-month extension of several measures that will help keep our economy moving in the right direction. These include extending unemployment benefits, the payroll tax cut, the temporary assistance for needy families (TANF) program, and preserving the rate of Medicare payments to doctors.

Let me be clear Mr. Speaker, the Senate bill is a modest proposal at best. However, extending these vital measures are necessary to keep our economy moving forward and growing.

Failure to reach agreement is unacceptable. If we fail to pass the Senate bill, 700,000 workers in Hawaii will see their paychecks shrink and taxes increase in January. Nearly 3,000 people in Hawaii will lose their unemployment benefits in January. Some 27,000 Hawaii families will lose access to assistance that helps feed their children while they seek new jobs. And we will unnecessarily be making it harder for doctors to provide the care our seniors deserve.

Failing to extend the payroll tax and unemployment benefits wouldn't just be irresponsible for workers and families—it would actually do serious damage to our nation's economic growth.

In fact, independent economists forecast that failing to extend these two measures could cost 1.3 million jobs.

Of course, the Senate's legislation is far from perfect. I regret that we were unable to reach an agreement that would have extended these measures for the entire year.

I also regret the House Majority's insistence on attempting to tie these vital provisions to unnecessary and controversial ones.

I am glad the Senate has sent us a bill that removes some of the most offensive poison pills—like slashing extended unemployment benefits to 40 weeks and ridiculous and probably unconstitutional changes to eligibility requirements for those benefits—that passed the House last week.

Despite these changes the Senate bill is very much a compromise. It still includes a provision that would unnecessarily rush the Administration's review and approval of the controversial 1,700 mile long Keystone XL pipeline project.

I fail to see the benefit of rushing this decision. The President has committed to ensuring that the State Department conducts a thorough review of this project in order to determine the economic, environmental, and public health impact it could have on our nation.

This is particularly prudent because the proposed route runs from Canada to the Gulf Coast—directly through the center of our nation. Its proposed route passes through the sensitive Sand Hills in Nebraska and over the Ogallala aquifer. This aquifer provides 30 percent of all groundwater used for irrigation in the U.S., as well as drinking water for millions of Americans.

The State Department has indicated that the earliest these necessary reviews will be completed is 2013. Expediting this review process is short-sighted, unwise, and could have serious negative implications for future generations and media reports indicate that the Administration will not approve the project under this tight timeline.

So despite this troublesome provision, I had intended to support the Senate's bill.

The Majority's attempt to renegotiate this entire package is a waste of time. We should come together to extend the relief that our workers and their families deserve and return next year with a new focus on how to move our economy forward.

With the holidays just days away, we owe families in Hawaii and the American people at least that much.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today in support of the Motion to Concur on H.R. 3630 ''Middle Class Tax Relief and Job Creation Act of 2011.'' This legislation sends the right message at a critical time for Americans.

The Senate passed a measure this past Saturday that, while not perfect, will grant the American people the certainty they need as we head into a new year. The Senate Amendment to H.R. 3630 received overwhelming bipartisan support in the Senate. It passed by a margin of 89 to 10.

The Senate version would allow employees to continue to pay a 4.2 percent tax on wages, and the self-employed would only pay 10.4 percent; which represents a 2 percentage point tax cut.

This tax cut would provide a much-needed boost to the economy as these tax savings could be used for investment, savings accounts, and for the purchase of both goods and services. This kind of commercial activity is what will keep the economy moving.

The Senate version would remove provisions in the bill that implies that would stigmatize the unemployed by implying they use illegal substances and penalizes those who must choose between paying rent or taking job training courses. The Senate Amendment removes the onerous unemployment provisions from H.R. 3630. Namely, the provisions that would allow states to test those who apply for unemployment benefits for illegal drugs and one that would require a GED, a high school diploma, or attendance in a course to attain a GED prior to being able to qualify for unemployment benefits.

In addition, the Senate amendment to H.R. 3630 removes a $300 million on a special interest provision. The provision, which had passed the House, would only help a handful of specialty hospitals while resulting in billions of dollars in cuts from community hospitals. The Senate Amendment removes this poison pill. In effect, the Senate rejected this assault on the elderly, the unemployed, and the middle class.

RULES COMMITTEE'S LAST MINUTE CHANGE TO THEIR AGENDA

Last evening the Rules Committee was originally scheduled to convene an emergency meeting at 7:05 p.m. The purpose of their meeting was to discuss a motion to concur with the Senate amendment to H.R. 3630. I arrived at the Rules Committee prepared to give testimony to buttress my two amendments to the measure and to give my support to the Senate Amendment to H.R. 3630.

The Committee would not accept my amendments and refused to accept testimony; to add insult to injury they delayed the meeting from 7:05 p.m. to 9:15 p.m. Again, I was prepared to speak on the measure and my amendments. To my surprise, the Rules Committee failed to discuss or bring up the motion

to concur with the Senate Amendment to H.R. 3630.

It is my belief that something must have occurred prior to and immediately after the 7:05 p.m. meeting that would drastically change Republicans' agenda. Because at 9:15 p.m. they brought up a completely different agenda. I am both surprised and disappointed that the Committee failed to address this issue head on and rather bent to whatever pressures they received prior to meeting on the Senate amendment.

My amendments would have made it clear that hedge fund managers would finally be required to pay their due share of carried interest; they would be required at minimum to pay the same amount in taxes, as their house keepers.

In addition my second amendment would have ensured that millionaires would also pay their fair share of taxes. Because of the actions of the Rules Committee I never got the opportunity to express my support for these important amendments, nor did I have the opportunity to support the Senate amendment because of the drastic changes made to the Rules Committee Agenda.

CERTAIN REPUBLICANS NEVER INTENDED TO SUPPORT A PAYROLL TAX CUT

There is little doubt that there have been factions within the Republican party who have never intended to support a payroll tax cut for middle class Americans. When the idea of a payroll tax cut began to surface there was an instantaneous reaction against the idea among certain conservative Republicans. The behavior of the Rules Committee, which changed the agenda at the last minute, is a probable example of these internal disagreements.

Less than two weeks ago a Tea Party Republican made it clear that he did not support a payroll tax cut. In order to convince him to support H.R. 3630 it seems that other provisions had to be added, provisions like the keystone pipeline. This Tea Party Republican made it clear "[Republican Leadership] certainly seems to be dragging me kicking and screaming to the 'yes' line". Such is the comment of a Member of Congress who wants us all to believe that he was undecided on a payroll tax cut. I wonder how many promises had to be given before the American middle class could be cut a break.

This position was also shared by a Senator, who is part of Senate Republican Leadership. He voted four times against proposals to keep the tax holiday. According to this Republican Leader "We get paid to vote . . ." and he certainly did his duty and voted, he voted against payroll tax cuts for the middle class. This would not be an example of a person who was less than two weeks ago ready to be swayed.

Washington Republicans in general found themselves in a quandary. Should they support a measure that would have protected provisions in Medicare, extended unemployment, and provided a payroll tax cut or stick to partisan politics. Washington Republicans apparently did not believe that a break, which would have lowered the payroll tax from 6.2 percent to 4.3 percent would help job growth next year. Then there are those who are more concerned with not giving the President a victory. The victory would not be for the President, the victory who would be for the American people. For the moms and dads who as a result of the payroll cut would be able to buy their child a new pair of shoes, place an additional meal on the table, or pay their rent.

It is not a surprise that those Republicans, who dug their heels into the ground, long before today, are the very Republicans who are allowing the American people to bear the brunt of this stalemate.

As passed in the House, H.R. 3630 had a list of poison pills which would have harmed not only the health of Americans but the health of the American economy.

UNEMPLOYMENT

Republicans had targeted the unemployed by slashing 40 weeks of unemployment insurance. Such an action would have negatively impacted the lives of millions of families. These are the very families who are still struggling under the weight of the worst economic downturn since the Great Depression. The Senate rejected this assault on the elderly too.

Our failure to act on the Senate amendment to H.R. 3630 would result in twenty-two jurisdictions with the highest unemployment rates being the hardest hit these states are: My home state of Texas, Alabama, California, Connecticut, DC, Florida, Georgia, Illinois, Idaho, Indiana, Kentucky, Michigan, Missouri, Nevada, New Jersey, North Carolina, Ohio, Oregon, Rhode Island, South Carolina, Tennessee and Washington.

According to a report released by the Department of Labor just two weeks ago, 3.3 million Americans would lose unemployment benefits as a result of H.R. 3630 compared to a continuation of current law. In my home state of Texas alone, 227,381 people will lose their sole source of income by the end of January.

There is nothing normal about this recession. Republicans seem to want to blame the unemployed for unemployment. But the truth is there are over four unemployed workers for every available job, and there are nearly 1 million fewer jobs in the economy today compared to when the recession started in December 2007. In our nation's history there has never been so many unemployed Americans without work for such a long period of time. Republicans are clearly out of touch.

We must act now to extend unemployment insurance and remove dastardly provisions related to drugs and education that do nothing more than insult the integrity of the jobless. Currently, 9.8 million people are receiving unemployment insurance in some form. We have 11 days to act. On Dec. 31, federal unemployment insurance benefits are set to expire, which means nearly 2 million will be cut off from unemployment insurance early next year if Congress doesn't act now. Congress has never allowed emergency unemployment benefits to expire when the unemployment rate is anywhere close to its current level of 9.1 percent.

For every dollar spent on unemployment insurance, a study found an increase in economic activity of two dollars. According to the Economic Policy Institute that extending unemployment benefits could prevent the loss of over 500,000 jobs. Further, a study by IMP AQ International and the Urban Institute found unemployment insurance benefits reduced the fall in GDP by 18.3%. This resulted in nominal GDP being $175 billion higher in 2009 than it would have been without unemployment insurance benefits.

If Congress fails to act before the end of the year, Americans who have lost their jobs through no fault of their own will begin losing their unemployment benefits in January. By mid-February, 2.1 million will have their benefits cut off, and by the end of 2012 over 6 million will lose their unemployment benefits.

THE IMPACT ON AMERICANS POISON PILLS IN H.R. 3630

The reforms to unemployment and other provisions that we sent over to the Senate, sweeping as they were, may have been lost amid other features of the Republican package.

DRUG TESTING

Under current law, states are not allowed to deny workers unemployment insurance for reasons other than on-the-job misconduct, fraud or earning too much money from part-time work. The drug testing requirement in H.R. 3630 is burdensome and onerous. Unemployment is at its highest in twenty-five years, the economy is in a downward spiral, millions of people are just getting by and government wants to further degrade them.

A worker advocacy group recently described the drug testing Element in the House-passed bill, the "most disturbing" part of the Republican unemployment reforms. "Devising new ways to insult the unemployed only distracts from the current debate over how to best restore the nation's economy to strong footing and the discussion over how to best support the unemployed and get them back to work"

There is no evidence to support that the average person who applies for unemployment insurance is an illegal drug user. The inference that those who need this benefit must be screened for drugs is offensive. Hardworking Americans are depending on a benefit they worked to attain. The Senate amendment to H.R. 3630 removes this offensive provision.

GED/HIGH SCHOOL DIPLOMA REQUIREMENT

In addition, the Senate amendment does not blame the unemployed for being unemployed. By this I mean, the version of H.R. 3630 which passed the House would deny unemployment benefits to individuals who did not have or were not attempting to attain a high school diploma or a GED.

As supported by House Republicans, H.R. 3630 denies unemployment insurance benefits to the most vulnerable workers, those without a high school diploma or GEDs, if they can't demonstrate they are enrolled in a program leading to a credential. Workers with less than a high school diploma are unemployed at significantly higher rates than workers with a bachelor's degree (13.2 percent v. 4.4 percent).

I understand the rationale behind wanting to advance the skills of our nation's work force. Believe me the hardships faced by those who have not attained a GED or high school diploma are indisputable. The labor force participation rate for persons without a high school diploma is 20 percentages points lower than the labor force participation rate for high school graduates.

Nationally, approximately 70 percent of all students graduate from high school, but African-American and Hispanic students have a 55 percent or less chance of graduating from high school.

If this measure passes as written, African-Americans and Hispanics who are already the hardest hit by this economic downturn will now lose access to employment benefits at a greater rate, solely based upon their educational attainment. This just does not seem fair.

Only 52 percent of students in the 50 largest cities in the United States graduate from high school. That rate is below the national high school graduation rate of 70 percent, and also falls short of the 60 percent average for urban districts across the Nation. Over his or her lifetime, a high school dropout earns, on average, about $260,000 less than a high school graduate, and about $1 million less than a college graduate.

I vehemently disagree with how H.R. 3630 chooses to address increasing the skills of our workforce. I do not believe we should blame those who for a variety of reasons were not able to attain a high school diploma or GED. We should not punish them by excluding them from benefits that they have earned! We should be focused on programs to encourage and retrain our workforce. Programs like those offered by organizations like the National Urban League.

MEDICAID

My colleagues on the other side in H.R 3630 had singled out Medicare premium increases that would have permanently increase seniors' costs by $31 billion. The Senate Amendment addresses the Medicare Sustainable Growth Rate (SGR), extending physician payment rates and preventing a 27.4% cut through February 29th; and it addresses Medicare and Medicaid Extenders policies through February 29th as well. It also includes a simple extension of TANF through February 29th. The Congressional Budget Office estimates changes to Medicare under the Republican budget plan will triple the cost for new beneficiaries by 2030 and increase costs for current recipients, including the 2.9 million people in Texas who received Medicare in 2010.

H.R. 3630 would result in significant changes to Medicaid, threatening healthcare resources for the 60 million people, half of them children that rely on this program to stay healthy. A block grant for funding or a cap on federal Medicaid spending would increase the cost for states and the low income families who benefit from the program.

Harris County has one of the highest Medicaid enrollment records in Texas. Limits and cuts to Medicaid funds would significantly hurt the citizens of Texas's 18th District. Harris County averages between 500,000 and 600,000 Medicaid recipients monthly, thousands of people who may not have access to healthcare under this budget.

If there is a single federal program that is absolutely critical to people in communities all across this nation at this time, it would be unemployment compensation benefits. Unemployed Americans must have a means to subsist, while continuing to look for work that in many parts of the country is just not there. Families have to feed children.

Personal and family savings have been exhausted and 401(Ks) have been tapped, leaving many individuals and families desperate for some type of assistance until the economy improves and additional jobs are created. The extension of unemployment benefits for the long-term unemployed is an emergency. You do not play with people's lives when there is an emergency. We are in a crisis. Just ask someone who has been unemployed and looking for work, and they will tell you the same.

I am committed to producing tangible results in suffering communities through legislation that creates jobs, fosters minority business opportunities, and builds a foundation for the future. We cannot now, or ever, allow partisan politics to keep us from addressing the needs of American families, the unemployed and seniors. I encourage my colleagues on the other side of the aisle to drop these harmful policy riders and support the Senate amendment to H.R. 3630.

Mr. HOLT. Mr. Speaker, just last week I came to the floor and spoke to the need for this body to prevent a tax increase for 160 million American workers. Yet today, the House Majority is actually voting to raise taxes for middle class families. Under their plan taxes go up on January 1, 2012 for 160 million workers, unemployment benefits expire and seniors lose access to their doctors. I am voting to prevent that from happening. They can claim all they want they support tax relief for middle class families, but today they are rejecting the compromise that passed the U.S. Senate with broad bipartisan support and that could be signed into law by President Obama. Instead of helping pass this real bipartisan compromise, the House Majority is claiming they want to help ordinary people even as their actions show otherwise. The American people will pay the price with higher taxes next year. Members of the Majority opposed this tax cut for middle class Americans a year ago and they are even more opposed to its extension now.

Ms. CLARKE of New York. Mr. Speaker, what has happened today would be comical if it weren't so damaging to our nation's middle-class.

Mr. Speaker, the American People need to know the facts:

The fact is, Mr. Speaker is that this body passed a tax cut bill that they knew would not make it through the other body

The fact is, Mr. Speaker, that the other body, in about as bipartisan a manner as this 112th Congress has ever seen, voted overwhelmingly to pass a two month extension of the payroll tax cut so that taxes would not go up for millions of Americans on the 1st of January.

The fact is, instead of passing this commonsense legislation which would have bought time for a comprehensive full year extension of the payroll tax cut to be negotiated, the GOP-led House would not allow a vote.

Mr. Speaker, the Majority has instead decided to kill the payroll tax cut altogether and not buy Congress time for a comprehensive deal.

Mr. Speaker, I hope that when it's time to let tax cuts for millionaires and billionaires to expire, the Republicans will show the same callous disregard they have shown our nations struggling middle-class.

Mr. COSTELLO. Mr. Speaker, I will vote today against this motion to go to conference with Senate and in support of the two-month payroll tax cut extension. While it is not perfect, it is a reasonable compromise that will help people make ends meet while we continue to work on a longer-term solution.

The fact is that Democrats and Republicans have been working at finding such a solution for several weeks, and this is the best we can do at this time. As we have done at other times this year, notably with the debt limit vote in August, we have an opportunity to do something for the good of the country on a short-term basis. While this is not ideal, I believe approving a two-month extension is better than letting the payroll tax reduction and unemployment benefits expire while Medicare reimbursements to doctors are cut dramatically, which will have negative effects for our fragile economic recovery.

Mr. Speaker, this bipartisan compromise was overwhelmingly approved in the Senate and includes several provisions that Republicans worked hard to include, such as requiring President Obama to make a decision on the Keystone pipeline within 60 days. It will provide relief to individuals and families who need it and support for the overall economy. This is not the time to draw lines in the sand. I urge my Republican colleagues to let the House consider the two-month extension today and to vote in support of it. Then we can continue to work on how to extend this relief through the duration of 2012.

Mr. WOLF. Mr. Speaker, I oppose motions regarding a conference because I do not support any of the costly proposals to extend the temporary payroll ''holiday,'' which destabilizes the Social Security Trust Fund and does nothing to enact the needed long-term structural reforms necessary to right our fiscal state of ship.

Our country is going broke. The national debt is over $15 trillion. It is projected to reach $17 trillion next year and $21 trillion in 2021. We have annual deficits of approximately $1 trillion. We have unfunded obligations and liabilities of $62 trillion.

The Social Security Actuary has said that by 2037 the trust fund will be unable to pay full benefits. This means that everyone will receive an across the board cut of 22 percent, regardless of how much money they paid into the system.

Washington is dysfunctional. After months of passionately debating the importance of reducing the deficit, the President and Congress are now advocating for a policy that's barely, if at all, improved our economic outlook and further contributes to our crushing debt burden.

My floor statement from December 13, which I have reposted on my Web site, further explains my opposition to the underlying legislation.

During his 1796 farewell address, George Washington admonished his fellow countrymen: ''We should avoid ungenerously throwing upon posterity the burden of which we ourselves ought to bear.'' The Congress should heed his advice.

I voted ''no'' on this policy last December. I voted ''no'' on this policy last week. And I vote ''no'' today.

Mr. DINGELL. Mr. Speaker, I rise in support of the Senate amendment to H.R. 3630. Working Americans cannot wait another minute for Congress to make up its mind and act. The country and its people are ill-served by the House leadership's inability to make up its mind. The economy and its future, as well as our credit rating, are being severely impaired by leadership's failure to lead in finding a solution to this problem and Republicans' followership to follow and support such solution.

While the Senate's solution is less than perfect, it's a desperately needed start. Our failure to prevent an increase in payroll taxes and the expiration of unemployment benefits will cut the legs out from under our country's economic recovery.

To be clear, I am not at all comforted by the Senate's compromise on extending unemployment benefits. By not addressing the contentious ''look-back'' issue, it is all but certain that states with persistently high unemployment rates that have improved very marginally—like my home state of Michigan—will all of a sudden find themselves ineligible for emergency federal benefits. As far as I'm concerned, that's like taking a sick person's medicine away because he's gotten slightly better.

That's not to say the bill is all bad. The Senate amendment to H.R. 3630 also extends for two months the critical section 508 hospital reclassification and will allow us more time to find a workable and sustainable solution to the Medicare Sustainable Growth Rate reimbursement levels.

I urge my colleagues—particularly those on the other side of the aisle—to do the right thing by the American people and vote in favor of the Senate's amendment to H.R. 3630. The House leadership cannot continue to move the goalposts every time Congress appears close to a deal. The GOP strategy of trying to keep America down to win elections endangers the country, our people, and our future.

In short, let's not let the perfect be the enemy of the good and punish hardworking Americans in the process. We cannot in good conscience go home to our districts for the holidays without passing this bill and committing to coming back here in March to enact a full one-year extension of UI benefits, the payroll tax cuts, and Medicare physician reimbursement rates.

The Congress's dithering around has brought us to the brink again, but we have an opportunity to salvage this situation tonight. We will be foolish to let it pass us by.

Ms. WILSON of Florida. Mr. Speaker, today I rise to tell my fellow Americans that House Republicans have declared a war on the holidays. By refusing to allow an up or down vote on the payroll tax cut extension passed by the Senate, my Republican colleagues are putting lumps of coal in everyone's Christmas stockings, and taking away their Hanukkah gelt. We in Congress cannot in good conscience go home for the holidays until we ensure that our constituents can celebrate with their families instead of feeling like the Grinch stole all their presents.

We have a measure in place which nine out of every ten Senators—both Democrats and Republicans—agreed to. We have a measure in place that the President, over his own wishes, has said he will sign into law. We have a measure that the majority of my Caucus is ready to support. Why are we waiting?!

Mr. Speaker, today I urge to my colleagues to join me in support of a true payroll tax cut and unemployment extension. I urge them to join me in supporting the Senate Amendment to H.R. 3630. I urge them to join members of their own Caucus, and most of all I urge them to join the American public.

We've been down this road before. What President Obama is for, the Republicans are against; and whatever the President is against, they are for. The Republicans are not looking out for the American people, Mr. Speaker—they are only looking out for their own selfish interests and for their stated goal of defeating President Obama in 2012.

Let's put an end to these games, Mr. Speaker. Let's not give 160 million Americans a $1,000 tax hike, let's not take away the unemployment benefits of 2.2 million Americans, and let's not block 48 million seniors' access to their doctors.

Mr. AL GREEN of Texas. Mr. Speaker, I support a one-year extension of the payroll tax holiday, unemployment insurance and protecting seniors' access to their Medicare physician. However, both Democrats and Republicans in the Senate of the United States voted overwhelmingly to extend these expiring provisions for two months, so that Congress might have adequate time to negotiate a longer term extension for the American people. House Republicans' refusal to vote on the Senate compromise puts at risk American middle class families at a time when we must do all that we can do to support them.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 502, the previous question is ordered.

The question is on the motion by the gentleman from Michigan (Mr. CAMP).

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 229, nays 193, not voting 11, as follows:

[Roll No. 946]

YEAS—229

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
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)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
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
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—193

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Bass (NH)
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
Flake
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
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
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
Wilson (FL)
Wolf
Yarmuth

NOT VOTING—11

Bachmann
Buchanan
Coble
Diaz-Balart
Filner
Giffords
Johnson, E. B.
Olver
Paul
Schrader
Woolsey

□ 1256

Mr. DAVIS of Illinois and Ms. HAHN changed their vote from ''yea'' to ''nay.''

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 946, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

MOTION TO INSTRUCT CONFEREES ON H.R. 3630, MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2011

Mr. HOYER. Mr. Speaker, I have a motion to instruct at the desk.

The SPEAKER pro tempore. The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. Pursuant to House Resolution 502, the motion is considered read.

The text of the motion is as follows:

Mr. Hoyer moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 3630 be instructed to recede from disagreement to the Senate amendment.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Maryland (Mr. HOYER) and the gentleman from Michigan (Mr. CAMP) each will control 30 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I yield myself 4 minutes.

It is December 20, and the Republicans are using it as a day to dissemble, pretending to support a tax cut for working Americans while making it uncertain and delayed.

We, of course, as we all know, could pass the Senate bill by 2 o'clock today, send it to the President, and provide certainty to working Americans come January 1 that their taxes will not go up.

The choice, I suggest to all of you, is not between 60 days and 1 year, because at least we all say we're for 1 year—we are for 1 year, we will support a 1-year extension—but we know the Senate has been unable to agree. So they sent us back an agreement that they could agree on to give us 60 days to get to that 1 year.

Instead, House Republicans refuse to even bring the Senate's bipartisan compromise to the floor. Eighty-nine U.S. Senators voted for a compromise, and you will not bring it to the floor. You create uncertainty and anxiety among the public.

□ 1300

That is shameful and disappointing.

As a result, on January 1, if there is no agreement, those of you who vote to send this to conference today and against this motion to instruct will be responsible for 160 million Americans seeing their taxes increase next year, for 2.3 million people seeking jobs who will lose their unemployment lifeline by mid-February, and for 48 million Americans having their access to doctors placed in jeopardy.

Those are the stakes.

America thought we had an agreement this weekend. JOHN MCCAIN thought we had an agreement this Saturday—and yes, Speaker BOEHNER thought we had an agreement on Saturday. America thought there was reason to hope that middle class Americans would be spared this entirely preventable tax increase.

I tell you, my friends, if this were about the upper income tax increase, it would pass like lightning in your conference—like lightning. But no. This is about putting in jeopardy a middle class tax cut, and we could play political games with that. We're now witnessing the concluding convulsion of confrontation and obstruction in this most unproductive, Tea Party-dominated, partisan session of Congress. As a result, Speaker BOEHNER decided he wasn't for the agreement.

Now let me tell you what Speaker BOEHNER said 6 months ago, because there was a lot of talk about this 1-year extension. He called proposals to extend or expand the payroll tax cut at that point by a year ''another little short-term gimmick.''

Same rhetoric. Different circumstances. But both put at risk the middle class.

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

Mr. HOYER. I yield myself an additional minute.

In Senate Republican Leader MCCONNELL's own words, ''The compromise that you are rejecting today was designed to pass.''

In fact, the bill that you passed you knew was designed to fail. Because you knew it was going to fail, your Republican leadership in the Senate objected to its being considered on the floor of the United States Senate, just as you have refused to consider the Senate's compromise on this floor.

It did so in the Senate. That bill that was designed to pass, according to Senator MCCONNELL, did so in the Senate with overwhelming support from 83 percent of Republicans and from every Democrat, including the entire Senate Republican leadership and the entire Democratic leadership.

Democrats, Mr. Speaker, are fighting to prevent a painful tax increase for the middle class. The way to do that is to pass the Senate compromise while we continue to work on a yearlong extension. That's what Senator REID said he'll do, Mr. Speaker, and that's what we're prepared to do, Mr. Speaker. But we don't want to put at risk January 1 coming and that tax cut disappearing. If they fail to pass the compromise, House Republicans will have to answer to the American people whose taxes will go up.

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

Mr. HOYER. I yield myself an additional minute.

To the innocent unemployed and to the Medicare seniors who are seeking services from their doctors, we must not leave this work unfinished just days before the holidays and New Year. That's what the Senate did. They gave us time. They gave the American people time. We ought to be bringing relief to middle class families who are increasingly anxious about their futures during what should be a joyful and hopeful holiday season.

We ought to pass the bipartisan Senate bill. That's what this motion to instruct says. That's what the American people want to happen in Washington: to see us work together, come to agreement, act, bring certainty, stop the blame game. We can send the bipartisan agreement to the President today, and he will sign it.

Vote ''yes'' on this motion to instruct. Vote for the American workers, the Medicare recipient, and the unemployed. Vote for this motion to instruct.

Mr. Speaker, I yield the remainder of my time to my good friend from New York, JOE CROWLEY, a member of the Ways and Means Committee.

The SPEAKER pro tempore. Without objection, the gentleman from New York will control the time.

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan.

Mr. CAMP. Mr. Speaker, I rise in opposition to the motion to instruct, and I yield myself such time as I may consume.

I would just say to my good friend from Maryland that we just voted on the Senate amendment. It was rejected by this House.

Just yesterday, Minority Leader PELOSI told the media, ''I don't think we should go to conference.'' In those same reports, the minority leader said that, if the House passes a motion to go to conference on the Middle Class Tax Relief and Job Creation Act, she would not appoint any House Democrats to participate in the negotiations.

Set aside for a moment that a conference committee is the established way for resolving differences between the House and the Senate. It's an idea that was best articulated by Thomas Jefferson, one of the Founding Fathers and someone who provided the foundation for the rules of this House. Set aside the fact that Democrats are, with 2 weeks left before critical programs expire, refusing to work. Instead, let's just focus on what the leader of House Democrats said.

The minority leader declared that she would not appoint any House Democrats to a conference committee. Senate Majority Leader HARRY REID has echoed those same comments. So I

ask them: Who are the Democrats seeking to instruct with this motion? If the Democrats won't even appoint conferees, how can they instruct conferees?

Clearly, this is nothing more than a partisan, political stunt that keeps us from doing what the President has asked us to do and what House Republicans have agreed to do: pass a 1-year extension of the payroll tax holiday and a 1-year extension of unemployment benefits.

Turning to the substance of the motion to instruct for a minute, it seems like we've already debated this today. The motion asks the House to recede to the position of the Senate, meaning the deeply flawed bill that would sunset in 2 months and that payroll providers, job providers—experts—have said would be administratively unworkable, and that even the administration concedes would pose challenges for employers.

I urge the defeat of this motion to instruct, and I reserve the balance of my time.

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

Just sitting here, I was contemplating the end of the year. At the end of the business that we will conduct today, men and women from both sides of the aisle will pass each other in the well or in the hallway, and we'll wish each other health for the New Year. We'll wish each other goodness, happiness. We'll all look forward to going back to our home districts and to spending time with our families, with our friends, to looking back on the year, assessing the good things that have happened and some of the not so good things, but primarily focusing on the good things that have happened to all of us this year.

When I often say to people, ''I wish you peace. I wish you peace in the new year,'' I wish you a peaceful mind is what I'm suggesting, of getting home to relax.

Nothing that we are doing today will give peace of mind to the middle class in this country. Nothing that we will do today will give them that peace of mind, and I think that is more than regrettable. It's unacceptable that men and women in this country are struggling—hardworking middle class people who are desperately trying to keep their homes, to afford college educations for their children, to afford health care, to be able to see their doctors, who are trying to put food on their tables, to pay their heat bills, and maybe to afford the rent.

□ 1310

This is not a story that is only in my district. This is the story of middle America in every district, be they held by a Democrat or a Republican.

What we've seen over the past few months is a complete turnaround. Two months ago, my colleagues on the other side of the aisle rejected the President's proposal for a payroll tax cut for the middle class; and now we're coming to the end of the year, and we're running out of time. And my friends on the other side of the aisle have had a conversion. They now see the wisdom to extending this payroll tax. But now they are criticizing us because we have a bill before us that has passed in a bipartisan way in the Senate, 89 votes, that will extend this payroll tax reduction for the middle class for an additional 2 months.

Now, I could understand that if that was all we were going to do, you could complain about it. But we'll have an opportunity to come back within the next 2 months and do it for the rest of the year. Quite frankly, we can make it permanent, as far as I am concerned. But we can come back and do that. We ought not be squabbling now about time when it's only 2 months.

Don't pretend that you are working on behalf of the middle class. Don't pretend you are the working class hero. You are not. You are not.

Cheryl Williams, a constituent of mine from the Bronx—one of the many middle class workers in my district—will have to pay an extra $1,000 to afford heating oil for their home if they do not get this tax decrease that they have been hoping for and reading about that was supposed to happen. Now all of a sudden, it may not happen.

I just want to remind my colleagues, this is not ''cotton candy economics.'' One of my colleagues on the other side of the aisle, Mr. RYAN, used the term, This is cotton candy economics. This is not ''cotton candy economics,'' Mr. Speaker. This is bread and butter economics for my constituents and for the middle class.

The word ''disingenuous'' doesn't do justice to what is happening here today. This is either an extension of a $1,000 tax cut or it's not. It's as simple as that. It's either a tax cut for the middle class or it's not. A ''no'' vote is a vote against a middle class tax cut. It is just that simple. Don't do this now. Give the American people the peace of mind they deserve this holiday season. Let them know that this tax cut will be extended.

With that, I reserve the balance of my time.

Mr. CAMP. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Ohio (Mr. BOEHNER), the Speaker of the House.

Mr. BOEHNER. Let me thank my colleague for yielding.

As I was attempting to eat my lunch, I heard my name invoked more than once about what I did and what I didn't do. I just want all of my colleagues to know that the President asked us to extend the payroll tax credit for a year, asked us to extend unemployment benefits, and asked us to extend the current payment schedule for doctors who treat Medicare patients.

My colleagues and I, on a bipartisan basis, last week passed such a bill, the same kind of bill that was requested by the minority leader, the minority whip, and my colleagues on the other side of the aisle. This bill is going to cost about $200 billion. We found a reasonable offset to make sure that we were taking care of the Social Security trust fund and not depleting it unnecessarily. As I said, the bill passed the House with a bipartisan vote.

Unfortunately, our colleagues on the other side of the Capitol decided to do what happens around here all too often: it's too hard to figure it out. We're getting close to Christmas. We're going to leave. We're going to punt. And we're going to send a 2-month bill over.

My colleague from New York was arguing for what's basically a $1,000 tax cut for the average American family. And I'm here to say to my colleague, that's exactly what we're fighting for. As I see the debate today, you are arguing for a $166 tax cut because it's only for 2 months. I am going to give the average American family a $1,000 tax cut; and that means doing this for 12 months, as the President requested.

Who doesn't believe that if we don't do this now that when we get to February 28, guess where we'll be—we'll be right here doing the same thing that we're doing right now.

I just think the American people expect us to do our work. We've got 10 days to do our work. We can resolve the differences between the House and Senate bill. Everybody wants this extended for a year, but it just happens to be inconvenient for some to try to resolve it at this point. Why? Because we're getting close to the holidays.

My colleagues and I are here and are prepared to do our work. We've just made a motion to go to conference with the Senate. As my colleagues know, this is the regular order of how Congress works. The House passes a bill. The Senate passes a different bill. We go to conference to resolve the differences. All we're asking is that our colleagues on the other side of the Capitol come back to town, sit down, and resolve our differences. Let's do this once; and let's do it the right way, for once.

So I would say to my colleagues, we can turn the rhetoric down. We don't have to get overly excited. There's no disagreement here. There's no disagreement at all about the fact that everyone wants to extend this for the next year. The only question is, When do people want to do it? Some want to kick the can down the road and wait until February. Then on February 28, we'll be sitting here looking at each other in the same way. Why don't we just do it now and give the American people a real Christmas present?

Mr. CROWLEY. Mr. Speaker, we had 3 months to do this bill. Unfortunately, we waited for the last 2 weeks to take this bill up. It's unfortunate.

With that, Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. I thank my very good friend, the distinguished gentleman from New York.

Mr. Speaker, with all due respect in the world, the Speaker of the House said, We shouldn't kick the can. What they are doing, Mr. Speaker, is they are kicking the middle class in the stomach.

This is a partisan middle class mugging. The only part of the middle class tax cut that the Republicans don't like is the ''middle class'' part, which is why they are trying every obfuscation, every flip-flop, every flim-flam, every excuse they can come up with.

The latest excuse is, We ought to go through regular order. I cannot imagine a single American opening up their paychecks in January, seeing that there's $100 or $200 less and saying, If only they had gone through regular order. If only they had gone to a House-Senate conference. A House-Senate conference?

I'm sure that my Tea Party Republican colleagues campaigned on coming to Congress to support regular order and going to conference for the American people. No. They came here saying they wanted tax cuts. But when it comes time to give tax cuts, suddenly they're saying, No, we don't need tax cuts. We need a House-Senate conference to debate the tax cuts. Give me a break.

The American people want two things from this Congress, Mr. Speaker: they want tax relief for the middle class. They want a Congress that can compromise. House Democrats gave both. House Republicans said ''no'' to both. House Democrats wanted a full 1-year extension of the middle class tax cuts. All we said is, Let the people who are making over $1 million pay a small surcharge on the dollars over $1 million. House Republicans said, No, we want to take it out of Medicare cuts. House Democrats said, Our partisan differences should not cost middle class taxpayers. House Republicans said ''no.'' The more you say ''no,'' the more it costs the middle class.

Mr. CAMP. Earlier, the gentleman from Maryland, the minority whip, said, The Senate gave us time. No, the Senate gave themselves a vacation. The House is prepared to work to ensure Americans don't face a tax hike in 2 months.

With that, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. HARRIS).

□ 1320

Mr. HARRIS. Mr. Speaker, Americans who are watching are probably going to have a deja vu. Last time they watched Congress in action on a contentious bill near the Christmas holiday was in 2009 when the Senate had plenty of time to come into town and pass the ObamaCare bill. And the House, under the leadership of what is now the minority party, thought it was just fine to do whatever the Senate wanted.

How'd that work out for you, America?

Today, we're actually going to do what we should be doing, which is going to conference and compromising with the Senate. Now, the motion is to concur with the Senate amendments. The Senate amendments say 60 days. Mr. Speaker, that's not kicking the can down the road; that's barely nudging the can down the road.

And why doesn't that work?

Because as a physician, I'll tell you, the real danger to our seniors is passing something that's short term time and time again, which the 111th Congress did. And I work with these docs. What they tell you, especially in rural areas where physicians are in shortage, they say: You know what? If you're only going to give me a 1-month or 2-week extension, as has been done, I'm going to have to stop seeing Medicare patients. I want to take care of Medicare patients, but that uncertainty that those short-term extensions create, I can't deal with in my practice.

Under this, if a senior wants to see a specialist, especially a good specialist, they might have to wait 2 or 3 months. They're going to have to wait until after this extension. That specialist is going to say: I don't know what's happening in March. I'm not going to see those patients.

The minority whip says the Republicans pretended to support a tax cut. I ask America, let's look at the record. We had a vote last week on the tax cut. Go look and see which party rejected the tax cut for middle class Americans.

The gentleman from New York says we pretend to be for the working class.

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

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

Mr. HARRIS. I would ask that America go to House.gov and look at the vote last week. Which party rejected a 1-year-long middle class tax cut and which party was in the majority to move that tax cut?

The minority doesn't want a 1-year tax cut. They made it clear in last year's vote. The Senate made it clear in this action they took last week.

Yes, we're going to drag them kicking and screaming to a conference. It's too bad that's what the legislative process has come to. We need to support going to conference and compromise.

Mr. CROWLEY. Mr. Speaker, may I inquire as to how much time we have remaining.

The SPEAKER pro tempore. The gentleman from New York has 17½ minutes. The gentleman from Michigan has 24 minutes.

Mr. CROWLEY. Mr. Speaker, I yield myself just 10 seconds.

By rejecting the Senate tax cut package, Mr. HARRIS' constituents in Queen Anne's County, Maryland, will see a tax increase of $1,503 in 2012.

With that, I yield 1 minute to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentleman.

Mr. Speaker, for the fourth time this year, Congress has failed to reach a consensus on a significant issue that will affect the lives of every American and imperil our fragile economic recovery.

Today, we are on the brink of imposing the consequences of this dysfunctional Congress on those who can least afford it. If we do not act today, taxes will go up on 160 million middle- and low-income Americans. If we do not act today, hundreds of thousands of Americans will lose the safety net of unemployment coverage in the middle of the worst recession since the Great Depression. And if we don't act today, the doctors who are caring for senior citizens will have their pay slashed, placing in jeopardy their ability to provide that care. This is an unacceptable situation to the American people.

We should be here as long as it takes to get this done, and we should be voting yes or no. Is the majority more committed to gridlock than progress? Once again, for the fourth time in a year, the answer appears to be yes. The people we represent deserve better.

Mr. CAMP. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Idaho (Mr. LABRADOR).

Mr. LABRADOR. Mr. Speaker, I want the American people to understand something very clearly: This debate today is not about policy; it is only about politics. It has always been about politics.

Number one, there is no Senate bill. Our friends on the other side keep talking about a Senate bill. There has never been a Senate bill. There was only a Republican House bill. That's the only thing that we had.

The Republican House bill was passed with a bipartisan majority. It passed this House and it went to the other House, and the Senate decided to amend it. When they amended it, they took out everything that we wanted here in the House to extend this payroll tax cut. And we decided today to reject the amendment.

One of the gentlemen from the other side said some of us did not campaign on going to conference. You know what? We did campaign on one thing. We campaigned on following the Constitution and doing the things that the Constitution requires us to do.

If you go back to your civics classes, it's very simple. The House passes a bill; the Senate passes something different; we go to conference. That's what the American people understand. You ask any third-grader about civics lessons, and they will tell you that's the way it's supposed to work.

The reason they are objecting to it today is because that's never the way they have done it. Because their idea of compromising is making sure that our ideas are off the table and their ideas are the only ones that stay on the table. That's not compromise, that's capitulation, and that's what we are unwilling to do. And you're upset. You're upset because you're unwilling to work for the American people during this week and during the next week.

We just voted on the Senate amendments. We turned them down. It's really important for the American people to understand that we have turned down the Senate amendments.

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

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

Mr. LABRADOR. The Democrats only want to have a political tool to keep hitting us over the head again and again and again. They want to spend the next 2 months debating this issue.

If the middle class does not get this tax cut, they will only have one party to blame, Mr. Speaker, and that party is the Democrats.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind Members that remarks in debate must be addressed to the Chair.

Mr. CROWLEY. Mr. Speaker, I just remind Mr. LABRADOR that constituents in Lewiston, Idaho, will see a tax increase of $860 in 2012 because of the games your party is playing.

With that, I would yield 2 minutes to the gentlelady from Nevada (Ms. BERKLEY).

Ms. BERKLEY. I thank the gentleman from New York for yielding.

Mr. Speaker, let's be clear on what's happening here today. While thousands of Nevadans are struggling to make ends meet, House Republicans are trying to sentence this middle class tax cut to death by committee, by conference. Instead of allowing an up-or-down vote, House Republicans are trying to kill this middle class tax relief bill by burying it in one more Washington bureaucracy—death by committee, conference.

The American people have had enough of these cynical Washington games. I know that I certainly have.

If House Republicans don't want a middle class tax cut, they should have the courage to stand up and vote ''no.'' The 1.2 million Nevadans who will see their taxes go up would be grateful to know the truth. The 28,000 unemployed Nevadans who are unemployed through no fault of their own, they would appreciate knowing the truth why their unemployment benefits are going to disappear on January 1.

So why won't the Republicans do this? Why won't they just come clean and express their opposition to middle class tax relief and extension of unemployment benefits?

Washington Republicans had no problem passing taxpayer giveaways to big oil companies making record profits. They had no problem passing tax breaks for corporations that shipped jobs overseas. They had no problem passing a bill to kill Medicare by turning it over to private insurance companies. But when it comes to tax cuts for middle class families, they say: No, no, we can't do this. We have to send it back to another committee, conference. Let's kill it.

Mr. Speaker, it's time to stand up for the middle class and the unemployed in this country and the State of Nevada. I urge my colleagues to reject this Republican ploy. Let's not send this middle class tax cut to die in another Washington bureaucratic committee. Let's pass the bipartisan Senate bill and help our fellow citizens when they need our help the most.

Mr. CAMP. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

One year ago, Mr. Speaker, many of us stood in this Chamber and pleaded with the leadership on both sides of the aisle not to put this payroll tax holiday in place. It was bad policy to put it in place, and it's bad policy to extend it. By the end of this year, we will have taken a quarter of a trillion dollars from the Social Security trust fund. And for what purpose?

In our candid moments, we must confess that this effort is more toward securing votes than securing economic growth.

□ 1330

We may point fingers across the aisle, but it's a pox on both of our Houses. Democrats paint themselves as champions of Social Security; yet they blissfully endorse taking another $120 billion out of the Social Security trust fund. We Republicans paint ourselves as fierce guardians of the public purse; yet we're eager to pretend that the payroll tax holiday is paid for by fleeting fees and phantom spending cuts.

We keep hearing that we're kicking the can down the road. We're $15 trillion in debt. Ten thousand baby boomers retire every year into a program that is already running in the red. Mr. Speaker, we're out of road. The responsible thing to do is to not extend this payroll tax holiday for 2 months or for 12 months.

Mr. CROWLEY. I appreciate the gentleman's honesty.

With that, I yield 1½ minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY of Virginia. I thank my friend from New York.

Mr. Speaker, this is shameful. Shame. Shame. Shame. Who are we kidding? The Republican leadership is ignoring an 89–10 vote in the United States Senate, and they want us to believe they support the underlying bill of 12 months. That's not what they've said all year long. The Speaker, who was here just a few minutes ago, dismissed the payroll tax itself as ''a gimmick,'' and the majority leader said, ''There are better ways to grow the economy.'' Tell that to the 160 million Americans whose taxes will increase on January 1.

Republicans have consistently chipped away at Medicare and managed to eliminate it completely in a voucher system with the Ryan budget earlier this year. Tell that to the 48 million seniors who are at risk if we don't take care of the doctors' bills through the SGR. And Republicans have made no secret of their desire to gut unemployment insurance despite the fact that it actually helps keep the economy moving during downtimes. More than 2.3 million Americans will lose benefits if we don't pass this bill, and millions more will have their benefits reduced.

Mr. Speaker, are we to believe, all of a sudden, that the House Republicans have had some kind of a miraculous metanoia and are ready to compromise? That is laughable, and the actions of our colleagues on the other side, frankly, make Ebenezer Scrooge look like a charitable humanitarian today.

Mr. CAMP. I yield 2 minutes to the distinguished gentleman from Florida (Mr. SOUTHERLAND).

Mr. SOUTHERLAND. I thank the gentleman from Michigan for yielding time.

Mr. Speaker, if we ask the American people what they want, I think it would be glaring. Do they want the House bill that protects seniors' access to doctors for 24 months, or do they want the Senate version for 2 months? Do they want a Federal unemployment benefits extension for 13 months, or do they want that for 2 months? Do they want payroll tax cut extensions for 12 months or for 2 months? Do they want a payroll tax break for $1,000, or do they want it for $167?

Do they want pay freezes for Members of Congress and for Federal workers, or do they want those freezes to go away like the Senate version states? Do they want unending unemployment and food stamp benefits for millionaires, or do they want that to continue? Then they would want the Senate version. Do they want requiring Social Security numbers for refundable child tax credits, or do they want that to go away?

This is a good one: Do they want to prevent access to welfare benefits at strip clubs and liquor stores like the House version we passed last week? Or do they want that to go away in the Senate version?

If we asked the American people, I think their answer would be glaring and clear. They want certainty. Right now, the Senate version throws the American family a life preserver drifting in a sea of uncertainty. The House version reaches out to them and pulls them out of that sea of uncertainty, putting them in a lifeboat.

I ask the American people, do you want a life preserver or do you want a lifeboat? Any commonsense American would say, put me in the boat that extends this for 1 year rather than 2 months. This isn't difficult. This is common sense.

Mr. CROWLEY. I would just remind Mr. SOUTHERLAND that failure to pass this bill will potentially mean a tax increase of $879 to his constituents in Bay County, Florida.

With that, I would like to yield 2 minutes to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. Let me thank the gentleman for yielding. And in this Christmas season, let me wish all of my colleagues a merry Christmas and a happy Chanukah. And for our country, there is good news. It has just been reported that unemployment has dropped in 43 States. This is the most States that we've seen unemployment drop in 8 years. The policies that have been put in place by President Obama are working. Car sales are up, home starts are up, and the stock market is above 12,000. How better off would we have been if we would just get the majority here in the House to agree to work with the President?

We have three caucuses out of four that have agreed to move forward on keeping in place the Obama tax cuts that make work pay. That is a tax cut on their payroll taxes. And we have one caucus that's decided they want to go their own way, that somehow they know better and they want to go their own way. But the other three caucuses have agreed, let's put in place a continuation of this tax cut, and let's work toward a 1-year extension.

I hear my colleagues complaining that they didn't get everything they want. Well, there are going to be Christmas trees all over our country, and there are going to be presents under those trees; but we can't always get everything that we want. We need to have common sense and an ability to cooperate.

I would ask my colleagues, my friends, in the holiday spirit, can't we come together and help this President who is lifting this economy through policies that are working? In 43 States, unemployment has dropped—the most we've seen since 2003. These policies work. Let's keep them in place, and let's ask our Republican friends to come on, let's put partisanship aside and put America first because counting against this country is a bet that you really shouldn't place. America is coming back, and it's coming back stronger than ever.

Mr. CAMP. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Colorado (Mr. TIPTON).

Mr. TIPTON. I thank the gentleman for yielding.

Our colleague on the Democrat side is citing the amount of tax increase that Americans will have inflicted on them. That's what we're talking about, as well.

We have an opportunity here, Mr. Speaker, to stand up today for the American people in a very clear choice: 2 months or 12 months. Easy math. We talked about waiting until February. It will be followed by March. The same challenges affecting the American people right now will be present then. This is our opportunity as a legislative body to stand up for the American people for a change rather than politics as usual. We can't afford to let them down. The American people, American businesses, and American seniors deserve some certainty, certainty that we can provide.

Out of this House we passed bipartisan legislation. The Senate passed their version, and it now needs to go to conference so the American people can be better served. This issue is not one that we should be debating, but one we should be standing together as Republicans and Democrats, because this isn't a political issue. This is about standing up for the American people. This is our opportunity to do just that.

Mr. CROWLEY. Might I inquire as to how much time remains, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from New York has 10½ minutes remaining. The gentleman from Michigan has 16½ minutes remaining.

Mr. CROWLEY. Thank you, Mr. Speaker.

I would just remind Mr. TIPTON that his constituents in Pueblo, Colorado, will potentially see an increase in taxes of $780 next year if this bill is not enacted.

With that, I yield 1 minute to the gentlelady from California (Ms. LEE).

Ms. LEE of California. I want to thank the gentleman for yielding and for his leadership.

Mr. Speaker, I rise in strong opposition to the political games that the Republicans continue to play. We know that an extension of unemployment insurance is one of the most effective ways to get our economy going again, and it's the right thing to do, especially because people are just living on the edge right now. Yet the GOP is ready to cut unemployment benefits for 2.2 million Americans.

They're ready to raise taxes on 160 million Americans by $1,000. Yet they want to lower taxes for those in the 1 percent. The GOP is ready to tell 48 million seniors that they will no longer have access to their doctors. This is really outrageous. It's un-American, and it's wrong. This jobs crisis is a national emergency, and long-term unemployment is at unprecedented levels. We need an up-or-down vote on this Senate compromise.

□ 1340

This recession—and yes, for many it is still a depression—it's still hurting so many, many people. Half of all Americans are either in poverty, near poor, or low income. And it's really so sad that during this holiday season Republicans are playing with the lives of millions.

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

Mr. CROWLEY. I yield the gentlelady an additional 15 seconds.

Ms. LEE of California of California. I thank the gentleman for yielding.

What I want to know is, why in the world won't you just bring the Senate bill to the floor and let the country see whose side you are on?

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

Which bill, the House bill, or the House bill as amended, has a bigger tax cut? Which bill? My friends on the other side seem to be confused.

Ms. LEE of California of California. Will the gentleman yield?

Mr. CAMP. I will not yield.

I will enter into the RECORD the Joint Committee on Taxation, the nonpartisan experts who analyze our legislation, their analysis of both proposals. They will show that the House bill that extends the payroll tax for a year provides $120 billion in tax relief to the American worker, while the House bill, as amended by the Senate, only provides $20 billion of tax relief to the American worker because they only extend it for 2 months.

TABLE 1.—BUDGETARY EFFECTS OF H.R. 3630, THE MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2011, AS INTRODUCED ON DECEMBER 9, 2011

[Millions of dollars, by fiscal year]

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2012–2016	2012–2021
CHANGES IN REVENUES												
Total Changes in Revenues [a]	−130,060	−46,650	−11,275	13,292	40,564	13,696	9,302	3,497	11,916	7,373	−134,129	−88,346
On-budget revenues	−39,143	−16,344	−11,270	13,302	40,582	13,717	9,325	3,522	11,942	7,401	−12,873	−33,034
Off-budget revenues [b]	−90,917	−30,306	−5	−11	−18	−21	−23	−25	−26	−28	−121,257	−121,380
CHANGES IN DIRECT SPENDING												
Total Changes in Direct Spending:												
Estimated Budget Authority	36,839	24,915	−1,936	−12,494	−13,041	−15,491	−16,940	−17,368	−19,939	−27,481	34,283	−62,936
Estimated Outlays [c]	36,699	24,915	−1,931	−12,485	−12,991	−15,451	−16,919	−17,363	−20,043	−27,520	34,207	−63,089
On-budget outlays [b]	127,616	55,221	−1,931	−12,273	−12,586	−14,914	−16,372	−16,846	−19,547	−27,044	156,047	61,324
Off-budget outlays [b]	−90,917	−30,306	0	−212	−405	−537	−547	−517	−496	−476	−121,840	−124,413
NET INCREASE OR DECREASE (−) IN DEFICITS FROM REVENUES AND DIRECT SPENDING												
Net Changess in Deficits	166,759	71,565	9,344	−25,776	−53,555	−29,147	−26,222	−20,861	−31,958	−34,893	168,337	25,257
On-budget deficit change	166,759	71,565	9,339	−25,575	−53,167	−28,631	−25,698	−20,368	−31,488	−34,445	168,920	28,290
Off-budget deficit change [b]	0	0	5	−201	−387	−516	−524	−492	−470	−448	−583	−3,033
CHANGES IN SPENDING SUBJECT TO APPROPRIATION FROM CHANGES IN CAPS ON DISCRETIONARY FUNDING												
Totat Changes in Discretionary Spending:												
Estimated Authorization Level	0	−2,000	−3,000	−3,000	−3,000	−3,000	−3,000	−4,000	−4,000	−4,000	−11,000	−29,000

TABLE 1.—BUDGETARY EFFECTS OF H.R. 3630, THE MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2011, AS INTRODUCED ON DECEMBER 9, 2011—Continued

[Millions of dollars, by fiscal year]

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2012–2016	2012–2021
Estimated Outlays	0	−1,214	−2,279	−2,765	−2,992	−3,160	−3,276	−3,386	−3,506	−3,632	−9,250	−26,210

Sources: Congressional Budget Office and the staff of the Joint Committee on Taxation.

Note: Components may not sum to totals because of rounding.

[a] For revenues, positive numbers indicate a decrease in the deficit; negative numbers indicate an increase in the deficit.

[b] The bill would modify and extend.the payroll-tax holiday for one year, causing a reduction in off-budget revenues credited to the Social Security trust funds. The bill also would transfer from the Treasury to the Social Security trust funds an amount equal to that off-budget revenue loss. The off-budget receipt would offset the lost revenue and, thus, section 2001 would have no net off-budget effect. (Other sections in the bill would have an off-budget effect.)

[c] Title III of the bill would raise premiums for certain subsidized flood insurance policies, increasing net income to the National Flood Insurance Program by $4.9 billion. However, because many policies would continue to be subsidized and the program would continue to face significant interest costs for borrowing over the past decade, CBO expects that additional receipts collected under this legislation would be spent to cover future program shortfalls, resulting in no net effect on the budget over the 2012–2021 period.

BUDGETARY EFFECTS OF THE AMENDMENT IN NATURE OF A SUBSTITUTE TO H.R. 3630, THE TEMPORARY PAYROLL TAX CUT CONTINUATION ACT OF 2011, AS INTRODUCED ON DECEMBER 17, 2011

[Millions of dollars, by fiscal year]

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2012–2016	2012–2021
CHANGES IN REVENUES												
Title I—Payroll Tax Relief:												
Extension of payroll tax reduction (on-budget)	176	98	0	0	0	0	0	0	0	0	274	274
Extension of payroll tax reduction (off-budget)	−19,794	−612	0	0	0	0	0	0	0	0	−20,406	−20,406
Title II—Extension of Unemployment Compensation	0	−8	−25	−25	−20	−9	−7	−1	0	0	−78	−95
Total Changes in Revenue [a]	−19,618	−522	−25	−25	−20	−9	−7	−1	0	0	−20,210	−20,227
On-budget revenues	176	90	−25	−25	−20	−9	−7	−1	0	0	196	179
Off-budget revenues [b]	−19,794	−612	0	0	0	0	0	0	0	0	−20,406	−20,406
CHANGES IN DIRECT SPENDING (OUTLAYS)												
Title I—Payroll Tax Relief:												
Extension of payroll tax reduction (on-budget) [b]	19,794	612	0	0	0	0	0	0	0	0	20,406	20,406
Extension of payroll tax reduction (off-budget) [b]	−19,794	−612	0	0	0	0	0	0	0	0	−20,406	−20,406
Title II—Extension of Unemployment Compensation	8,395	0	0	0	0	0	0	0	0	0	8,395	8,395
Title III—Extension of Health Provisions:												
Physician payment update	2,860	−70	−90	40	120	160	160	150	140	130	2,860	3,600
Other Medicare extensions and health provisions	490	60	−20	−20	0	0	0	0	0	0	510	510
Subtotal, Title III	3,350	−10	−110	20	120	160	160	150	140	130	3,370	4,110
Title IV—Mortgage Fees and Premiums	−1,300	−4,600	−4,000	−3,500	−3,300	−3,300	−3,700	−3,900	−4,000	−4,100	−16,700	−35,700
Total Changes in Direct Spending	10,445	−4,610	−4,110	−3,480	−3,180	−3,140	−3,540	−3,750	−3,860	−3,970	−4,935	−23,195
On-budget outlays	30,239	−3,998	−4,110	−3,480	−3,180	−3,140	−3,540	−3,750	−3,860	−3,970	15,471	−2,789
Off-budget outlays	−19,794	−612	0	0	0	0	0	0	0	0	−20,406	−20,406
NET INCREASE OR DECREASE (−) IN DEFICITS FROM REVENUES AND DIRECT SPENDING												
Net Change in the Deficits:												
On-budget deficit change	30,063	−4,088	−4,085	−3,455	−3,160	−3,131	−3,533	−3,749	−3,860	−3,970	15,275	−2,968
Off-budget deficit change	0	0	0	0	0	0	0	0	0	0	0	0

Sources: Congressional Budget Office and the staff of the Joint Committee on Taxation.

Note: Components may not sum to totals because of rounding.

[a] For revenues, positive numbers indicate decrease in the deficit; negative numbers indicate an increase in the deficit.

[b] The bill would modify and extend the payroll-tax holiday for two months, causing a reduction in off-budget revenues credited to the Social Security trust fund. The bill also would transfer from the Treasury to the Social Security trust fund an amount equal to that off-budget revenue loss, The off-budget receipt would offset the lost revenue and, thus, section 101 would have no net off-budget effect.

Now, I've heard my colleagues talk about their 2-month extension guaranteeing a $1,000 tax cut. That's just flat wrong. The Senate amendment caps the tax cut for that taxpayer at only $167. That's shortchanging hard-working Americans, and House Republicans won't stand for it. Let's be clear: The average American worker would have more than $800 in their pocket next year under the House bill.

With that, I yield 2 minutes to the distinguished gentleman from Colorado (Mr. GARDNER).

Mr. GARDNER. I thank the gentleman from Michigan for yielding time.

This argument seems a little bit confusing, I'm sure, to most people in America today. Several months ago House Republicans were accused of disagreeing with the President because, oh, gee, the idea was the President's, so we wanted to disagree with him. Well, here we are today agreeing with the President on a 1-year extension of the payroll tax holiday.

Let me read a quote from what the President said:

> This Congress cannot and should not leave for vacation until they have made sure that the tax increase doesn't happen. Let me repeat that: Congress should not and cannot go on vacation before they have made sure that working families aren't seeing their taxes go up by $1,000 and those who are out there looking for work don't see their unemployment insurance expire.

We passed a bill. The House bill that we passed with bipartisan support would provide $1,000 a year. I've heard it many times on the House floor as people come and say this is a $1,000 tax relief to the middle class. Not under your plan. The plan that the Democrats have put forward in the Senate, the plan put forward in the House by our Democratic colleagues would provide $160 worth of tax relief—$160 worth of tax relief is what they are fighting about today.

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

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

Mr. GARDNER. So let's talk about real reform. Let's talk about real certainty that our economy needs.

We've argued for $1,000 worth of tax relief to America's working families. You're talking about $160 of tax relief. You're willing to risk unemployment insurance, willing to risk a payroll tax increase because you're insisting on a $160 tax break when we're sitting here saying let's provide a $1,000 tax holiday?

We can get our economy going again if we have the willingness to work with each other. And I would hope that after today there is willingness by our friends in the Senate to get the job done, to get our economy moving again, and to make sure that this country focuses on the real priorities: the men and women in this country looking for work, finding ways to make ends meet, and making sure that they're doing what's right for their families.

I urge this body to do what's right—appoint conferees and get to doing the business of this country.

Mr. CROWLEY. I just want to remind Mr. GARDNER that in Larimer County, Colorado, the absence of passing this bill today will cause an average increase in taxes of $1,126 in that county.

For the purposes of answering the gentleman from Michigan's question, I yield 10 seconds to the gentlelady from California (Ms. LEE).

Ms. LEE of California. I thank the gentleman for yielding.

I just wanted to say, perhaps the gentleman was confused about which bill I was talking about. I was talking about the Senate compromise, which 39 Senators voted for, which the President supported, which came over to the House as a bipartisan bill. That's the bill I'm talking about.

Mr. CROWLEY. I thank the gentlewoman from California.

With that, I yield 1 minute to the gentleman from Georgia (Mr. SCOTT).

Mr. DAVID SCOTT of Georgia. I thank the gentleman for yielding.

Let me just address one point that our friends on the other side keep making about this 1 year. All of a sudden they want 1 year. All of a sudden they

want to do what President Obama wants to do.

You talk about certainty. You talk about uncertainty. Nothing could be more uncertain than not giving the American people the secure knowledge and the confidence at the end of the day that their taxes are not going up the first of January, that 2.2 million Americans will get their unemployment. We can do that today.

The Senate has already given us that certainty. We're not talking about just a 2-month extension. We're simply talking about putting into place a compromise that we could get that would get us into next year when we come back to finish the job and continue to get a 1-year extension.

So this facade of you using this 1 year is nothing but a charade. You know it. It doesn't matter what the time is. You don't want anything—2 months, 1 year, 10 years.

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

Let's get back to the facts. The facts are that the House bill, as amended by the Senate, is a 2-month bill. The tax relief under that bill for the average American worker is $167. The House bill extends unemployment insurance for a full year. The tax relief under that bill is $1,000. But don't listen to me—look at the Joint Committee on Taxation, the nonpartisan body that analyzes our legislation for the impact of tax policy on taxpayers. That's what they say. That's what's in the record.

With that, I yield 2 minutes to the distinguished gentleman from Michigan (Mr. HUIZENGA).

Mr. HUIZENGA of Michigan. Thank you, Chairman CAMP, I appreciate that.

I'm a little confused myself. I saw one of our Senate colleagues from New York on television this morning talking about how we needed to pass this 2-month extension, and he would be the first one on an airplane back to Washington, DC., so that we could negotiate a yearlong deal. I'm confused. Why don't we just do that right now. That's what the American people expect. The American people expect us to get this deal done right now and to provide them some certainty for an entire year versus 2 months.

Now, this Monday morning I had a breakfast with my joint Chambers of Commerce in Holland and Zeeland, and we had almost 500 people there. And when I asked the question, who here thinks this 2-month extension is a good idea? Not a single hand went up. I said, okay, maybe I need to ask this a little differently. Who here thinks that this is a dumb idea to do a 2-month extension? Virtually every single hand in that breakfast went up.

The American people are looking for long-term solutions. Employers are looking for long-term solutions. It's called quarterly reports. I'm a small business owner. Oftentimes people have to file quarterly reports. We're not even doing them the service of giving them a full quarter to change their paperwork; we're doing 2 out of 3 months. Now, you want to talk about a burden on small business, I can tell you it is.

It's time for this House to go to work, which we have done. It's time for our Senate colleagues to do the exact same thing. Because guess what? My three employees—Irv, Dirk, and Larry—they're all at work today. Why isn't that good enough for the Senate?

There are two things that fundamentally need to be included in this. First and furthermore is 12 months of certainty. Let's get through that debate of how we are going to offset the costs and how we are going to make sure that this works for the employee, the employer, those with a job and those without a job.

We also need to make sure that we don't lose sight of the Keystone pipeline in here; an immediate 20,000 jobs that can be provided here in the United States, 20,000 jobs that could come to this country and help alleviate the need for these systems, the need for unemployment insurance. And it's the right thing to do.

Mr. CROWLEY. Mr. Speaker, I yield myself 15 seconds.

I get it. You guys were against it. I appreciate that. Now you're for the middle class tax cut. You were against it, but now you're for it. But what I don't understand is why can't we just get through these next 2 months and we'll come back.

You mentioned we're running out of time. Well, we're not in charge, you all are. You could have done this back in September, or October, or November. Now it's December. I get that you were against it, now you're for it.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind all Members to address their remarks to the Chair.

Mr. CROWLEY. I apologize, Mr. Speaker. I will do that through the Chair. Would you like me to repeat that?

With that, Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. BUTTERFIELD).

□ 1350

Mr. BUTTERFIELD. Let me thank the gentleman for yielding this brief time for me to respond.

Mr. Speaker, I want to join my friend from Georgia, Mr. DAVID SCOTT, in trying to expose some of the hypocrisy that we are seeing playing out here on the House floor today. I'm just so terribly disappointed that House Republicans want to ignore the overwhelming bipartisan Senate vote a few days ago, and you are failing to realize the devastation that millions of Americans will experience. They are going to lose their unemployment benefits. The average family is going to realize a $1,000 tax increase on January 1.

And let's not forget our doctors. There are some medical doctors sitting on that side of the Chamber. Medical doctors in this country who treat Medicare patients will see a 27.3 percent decrease in their reimbursement rates.

We can do better than this, Mr. Speaker. I urge my colleagues to reconsider their position. Let's go ahead and vote for the 2-month fix, and let's get on into February and let's have this debate that you've been talking about over the last 2 hours.

Mr. CROWLEY. Mr. Speaker, can we just inquire as to time.

The SPEAKER pro tempore. The gentleman from New York has 6 minutes remaining. The gentleman from Michigan has 10 minutes remaining.

Mr. CROWLEY. I would just ask the gentleman from Michigan if he might like to use some of his time and maybe balance it out a little more.

Mr. CAMP. I yield 2 minutes to the distinguished gentleman from Louisiana, Dr. FLEMING.

Mr. FLEMING. I thank my friend, the gentleman, Mr. CAMP, for giving me time to speak.

I just want to say, Mr. Speaker, that this boils down to one of two choices here today. We're going to be either voting for a 2-month extension of the payroll tax or a 1-year extension of the payroll tax. We'll either be voting for a 2-month fix for reimbursement for physicians, health care providers in general, or we'll be voting for a 1-year fix. Now, for my money, it should be 1 year versus 2 months. I don't understand really what the problem is.

But having said that, let me also mention to you that this affects me and many of my friends back home in this way, and that is: I'm a physician myself, have many friends in the health profession. They're asking me: John, why in the world do you keep us upset like this all of the time? Why is it that we can't predict what our reimbursement rates are going to be from one month to another?

They're desperately begging for us not only to extend that for a year, but for 2 years and even beyond that. They're desperately asking for a fix. And we've been promising them that we would try. So that's a lot behind what we're here today about, and that is to have a long-term solution to physicians.

I also come from the small business sector, and I can tell you that when you do your tax deferrals or the income tax for your employees, that's usually done on a quarterly basis. In fact, it's always done on a quarterly basis. Well, how do you do it on quarterly basis when you only have an extension for 2 months?

So we have the Associated Builders and Contractors and many, Mr. Speaker, that say that this is just absolutely, flatly untenable.

So I encourage that both Chambers vote today to be in favor of sending this back to the Senate, have the conferees get together. Let's do it the way the Constitution asks us to do it.

Mr. CAMP. Mr. Speaker, I yield 2 minutes to the distinguished chairman of the Energy and Commerce Committee, the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. I thank you, my friend from Michigan, chairman of Ways and Means.

Let's face it, Mr. Speaker, people across the country are not very happy, and they are, frankly, so tired of Washington games. They know that we have a divided government. They don't want a deal; they want a solution.

Yes, they want to reform unemployment; yes, they want to extend the payroll tax deduction; and, yes, they want a doc fix. Without the doc fix, we put, literally, millions of Americans in jeopardy of decent health care because their physicians are not going to have the proper reimbursement from Medicare.

But coming from the State of Michigan, I know that what Americans want most are jobs. This bill, the Republican alternative, provides jobs for Keystone, 20,000 shovel-ready jobs in a $7 billion private investment right away; boiler MACT regs, something that will protect as many as 200,000 businesses across the country; and spectrum, the sale of the spectrum will create literally perhaps as many as 50,000 to 100,000 jobs as well.

The last Congress didn't deal with the budget, and we spent the first couple of months of this year dealing with what we thought was Lucy and the football: bringing up a continuing resolution, watching it be extended for a week or 2, and then coming back with another one. If we don't deal with these issues today, we're going to have the same trouble in the next year, in the next couple of months.

So let's stop playing Lucy and the football. Let's get a real solution to a problem that Americans want us to solve. Please support the Republican alternative on this and respect the wishes of the House.

Mr. CROWLEY. I appreciate the gentleman's comments about the only game the American people want to see this holiday season is football, but the reindeer games that are going on in this House are something the American people do not want to see any more of.

With that, I yield 2 minutes to the gentlelady from Texas, Ms. SHEILA JACKSON LEE.

Ms. JACKSON LEE of Texas. Mr. Speaker, we are doing what the American people have asked us to do. I thank the gentleman from New York for championing the cause of the American people, and I thank our whip, Mr. HOYER, for understanding that we need an up-or-down vote on the Senate compromise and a motion for this conference that will not occur to do what is right for the American people.

I've already said that the holiday season for so many has just gone up in smoke. The lights on the Christmas tree have just burst and the tree is burning. The candles throughout the house are now down and smoldering, and people are bemoaning the condition that Washington Republicans have put them in.

Mothers, single mothers, families without are now begging for a lifeline; and the gigantic ship, the cruise ship, is cruising on by and allowing them to drown in the dusty and dark waters of this land. I don't understand where there is no mercy, where there is no understanding.

My good friend from Michigan will see that his constituents, 70,000 of them, will lose unemployment benefits; the Speaker from Ohio, 58,000 will lose unemployment benefits; Texas, 134,000. They understand that this is smoke and mirrors.

I said in the Rules Committee, at 7:05 last night, we had a right to vote on the Senate bill that was put before us. That rule was changed midstream.

The American people need to understand, we had in line, through the Rules Committee, controlled by the Republicans, to put on the agenda for us to vote up or down on the Senate bill. We were not allowed to do that because they thought the Senate bill, for reasonable people, might pass. They thought that Senator LUGAR's words might prevail, in the ears of the Washington Republicans, that said, do what is right for the American people. They thought Senator SNOWE's words might prevail, which is to say, we all have disagreement, but let us not hold up unemployment.

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

Mr. CROWLEY. I yield the gentlelady an additional 15 seconds.

Ms. JACKSON LEE of Texas. Thank you.

Let us not hold up the unemployment; let us not hold up the payroll tax, because those individuals said they didn't want it in the first place.

Mr. President, if you have Executive order powers, let's just pass it; let's just rule on it; let us come back and deal with it for a year, because they know they're not serious, and I'm not going to see the holiday season go up in smoke for the American people. That is a disgrace.

Mr. CAMP. Mr. Speaker, at this time I have no further speakers. I am prepared to close if the gentleman from New York is prepared to close.

Mr. CROWLEY. I have two additional speakers, including myself.

With that, I will yield 1 minute to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, this is a very sad day for the American people. There was an opportunity with the Democrats in the Senate and the Republicans in the Senate. Eighty-nine of them, including my senior Senator, LAMAR ALEXANDER, Senator HELLER, a former colleague, a classmate in this class, Senator LUGAR, Senators COLLINS, SNOWE, and others came together. They said, We need to protect the American people, protect the opportunity to see doctors when you're on Medicare, get unemployment insurance and keep the tax breaks. They came together and said, Let's do it for 60 days. We can come back later and then we can work on it for the rest of the year. They knew what was possible within the time allotted to it.

Unfortunately, my colleagues on the other side don't realize what time makes available. There is no possibility of the Senate coming back and having a conference committee. They are saying ''Bah, humbug'' to the compromise and the bipartisanship that we saw in the Senate.

It's an unfortunate day for the American people, and I'm sorry for my folks who will not be able to get doctors to treat them, unemployment compensation, or a tax break.

Mr. CAMP. Mr. Speaker, I do have an additional speaker.

I yield 2 minutes to the distinguished gentleman from Georgia, Dr. GINGREY.

Mr. GINGREY of Georgia. Mr. Speaker, I thank the gentleman for yielding, and I rise in opposition to this Democratic motion to instruct the conferees, assuming that they're going to instruct the conferees to adopt the Senate amendment.

□ 1400

Clearly, this House has spoken in a bipartisan way with H.R. 3630. In fact, we will follow this debate with a resolution, H. Res. 501, restating the provisions of H.R. 3630, which basically gives that tax break to 160 million middle-income Americans for a full year. It extends the unemployment insurance to 99 weeks for those who have been out of work for more than 6 months for an additional year.

Last, but certainly not least, Mr. Speaker, it gives the assurance of the physicians in this country that provide care for our blessed senior citizens under the Medicare program that their reimbursement will not be cut 27 percent. No. Indeed, it not only mitigates that cut, but it pluses it up by 1 percent for 2 full years. This gives the doctors the assurance that they know they can continue to treat Medicare patients.

I can't help but believe, Mr. Speaker, that the other side of the aisle agrees with all three of these provisions. It's beyond me that they would disagree with the job-creating Keystone XL pipeline, 120,000-plus jobs. It's hard for me to understand how they could oppose any of that.

No. I think really this is all about how we pay for it.

What the Democrats want to do, Mr. Speaker, is they want to charge increased taxation on the job creators in this country. What we want to do is pay for it by freezing the pay of all these Federal employees—yes, including ourselves—for 3 additional years in a very responsible way and other provisions on this side that makes sense for the American people.

Reject this motion to instruct.

Mr. CROWLEY. Mr. Speaker, I would remind Mr. GINGREY that his constituents in Cobb County, Georgia, will see a potential increase of $1,258 in their taxes in the absence of passing this bill today.

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

The SPEAKER pro tempore. The gentleman from New York is recognized for 2½ minutes.

Mr. CROWLEY. Thank you, Mr. Speaker. I thank my friend from Michigan as well for this debate.

I listened very closely and very intently to the words of Speaker BOEHNER, a man whom I have tremendous respect for, and I know that he's having some difficult times with his side of the aisle. I know he'd like to be able to wrap up business for the end of the year and be able to move on into next year to do good things for the American people.

But the rejection by his caucus of the compromise bill that was passed in the Senate is preventing him, and I think preventing some of the like-minded Members on the Republican side of the aisle, to pass the Senate bill and go home for the holidays.

I also listened very intently to the Speaker when he said that the passage of this bill today would only be a 2-month extender, that somehow by just passing this it would only mean about 160-some-odd dollars for the average American worker in tax savings.

I would just suggest the absence of doing anything is a thousand dollar increase on average to the average working middle class American today. A thousand dollar increase, the absence of doing nothing.

Now, we all know the Senate can't get 60 votes to even say that December 25 is Christmas. We understand that. They've gone home for the holidays already. They're not coming back. So we either pass this bill today or we see that no bill will pass and an increase in the middle class taxes will take place.

Now, you will argue, how did we get here? I don't know. I'm in the minority. You're in the majority. The President suggested extending this payroll tax cut back in September. In fact, he wanted to enhance it back in September, but we didn't take it up then with the jobs bill. Quite frankly, we haven't taken up a jobs bill yet in this House. A full year has almost expired and not a jobs bill on the floor to put Americans back to the work.

I listened again to my colleague Mr. FATTAH from Pennsylvania when he reeled off a number of positive things that are happening today—that homebuilders' numbers are up, that the economy is improving, that we've seen jobs increase in this country, people who are on unemployment insurance decreasing. That's happening right now.

I ask, why is it when something good happens to the American people and to our economy, somehow it's perceived as being bad for the Republican majority? Isn't that sad that somehow that's the sense that people have?

Mr. Speaker, I hope that we can pass this bill and send the American people a message that we can work together on their behalf, pass this bill, come back, and work together in January and February.

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

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

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 4 minutes.

Mr. CAMP. The minority seems fixated on this notion that since the Senate passed their version of the House bill by a vote of 89–10 that somehow the House just needs to take their work product, no changes, just accept it, just vote for it.

Well, less than 3 weeks ago, the Senate passed the Defense authorization bill by a vote of 93–7. Did the House just accept that and send it to the President? No. We requested a conference on December 7, and a week later, that conference report was approved by the House. So there's no reason other than the Senate's insistence on a monthlong vacation that we can't do the same here to provide a yearlong solution to the payroll tax cut and unemployment insurance for a year, and a 2-year fix on the physician payments in Medicare, what's known as the SGR, the sustainable growth rate formula.

Vote ''no'' on this motion to instruct.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 502, the previous question is ordered.

The question is on the motion to instruct.

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

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

The yeas and nays were ordered.

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

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Ms. EDWARDS. Mr. Speaker, pursuant to clause 2(a) paragraph 1 of rule IX, I rise to give notice of my intention to offer a resolution to raise a question of the privileges of the House.

The form of the resolution is as follows:

Whereas an article on December 15, 2011, on the ''Politico Pro'' newspaper website quoted the Representative from Florida, Mr. West, as saying, ''If Joseph Goebbels was around, he'd be very proud of the Democrat Party because they have an incredible propaganda machine. I think that you have, and let's be honest, you know, some of the people in the media are complicit in this, in enabling them to get that type of message out.'';

Whereas Joseph Goebbels served as the Third Reich's Minister of Public Enlightenment and Propaganda in Nazi Germany from 1933–1945;

Whereas Joseph Goebbels openly used xenophobia and racism in his quest to dehumanize European Jewry;

Whereas Joseph Goebbels made Jews the scapegoat of German economic insecurity, fostering flagrant anti-Semitism;

Whereas the United States Holocaust Memorial Museum reports ''that Joseph Goebbels delivered a passionate anti-Semitic speech to the Nazi party faithful in Munich on November 9, 1938 . . . After the speech, Nazi officials order the Storm Troopers (SA) and other party formations to attack Jews and to destroy their homes, businesses, and houses of worship. The violence against Jews lasts into the morning hours of November 10th, and becomes known as Kristallnacht--the 'Night of Broken Glass'. Several dozen Jews lose their lives and tens of thousands are arrested and sent to concentration camps.'';

Whereas Nazi Germany and their collaborators killed six million European Jews and millions of others as part of their ''Final Solution'';

Whereas by invoking the specter of Joseph Goebbels, the Representative from Florida, Mr. West, thoroughly belittles the horrors and suffering experienced by the victims and survivors of the Holocaust;

Whereas the American Jewish Committee issued a December 15, 2011, statement saying ''To make a linkage between any mainstream political party in the United States and the heinous atrocities committed by the Third Reich should be simply beyond the pale, whatever political differences may arise in a heated electoral season . . . By invoking the image of Joseph Goebbels and the Gestapo, Representative West has displayed a complete lack of understanding of the worst genocidal era in human history. Moreover, he has diminished and trivialized the unique evil perpetrated by the Third Reich through his unfortunate use of language'';

Whereas the Anti-Defamation League said in a December 16, 2011, letter to the Representative from Florida, Mr. West, ''We were deeply dismayed by Rep. West's remark comparing the Democratic Party's attempts to articulate views to the American people through the media to the efforts of the Nazi propaganda minister, Joseph Goebbels . . . Such outrageous Holocaust analogies have no place in our political dialogue. They are offensive, they trivialize real historical events, and they diminish the memory of the six million Jews and millions of others who perished in the Holocaust'';

Whereas the Representative from Michigan, Mr. Conyers, wrote in a letter to the Representative from Florida, Mr. West, that the Representative from Florida should ''help raise the level of congressional discourse in a vigorous debate'';

Whereas the Representative from Florida, Mr. West, responded back in a letter to the Representative from Michigan, Mr. Conyers, that ''The Democrat Party does indeed have a vicious propaganda machine, it espouses lies and deceit and the Master of deceptive information would be truly proud'';

Whereas in the repetition of this abhorrent and outrageous sentiment to the Representative from Michigan, Mr. Conyers, the Representative from Florida, Mr. West, demonstrates not only the willful and malicious misapplication of history, but also his disdain for the decorum of the Congress; and

Whereas the conduct of the Representative from Florida was repugnant: Now, therefore, be it

Resolved, That the House of Representatives disapproves of the behavior of the Representative from Florida, Mr. West, for bringing discredit to the House by offending the memory of those who died during the Holocaust.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the

floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from Maryland will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

SENSE OF HOUSE REGARDING ANY FINAL MEASURE TO EXTEND CERTAIN EXPIRING PROVISIONS

Mr. PRICE of Georgia. Mr. Speaker, pursuant to House Resolution 502, I call up the resolution (H. Res. 501) expressing the sense of the House of Representatives regarding any final measure to extend the payroll tax holiday, extend Federally funded unemployment insurance benefits, or prevent decreases in reimbursement for physicians who provide care to Medicare beneficiaries, and ask for its immediate consideration.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 502, the bill is considered read.

The text of the resolution is as follows:

H. RES. 501

Whereas a two-month extension of the payroll tax cut instead of a full-year extension would cause additional uncertainty and complexity for private-sector job creators already struggling in the current economy;

Whereas, on December 17, 2011, President Barack Obama said, ''It would be inexcusable for Congress not to further extend this middle-class tax cut for the rest of the year.'';

Whereas, on December 17, 2011, House Minority Leader Nancy Pelosi said, ''House Democrats will return to Washington to take up this legislation without delay, and we will keep up the fight to extend these provisions for a full year.'';

Whereas, on December 17, 2011, House Minority Whip Steny Hoyer (D–MD): ''I'm disappointed that Senate Republicans would not agree to a longer-term extension of critical policies.'';

Whereas in 2011 working Americans received a temporary payroll tax rate reduction which allowed the average family to keep $1,000 more of their annual wages;

Whereas, on December 31, 2011, without action by the Congress, the temporary payroll tax rate reduction will expire, leaving nearly 170 million American workers with less disposable income as the economy continues to struggle;

Whereas the imminent expiration of the temporary payroll tax rate reduction is creating further uncertainty for families as well as employers who must adjust withholding amounts from their employees' paychecks;

Whereas the Social Security Trust Fund is now running a cash deficit, and over the next 75 years will require an additional $6.5 trillion to pay scheduled benefits;

Whereas, on January 1, 2012, without Congressional action, Medicare physician payments will be cut by 27.4 percent;

Whereas in order to preserve access to health care for the nation's seniors, two years of stable Medicare payment rates would provide the most certainty physicians have had since 2004;

Whereas a two-year period of stability would provide Congress time to develop a long-term replacement to the Sustainable Growth Rate formula;

Whereas 13 million Americans remain unemployed and the unemployment rate has been above eight percent for 34 consecutive months, the Congress should enact needed reforms to ensure a fiscally responsible unemployment insurance program;

Whereas H.R. 3630 as passed by the House provided a fully offset extension of unemployment insurance benefits in line with previous periods of economic duress and integrated common-sense reforms into the program, including a requirement that benefit recipients search for work and participate in reemployment services to help them get back to work;

Whereas construction of the Keystone XL pipeline from Hardisty, Alberta, to Steele City, Nebraska, and to the United States Gulf Coast through Cushing, Oklahoma, is a $7 billion energy project that will enhance the energy security and economy of the United States;

Whereas the Keystone XL pipeline will create 20,000 direct jobs and 118,000 indirect jobs;

Whereas the Keystone XL pipeline has been subjected to three years of intensive environmental review, and was deemed environmentally sound by the U.S. Department of State in its August 26, 2011, Final Environmental Impact Statement (FEIS);

Whereas Keystone XL pipeline legislation passed by the House and Senate would allow the state of Nebraska to continue its environmental review of a new pipeline route to avoid the Sand Hills region and the Ogallala Aquifer;

Whereas H.R. 3630 as passed by the House will reduce the cost for employers to purchase and place in service new equipment next year, and continued expensing will serve as an incentive to make investments and foster greater business investment and job creation;

Whereas EPA's new proposed rules for boilers would cost manufacturers, colleges and universities, municipalities, and small businesses $15 billion and put up to 240,000 jobs at risk;

Whereas significant concerns with EPA's new proposed rules cannot be adequately addressed or remedied unless Congress passes legislation; and

Whereas the House of Representatives passed on October 13, 2011, by a vote of 275 to 142, with the support of 41 Democrats, legislation that would overturn EPA's Boiler MACT rules and require the agency to repropose new rules in 15 months after date of enactment, with achievable standards, and an extension of the compliance period from three years to five years: Now, therefore, be it

Resolved, That it is the Sense of the House of Representatives that any final measure to extend the payroll tax holiday, extend Federally funded unemployment insurance benefits, or prevent decreases in reimbursement for physicians who provide care to Medicare beneficiaries—

(1) extend the payroll tax holiday through December 31, 2012;

(2) extend and reform Federally funded unemployment insurance benefits;

(3) eliminate for two years the dramatic cut in reimbursement for physicians who provide care to Medicare beneficiaries;

(4) reduce spending from areas throughout the Federal Government, including a freeze on congressional salaries, in order to protect the Social Security Trust Fund, whose solvency would otherwise be diminished as result of the payroll tax holiday; and

(5) provide immediate job creation through—

(A) final approval of the Keystone XL pipeline;

(B) expensing for capital assets placed in service in 2012; and

(C) drafting new regulations for boilers that are achievable and cost-effective.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. PRICE) and a Member to be recognized later each will control 30 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. PRICE of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Clearly, the economy and jobs is the number one issue for the American people all across this land; and if you were to ask the folks who create jobs what is the greatest impediment to job creation, they would say it's uncertainty.

Businesses don't know what taxes are going to be. Job creators don't know what the rules and regulations are going to be. Employees and workers don't know if their jobs will be lost. Doctors don't know whether or not they're going to be able to see Medicare patients. Patients don't know whether or not they're going to be able to see their doctors.

Therefore, the House believes what the American people already know: that more certainty, greater certainty, is imperative if we're going to get this economy rolling again. Consequently, we, the House, passed a bill that provides that certainty.

Our bill provides for a 1-year extension of the payroll contribution to Social Security, offset so that Social Security resources are not depleted;

Our bill provides for a 13-month extension of Federal unemployment benefits with real reform, including job training and helping folks get GEDs and allowing drug screening by States for those receiving benefits should they so desire;

Our bill provides a 2-year extension of payments to doctors caring for seniors—for Medicare patients—so that our parents and our grandparents can continue to see their doctors.

So the House passed a 1-year extension of the payroll tax reduction and paid for it with reduced spending elsewhere. Yet the Senate, Mr. Speaker, wants 60 days and more uncertainty. The House passed a 13-month extension of Federal unemployment benefits. The Senate wants 60 days and more uncertainty. The House passed a 2-year continuation of funding for doctors to see Medicare patients. The Senate—that's right, Mr. Speaker—wants 60 days and more uncertainty.

Republicans and Democrats in both the House and the Senate agree that we ought to extend these items. There

is no debate about that. The differences lie in whether or not we get our job done now or whether we punt the fulfilling of our responsibilities for another 2 months. The Senate's action is unworkable and unacceptable. Various organizations representing job creators have already said that a 2-month punt is unworkable and costly—therefore harming more job creation.

Now we're ready to sit down with our colleagues on the other side of the aisle and on the other side of the Capitol to get a 1-year extension put in place before the end of this year. That's what you do when there are differences in the House and the Senate. Both sides have passed legislation, but we have disagreements. So now we ought to sit down, like Congresses have done for over 200 years, and work out those differences. We ought to do that today, not 2 months from now.

This resolution makes it clear that the House supports taking care of middle class families, seniors, and job creators. It makes it clear that the House stands ready and willing to work with the Senate to get this done. If our colleagues on the other side of the aisle support providing relief and certainty for middle class families and for seniors and for job creators, then they ought to support this resolution. There is bipartisan support for the proposals within this resolution, and there is bipartisan support for a 1-year extension.

I call on my colleagues to support this resolution and support the efforts under way to work out our differences with the Democrat-led Senate and to put in place a set of solutions that will create certainty for families, job creators, and seniors.

I reserve the balance of my time.

The SPEAKER pro tempore. Without objection, the gentleman from South Carolina (Mr. CLYBURN) will control 30 minutes.

There was no objection.

Mr. CLYBURN. Mr. Speaker, I rise to claim time in opposition as the designee of the gentleman from Michigan (Mr. LEVIN), and I yield myself such time as I may consume.

Unemployment rates, according to a recent report this morning, fell in 43 States during the month of November—the most States to decline since 2003. The media are reporting that the economy has generated 100,000 or more jobs 5 months in a row—the first time that has happened since 2006, which was before the Great Recession.

Mr. Speaker, 89 Senators—50 Democrats and 39 Republicans—have passed a bipartisan agreement to extend the current payroll tax, unemployment insurance benefits, and Medicare doctors' payments for another 60 days so that we can continue to seek common ground for a full 12-month extension and keep these great numbers in front of us.

Let there be no mistake. The only way for the Members of this body to prevent a tax increase on 160 million working Americans is to pass the Senate's bipartisan agreement. The only way to prevent cutting off unemployment insurance for 2.2 million Americans who are currently unemployed and looking for work is to pass the Senate's bipartisan agreement. Let me be crystal clear. The only way to prevent cutting funds to pay doctors who care for Medicare patients is to pass the Senate's bipartisan agreement.

The Senate Democratic leader and the Senate Republican leader demonstrated to the American people that Democrats and Republicans can work together. They passed a bipartisan compromise to get this done.

Mr. Speaker, my constituents continue to ask time and time again: Why can't you guys work together to get something done for the American people? It is a good question. It is a fair question. And the Senate has answered that we can.

It is my fervent hope that we in this body join them today and do the right thing for the American people.

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

□ 1420

Mr. PRICE of Georgia. Mr. Speaker, I respectfully suggest to my friend from South Carolina that the best way to provide certainty for families and job creators and for seniors is to have a House-Senate conference committee work together before the end of the year.

I am pleased to yield 1½ minutes to my friend and colleague from Tennessee (Mr. ROE).

Mr. ROE of Tennessee. I thank the gentleman for yielding.

Mr. Speaker, last week the House passed the Middle Class Tax Relief and Job Creation Act with the support of both sides of the aisle. The economy is struggling—perhaps getting better, but struggling.

The President asked for a 1-year extension of the payroll tax holiday. We agree with that, a 1-year extension. Extend and reform the unemployment insurance plan benefits; we agree with that. A 2-year extension of the so-called doc fix. I'm a physician. I have been here now for 3 years. In the 3 years I have been here, Mr. Speaker, we've had six temporary extensions. This will be number seven. For access to care for patients, we must get a permanent fix for SGR or no patients are going to have access. And I have spoken to numerous colleagues who totally disagree with this 60-day extension. The true shovel-ready project, which is the Keystone pipeline, will give us access to energy in this continent with one of our best neighbors, Canada.

All of these issues that we've talked about are paid for with spending cuts, not tax increases and not deficit spending. The Senate, however, passed only a 60-day extension; the House, 1 year. Sixty days versus 1 year.

The distinguished Senator from Tennessee, Senator BOB CORKER, just said, ''Senator REID should stop this political gamesmanship, call the Senate back into session, and follow the 'regular order,' '' which means both sides of the aisle, the House and the Senate, produce a conference bill ''to produce better legislation that reflects the will of the House and Senate.''

Like most Americans, we should be at work this week to finish the business they elected us to do. Please support this amendment.

Mr. CLYBURN. Mr. Speaker, I yield 2 minutes to the gentlelady from New York (Mrs. MALONEY).

Mrs. MALONEY. I thank the gentleman for his leadership and for yielding.

The Senate has gone home for Christmas. And just 5 minutes before I came to this floor, the President made an announcement from the White House that he supported the bipartisan Senate compromise bill that passed the Senate 89–10. And we need to pass it and wrap up this Christmas present for the middle class.

Instead of the pattern of obstruction that is constantly coming from the other side of the aisle, we should introduce the Senate bill here in the House and pass it for the American people. The House leadership should allow an up-or-down vote and extend the payroll tax cut, the unemployment benefits, and the doc fix for the middle class.

Without this 2-month extension, 160 million Americans will face a tax hike starting January 1. The idea that it is somehow acceptable to let this happen is to be blind to the economic struggles that American middle class families are now facing and to be totally, totally deaf to the cries for help from the many people—the 2.2 million Americans—who will see their unemployment benefits expire if we do not pass the Senate bill. This is an exercise in rigid partisan ideology that will also result in an additional 48 million seniors being denied access to their doctors.

No bill will make everybody happy. But to stop this Senate bill now, one that is so important to so many Americans, just to please the rigid ideology of the very few, it is the tail wagging the elephant, and it is obstructionist to the American people. And it is just in time for Christmas, and it is indefensible.

Mr. PRICE of Georgia. Mr. Speaker, I am pleased to yield 1½ minutes to the gentleman from Texas (Mr. BARTON).

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. I thank the distinguished policy chairman, and I thank the gentleman from Idaho for his evenhanded leadership in the debate.

Mr. Speaker, I voted to send the Senate bill to conference, and I hope that both parties in both Chambers appoint serious conferees and really try to come up with a solution to the problem.

I do want to point out a few facts that have been avoided on both sides of

the aisle. It's really not a payroll tax. It is a Social Security dedicated trust fund tax.

Since Franklin Roosevelt and the Congress created Social Security in the 1930s, payroll Social Security taxes go into the system by workers, employers, and self-employed individuals, and then benefits come out.

Last year, for the first time, we reduced the amount of Social Security taxes going into the system and gave an IOU from the Treasury into the Social Security trust fund. The extension, whether it's for 2 months or 1 year, of that same policy this year is taking $120 billion to $150 billion out of the system that's real money and putting into it an IOU that we will pay at a date future. This would be like if I went to the doctor and the doctor tells me that I have got lung cancer, and I say, ''Well, what should I do, Doctor?'' and he says, ''Smoke more cigarettes.''

I mean, we paid more out in Social Security benefits this current year than we paid in, and this exacerbates the problem. I would ask that we come up with a permanent solution, Mr. Speaker, and not keep avoiding the problem.

Mr. CLYBURN. Mr. Speaker, it is now my pleasure to yield 4 minutes to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Speaker, this has been a terrible year in Congress. The intransigence of the Republican leadership and the Tea Party Republicans has brought us to the brink of crisis again and again. And now we're playing another game of chicken with the lives and well-being of millions of American families at stake.

Did the Republican leadership in the House just learn today that at the end of this month, in 10 or 11 days, these tax breaks, the unemployment insurance, and the physician reimbursements were going to expire? No, they learned about it earlier. So they packaged a bill. And the only way they could figure to pay for it was to take it out of the Federal employees, ask the elderly to pay more for their Medicare, to cut back on spending, never to raise taxes on people who make $1 million a year.

The Senate had the same issue before them, and the Democrats there wanted to have a tax increase. They couldn't get that through. So the Senators negotiated a short-term extension for 2 months because they couldn't agree to 1 year, and that passed overwhelmingly. That is what we should be voting on today.

Instead, starting January 1, the House Republicans are bringing a tax increase to 160 million Americans, forcing 2 million Americans to the edge of despair as their unemployment benefits run out, and scaring 48 million seniors who worry about their doctors opting out of providing services under Medicare.

And to add insult to injury, this resolution seeks to impose the Republicans' extreme antienvironment agenda onto legislation essential to the economic security of the American people. This has been the most antienvironment House of Representatives in the history of Congress, and this resolution is a fitting capstone to this dismal record.

□ 1430

House Republicans are holding payroll tax cuts, unemployment insurance, and payment to physicians under Medicare hostage to the rapacious demands of the oil and gas industry.

The House Republicans want to force the President to approve the Keystone XL tar sands pipeline. They forget that the future of our economy lies in clean energy, not increasing our reliance on the dirtiest source of gasoline imaginable. They would like to hold the pipeline as one of the prices for their blackmail, but they also want to give some other special interest favors; a lump of coal for American families, but at the same time they want EPA's public health standards, which would prevent up to 8,100 premature deaths and 5,100 heart attacks every year, they want to eliminate those public health benefits that come with clean air. And instead, they want provisions in this bill, which has nothing to do with this issue, they want these provisions to allow more mercury, lead, and arsenic pollution in the air we breathe.

We've seen this over and over again. They cannot agree on a compromise to pay for anything. They cannot agree on letting something happen without putting in the anti-environmental riders. Once again the Republican leadership has shown the lengths to which they will go to impose their radical, extreme agenda, sacrificing the public health and welfare of the American people.

The Senate at least came up with a bipartisan compromise for 2 months. This House Republican leadership will put us in a situation where all of these expiring provisions will in fact expire, and the American people will be done a great disservice by this action.

Mr. PRICE of Georgia. Mr. Speaker, I am pleased to yield 1 minute to a productive and excellent member of our conference, the gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. I thank the chairman for yielding. I want to thank him for his leadership of the Republican Policy Committee and his work on this legislation.

Last week the House passed a 1-year payroll extension which included a provision to override the administration's decision against the Keystone pipeline, a real shovel-ready project. The President's decision will delay the Keystone project until 2013, after the election, which clearly reveals this is a political not scientific decision. On August 26, the Department of State deemed the project to be environmentally sound after 3 years of analysis.

In late October, I was fortunate to visit Alberta, Canada, which is America's largest trading partner, and witnessed firsthand the Canadian oil sands development and the extraordinary environmental safeguards to produce oil in North America. The construction of this environmentally advanced project will create 120,000 new jobs in America. With record unemployment, Americans need jobs now. And I know firsthand that the workers in the Michelin Tire Corporation of Lexington, South Carolina, are ready to produce huge earth mover tires, and MTU will produce engines.

Mr. CLYBURN. Mr. Speaker, I want to remind my good friend from South Carolina that the Keystone pipeline is in the Senate bill.

With that, Mr. Speaker, I would like to yield 2 minutes to the gentlelady from California, Mrs. SUSAN DAVIS.

Mrs. DAVIS of California. Mr. Speaker, we are here today because the Senate did a terrible thing in the eyes of the House majority: they had the audacity to work together and come up with a compromise.

At the request of the Speaker of the House, the Senate majority leader and the Senate minority leader reached a compromise on a payroll tax cut extension. There were even high fives among Senate Republicans after that Saturday vote. Eighty-nine Senators voted for, including 82 percent of Senate Republicans. The Speaker called it a ''good deal.'' But then came the revolt from House Republicans.

People are asking, Mr. Speaker, and I think it's a fair question to ask: Do House Republicans really want Congress to function? By denying a vote on this bipartisan compromise, it allows them to continue to push their theme that Washington is dysfunctional and does not work.

Had the House majority brought up a clean tax bill last week, we would not even be here today. But instead, they offered a bill loaded with special interest riders that was designed to fail and, in fact, it did fail. The majority claims that it wants certainty with a long-term extension of the middle class tax cut. Yes, and many here, including myself, we do want a long-term extension, and those negotiations will continue.

If the House majority was talking about tax cuts for the wealthiest Americans, they would roll out the red carpet. But when it comes to help and support for the middle class, they pull the rug out from under them.

It is clear, Mr. Speaker, that they are willing to support a $120 billion tax increase on Americans fighting to restore the American Dream rather than accepting this bipartisan compromise that is before us today.

Mr. PRICE of Georgia. Mr. Speaker, how much time remains for each side?

The SPEAKER pro tempore. The gentleman from Georgia has 22½ minutes remaining. The gentleman from South Carolina has 19 minutes remaining.

Mr. PRICE of Georgia. Thank you, Mr. Speaker.

I am pleased to yield 1 minute to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. I thank the gentleman.

Mr. Speaker, in all of this debate, I think that both parties have overlooked a critical problem. Both versions of this bill impose a permanent new tax on every mortgage backed by Fannie Mae and Freddie Mac. To pay for an additional 2 months of tax relief under the Senate version or 12 months under the House version, more than $3,000 in new taxes will be imposed on every $150,000 mortgage backed by Fannie or Freddie. A family taking out a $250,000 mortgage will pay $5,000 more in taxes directly and solely because of this bill hidden in their future mortgage payments.

This is atrocious public policy. It shifts the burden for this bill to future home buyers, kicks the housing market when it's already down, makes it that much more expensive for home buyers to re-enter the market, and adds to the pressures that have chronically depressed everyone's home values. That's the reason that both the Senate and the House versions need to go back for major revision.

Mr. CLYBURN. Mr. Speaker, it is now my pleasure to yield 2 minutes to the gentleman from Rhode Island (Mr. LANGEVIN).

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

Mr. LANGEVIN. I thank the gentleman for yielding.

Mr. Speaker, I find it thoroughly unconscionable that House Republicans are preventing Congress from working its will by stifling a vote to support a bipartisan Senate compromise to extend unemployment benefits and the middle class tax cut for 2 months. While I strongly believe the middle class tax cuts and other provisions within this bill deserve a full-year extension, the utter intransigence of Tea Party Republicans has made compromise without a self-imposed crisis practically impossible.

We could have spent the better part of a year working on this bill, and others like it, to buoy our economy and help Americans get back to work. Instead, the Republican majority spent most of the entire session considering multiple bills to repeal health reform, rescind environmental protections, and further deregulate the financial industry, none of which helps create jobs for my constituents back in Rhode Island.

Now my colleagues on the other side of the aisle have made a last-minute decision to derail a compromise on the one bill that economists agree would actually stimulate the economy. As a result, when families across Rhode Island come together to celebrate the holidays, they are going to face the possibility of paying higher taxes or seeing their unemployment benefits expire in the new year. This is unacceptable and it is unnecessary.

Mr. Speaker, Americans are weary of the political games and the broken promises that have brought us to this point. They want a Congress that can come together and legislate in their best interests. Instead, House Republicans are holding the middle class tax cuts hostage to further their political agenda, despite calls from members of their own party asking them to accept a bipartisan compromise which overwhelmingly passed the Senate 89–10.

I urge my Republican colleagues to stop risking the welfare of the American people for their political leverage. Give us the opportunity to pass a 2-month extension so that our constituents have some reassurance that they won't be worse off come New Year's Day. The interests of the American families deserve to be put before the interests of political partisanship. During this holiday season, I pray that this Congress can honor that.

Mr. PRICE of Georgia. Mr. Speaker, I am pleased to yield 1½ minutes to a dear friend and a wonderful member of the Energy and Commerce Committee, the gentlelady from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. I thank the gentleman from Georgia for his excellent work on House Resolution 501, which expresses what we as Republicans stand for as we fight to provide accountability for hardworking American taxpayers.

□ 1440

We are for certainty for these taxpayers. We are for unemployment insurance reforms. We are for freezing Federal salaries. We are for certainty for our seniors. We are for fairness for our doctors and hospitals. We are for jobs for the American people in the form of the Keystone XL pipeline, in the form of Boiler MACT, and the other bills that will help put thousands of Americans back to work. We all know that Washington takes too much and Washington wastes a lot of the money that it takes, and the American people want to see more of that money left in their pocket.

Indeed, Mr. Speaker, part of the debate that is taking place today is about a transition that we are going through, and House Republicans are grateful for the opportunity to lead this transition from a government that is addicted to the taxpayers' money—yes, indeed, it never gets enough—to a government that is going to be accountable to the hardworking American taxpayer.

Now, for some of my colleagues, they may want to call that ''radical.'' They may want to call it ''extreme.'' They may want to say that it is holding ideas hostage. It is about freedom. We stand with hardworking taxpayers.

Mr. CLYBURN. Mr. Speaker, I remind the gentlelady from Tennessee that that is exactly what this bill is designed to do, put into the pockets of 160 million Americans an extended tax cut.

With that, Mr. Speaker, I would like to yield 2 minutes to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. I thank the gentleman.

Mr. Speaker, we're here because for the last year the majority could have come down here and we could have had this debate all this time. But at the 11th hour after they signaled to the Senate, work it out, get a deal together because we have not done it, the Senate did work that deal out. And now that it has come back, our friends in the House majority have said ''not good enough,'' conveniently after the Senate has gone home.

It feels like a setup. I don't question motives, but it feels that way. And it goes to the heart of the matter: Is the government here of the people, by the people, for the people and for the benefit of the people? Or do people basically have hostility to government and want to make government look dysfunctional at every turn?

The fact is, Mr. Speaker, there was an agreement in the Senate. It was coming over here, and it looked like government was going to prevail and that we had gotten our act together and worked it out. But before that ever happened, the people who stand in opposition to good government broke that deal apart. The people who believe that government should be shrunk to the size where it can be drowned in a bathtub could not possibly let a deal for the American people go through, and they've smashed that deal.

And right now, this year, the clock is running out. The Senate has gone home, and our friends on the other side of the aisle are playing a dangerous game with the lives of 160 million Americans.

It's a shame and a disgrace. We ought to pass this bill the Senate sent over here and stop messing around with the livelihood of Americans.

Mr. PRICE of Georgia. Mr. Speaker, I am honored to yield 3 minutes to our Republican chair of our conference, the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. I thank the gentleman for yielding.

Mr. Speaker, if my friends on the other side of the aisle are confused about why we're here, let me enlighten them. It's because the President's policies have failed. In the Obama economy, employment has been at, near or above 9 percent ever since the gentleman was elected. One in seven are on food stamps, and small business start-ups are at a 17-year low. So, Mr. Speaker, that's why we're here today. I think almost everyone in this Chamber agrees, yes, we want to extend the Social Security payroll tax holiday.

But what is so curious to me, Mr. Speaker, is I hear my friends on the other side of the aisle say, we need to do it for a year, but we're only willing to vote for 60 days. I don't understand that, Mr. Speaker. And I hear my friends on the other side of the aisle saying, middle-income families deserve this $1,000 tax cut; yet they're only willing to vote for $160. And then they say, we have to pass it today, we can't let New Year's Day come without passing this; and yet they won't appoint

anybody to a conference committee, and everyone is getting ready to run to the airport. I don't understand it, Mr. Speaker.

So the question is, are my friends on the other side of the aisle interested in making a law that will help American families and hardworking taxpayers, or are they interested in making a campaign issue that they can recycle every 60 days? Only they can answer the question.

Now, Mr. Speaker, it is inconvenient in tough economic times that our constituents have to work over the holidays. Maybe it should be inconvenient to us as well. We stand ready. We just can't do our job if the Senate Democratic leader refuses to appoint anybody and if the House Democratic leader refuses to appoint anybody to sit down and negotiate in good faith. I'm sorry it's inconvenient for my friends on the other side of the aisle to work during the holidays.

Then last but not least, I hear my friends on the other side of the aisle saying we need something that works for the American people. Well, guess what? Once again, they didn't consult with the American people. All of the employers that we hear about are saying this is unworkable. The Associated Builders and Contractors, I quote, talking about their 60-day plan: ''This sort of temporary fix underscores Congress' uneven ad hoc approach toward the economy and causes more harm than good for America's job creators.'' I hear from job creators from my own district in Kaufman County, Texas: ''The 2-month extension is more hassle than a help. It's impossible to budget and plan for an unknown.''

Mr. Speaker, if you want a year of tax relief, vote for a year of tax relief. If you want $1,000 in tax relief, vote for it and be willing to work over the holidays.

Mr. CLYBURN. Mr. Speaker, I remind my friend from Texas that according to all reports, last month 43 States registered a decrease in unemployment, the first time that's happened since the year 2003.

With that, I would like to yield 2 minutes to the gentleman from New York (Mr. TOWNS).

Mr. TOWNS. I thank my colleague and friend for yielding.

I rise because I believe we have lost sight of why we are here. I want to remind my colleagues that we are here to represent the American people. We are here to ensure that as many as possible have the resources they need to pay their bills, feed their families, and maintain a suitable place to live. Today, there are millions of Americans who are struggling and do not have a suitable place to live.

Many people are suffering because of an economy that is beyond their control. The bottom line is they need us to do something about it. They need us to extend the payroll tax cut and unemployment insurance for at least the next 2 months until we can agree on how to do it for the entire year.

The last thing working Americans need to see is a reduction in their paychecks because we failed to extend the payroll tax cuts. We can today make sure they at least get some assistance for the next 2 months. Then we can reach an agreement on how to do this for the entire year. That doesn't seem to be unreasonable. It's just 2 months.

We need to vote on the Senate bill today. And as my colleague was talking about not leaving town, you're right. We should not leave town until we pass this bill, and we need to let millions of struggling families and children know that they will have some relief at least for the next 2 months so they can enjoy the holidays, so they can really believe in merry Christmas and a happy new year. And that's all we need to do before leaving here is to pass it for 2 months, just 2 months.

Mr. PRICE of Georgia. I am pleased to yield 1 minute to my physician colleague from Indiana (Mr. BUCSHON).

Mr. BUCSHON. Mr. Speaker, I rise today in support of House Resolution 501. As a cardiothoracic surgeon, I often worked through the holidays since, guess what? No one chooses when they have a heart attack. I did my job. I'm here today to do my job, and I'll work through the holidays if that's what it takes. We have 11 days to pass a tax relief bill along with the extension of unemployment insurance, Temporary Assistance for Needy Families and, finally, 11 days to prevent a 27 percent cut to Medicare that will put American seniors at risk of losing their access to quality health care.

□ 1450

Seniors rely on being able to see their doctors. This 60-day patch does nothing to create certainty for providers of seniors; in fact, it jeopardizes their care.

I support the bill we passed last week. I support this resolution. I urge my colleagues to vote ''yes'' on House Resolution 501.

Mr. CLYBURN. Mr. Speaker, may I inquire as to how much time is remaining.

The SPEAKER pro tempore. The gentleman from South Carolina has 12¾ minutes remaining. The gentleman from Georgia has 16 minutes remaining.

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

Mr. PRICE of Georgia. I am pleased to yield 1 minute to a freshman Member from Mississippi (Mr. NUNNELEE).

Mr. NUNNELEE. I thank the chairman for yielding.

I rise in support of the House-passed provisions, specifically the provisions relating to unemployment insurance reform.

We passed a full year, we extended the benefits, but we added commonsense reform, things like strengthening enforcement of waste, fraud, and abuse in unemployment benefits, strengthening work search and education requirements, and allowing States to test for drugs for those that are receiving benefits. It's very simple: If men and women that are working have to pass a drug test in order to draw their paycheck, those receiving unemployment benefits ought to have to pass the same drug test.

So I call on HARRY REID to bring the Senate back to work so that we can reach a full year's agreement that includes these reforms to our unemployment insurance.

Mr. CLYBURN. Mr. Speaker, I continue to reserve.

Mr. PRICE of Georgia. I am pleased to yield 1½ minutes to my friend, another physician colleague and a colleague from the State of Georgia (Mr. GINGREY).

Mr. GINGREY of Georgia. Mr. Speaker, I thank my colleague for yielding, and I rise in strong support of H. Res. 501 and commend the gentleman for the work he has done.

Colleagues, House Resolution 501 restates the provisions in House bill H.R. 3630 that we passed last Friday in a very bipartisan way and sent it over to the Senate—things like, yes, extending the payroll tax cut to 160 million middle-income Americans for a full year; allowing 99 weeks of unemployment insurance coverage for those individuals who have been out of work for more than 6 months, we do that for an additional year; and last but not least, to mitigate the payment cut, the 27 percent payment cut to health care providers who need to be there for our senior citizens. We do this all, and we pay for it in a responsible way.

Now, let's be serious about the controversy here in regard to this Senate amendment versus our bill, H.R. 3630. And it's time, Mr. Speaker, to end the mendacity. There is not one scintilla of logic in the Senate amendment to House bill H.R. 3630. The only thing that makes sense is the Democratic majority in the Senate wants to pay for these things by raising taxes on job creators. We in the House want to pay for it in a much more responsible way, raising taxes on nobody, but freezing salaries for Federal employees—yes, including our ourselves—for the next 3 years.

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

Mr. PRICE of Georgia. Mr. Speaker, I yield the gentleman an additional 15 seconds.

Mr. GINGREY of Georgia. I thank the gentleman for yielding.

And the sale of electromagnetic spectrum, which will raise some $8 billion and create thousands of jobs.

So let's not make any pretenses about this. The House and the Senate have choices: They can name the conferees, they can come to conference, and they can get this done, or they can let these bills fail and fail the American people.

Mr. CLYBURN. Mr. Speaker, it is now my pleasure to yield 2 minutes to the gentlelady from Alabama (Ms. SEWELL).

Ms. SEWELL. Mr. Speaker, instead of doing what's best for the American people, we are once again dealing with the same old partisan politics that has plagued this Congress this entire year.

The Senate amended and passed a bipartisan bill that would extend the payroll cuts for millions of workers and families and protect unemployment benefits for Americans while ensuring our seniors have access to critical health care. This Senate version reflects a compromise that was negotiated in good faith, Mr. Speaker, by both Senate Democrats as well as Senate Republicans. It was overwhelmingly approved by 89 Senators, including 39 Republican Senators.

As Members of Congress, it is absurd, I believe, that we are being deprived the opportunity—denied the opportunity—to vote for a bill that would add certainty to the economy and to the people that we represent.

It is unacceptable that some of my Republican colleagues in the House have once again refused to compromise.

Our constituents elected us here to make their lives better, not worse. This latest Republican grandstand will cost the American public dearly. As a result, 160 million middle class Americans will see a payroll tax increase, and over 2 million Americans, including almost 25,000 Alabamians, will begin losing their unemployment benefits.

While I had hoped for a 1-year extension, like many here, this 2-month compromise is better than the alternative, which is to let millions of Americans suffer economic hardship.

It was Martin Luther King who said that the time is always right to do what is right. It is right this holiday season to make sure that the American public enjoys the blessings of this holiday season by being assured of the protections that they've already so greatly earned.

Mr. PRICE of Georgia. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Wisconsin (Mr. DUFFY).

Mr. DUFFY. I appreciate the gentleman for yielding.

I am sick of the demagoguery. I think it is important that we truly talk about the facts. This is not a debate about whether we're going to extend the payroll tax holiday or not. This is a debate about what kind of extension we're going to get. Is it going to be 1 year or is it going to be 60 days?

To be clear, we are advocating for a 1-year extension, which is a $1,000 tax break for every American in this country. My friends across the aisle are advocating for a $170 payroll tax cut. $1,000 versus $170.

We're talking about Christmas gifts. A $170 payroll tax gift is not a Christmas gift to the American people, but $1,000 would be. The only gift I hear being offered here is the gift to the Senate colleagues who want to go home for Christmas.

Let's stay here and do the work of the American people, make sure we extend the payroll tax holiday, and make sure we give certainty to every American throughout the country.

Mr. CLYBURN. Mr. Speaker, it is now my pleasure to yield 2 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. I think somehow I made a mistake. I came over here to listen to the debate, and it's almost like ''Alice in Wonderland,'' like we all fell down the hole here—up is down, down is up, black is white, white is black. I mean, this is confusing to the folks out there, so let's just try to understand where we are at this moment.

We sent a bill—that is, the Republicans in this House sent a bill to the Senate that was rejected, rejected for several reasons. One of them was the pay-for, how is it going to be paid for—ways that dealt, I think, unfairly with workers who are unemployed. It shortened the period of unemployment not to 99 weeks, but even shorter, to just over 50. And it also went after Medicare recipients, causing them to pay more. It was rejected by the Senate.

The Senate put together a compromise. Ninety percent of the Senators—well, just short of 90 percent—89 Senators, Democrat and Republican, voted for a 2-month compromise that was paid for, with the understanding that they would spend the next 2 months trying to figure out how to make this thing last a whole year.

We're really far apart on many of the underlying things, and so here we are running up against the deadline. And, by the way, if we had a conference committee, if we actually had a conference committee and they came to a conclusion before the end of the year, did anybody consider the Senate rules? There is a potential of 90 hours of debate in the Senate before it could be taken up and passed.

So what are we doing here?

We ought to think about the people out there and about the foolishness of all that's going on around here. Let's just agree to where the Senate is. We've got 2 months to figure out how to make the rest of the year work. And the rhetoric goes back and forth.

We're not in ''Alice in Wonderland'' here. This is about the people of the United States. We have an opportunity to get this thing done only for 2 months. Nobody is happy about that, but at least we can get it done and we can come back and deal with some very difficult underlying issues for which there is no agreement at this moment. We need time to do that. The conference committee could surely not do that.

□ 1500

Mr. PRICE of Georgia. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Virginia (Mr. GRIFFITH).

Mr. GRIFFITH of Virginia. Mr. Speaker, I think that if Thomas Jefferson had just dropped back into this body, he would think he was Alice in Wonderland because when he wrote the wonderful ''Jefferson Manual of Parliamentary Procedure,'' he made it very clear that we had two bodies in this government, the Senate and the House; and each was to act independently one from the other in order to come up with what was right for the American people.

We are now told today that we are supposed to except a compromise that the Senators compromised on and then left town to go home to celebrate their holiday.

Ladies and gentlemen, I don't think that's appropriate. I think we should do what the system called for when our Founding Fathers put it together, that is, they do their business, we do our business, and we do what we think is right. We are trying to do what we think is right here today.

This resolution includes many parts. One of those parts that I think is extremely important is the Boiler MACT part. It had 41 Democrat votes in this House. It has 13 Democrat cosponsors in the Senate. It is a very bipartisan and popular measure, and I hope we adopt the resolution.

Mr. CLYBURN. Mr. Speaker, how much time is now remaining?

The SPEAKER pro tempore. The gentleman from South Carolina has 8¾ minutes remaining. The gentleman from Georgia has 11¼ minutes remaining.

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

Mr. PRICE of Georgia. I am pleased to yield 1 minute to a physician colleague from Louisiana (Mr. CASSIDY).

Mr. CASSIDY. I actually again agree with my colleague, Mr. GARAMENDI. There has been a lot of sturm und drang, but there's actually something that we can agree upon here.

First, I'll say that President Obama, many congressional Democrats and House Republicans all agree that 12 months would be better than 2 months in terms of the extension of these things. The Senate disagreed. They did it for 2 months.

The Constitution says that if the House and the Senate disagree, the two come together, have a conference, a compromise, common ground is found, and then both Houses vote upon it. For some reason, we don't want to go through that process. For some reason, Senator REID does not want to bring his people back from vacation to vote.

Now, I will say that all this other conversation about issues kind of obscures—I think, almost is there to obscure the fact that this is about whether regular order will be followed, whether the constitutional method of resolving differences will be employed.

Now, I would say that I ask the Senators to pay attention to what the Constitution says, to do the work of the American people. I know it's inconvenient. I know it's a holiday, but this is too important. Let's not give up on the process.

Mr. CLYBURN. Mr. Speaker, I continue to reserve.

Mr. PRICE of Georgia. I am pleased to yield 1 minute to the gentleman from Pennsylvania (Mr. MURPHY).

Mr. MURPHY of Pennsylvania. Mr. Speaker, families are doing holiday shopping, planning budgets. So are employers.

Now we're being asked to accept a 2-month plan here, $166 per family, and a message of: Trust us and we'll come back.

Congress needs to be doing more than rehashing this again. We need to be dealing with unemployment, the deficit, and not just spending more time over 2 months.

We're telling families to accept $166 instead of $1,000. For that $166, that's about a week and half of groceries for a family of four. For that same family of four, we're talking about 12 months of gas bills, 11 months of diapers, 10 electric utility bills, 9 months of baby formula, 8 months of cable, 7 months of auto insurance, 6 weeks of groceries, 5 months of gasoline, four student loan payments, three car payments, two credit card bills, and one mortgage payment for your house.

Mr. CLYBURN. Mr. Speaker, it is now my pleasure to yield 2 minutes to the gentleman from Missouri, the chair of the Congressional Black Caucus, Mr. CLEAVER.

Mr. CLEAVER. I sat in my office and listened to this debate; and the one thing I know is that neither side is listening to each other. Everybody's just trying to say something. The people at home are probably trying to figure out if there is any sanity anywhere in Washington. We're having fact-free debates, and the truth of the matter is that we're putting ideology over logic.

I'm not going to be here on Christmas. You can get whatever people you want. You can send all kinds of things into my district. We're on the verge of the second holiest holiday in my religious tradition. I'm going to be home. I'm going to be in church.

This is sick. This is sick. And the people all over the country, the people in the gallery, they know that they are watching dysfunctionality at its best. I'm ashamed, ashamed that this kind of thing is going on and the world is watching.

All we need to do is wait until a better season so that we don't look as bad. Every minute we debate, our poll numbers drop. It's probably at a point now where they can't drop any further.

But can't we stop this and start trying to rationally deal with the business of the public?

We're not listening to each other. The media just wants to listen to see if anybody's going to say anything that's caustic. The red meat crowd is waiting for somebody to say something insulting to the other side.

We ought to be listening to our better selves. We ought to call the best in us out right now, solve this problem, and go home and be with our families. I'm going to be with my family. You guys can stay here and scream at each other all you want. I'm going home.

Mr. PRICE of Georgia. Mr. Speaker, I would remind my friend that it was President Obama who said:

> This Congress cannot and should not leave for vacation until that—until they have made sure that that tax increase doesn't happen. Let me repeat that: Congress should not and cannot go on vacation before they have made sure that working families aren't seeing their taxes go up by a thousand dollars.

Mr. Speaker, in order for their taxes not to go up by $1,000, the length of time of the payroll tax reduction has to be 1 year, not 60 days.

I am pleased to yield a minute and a half to my friend from Texas (Mr. CULBERSON).

Mr. CULBERSON. We're sending this bill back to conference because we share Speaker JOHN BOEHNER's core governing principle to do the right thing for the right reasons for the country. And the right thing to do here is to make sure nobody's payroll taxes go up for at least a year. The House bill does that.

If you want your payroll taxes to go up in 2 months, then you would support the Senate bill.

We are sending this bill back to conference because the Senate bill, unlike the House bill, the Senate bill does not require people applying for unemployment to either get a GED or show that they're working their way towards a degree. The Senate bill doesn't do those things. So we're obviously sending this bill back to conference.

The House bill also gives States the flexibility to require unemployment beneficiaries to submit to drug testing, which is something common sense that everybody in the country can understand.

The Speaker also included in the House bill the ability for businesses to expense 100 percent of the money they invest in new investments and that, obviously, is going to create jobs immediately. The Senate took that language out.

This is just not complicated. If you want your payroll taxes to stay the same for 12 months, then you would support the House bill. If you want your payroll tax to go up in 2 months, then you'd support the Senate bill. This is not a complicated debate. This is very straightforward.

We in the House want to make sure that nobody's tax goes up for at least 12 months so people can plan, so businesses can predict, so they can expense money that they can invest so that they can create jobs. We also want to make sure that businesses in America can continue to create jobs.

Mr. CLYBURN. Mr. Speaker, it is now my pleasure to yield 1 minute to the gentlelady from Maryland (Ms. EDWARDS).

Ms. EDWARDS. 160 million Americans are wondering why Republicans want to raise their taxes on January 1. There are 2.2 million Americans wondering why the Republicans think that what unemployment people need is a drug test instead of a job or, in the absence of that, unemployment benefits.

Doctors all across this country who treat Medicare patients, Mr. Speaker, are wondering why it is that Republicans want to ensure that their doctors receive 25 percent less than they should for treating Medicare patients.

I have to tell you, I am with the American public. I'm completely confused about why Republicans in this Congress want to send Americans into January 2012 without an unemployment check, with a raise in their taxes, and cutting their Medicare benefits. That's what the American people want to know and don't understand. And they want to know why these House Republicans can't go along with what House Democrats want to do, what Senate Democrats already voted to do, what Republicans in the Senate already voted to. And it's time for us to do the business of the American people.

□ 1510

Mr. PRICE of Georgia. Mr. Speaker, may I inquire of my colleague as to how many speakers he has remaining?

Mr. CLYBURN. I have two speakers left.

The SPEAKER pro tempore. The gentleman from South Carolina has 5¾ minutes remaining. The gentleman from Georgia has 7¼ minutes remaining.

Mr. PRICE of Georgia. Mr. Speaker, I am pleased to yield a minute and a half to my physician colleague from the great State of Maryland (Mr. HARRIS).

Mr. HARRIS. Thank you very much, Mr. Floor Leader, for yielding the time.

The last time the Senators passed a major bill over just before Christmas, it was 2009. It was the ObamaCare bill. That last Congress, the 111th Congress, decided not to go to conference and accept what the Senate sent over.

Mr. Speaker, I ask those Americans watching to ask themselves: How did that work for you? That's what they want us to do with this piece of legislation, just accept what the Senate says. They want to go home for Christmas, and we'll just see how it all works out. Didn't work out so good that time; won't work out so good this time.

The gentleman from California said you almost need a playbook to figure out what's going on. Mr. Speaker, thank goodness we have one. It's called House.gov. You can go and you can see exactly how your Representative voted on a 1-year tax cut extension.

We took a vote last week. You can go see that one. We're going to take three today, whether you want a 1-year or a 2-month. Go to House.gov. You don't have to believe what anyone says on the floor. Go to House.gov.

Now, Mr. Speaker, let's talk about the other part of the bill, which is a 2-year Medicare fixed SGR. I ask those seniors who are watching, pick up the

phone once this debate is over and call your doctor's office. Ask him one question: Do you want a 2-month fix or do you want a 2-year fix? That's all. Simple question. Let's see what the doctors want.

I know we in Washington like to think we know best for everything that goes on, including what our Medicare seniors want and their doctors want. I ask our seniors to do that.

Mr. CLYBURN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. I thank the gentleman for yielding.

Mr. Speaker, some have suggested that we're choosing between 1 year and 2 months. The fact is that by rejecting the Senate bill, which would have created certainty for 2 months, we are instead replacing that with uncertainty that begins in 2 weeks. Going the direction we're going in, in 2 weeks we won't know what the situation will be for payrolls that start on the 1st of January.

A full-year consideration is not going to be achieved in the next 2 weeks. The doc fix we've been working on for years; unemployment compensation and tax policy we've been working on for a long time. The idea that we're going to appoint a conference committee and they're going to meet and agree and figure all of this stuff out in a couple of days, we tried that with the supercommittee. It didn't work. This little conference committee is not going to solve all of these problems in the next 10 days.

So we have a choice: 2 months of certainty or a few days of total uncertainty. Who knows what's going to happen.

Economists have said if we don't extend the payroll tax and unemployment compensation that it will have significant adverse effects on the economy.

So we should do this. We should do it for 2 months and work on it for 2 months, and hopefully we'll have a solution at the end of 2 months. We certainly won't have a solution at the end of 2 weeks.

So that's the choice.

When people talk about certainty, this is a group that talked about certainty and then changed the regulations on light bulbs that have been in effect for 4 years on a 2-week notice. Here we are with certainty for 2 months, and they say, well, uncertainty is a problem, so let's do it in 2 weeks.

Let's have some certainty, 2 months of certainty. Let's work on it, and we can get a full-year solution. We're not going to do that the way we're headed.

I would hope, Mr. Speaker, that we would adopt the Senate amendments, leave town, send the bill to the President and be finished with it rather than invite all of this uncertainty which is certainly going to befall us if we don't do that.

Mr. PRICE of Georgia. I am pleased to yield a minute and a half to my colleague from the great State of Texas (Mr. CONAWAY).

Mr. CONAWAY. I thank the gentleman.

This is really hard to listen to in the sense that we are being asked to simply accede to the wisdom of the Senate. The wisdom of the Senate would say that long-range planning is 2 months. The wisdom of the Senate would say let's pay for 2 months' worth of these fixes by a permanent increase in mortgage insurance. That's unwise.

Mr. Speaker, I'm not going to abdicate my responsibility to vote what I believe is in the best interest of the county and the best policy simply because it's Christmas.

Now, we've got 2 weeks to work this out. The House has already passed an extensive bill that fixes and addresses these issues across a broad spectrum of the fixes. And to have the other side over and over say it's really the wisdom of the Senate that you should accede to, it's really the wisdom of the Senate, look what the Senate did, Mr. Speaker. It's irresponsible on every level to simply say 2 months is somehow going to fix these problems, that we can avoid dealing with the issue for another 2 months and then that's wise?

I would argue that my colleagues on the other side are wrongheaded in this regard. We have a bill that fixes this for 2 years, 1 year on the unemployment and taxes. We've got the pay-fors in place. The conferees can come together and get this worked out over the next week and a half that we've got before these things go into effect and bad things happen.

To ask us to yield to the Senate, to accede to the Senate's wisdom is wrongheaded on every level, and I refuse to do that, Mr. Speaker, and would argue that the House-passed bill that we passed last week should be the base bill on which we go to conference on and to work out these differences.

Mr. CLYBURN. Mr. Speaker, I yield myself 1 minute.

I would like to say to my colleagues on the other side that there is much more to legislation than a time line—2 months of certainty or we could go with the bill that this House passed.

It was a year. It was their year. What did they do in that year's time? They cut 40 weeks off of unemployment. Now, that might be good for them, but it's not good for the people in my State where, in spite of all of the great numbers that I spoke about here earlier this afternoon, 100,000 more private-sector jobs created over the last 5 months, the biggest number since 2006.

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

Mr. CLYBURN. I yield myself an additional 30 seconds.

Now, the only way for us to really instill certainty in the unemployed and in those 160,000 million Americans who would like to continue to have their tax cut is for us to pass the Senate compromise and for us to really say to those people that we want you to have a pleasant holiday season and we'll all come back here the first of the year and give you an additional 10 months.

How much time do I now have remaining, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has 2¼ minutes remaining.

Mr. CLYBURN. I yield 30 seconds to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, as the gentleman from South Carolina has indicated, we can have 2 months of certainty if we follow our lead. The Republicans have said that we'll get 1 year of extension if we follow their lead. By tomorrow afternoon, we'll see who's telling the truth.

Mr. PRICE of Georgia. Mr. Speaker, may I say to my colleague that I am prepared to close if the gentleman is prepared to close.

The SPEAKER pro tempore. The gentleman from South Carolina has 2 minutes remaining.

Mr. CLYBURN. Mr. Speaker, I would like to close as I opened.

I said at the outset that we've been getting some tremendous, what I would call tremendously positive numbers for our economy in the past several months, and I believe the American people are beginning to create more certainty in their lives.

□ 1520

I would hate to see us disrupt that by continuing to debate this issue when we know full well that our failure to pass this bill will almost guarantee that 160 million working Americans will see their taxes go up and their paychecks go down.

There are 2.2 million people who are currently unemployed through no fault of their own, who are looking for work and who would like to contribute to the deficit reduction that we are trying to gain, but we will see them continuing in the unemployment status, without their benefit, if we fail to pass this bill.

Also, the 48 million seniors who have developed relationships with their doctors, who during this time of year depend upon the medical profession for their quality of life, could very well see their doctors experience a 27 percent decrease in their reimbursements if we fail to pass this bill. We know what will happen. These doctors will walk off the field and will refuse to treat Medicare patients.

I would hope that my friends would come to their senses and pass the Senate-passed compromise.

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

GENERAL LEAVE

Mr. PRICE of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H. Res. 501.

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

There was no objection.

Mr. PRICE of Georgia. Mr. Speaker, somebody once said that whether you say you can or you can't, you're right. The other side says they can't. The other side says we can't. We believe we can.

Mr. Speaker, we have two different versions of H.R. 3630. There is a House version and a Senate version. Everybody who knows about the United States Government knows that when you have two different versions you come together in a conference committee. You come to common ground, work out the differences, and move the bill back to both Chambers.

What are the differences?

In the House bill, we protect seniors' access to their doctors for 24 months. How about in the Senate bill? It's 2 months;

In the House bill, the Federal unemployment benefits extension goes for 13 months. In the Senate bill, it's 2 months;

As for the payroll tax cut extension, in the House bill, it's 12 months. In the Senate bill, it's 2 months;

As for the payroll tax cut for workers earning $50,000 a year, in the House bill, it's $1,000. In the Senate bill, it's $167.

There is a pay freeze for Members of Congress and Federal workers included in the House bill, not in the Senate bill. There is the ending of unemployment and food stamp benefits for millionaires in the House bill, not in the Senate bill.

So, Mr. Speaker, this is about two different bills. It's about certainty. It's about certainty for families and for job creators and for seniors. It's also about real jobs for real people. Our bill provides certainty and 20,000 jobs with the Keystone pipeline construction and another 120,000 new jobs in the supply chain for the pipeline: positive policy.

Why wait? Why wait, Mr. Speaker? Why not make a decision in the next few days on these tax and health care and unemployment extensions? What's the economic or the policy argument for putting this off for another 2 months? The truth is that there is none, and there are strong arguments against delay. We ought to be working on alleviating the uncertainty that that would bring about, not adding to it.

Mr. Speaker, I call on my colleagues to support this resolution and to move forward positively for families, for job creators, and for seniors.

I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 502, the previous question is ordered on the resolution and on the preamble.

The question is on the resolution.

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

Mr. CLYBURN. 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.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Ms. EDWARDS. Mr. Speaker, I rise to offer the resolution previously noticed.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 504

Whereas Joseph Goebbels served as the Third Reich's Minister of Public Enlightenment and Propaganda in Nazi Germany from 1933–1945;

Whereas Joseph Goebbels openly used xenophobia and racism in his quest to dehumanize European Jewry;

Whereas Joseph Goebbels made Jews the scapegoat of German economic insecurity, fostering flagrant anti-Semitism;

Whereas the United States Holocaust Memorial Museum reports ''that Joseph Goebbels delivered a passionate anti-Semitic speech to the Nazi party faithful in Munich on November 9, 1938 . . . After the speech, Nazi officials order the Storm Troopers (SA) and other party formations to attack Jews and to destroy their homes, businesses, and houses of worship. The violence against Jews lasts into the morning hours of November 10th, and becomes known as Kristallnacht—the 'Night of Broken Glass'. Several dozen Jews lose their lives and tens of thousands are arrested and sent to concentration camps.'';

Whereas Nazi Germany and their collaborators killed six million European Jews and millions of others as part of their ''Final Solution'';

Whereas by invoking the specter of Joseph Goebbels, the Representative from Florida, Mr. West, thoroughly belittles the horrors and suffering experienced by the victims and survivors of the Holocaust;

Whereas the American Jewish Committee issued a December 15, 2011, statement saying ''To make a linkage between any mainstream political party in the United States and the heinous atrocities committed by the Third Reich should be simply beyond the pale, whatever political differences may arise in a heated electoral season . . . By invoking the image of Joseph Goebbels and the Gestapo, Representative West has displayed a complete lack of understanding of the worst genocidal era in human history. Moreover, he has diminished and trivialized the unique evil perpetrated by the Third Reich through his unfortunate use of language'';

Whereas the Anti-Defamation League said in a December 16, 2011, letter to the Representative from Florida, Mr. West, ''We were deeply dismayed by Rep. West's remark comparing the Democratic Party's attempts to articulate views to the American people through the media to the efforts of the Nazi propaganda minister, Joseph Goebbels . . . Such outrageous Holocaust analogies have no place in our political dialogue. They are offensive, they trivialize real historical events, and they diminish the memory of the six million Jews and millions of others who perished in the Holocaust'';

Whereas the Representative from Michigan, Mr. Conyers, wrote in a letter to the Representative from Florida, Mr. West, that the Representative from Florida should ''help raise the level of congressional discourse in a vigorous debate'';

Whereas the Representative from Florida, Mr. West, responded back in a letter to the Representative from Michigan, Mr. Conyers, that ''The Democrat Party does indeed have a vicious propaganda machine, it espouses lies and deceit and the Master of deceptive information would be truly proud'';

Whereas in the repetition of this abhorrent and outrageous sentiment to the Representative from Michigan, Mr. Conyers, the Representative from Florida, Mr. West, demonstrates not only the willful and malicious misapplication of history, but also his disdain for the decorum of the Congress; and

Whereas the conduct of the Representative from Florida was repugnant: Now, therefore, be it

Resolved, That the House of Representatives disapproves of the behavior of the Representative from Florida, Mr. West, for bringing discredit to the House by offending the memory of those who died during the Holocaust.

The SPEAKER pro tempore. The resolution qualifies.

MOTION TO TABLE

Mr. PRICE of Georgia. Mr. Speaker, I move to table the resolution.

The SPEAKER pro tempore. The question is on the motion to lay the resolution on the table.

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

Ms. EDWARDS. 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, this 15-minute vote on the motion to table will be followed by 5-minute votes on adoption of the motion to instruct on H.R. 3630; and adoption of House Resolution 501.

The vote was taken by electronic device, and there were—yeas 231, nays 188, not voting 14, as follows:

[Roll No. 947]

YEAS—231

Adams	Cole	Graves (MO)
Aderholt	Conaway	Griffin (AR)
Akin	Cravaack	Griffith (VA)
Alexander	Crawford	Grimm
Amash	Crenshaw	Guinta
Amodei	Culberson	Guthrie
Bachus	Davis (KY)	Hall
Barletta	Denham	Hanna
Bartlett	Dent	Harper
Barton (TX)	DesJarlais	Harris
Bass (NH)	Dreier	Hartzler
Benishek	Duffy	Hastings (WA)
Berg	Duncan (SC)	Hayworth
Biggert	Duncan (TN)	Heck
Bilbray	Ellmers	Hensarling
Bilirakis	Emerson	Herger
Bishop (UT)	Farenthold	Herrera Beutler
Black	Fincher	Huelskamp
Blackburn	Fitzpatrick	Huizenga (MI)
Bonner	Flake	Hultgren
Bono Mack	Fleischmann	Hunter
Boustany	Fleming	Hurt
Brady (TX)	Flores	Issa
Brooks	Forbes	Jenkins
Broun (GA)	Fortenberry	Johnson (OH)
Buchanan	Foxx	Johnson, Sam
Bucshon	Franks (AZ)	Jordan
Buerkle	Frelinghuysen	Kelly
Burgess	Gallegly	King (NY)
Burton (IN)	Gardner	Kingston
Calvert	Garrett	Kinzinger (IL)
Camp	Gerlach	Kline
Campbell	Gibbs	Labrador
Canseco	Gibson	Lamborn
Cantor	Gingrey (GA)	Lance
Capito	Gohmert	Landry
Carter	Goodlatte	Lankford
Cassidy	Gosar	Latham
Chabot	Gowdy	LaTourette
Chaffetz	Granger	Latta
Coffman (CO)	Graves (GA)	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)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
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 (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—188

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
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
Dold
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
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
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—14

Austria
Bachmann
Coble
Diaz-Balart
Filner
Giffords
Johnson, E. B.
King (IA)
Olver
Paul
Schrader
Smith (NE)
Smith (WA)
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1552

Messrs. RANGEL, PETERSON, and PERLMUTTER changed their vote from ''yea'' to ''nay.''

Mr. CASSIDY and Mrs. EMERSON changed their vote from ''nay'' to ''yea.''

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SMITH of Nebraska. Mr. Speaker, on rollcall No. 947 I was unavoidably detained. Had I been present, I would have voted "yea."

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 947, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

MOTION TO INSTRUCT CONFEREES ON H.R. 3630, MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2011

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on the bill (H.R. 3630) to provide incentives for the creation of jobs, and for other purposes, offered by the gentleman from Maryland (Mr. HOYER) on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 183, nays 238, not voting 12, as follows:

[Roll No. 948]

YEAS—183

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Bass (NH)
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)
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
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)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
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)
Grimm
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
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
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)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
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 (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—238

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Bachus
Barletta
Bartlett
Barton (TX)
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
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
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)
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
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
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

Platts	Royce	Thompson (PA)
Poe (TX)	Runyan	Thornberry
Pompeo	Ryan (WI)	Tiberi
Posey	Scalise	Tipton
Price (GA)	Schilling	Turner (NY)
Quayle	Schmidt	Turner (OH)
Reed	Schock	Upton
Rehberg	Schweikert	Visclosky
Reichert	Scott (SC)	Walberg
Renacci	Scott, Austin	Walden
Ribble	Sensenbrenner	Walsh (IL)
Rigell	Sessions	Webster
Rivera	Shimkus	West
Roby	Shuster	Westmoreland
Roe (TN)	Simpson	Whitfield
Rogers (AL)	Smith (NE)	Wilson (SC)
Rogers (KY)	Smith (NJ)	Wittman
Rogers (MI)	Smith (TX)	Wolf
Rohrabacher	Southerland	Womack
Rokita	Stearns	Woodall
Rooney	Stivers	Yoder
Ros-Lehtinen	Stutzman	Young (AK)
Roskam	Sullivan	Young (FL)
Ross (FL)	Terry	Young (IN)

NOT VOTING—12

Austria	Filner	Paul
Bachmann	Giffords	Schrader
Coble	Johnson, E. B.	Smith (WA)
Diaz-Balart	Olver	Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1558

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 948, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

LEGISLATIVE PROGRAM

Mr. HOYER. Mr. Speaker, I ask unanimous consent to speak out of order for 1 minute for the purposes of inquiring of what the schedule will be as we go forward.

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

Mrs. CAPITO. Mr. Speaker, reserving the right to object, I want to get a chance to react. The gentleman can proceed.

I withdraw my reservation.

The SPEAKER pro tempore. The reservation is withdrawn.

Without objection, the gentleman from Maryland is recognized for 1 minute.

There was no objection.

Mr. HOYER. I thank the gentlelady for withdrawing her objection.

I have just been handed a—it may have been sent out earlier—a Members' advisory which says:

The House will be in session as necessary to consider a conference report on H.R. 3630, the Middle Class Tax Relief and Job Creation Act of 2011.

The House's request for a conference will be transmitted to the United States Senate this afternoon where it will await the appointment of their conferees. To be clear, H.R. 3630 will physically reside in the Senate by the close of business today.

□ 1600

It goes on to say, ''Members will be provided with at least 24 hours' notice prior to the House's next recorded vote.''

What I wanted to ask the majority leader is, does he expect his Members to go home this afternoon?

I yield to my friend.

Mr. CANTOR. Mr. Speaker, I would respond to the gentleman. As he has just read, we have sent out a notice electronically to all Members. Our intention is for the conferees to do their work. We have requested the Senate to do the same, appoint their conferees so we can iron out the differences so we can afford yearlong tax relief for the working people of this country.

Mr. HOYER. Reclaiming my time, I understand the majority leader's position, but he didn't answer my question as to whether his Members intend to go home this afternoon.

Mr. CANTOR. Mr. Speaker, I will say to the gentleman, it is very clear—I know he is holding the same piece of paper that I am—and it reflects the electronic message that went out to all Members. Our intention is for the conferees to go to work to iron out the differences, which are narrow, to ensure what all of us wants to happen—that we afford yearlong tax relief to all working people in this country.

Mr. HOYER. Reclaiming my time, Mr. Speaker, I appreciate the majority leader's observations. I don't think I got an answer to the question. But having said that, if in fact an agreement is not reached prior to, say, the middle of next week, is the House prepared to preclude the eventuality of 160 million people losing their tax cut? Are you prepared to preclude the possibility of 48 million people losing their Medicare benefits? Are you prepared to preclude 2.3 million people losing their unemployment insurance by acting on an overwhelmingly bipartisan agreement that was reached in the United States Senate?

I yield to my friend.

Mr. CANTOR. I thank the gentleman.

Mr. Speaker, what I would say is the House has acted. We have again taken the position that all people, I think, in this building have taken, which is that it is so much better and more desirable for us to provide certainty to the working families of this country who deserve the yearlong certainty of tax relief.

No one thinks that a 60-day extension is even workable, and I think most experts would say could cause unnecessary uncertainty, could cause additional costs to be incurred by businesses, and it could hurt workers.

So I would say to the gentleman, the House has acted. It is up to the Senate to act to stave off this tax hike.

Mr. HOYER. Reclaiming my time, Mr. Speaker, while there is clearly a difference in this House on a number of things, one of the things that I don't think we differ on is a lack of confidence that the Senate will do its job. I don't think we differ on that greatly because our experiences show us differently. So that what I'm asking the gentleman is that we do not put at risk the 160 million people who are expecting their tax cut to continue, the 48 million seniors who want access to their doctors, and the 2.3 million people who are going to go off unemployment, contingent upon whether the Senate acts as the gentleman wants it to. I will tell you my experience has not been great confidence that that will happen.

I will tell the gentleman further, we have tried to prepare for that contingency. We have introduced a bill with 170 cosponsors which adopts the compromise agreement so that we will give that certainty of which the gentleman speaks, allay the anxiety which we know exists, and give to those 160 million people the certainty that they will get the tax cut, the 48 million the certainty they will have access to their doctors, and the 2.3 million the certainty that they will not be kicked off the unemployment rolls so they won't be able to support themselves and their families.

I ask my friend if he will be prepared to bring that bill to the floor if in fact the Senate doesn't act.

Mr. CANTOR. I would say to the gentleman, if the gentleman wants to do his part in trying to make sure that the process moves forward, certainly the Democratic side of the aisle and the minority leader has the obligation to appoint conferees.

And if we are all to continue to work together—which I believe we can because I think the people of this country are tired of hearing what Washington can't do and want to see what we can do. And frankly, Mr. Speaker, the people in this country are beginning to wonder about the body on the other side of this Capitol and are wondering what the leader over there has against the middle class of this country.

So we would say, Mr. Speaker, it's time for us to come together. All of us, including the President, believe it's inexcusable to not allow for a yearlong extension of the payroll tax relief.

Mr. HOYER. Reclaiming my time, Mr. Speaker, 6 months ago the Speaker said that he thought the 1-year extension of the middle class tax cut was a short-term gimmick. He said that 6 months ago of the year extension. So we're somewhat concerned about the commitment to a 1-year extension. But that aside, let me say to my friend that one of the problems I'm worried about is, A, whether we can get this work done in the next 14 days because we know that even if we had a conference, they take a long time. There are very significant differences between us. In fact, we have compromised on something that you indicated in our colloquies about a week ago was very important, and that was the Keystone bill, which your side believes will create a significant number of jobs. That of course is in the bill that the Senate

sent us, because even though the Democratic majority was not for it, they cared enough about the middle class tax cut to compromise.

Unfortunately, I will tell my friend, too often we have seen on this floor unwillingness to compromise, even on your bills. We had a CR on the floor on March 15; unfortunately, 54 of your Members walked away from that. On April 15, we had a continuing resolution to keep the government open; 59 Republicans walked away from that. On June 23, you left the Biden talks. On July 22, Speaker BOEHNER walked away from the debt limit negotiations with he and the President. On August 1, 66 Republicans walked away on the debt limit extension, which was your bill—not ours, your bill. On November 17, some 101 Republicans walked away from passing an appropriations bill which would keep three agencies funded. On December 16, 86 Republicans walked away from the bill to fund the balance of government. So I might say to my friend, it seems to me what we're doing today is walking away today from those 160 million people, walking away from those 48 million seniors, and walking away from those 2.3 million unemployed.

I yield back the balance of my time.

SENSE OF HOUSE REGARDING ANY FINAL MEASURE TO EXTEND CERTAIN EXPIRING PROVISIONS

The SPEAKER pro tempore. Without objection, 5-minute voting will resume.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 501) expressing the sense of the House of Representatives regarding any final measure to extend the payroll tax holiday, extend Federally funded unemployment insurance benefits, or prevent decreases in reimbursement for physicians who provide care to Medicare beneficiaries, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 226, nays 185, not voting 22, as follows:

[Roll No. 949]

YEAS—226

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Bachus
Barletta
Bartlett
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
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
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—185

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brooks
Brown (FL)
Butterfield
Campbell
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
Fattah
Flake
Fortenberry
Frank (MA)
Fudge
Garamendi
Garrett
Gonzalez
Green, Al
Green, Gene
Grijalva
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)
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinley
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
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
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Stark
Sutton
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wolf

NOT VOTING—22

Austria
Bachmann
Barton (TX)
Coble
Diaz-Balart
Eshoo
Farr
Filner
Giffords
Gutierrez
Hunter
Johnson, E. B.
Lofgren, Zoe
Olver
Paul
Schrader
Smith (WA)
Speier
Thompson (CA)
Wilson (FL)
Woolsey
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1616

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 949, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent for a vote in the House Chamber today. I would like the RECORD to show that, had I been present, I would have voted ''nay'' on rollcall vote 949.

PERSONAL EXPLANATION

Ms. WOOLSEY. Mr. Speaker, I was unavoidably detained and was unable to record my vote for rollcall Nos. 944–949. Had I been present I would have voted:

Rollcall No. 944: "no"—On Ordering the Previous Question; rollcall No. 945: "no"—On Agreeing to the Resolution; rollcall No. 946: "no"—On Agreeing to the Resolution; rollcall No. 947: "no"—Motion to Table; rollcall No. 948: "yes"—Motion to Instruct; rollcall No. 949: "no"— H. Res. 501.

APPOINTMENT OF CONFEREES ON H.R. 3630, MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2011

The SPEAKER. The Clerk will read the Chair's appointment of conferees. Additional conferees may be appointed on the recommendation of the minority leader.

The Clerk read as follows:

The Chair appoints the following managers on the part of the House for consideration of H.R. 3630 and the Senate amendments, and modifications committed to conference:

Messrs. Camp, Upton, Brady of Texas, Walden, Price of Georgia, Reed, Mrs. Ellmers, and Ms. Hayworth.

HOUR OF MEETING ON TOMORROW

Mr. ROSKAM. Mr. Speaker, pursuant to clause 4 of rule XVI, I move that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

The SPEAKER. The question is on the motion.

The motion was agreed to.

IMPACT OF INSURED DEPOSITORY INSTITUTION FAILURES

The SPEAKER pro tempore (Mr. WOMACK). The unfinished business is the question on suspending the rules and concurring in the Senate amendments to the bill (H.R. 2056) to instruct the Inspector General of the Federal Deposit Insurance Corporation to study the impact of insured depository institution failures, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. WESTMORELAND) that the House suspend the rules and concur in the Senate amendments.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendments were concurred in.

A motion to reconsider was laid on the table.

RISK-BASED SECURITY SCREENING FOR MEMBERS OF THE ARMED FORCES ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and concurring in the Senate amendment to the bill (H.R. 1801) to amend title 49, United States Code, to provide for expedited security screenings for members of the Armed Forces.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. CRAVAACK) that the House suspend the rules and concur in the Senate amendment.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

EXTENSION OF REDACTION AUTHORITY CONCERNING SENSITIVE SECURITY INFORMATION

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and concurring in the Senate amendment to the bill (H.R. 1059) to protect the safety of judges by extending the authority of the Judicial Conference to redact sensitive information contained in their financial disclosure reports, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and concur in the Senate amendment.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

BELARUS DEMOCRACY AND HUMAN RIGHTS ACT OF 2011

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and concurring in the Senate amendments to the bill (H.R. 515) to reauthorize the Belarus Democracy Act of 2004.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and concur in the Senate amendments.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendments were concurred in.

A motion to reconsider was laid on the table.

□ 1620

MAJOR SAMUEL MARK GRIFFITH

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

Mr. RIGELL. Mr. Speaker, I rise today to pay respectful tribute to a fallen hero, Major Samuel Mark Griffith, United States Marine Corps. Major Griffith, known as ''Sam'' to his family and friends, was killed in action in Afghanistan last week.

Mr. Speaker, I attended Sam's memorial service yesterday; and in the service, a very moving letter was read that had been written by a marine in Sam's unit. It described how Sam had insisted on taking the other marine's place on the next nightly patrol, because the patrols were receiving enemy fire each time they went out.

Sam knew full well the inherent danger and the risk involved in the next patrol. It was Sam's nature to run to danger in defense of freedom and in defense of his fellow marines.

Sam leaves behind a wonderful family, including his wife, Casey, and two fine young boys, Chad and Noah.

Mr. Speaker, the burden of defending freedom has fallen heavy on the Griffith family. So we pause today in this House, and rightfully so, to honor Sam and to extend our heartfelt sympathy and deepest condolences to the Griffith family, asking that God would grant them a special measure of peace and grace in the days ahead.

THE WALKAWAY REPUBLICAN CAUCUS

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

Mr. HOYER. Mr. Speaker, we walked away from 160 million Americans and put their tax cut at risk. We walked away from 48 million Americans and put their access to doctors at risk, and we walked away from 2.3 million unemployed.

Frankly, when President Bush asked us to stabilize the financial markets, two-thirds of his own party walked away. On December 3, they walked away from Bowles-Simpson. On March 15, 54 Republicans walked away from continuing government funding. On April 14, 59 Republicans walked away from their bill to continue funding of the government.

On June 23, their majority leader walked out on the Biden talks. On July 22, Speaker BOEHNER walked out on the talks he had with President Obama. On August 1, 66 Republicans walked away from making sure America pays its bills. On November 17, 101 Republicans walked away from the appropriation bill for three of our Departments. That was a Republican bill they walked away from.

On November 21, Republicans walked away from the Joint Select Committee on Deficit Reduction.

The Walkaway Caucus should not have put at risk working Americans in this country today.

FUNDING EUROPE

(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, while we talk about the issues of the day, one of the things that has been missing over the past several months in the discussions on the floor is the amount of treasure from the American taxpayer that's going to Europe. We have through the Fed been sending hundreds of billions and trillions of dollars in loans to Europe.

In addition to that, we're sending money through the International Monetary Fund, in which we put 18 percent. We're sending hundreds of billions of dollars to Europe.

We've got a lot of problems here at home, and we shouldn't be risking American taxpayers' money by sending it to bail out countries in Europe that very well might go belly-up and if they do go belly-up, that's going to come back to haunt us in America; and the value of our currency will be depreciated, and we'll have very high inflation. We need to take care of the United States and not worry about Europe right now.

THE GRINCH

(Mr. DEFAZIO asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. DEFAZIO. Congress excels at doing nothing; but sometimes doing nothing or empty political posturing, as we've just seen from the Republican majority, ignores our Nation's critical needs.

By leaving town without extending unemployment insurance, the 2.3 million long-term unemployed Americans who want to work and can't find work in this economy is especially cruel on the eve of the Christmas season. And for 48 million seniors and disabled, the new year will dawn with a 28-percent decrease in physicians' reimbursement. Many will find that they can't get in to see a doctor. It will be slammed in their face.

So with these actions, or rather these inactions by the Republican majority, they truly embody the spirit of the season: the Grinch.

CONGRATULATING CHRIS CARNEY

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

Mr. MCHENRY. Mr. Speaker, I rise today to congratulate my good friend, Chris Carney, on taking the oath of office to the State Senate in North Carolina.

Chris has served as a town commissioner for the last number of years. I was able to work with him on that board. He developed a reputation as a thoughtful leader, someone who listened to his constituents and actually tried to craft solutions. He'll take that same mentality to the State Senate in North Carolina. So today I rise to congratulate Chris Carney. His community is proud of him, and I'm proud to call him a friend.

I know his wife and his three children are very excited about the role he is about to undertake. Congratulations, Chris.

UNEMPLOYED IN AMERICA

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

Ms. KAPTUR. Mr. Speaker, I want the 2.3 million unemployed Americans to know that not all Members of this House are heartless. In fact, 193 Members of this House stand with the unemployed of this country, the 2.3 million mothers and fathers who have children and families to feed as we move through this very, very poignant holiday season.

I hope when we come back in January we can do what's right for America. But we fell 36 votes short.

That's because the Republicans, and I hardly see any of them on the floor at this point, care more about taking care of those who earn over a million dollars than they do about the people who are falling off the edge.

I feel sorry for our country today. But you know what? The American people have a way of righting the tables when they get sadly out of balance, and that moment is coming.

I feel sorry for the people who are unemployed. Be strong during this season, know that when we return in January, we have a chance to correct what sadly was voted down today.

COME TOGETHER

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

Mr. WOODALL. Mr. Speaker, I had not intended to address the House this afternoon, but it has been a painful thing for me to listen to this debate today. I'm a freshman in this body, and my understanding was when I showed up here that we would work here and that the Senate would work there, and we wouldn't always come up with the same answers, and that we would also get to together and sort it out.

To have that process derided today as being a bastardization of politics, instead of what exactly the Founding Fathers want us to do, has me confused.

The gentlelady who spoke right before me, and I'm sorry she left the floor right after she derided Republicans for having left the floor, she's now gone, talked about Republicans wanting to see folks on unemployment have those benefits run out.

Mr. Speaker, it was before you and I got here, but four times in 2010 under Democrat control, unemployment benefits ran out. Now, you always did the right thing. You always sorted it out. But those kinds of things happen. We're going to conference today. We have 10 days to get this right.

We got the Defense authorization bill right in 7 days. And the Senate crafted their so-called compromise in 3 days. Surely, we can do better for the American people; and, Mr. Speaker, that's not a partisan divide. That's America at its best. I welcome my colleagues to join us in that.

□ 1630

OUR BRAVE TROOPS, HOME ON AMERICAN SOIL

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

Mr. CARNAHAN. Mr. Speaker, last week, Secretary of Defense Leon Panetta declared an end to the war in Iraq, fulfilling President Obama's pledge to bring the war to a responsible close. This marks an important milestone for the U.S., and it symbolizes our redefined relationship with a sovereign Iraq.

Thanks to the resilience and bravery of our soldiers and civilian personnel, all U.S. combat troops in Iraq will be home by the end of the year. I want to congratulate them on being able to share their holiday seasons together again.

We also honor the memory of lost heroes, and we renew our commitment to ensure that our new generation of veterans receives the services and care we promised and the veterans earned.

At a time when families are struggling to make ends meet, our commitments to help veterans is more important than ever to ensure they successfully transition their talents here at home for the good of our economy and our country.

On behalf of the Missouri citizens I represent, I wish our brave troops and all their loved ones a Merry Christmas, Happy Holidays, and a Happy New Year home on American soil.

AN INSULT TO THE AMERICAN PEOPLE

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

Ms. JACKSON LEE of Texas. I want to follow my friend from Missouri and add my appreciation to the troops who have come home and to their families, and I thank my colleagues for joining in wearing a yellow ribbon in honor of them. I hope they will go home and do the same and will encourage their communities to do so.

But I am standing here to confront the hypocrisy and the joke of my colleagues on the other side of the aisle in suggesting that the conferees are meeting when they full well know that no conferees are meeting, because no one has been appointed except the one-sided conferees.

Frankly, they want us to be Americans first, not Tea Partiers, not lovers of the special interests. The other body put forward a very thoughtful initiative to keep us going so that the lights will not be turned off in some poor mother's home and so that some senior citizen can still go to his doctor. They wanted to make sure 2.3 million and 134,000 people in Texas would have their unemployment. I'm saddened by this crisis. I'm here to work. I'm going home for an emergency, and I'll be back.

The lady who went off the floor should not have been confronted that way. She spoke. She's ready to work. What about the empty chairs on the other side? They are not ready to work. It's all about a joke. This is an insult to the American people.

NO TAX CUTS UNDER THE CHRISTMAS TREE

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

Ms. EDWARDS. I didn't think I'd have to take to the floor again; but now that the House Republicans have walked away from the American people, it bears notice.

There are 160 million American people across this country who are going to see their taxes go up come January 1. There are 2.3 million Americans, including 46,000 of them in my home

State of Maryland, who will not get an unemployment check. There are 48 million Americans, mostly our seniors, who are going to see their benefits essentially ripped out from under them in Medicare as their doctors won't be able to treat them because their doctors are getting a cut.

I'm not really sure which Christmas House Republicans are celebrating, but in my house it's a Christmas of charity and of goodness. I am so saddened that here in this House we have ripped out from under the Christmas tree the Christmas for millions of American families who will not get to go into the New Year with a tax cut and who will go into the New Year without an unemployment check. The House Republicans have done a great disservice to this country.

DEMOCRATS, APPOINT YOUR CONFEREES

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

Mr. CONAWAY. Mr. Speaker, we've had an awful lot of conversation this afternoon. It twists on the idea that somehow the 100 Members of the Senate are so much smarter and so much brighter and so much more intelligent than the 435 Members of the House of Representatives.

Our colleagues from the other side of the aisle would ask us to simply accede to whatever the Senate does as ludicrous as it is. A 2-month extension is nonsense. It has no commonsense value whatsoever. Everyone in this Chamber knows that. Yet speaker after speaker says that we need to just accede to the wisdom of the Senate. The wisdom of the Senate is represented by a 2-month extension that is not paid for by anything that makes the remotest amount of sense.

We can fix this this coming week, and we think we should. Have them appoint their conferees, Mr. Speaker, so we can fix this for the American people. Then all this doom and gloom that's being spouted out down here goes away with a 1-year extension of unemployment, with a 1-year extension of the payroll tax, and with a 2-year extension for our doctors.

A SHELL GAME ON THE FLOOR OF THE HOUSE OF REPRESENTATIVES

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

Mr. COHEN. We've witnessed a shell game played here on the floor of the House of Representatives.

Republicans talked about having voted for an extension of the unemployment compensation and for extending the payroll tax, but what they gave with the right hand they took from the left. They said, We give you this, but we cut your benefits to 59 weeks of your unemployment compensation.

They all voted against the Affordable Care Act. So in this bill as well, if you have a preexisting condition, they want you not to get health care as you can today. If you're 26 years of age or younger, it would be that you can't get on your parents' insurance policies, which you can today because of the ACA. Also, the doughnut hole would be closed, which it is because of the ACA, but they're against that because they wanted to cut funds to put the America Cares Act into operation.

The fact is that Senate Republicans and Democrats didn't vote for a 60-day extension. They voted for time to get together and do a 1-year extension. That's what we need. They had wiser heads. You saw a good reason not to have term limits. First-year Members are acting as if they know everything; and in a petulant way, they have jeopardized millions of Americans.

THE BOTTOM LINE

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

Mr. JOHNSON of Georgia. Well done, my good and faithful servants.

That must be what the Koch brothers and the corporate Tea Party backers are saying. Their Republican Party in the House has for the whole year been able to stave off any fairness by protecting their millionaires and billionaires from being denied tax breaks.

Here we are at the end of the session, and they leave having not allowed this body to vote on the bipartisan agreement that the Senate reached with the House leadership's consent—an agreement that passed 89–10—and they went home. So we won't get a chance to vote on that package. They refused to let us do so. That's the story that we end with.

That's the bottom line, and that's the way it is.

A SAD AND WORRISOME TIME MADE WORSE BY THIS DAY

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

Ms. SCHAKOWSKY. At just about this hour, the Sun is setting, and Jewish families around the country, including mine, are going to their Hanukkah Menorah—the festival of lights, the festival of a miracle that the lights lasted for 8 days. Usually, this is a joyful time—a beautiful, holy celebration. For many families around this country, this is a very sad and worrisome time, made worse by this day.

With millions of Americans unemployed and relying on a meager average $286-a-week check while they look for work, Republicans voted today to not extend unemployment insurance, to not extend a tax cut for middle-income people who need it so badly this year when the economics were so hard. It just breaks my heart that at this holiday season and when people are feeling in such a fragile economic state that today's vote took place. It didn't need to. We would have helped the American people today.

Happy Hanukkah.

REPUBLICANS, HAVE A HEART

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

Mr. PALLONE. I want to follow up on what my colleague from Illinois said, because it really is true.

We are talking about hurt for America's families here. I know that, in the next week, as this time expires on the unemployment compensation, on the Medicare reimbursement, on the payroll tax cut, I'm going to get calls from seniors telling me that the doctors are not accepting them for Medicare anymore. I'm going to find out that people have lost their unemployment insurance.

Here we are at a time when we're just starting to see the economy improve a little bit; and I know there is a real risk, if we don't extend that payroll tax cut, that we will send the economy back into a recession again.

It is amazing to me to see my colleagues on the other side suggest that somehow they're going to stay here and that the conferees are going to be here. None of that is true. They're home. They're not here. They're going home, and they're not going to come back until after January. I really think it's outrageous to think that they're running the risk that the economy will be hurt by this and that people won't have money in their pockets and that those who receive Medicare may be refused a doctor.

We're simply asking, as Democrats, to have a heart. Why is it that Republicans don't understand the negative consequences of this?

□ 1640

TAKEAWAYS FROM THE DAY

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

Mr. ALTMIRE. Mr. Speaker, the two key takeaways from the debate today are, number one, there is nobody in this Chamber—nobody, Republican, Democrat—nobody in the Senate on the other side—Republican, Democrat, Independent—nobody believes that a 2-month fix is the end result of this process. The 2-month fix is to allow the benefits to continue so that the 160 million Americans that are now benefiting from the reduction in the payroll tax continue to have those benefits while we come together and while we compromise, while we come to a long-term agreement. That's what this is all about.

The other takeaway is the majority party did not allow a vote on the Senate plan. For all the talk about how

flawed they believe the Senate plan to be, they didn't allow a vote on the Senate plan because they would have lost their position. That bill would have passed. We would be done with it today.

So when you hear Members of the majority talking about how flawed the Senate bill is and how the American people don't support it, their own Members would have voted for it, and we would have passed the bill if they would have allowed it.

STOP TRADING ON CONGRESSIONAL KNOWLEDGE

(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, again, this august body displayed the worst of what we can do. The opportunity to try and compromise was there. I have to say, last week I supported a bill put forward by my Republican friends, sent it to the Senate. It came back. And as the previous speaker said, I didn't even get a chance to vote on it. The real tragedy here is that there is another piece of legislation that is being held up that the American public knows needs to happen.

We can have a difference of political opinions across the aisle. The one that needs to get done is to believe people here are playing by the rules. The Stop Trading on Congressional Knowledge, the insider-trading bill that's 18 pages long, it's been sitting around for 6 years. It now has 240 bipartisan cosponsors. It is now suddenly buried and gone. The American people demand us to do one thing: be honest and work for them. That bill can ensure that happens.

MIDDLE CLASS AMERICA, TAKE NOTICE

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

Mr. TONKO. Mr. Speaker, at the expense of the taxpayer, Members of the House of Representatives were called back to Washington to conclude business on a payroll tax extension. The truth of the matter is we never even voted on the bill. Why, perish the thought! The bill would have probably passed. Who loses? 160 million Americans who won't realize a payroll tax extender; 48 million Americans, seniors who won't have access to their Medicare health provider; 2.2 million unemployed Americans who through no fault of their own lost a job, won't have their unemployment insurance extended.

You know, when it came to providing tax cuts for millionaires and billionaires, there were no bells and whistles. There were no pipelines attached to the legislation. There were no pay-fors. But when it comes to a tax cut for middle class Americans, all kinds of bells and whistles are attached, all kinds of demands. This is a facade that is seen through clearly. When they had a chance to address this issue, they called it ''a gimmick''; it wasn't worth their attention. So don't let them fool you. This is just a way to keep moving the goal post and not do the right thing. Middle class America, take notice. We regret not taking a vote in this House.

ANOTHER DAY IN CONGRESS

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

Mr. MCDERMOTT. Mr. Speaker, there are some funny things that go on here. We watched the supercommittee operate for about 10 weeks and produce absolutely nothing. So today the Speaker comes out here and says, we want a conference committee. Now, the supercommittee was 12 members, three from each caucus; a conference committee, three members from each caucus. We're going to create another one, and we think that somehow it will solve this problem.

The definition of insanity is doing the same thing again and again and expecting a different result, and clearly we're not going to get a different result. The Senate sent us a compromise between two people that can't agree on the time of day, HARRY REID and MITCH MCCONNELL, and they got 90 votes for it. That is America. Ninety percent of America agreed on that; and the Speaker wouldn't even allow it to come to a vote. He said, Let's create a committee.

Don't forget it in 2012.

GED FOR UNEMPLOYMENT BENEFITS

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

Mr. CLYBURN. Mr. Speaker, we often talk about poison pills, and I don't know that all of the American people really understand what we're talking about. I want the American people to know that this 1-year bill that the House Republicans seemed to be in love with had some poison pills in it. One of them cut 40 weeks off of unemployment insurance. That's what they want us to agree to.

But another one, and the one I think is most egregious, said to those people applying for unemployment insurance that you must pass the GED in order to get unemployment insurance. We would say to a Vietnam veteran who is a master electrician, who went off to fight a war, never finished high school, but now that you are unemployed with all your skills, because you don't have a high school diploma or a GED, you must take a GED in order to get your unemployment insurance. That is not only a poison pill; that is insulting and egregious.

ONE OF THESE THINGS IS NOT LIKE THE OTHER

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

Mr. RICHMOND. Mr. Speaker, the unfortunate incidents of today remind me of that song I learned from Sesame Street which is, One of these kids is doing his own thing. The truth of the matter is we need adults today. If you look at the Republican Senators, they stood up and reached a compromise with the Democrats in the Senate. The House Democrats came along. The President came along. There was only one outlier, and that was our House Republicans.

Over the holidays, Mr. Speaker, I would ask that you remind and encourage my House Republican colleagues to go see the wizard, go get a brain so we can talk about the intelligence needed to spur this economy. Go get the courage to stand up to the private interests, the Koch brothers, and the lobbyists so that you can do the right thing for the country. And after all, go get a heart so you can help the 2.2 million people that are unemployed have a merry Christmas, so that you can help the 160 million people who will face a tax hike on January 1 and, more than anything, the 48 million seniors who will have less access to health care.

Mr. Speaker, I will close with one thing, and it's just a bit of advice: be careful because the unemployment benefits you save may be your own.

WARREN HELLMAN

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

Ms. PELOSI. Mr. Speaker, it is with great sadness that I rise to pay tribute to the passing of a man whose legacy to San Francisco is a great one. I rise to pay tribute to the life and legacy of Warren Hellman, a community leader, a San Francisco legend, and an American success story. Sadly, Warren passed away on December 18, surrounded by his loving family. That was the way he lived, surrounded by his loving family.

Warren was a tremendously successful businessman. And it was his business acumen that allowed him to pursue his true fashion, philanthropy. He was a Renaissance man. That's how his daughter described him, and that's how we all saw him. With his deep generosity, intellectual curiosity, and his visionary dynamism, he changed the face of San Francisco. His legacy will live on through his contributions to education, to music, to civic life, and to the memory we all happily have of him being such a modest athlete, something he took great pride in.

□ 1650

When Warren Hellman saw an opportunity to enrich our city, he acted upon it. He strengthened and beautified Golden Gate Park. He worked to end homelessness. He supported the San Francisco Free Clinic, many of those people availing themselves of the services there being homeless. Concerned about dwindling local news coverage in the Internet age, he helped form the Bay Citizen online journalism site. Warren served on the board of Mills College and the University of California at Berkeley's Haas School of Business. He was in a leadership role in everything that he did.

I mentioned that he was an athlete. He endowed aquatic sports at U.C. Berkeley, where he had played on the water polo team as a student. Whether it was bicycling, swimming, running, skiing, you name it, Warren was the best.

He was a lover of music, a lover of family, and a lover of life. The 3-day concert he founded—well, it used to be called Strictly Bluegrass; but as the program expanded and more entertainers wanted to participate and the audience turned out for them in the hundreds of thousands, it was changed to Hardly Strictly Bluegrass. So it wasn't strictly bluegrass. It is held each year at Golden Gate Park and has allowed hundreds of thousands of fans each year to enjoy the music that he loved—mostly bluegrass. And it was all free. Warren was involved in every aspect of the festival, including personally recruiting musicians he admired; and an invitation from Warren was one that was warmly responded to by the biggest names in music. It is so fitting that Speedway Meadow, the site of the festival, was renamed Hellman Hollow just last week. Just last week. So I know this pleased him and his family immensely.

I mentioned his interest in education and the arts. He and his wife, Chris, were really such magnificent patrons of the San Francisco Ballet. It's hard to match or surpass the contributions they have made intellectually and by way of encouragement in every way and certainly philanthropically.

With the passing of Warren Hellman, San Francisco has lost a beloved champion. We honor his memory and his enthusiasm by celebrating his many contributions. I said that he was good at everything he did; and that included being a friend, a friend to so many who will miss him so much. I am proud to call Warren a friend; and I hope it is a comfort to Chris, his wife, and his family whom he cherished. And he couldn't talk enough about them. He was so very proud of them and rightfully so. I hope it is a comfort to them that so many people mourn their loss and are praying for them at this sad time.

Tomorrow there will be a public service to honor his life and legacy. It will represent an outpouring of people from every aspect of San Francisco life, every economic strata, from homeless people to the most privileged and successful in terms of their measure of success. But it will also represent people in the public and private and nonprofit sectors. This was a very special person, and I want everyone who follows the work of Congress and the pride that we all take in representing our districts and our constituents to know how proud we all were of the life and leadership of Warren Hellman.

COMMUNICATION FROM CASEWORK SUPERVISOR, THE HONORABLE XAVIER BECERRA, MEMBER OF CONGRESS

The SPEAKER pro tempore (Mr. BROOKS) laid before the House the following communication from Michael Nielsen, Casework Supervisor/Office Manager, the Honorable XAVIER BECERRA, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
December 12, 2011.

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

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I was served with a subpoena, issued by Superior Court of California, County of Los Angeles for witness testimony.

Prior to my required appearance, however, the defendant in the case pled no contest to a lesser charge, thereby alleviating any need for my testimony. After consultation with the Office of General Counsel and as a result of developments in the case, no determination regarding compliance with the subpoena is required.

Sincerely,

MICHAEL NIELSEN,
Casework Supervisor/Office Manager.

CONGRESS, THE ADMINISTRATION, AND THE GIPPER

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, it's sometimes hard to reconcile the speeches we hear here on the floor with the legislation that we've passed. People have been speaking from the other side of the aisle here for the last 30 minutes about how the Republicans in the House apparently don't want taxpayers, working Americans, to have the 2 percent of the Social Security tax back that doesn't get paid into Social Security when actually this House has taken the responsible position not wanting to raise taxes in a down economy so workers will have the money that they currently do in their paychecks. It makes sense.

I've been saying ever since this first came up that the idea of a 2 percent tax cut is not a holiday and that actually the President corrupted the true payroll tax holiday idea that was brought forward 3 years ago. That was my idea. It was a stimulus idea that Moody's, when they rated the different proposals, said would stimulate the 1-year GDP more than the other proposals, and it would have. The people that earned all of the money would have gotten it for 2 months in a row.

Some lazy reporters have tried to say, Well, that's just like this. Absolutely not. Unfortunately, it requires reading and not all reporters are willing to do that because it's clear my payroll tax holiday that I told the President about in January of 2009, he liked the idea and the only thing he did was take the name of it—that sounds familiar—and use that for what was not a holiday. It's not a holiday when you're avoiding 2 percent of the taxes you normally do. A holiday is when you don't pay the taxes. There are a number of differences. For one thing, the 2-month proposal by the Senate just pushes off what has to be done, and that's dealing with the rest of the year. We want to deal with the rest of the year. We want to provide certainty.

The bill I proposed did not create any uncertainty. It dealt with the issue that people could not shove bonuses into those 2 months, that it was a tax holiday for all of the income tax, Social Security, those taxes that would normally be taken out of the check. It would have averaged, we were told, between $2,000 and $3,000 a month for 2 months. Instead of $80 a month, you would've had $4,000 to $5,000 over a 2-month period. That would have stimulated the economy.

Not only that, this proposal that the President has had, it hasn't stimulated the economy. We just don't want to raise taxes on people in a down economy.

□ 1700

But it does hurt the Social Security trust fund. This President's proposal pits working Americans against our seniors. It didn't have to be this way. Before this President ran up an extra $4 trillion in debt back when we were at $11 trillion instead of 15 trillion, just a few years ago, the proposal was completely paid for, and the only people that would have missed the money were the Wall Street bailout folks that wouldn't have gotten their money because it took money from TARP and left it in the pockets of those who earned it. It made sure that there would be no shortfall in the Social Security trust fund. It made sure there would be no shortage in the Medicare fund, it addressed that. And the only people that would have been hurt—and I don't think they would have been hurt—but the only ones that would have missed the money were those getting the bailouts.

Well, this President liked the name, liked the idea of leaving some money in the check. But instead of $4,000 to $5,000, they decided to leave $160—2 months.

HARRY REID has been saying that he wants to give Americans $1,000, and that's what the Senate was doing. The

only way we can keep HARRY REID from being a liar—and I don't want to make him a liar—and so what we have to do is have the Senate pass what we've passed, at least send conferees to the conference, so that we can work out a compromise, because right now all he's got is $160, not $1,000.

So, I hope my colleagues here in the House will urge the Senate, please help us keep HARRY REID from being a liar. He said they provided $1,000 in tax cuts to working Americans, and the only way that will happen is if they'll adopt the House proposal or send conferees to the conference. That will leave that much for the whole year, not just 2 months.

Now, there was $700 billion originally allocated for TARP. The Obama administration got $350 billion of that, plus it was projected it would get maybe $100 billion, $150 billion of the original $350 billion. There's still $120-plus billion dollars in assets in that slush fund that need to be liquidated, and they need to take care of things like Social Security and Medicare. There's another $50 billion or so in the TARP that is still cash money that should be used. If anything is going to be used, use that to stimulate the economy by letting people keep their own money in their paycheck.

This 2 months proposed by the Senate is not going to stimulate the economy. As nonpartisan groups have said, it is actually going to create vast instability, and there is no comparison to that and a paid-for, complete holiday for working Americans to keep everything in their paycheck. That would have been a stimulus. We made inquiries of people in our district. What would you do with it? We heard from people who said we want a car that's more fuel efficient, but the big gas guzzler we've got is worth less than we owe on it. We can't get out from under. If you let us keep 2 months of our own taxes for the full 2 months, all of that, then we will be able to get rid of this clunker and be able to get a more fuel-efficient car. Others said, we got behind on our mortgage last summer when gas went to $4 a gallon because Speaker PELOSI's and HARRY REID's policies, the bills, the legislation they passed were stifling the ability to provide for more of our own oil and gas. It spiked up to $4 a gallon. They said, we got behind then, but if you let us keep 2 months of all of our taxes, we don't need any more government programs, we can get out of problems with our mortgage ourselves. But, no, there are people in this town that like the GRE, the Government Running Everything. And the way to do that is keep coming up with programs. So, they created more programs.

One other thing I want to touch on that has hit the news in the last 2 days, but unfortunately many have not noticed. This administration is in the process of trying to provide the Taliban a Christmas present. Now, 2 weeks ago, we found out that a fourth category on the terrorist watch list was being created called former military detainees. Having seen how this administration works, having known we have an Attorney General that represented terrorists before he became Attorney General, having an Attorney General who has no clue how Fast and Furious came about, according to his testimony, having an Attorney General that was involved, was around when the Marc Rich pardon took place, we knew that we needed to look carefully when these kind of indications came forth. And what we found was the administration said, oh, no, no, no, we're not about to release detainees. Not much.

What's come out in the last 2 days is that this administration is negotiating with terrorists, negotiating with the Taliban directly and about to work out a deal. The administration is saying—and Reuters had a story on this—but the administration apparently is saying, in essence, we need to have a show of good faith to these terrorists, the Taliban, that we are complicit in the killing and the murdering of over 3,000 Americans. We need to show them good faith by releasing Taliban murderers from their detention, and then they'll have a much better feeling about us.

And then we're also in the process directly of negotiating with the Karzai administration, Afghanistan, and the Taliban, trying to work something out where the Taliban will have a place. This administration has forgotten they killed Americans. They're saying, well, we think that they're softening up now. They don't want to kill Americans as badly as they did back on 9/11. They probably won't plot, train, and kill Americans like they did before if they just see how wonderful our administration is and how kind and generous we are just to let them have murderers back out of detention who have made no indication that they don't want to kill Americans any further.

This administration is doing this. And they need to understand the people that they are about to give this Christmas present to don't believe in Christmas. They believed in killing Americans. They believed in killing innocent people. They believed in plotting and training to carry out such a plot to kill Americans, and there is no indication that they think otherwise.

But this administration is so intent on getting out of Afghanistan and turning things over to the Taliban again that we're going to be right back where we were 20 years ago as the Taliban was working toward the ultimate 9/11.

And not only that, they will then know everything Osama bin Laden said about the Americans being too weak, not being up to the fight, that eventually they'll cave in and start helping us to destroy them. That's what appears to be happening with this administration. We can't do that. The lives of Americans that have been lost in Afghanistan cry out, Do not concede defeat to our enemies that have killed us.

Afghanistan is an issue that needs to be dealt with, but not by giving those who terrorized us all that they want. They were wanting an office outside of Afghanistan, and this administration said, well, we think we can work that out. We'll pay for the office, we'll take care of that if you just promise us you won't use that to fund-raise for terrorism, okay? That's like North Korea saying, if you'll just build us a nuclear power plant, we promise we won't use it for nukes, and the Clinton administration and Madeleine Albright believed them. And now they've got nukes, and we helped them with it.

And now this administration can't learn from past mistakes. It's about to do that with the Taliban. In meeting with warlords a year and a half ago from northern Afghanistan, a small group of us learned that after the Taliban was initially defeated in about 3 or 4 months with merely embedded troops, that the United States asked the warlords, the Northern Alliance, to disarm. And they did. And now, here it was a year and a half ago, they're saying look, you may not be aware, but your administration, the Obama administration, is indirectly negotiating with the Taliban right now. We know. And you're negotiating with them and Pakistan in a corrupt Karzai administration. And who is going to be hurt out of all of this are your allies, those who fought with you, who defeated the Taliban initially, and now you're about to turn things over to the people who will kill your allies.

□ 1710

Do you want that message going around the world, that to be an ally with the United States means you ultimately will be abandoned and the enemies of your allies will be allowed to kill your allies? It would be hard to get allies if you do that. This administration is looking at an election year. This is no time to give in to terrorists.

When President Bush said, I hear you, and in essence said, and soon those who did this will hear from us, I can't imagine that he ever believed a President and an administration would say, We hear you now, terrorists, and we're not going to hurt you. We'll fix you up an office outside Afghanistan. We'll make it where you can take over areas of Afghanistan. We'll work with you. We'll release your murderers from prison. I don't think that's what President Bush was talking about when he said they would hear from us, but it sure looks like that's about to be what happened according to the stories now circulating.

Those warlords were right. They said, Look, we were not meant to have a big central government. We can't have it without being corrupt, not right now. At least let us elect our regional governors, our mayors—at least. Don't have the Karzai administration appoint the regional governors, appoint the mayors, and pick corrupt police chiefs. Let us elect those. The power in Afghanistan is in the regions, in the

tribes. To have a government that's centralized right now means corruption. Let us do that regionally, and give us back weapons so we can defend ourselves against the Taliban who is already moving.

And in answer to this administration's wonderful gestures of kindness and we'll release your murderers, we had them kill SEAL Team 6, a big number of our people. And that wasn't enough. In September, they killed one of the warlords just as a handful of us were about to go have a meeting with them again.

The message is clear: The Taliban have learned nothing. There's only one thing they understand—that's force. And it's like career criminals that I dealt with as a judge. If you want to be protected, you've got to put them where they can't hurt you anymore. There are murderers that have been put where they can't hurt us anymore, and this administration is now talking about releasing them.

So we have a twofold front of problems. One is the economy, where the Wall Street executives that contribute four-to-one to Democrats over Republicans, contributed four-to-one to the Obama campaign over the McCain campaign. They've been enriched and engorged with TARP money. It's time to end TARP.

It's time to allow workers to have a break. It's time that the Senate quit playing games and acknowledge that a full year of certainty is a whole lot better than 2 months. Appoint the conferees; send them to confer. It's how things get worked out. It's the way that procedurally things were meant to happen so it can be above board.

The rules require that they must be open sessions of the conference committee. That's the way you resolve things, under regular order. It needs to be done that way. I know the Senate would like to do closed-door meetings and give away programs behind closed doors, but it's time to do this thing the way the President promised 4 years ago that he would if he were President—make it open; make it clear. The American people will see who's negotiating for whom. That will help America.

And I know, in closing, for my comments, that with the Christmas season, though there are so many who want to end the ability to say Merry Christmas, they want to end the ability to do much of anything that really is acknowledging our roots, I think it's important to look where we came from. So I would close with this message from Ronald Reagan.

He basically reiterates things that have been said back to the time of George Washington, Abraham Lincoln:

> The themes of Christmas and of coming home for the holidays have long been intertwined in song and story. There is a profound irony and lesson in this because Christmas celebrates the coming of a Savior Who was born without a home.
>
> There was no room at the inn for the Holy Family. Weary of travel, a young Mary close to childbirth and her carpenter husband Joseph found but the rude shelter of a stable. There was born the King of Kings, the Prince of Peace—an event on which all history would turn. Jesus would again be without a home, and more than once. On the flight to Egypt and during His public ministry, when He said, ''The foxes have holes, and the birds of the air have nests, but the Son of man hath nowhere to lay His head.''
>
> From His very infancy on, our Redeemer was reminding us that from then on we would never lack a home in Him. Like the shepherds to whom the angel of the Lord appeared on the first Christmas Day, we could always say, ''Let us now go even unto Bethlehem and see this thing which is come to pass, which the Lord hath made known unto us.'' As we come home with gladness to family and friends this Christmas, let us also remember our neighbors who cannot go home themselves.
>
> Our compassion and concern this Christmas and all year long will mean much to the hospitalized, the homeless, the convalescent, the orphaned—and will surely lead us on our way to the joy and peace of Bethlehem and the Christ Child Who bids us come. For it is only in finding and living the eternal meaning of the Nativity that we can be truly happy, truly at peace, truly home. Merry Christmas, and God bless you!

Ronald Reagan, December 19, 1988, his last Christmas message as President.

Mr. Speaker, there are those who don't want people to mention the word ''Christmas,'' and there's an easy solution. For those who don't want to mention Christmas, don't want to observe Christmas, then if they take the holiday, just agree to give back the money, because the money earned on a holiday shouldn't be taken for those who don't think it should be a holiday. That's easy enough.

But in the spirit of Christmas and the things we know about government—those of us who believe what's in the Bible—we have an obligation to protect people, as the government, as pointed out in Romans 13. It coincides with providing for the common defense. It's time to do that, to make sure Americans are safe, that they're provided with a defense so they can take care of the poor, the needy, the orphaned, the widows. They can help their fellow man. That's our job as a government. Our job as individuals is to have that same spirit of assisting and helping and being servants.

We're elected to be servants in this body. We're not elected and charged with taking from some people and giving to our favorite charitable cause. We're to do that with our own money, not with people's money that may have some other better charity they prefer to give it to.

We need to get the economy going. We need to bring down the cost of energy. That would be a great Christmas present. And since we know that the market and the energy industry adjust to announcements, how about a great announcement from our President: We're not going to let murderers go free, so you don't have to worry, you'll be safe. We're going to take the battle to those who want to murder us. We are not going to negotiate further with terrorists who want to kill us. We're going to make sure that we quit bailing out our friends, our cronies. We're going to make sure that those who know better what to do with their own money have the opportunity to do that. We're going to give some security and some confidence for the following year because here's what we're going to do. And we're going to work together.

And it would be wonderful if the President would say: You know what? I demanded the Congress pass a bill that had not even come out when I started criticizing them for not passing it.

□ 1720

Then I started criticizing them for not passing a bill I'd forgotten to ask a Democrat to file for me. So I'm not going to do that anymore. I want to work with Congress. I want to get this country back on track. So instead of traveling around the country demeaning Congress for not passing bills that were not filed, I'm going to work with Congress.

And I hope that will be our President's New Year's resolution. Don't release murderers, and deal honestly and openly with the American people and with Congress.

We can get some things worked out. I've just been talking to Democratic friends today about things that we agree on. We can do that and give the American people a present.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded not to engage in personalities toward the Senate or its Members.

REFLECTIONS FROM THE DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Georgia (Mr. WOODALL) is recognized for the balance of the hour as the designee of the majority leader.

Mr. WOODALL. Mr. Speaker, I thank you for the time this afternoon. It's been a big day, freshmen in this body coming up on the end of our very first year. In fact, all of us here, here with my colleague from Wisconsin, all of us here, freshmen, finishing up our first year, and it's a big day.

And I've got to tell you, I feel good about the quality of the work product that's going on today. I feel good about the fact that there are serious issues before this body, and we have said, let's slow down and make sure we get it right because families have their futures on the line.

I'd like to ask my friend from Wisconsin how he's seen this day go.

Mr. DUFFY. I appreciate the gentleman from Georgia yielding. I think it's important to note as we have listened to a debate that went on all day today that there really is no difference within this House whether we should

extend the payroll tax holiday or not. Both Republicans and Democrats alike have come together and said we want to have that tax break for middle class Americans extended.

But if you were listening to the debate, you might be confused by that because we so often heard on the other side of the aisle that they don't believe that the Republican side wants to extend it. And so I want to take a moment and just talk about what I think is happening here with regard to this debate in the House.

I mean, let's not make a mistake. We have introduced legislation that is going to extend the payroll tax holiday for 1 year. And what that means is, $1,000 in a tax reduction for middle class Americans throughout the country and in my district, central and northern Wisconsin, $1,000 for them as well.

Across the aisle, a proposal has been made that started its process in the Senate, where we would do a 2-month extension, a 60-day extension, which means the proposal is they would offer middle class Americans $170 in tax reduction. So we've proposed $1,000 of tax reduction, and the Democrats have proposed $170 in tax reduction.

And I think as the American people look at this debate, they'd say, well, my goodness, I want to go for the $1,000 deduction, not the $170. And so as we dive in a little more, we hear a lot about partisanship and a lot of differences between the two Chambers.

And a lot of folks are saying, we can't get this done. Let's adjourn for Christmas, and let's come back at the end of January and through February and see if we can resolve this very important issue. And I would say when we get back next year, there will be 5, maybe 6 weeks to work on this. But this won't be the only issue on the table. We're dealing with budgets and jobs bills. The docket, the calendar, is full of issues that we have to address in this House.

But for the next 10 days we have nothing on the agenda. The calendar is clear. Let's get the House and the Senate to come together and address this one very important issue, to extend the payroll tax holiday and let's do it for a year.

We have disagreements. But for 10 days we can talk about those disagreements and find solutions that don't work for parties, that don't work for Chambers, but solutions that work for the American people.

If the Democrats in the Senate are steadfast in their request that it only be 60 days, I'll go for 60 days, but I just can't imagine that the American people believe that we're going to get a better resolution in 60 days than we can in the next 10 days.

As I look across my district, everyone in my district, they worked today. They work tomorrow. They work the next day. They don't take the week off before Christmas and after Christmas. They work that whole week between Christmas and New Year's. They don't take that off. Why should this House? Why should the Senate?

Let's come back and get this work done for the American people. They deserve it. And it has a real impact. People are concerned about how they're going to put food on the table for their kids, how they're going to pay the mortgage. And $1,000 in the year makes a big difference for a lot of people in my district. And to think that the offer is we're going to give you 2 months at $170, that doesn't cut the mustard for them. They want long-term certainty at least for a year. Give them that break for a year.

I have another concern. We proposed the Keystone pipeline. I know the President has talked about job creation. We've talked about job creation. We've disagreed on how we do it. The President and others will say the government needs to spend money to create jobs and economic growth.

We say, well, listen, it comes from the private sector. Here we have a great example with the Keystone pipeline where it's private sector money that's going to create 20,000 new jobs, direct new jobs in America if that pipeline goes forward. There's going to be 100,000 indirect jobs, real, good-paying jobs for hardworking Americans. And the President is saying he doesn't want to do it.

I say, listen, Mr. President. We can't wait. The American people cannot wait. Let's come together and say, you know what, 20,000 people, 100,000 hardworking Americans can get a good paying job if you'll sign on to this legislation.

Not only that, we're going to take our energy from Canada, people who actually like us instead of countries in the Middle East. Let's get our energy, let's get our oil from our friendly neighbor to the north instead of those who are not so friendly in other parts of the world.

Another key component of this extension is Boiler MACT. This is an EPA regulation that came out that is going to increase the boiler standards that are used in American manufacturing, costing hundreds of thousands, if not millions, of dollars for our manufacturers to increase their boiler standards.

In my district, just 2 weeks ago, we had one of our energy companies indicate that they're going to lay off 74 people; and they made it very clear. In their press release they said one of the issues that's causing us to lay off these 74 people is Boiler MACT, the EPA.

Let's take that away. Let's make sure that our energy and our manufacturers have the ability to compete, not State to State, but in a new global environment, China, India, Mexico, Vietnam. We have to be able to compete with those countries.

And if we implement this Boiler MACT regulation, we're going to shut down American manufacturing. In my district it's paper. This regulation will cause Wisconsin paper to be crushed because right now they're under immense competition from foreign competitors; but not only that, they are in a very tough industry as people move to computers and iPads, and there's less paper being used.

So I believe that these parties, I believe that these Chambers have to come together in the next 10 days, and we have to find a solution that's going to work for the American people, that is going to extend this payroll tax holiday, that's going to give them certainty, so as they start the next year and as they start it with hope and a thought of opportunity, they know what they're going to get in regard to the payroll tax holiday that's going to come from this House.

I would encourage all of my colleagues to come together during this season where we're all supposed to get along, we're all supposed to think about the meaning of Christmas, reach a hand out across the aisle to our friends who don't always agree with us, but who can come together on this issue and say, America, we're going to stand together as the U.S. House and the U.S. Senate and pass a bill that's going to give you certainty for 1 year, giving you a tax break to the tune of $1,000.

With that, I appreciate my good friend offering me the time.

□ 1730

Mr. WOODALL. I thank my friend.

I hope folks were paying close attention. What you have are two members of the freshman class on the floor right now, Mr. Speaker, and what you heard from my freshman colleague was, when can we come together? What you heard from my freshman colleague was, ''I don't want to do it if it's about party. I don't want to do it if it's about Chamber pride. I want to do it because it's the right thing for the American people.'' Is that what you're reading, Mr. Speaker, in the newspaper, about what this freshman class is doing? Is that what you're reading in the newspaper about what this Congress is doing? Because having sat here now for one year, I can tell you that's what is going on here today.

Republicans are in the majority, Mr. Speaker. With the power of your gavel, you could demand that the House bill be the only bill that anybody considers, that it's our way or the highway. Who cares what the Senate has to say. We're in the majority. We're doing it our way. You could do that, Mr. Speaker.

But that's not the advice and counsel that my colleague from Wisconsin gives. The advice and counsel that my colleague from Wisconsin gives is, we've done the very best we can in this Chamber. Work product that we're proud of. And now it's time, since the Senate has passed a very different work product, candidly a work product that I am not proud of, a very different work product, that we now come together, the House product and the Senate product, and try to agree on a final product that can pass both Houses.

This is a process as old as this institution. Thomas Jefferson, when writing the rules for this institution, Mr. Speaker, wrote of the conference committee process and how that is the tool for resolving differences between the bodies.

Now, why are there differences today, Mr. Speaker? Well, there are differences today because these are important issues that we're talking about. This isn't some renaming of a post office. I'm not trying to denigrate the importance of a good name on a post office. But I put that lower on the priority list.

This is about Medicare beneficiaries being able to find doctors. This is about whether or not unemployment checks continue to go out the door. This is about payroll tax cuts for every single working American family. This is about jobs. Not just folks who don't have them, but folks who are looking for them and how we can help them to find them in the future.

Boiler MACT that my friend from Wisconsin mentioned is a job-growing proposal. The XL pipeline. A job-growing proposal. That's what we had in the House-passed legislation, Mr. Speaker. You know, we had not just unemployment benefits, not just payroll tax breaks, but also real proposals and reforms to grow this economy once again. Those are absent from the Senate proposal.

Now, I'm not attributing any bad motives to our friends in the Senate for producing a proposal that didn't have any job-creating structure to it. But I simply point out that is the proposal they produced, and now we need to come together and talk about it, and candidly, I think we're going to win that one. I think if our friends in the Senate weren't so hurried to get out of town, Mr. Speaker, that they would have produced a more thoughtful piece of legislation that would have included the job-growing provisions that we include.

We now have the opportunity to come together and do that.

Let me just talk about why it is the Senate proposal is so concerning to me and my constituents, Mr. Speaker.

This is what ABC News said. ''Holiday passed by Senate, pushed by President, cannot be implemented properly, experts say.''

I don't think that surprises any of the job creators in this country, Mr. Speaker. If you're one of those folks who has to fill out government paperwork quarter after quarter after quarter, then yeah, you're probably thinking don't change the rules on me 10 days before the start of the new quarter. And if you do, don't change them back in the middle of the next quarter. Cannot be implemented, experts say.

But the question is, Mr. Speaker, why would we even try to produce a short-term solution when we have it within the ability of this Chamber and the one next door and down at 1600 Pennsylvania Avenue to produce a long-term solution that serves the hardworking taxpayers in this country. We can do better, and we owe it to the American people to do better.

From the Small Business and Entrepreneurship Council: The confusion that the 2-month extension would impose on employers or their payroll providers will inevitably divert resources away from productive activities. Indeed, the uncertainty regarding what happens next following the 2-month expiration date will serve as additional fuel to currently low business confidence levels.

This is what the business community, the employer community, the job-creator community, is saying about the so-called Senate solution. And in fairness, even the Senate, Mr. Speaker, is not standing by their solution. They're saying let's just do it for 2 months and then we'll come up with something better. As my colleague from Wisconsin said, The time to come up with something better is now.

From the National Roofing Contractors Association, talking about the Senate proposal: This would impose an undue burden on employers in the form of logistical difficulties and costs.

I appreciate my colleagues on the Democratic side of the aisle and their commitment to helping the unemployed through a check from the government. Unemployment insurance is a longtime facet of the American economy, something that folks pay into at least for those first 26 weeks that businesses pay into. But in the name of providing checks from the government, what we're saying is you're going to get fewer checks from employers. Logistical difficulties and costs in creating new jobs, which I continue to say, Mr. Speaker, is the focus of this Congress, has been, and has made me proud.

From the Associated Builders and Contractors: This sort of temporary fix underscores Congress' uneven ad hoc approach toward the economy. Who disagrees with that, Mr. Speaker? How many times have you had a constituent back home, how many times have you heard from one of our freshmen colleagues who said the reason I ran for Congress is because the guys in Congress are doing more harm than good.

I'll say it again. Associated Builders and Contractors of the Senate solution: This sort of temporary fix underscores Congress' uneven ad hoc approach toward the economy and causes more harm than good for America's job creators.

Mr. Speaker, have you heard my friends on the Democratic side of the aisle asking why it was so important for us to go to conference with the Senate to try to improve that Senate proposal? Have you heard speaker after speaker on the Democratic side of the aisle come to the floor and say, ''Why won't you just pass it? Why won't you just do what the Senate in its wisdom has suggested?''

Let me repeat the answer for you, Mr. Speaker. Referring to the Senate solution: This sort of temporary fix underscores Congress' uneven, ad hoc approach towards the economy and causes more harm than good for America's job creators.

I've got to tell you, Mr. Speaker, there were times during the debate today, I thought my colleagues on the Democratic side of the aisle were trying to shame me into voting a different direction. Shame on me for believing what I believe.

Mr. Speaker, I say shame on me for not standing up for my constituents if I didn't stand up today. Shame on me for not standing up against a proposal that causes more harm than good for American job creators. This isn't a game. This isn't some sort of political academic exercise. This is about families. This is about our economy. This is about the future of our Republic. And the decisions we make here have consequences.

Rush through it, Mr. Speaker? Put it off for 2 months because we'll come up with something better later, when that short-term fix causes more harm than good for America's job creators.

Mr. Speaker, it's not just the business community that has these concerns, and it ought to tell you something about the debate that's going on here today.

From the President of the United States, Mr. Speaker: It would be inexcusable for Congress not to further extend this middle class tax cut for the rest of the year. The President knows. He has been pushing it all year. It was his idea last December. The President knows that a 1-year extension provides more certainty, more dependability. And he's asked Congress to do that.

Now, what does that tell you, Mr. Speaker? All of this talk down here today about partisan divides and games. What does it tell you when a hardcore conservative from Georgia is holding up a quote from a hardcore Democrat from Chicago about what we ought to do to move this country forward? What does it tell you, Mr. Speaker, when on both ends of the spectrum, we're feeling the same thing—that it would be inexcusable for Congress not to further extend this middle class tax cut?

□ 1740

Folks say, Oh, you can't. There's not enough time.

Folks, there are 10 days. We just finished the National Defense Authorization Act, Mr. Speaker—the biggest defense bill that this Congress will produce.

And guess what we did?

We did the same thing Thomas Jefferson suggested, the same thing that has been going on in this Congress for 200 years. We had disagreements with the Senate. We passed a House bill; they passed a Senate bill; and we went to conference. Then in 7 days, Mr. Speaker, they reconciled the largest defense bill we'll move in this Congress. They brought together the two

differences. They brought something to the House floor and the Senate floor for consideration, and we got it done.

It is inexcusable not to extend this.

From House Minority Leader NANCY PELOSI:

House Democrats will return to Washington to take up this legislation without delay, and we will keep up the fight to extend these provisions for a full year.

Now, in fairness to the minority leader, she is not talking about pushing the yearlong provision that this House passed. What she's talking about is producing the short-term solution and then calling everybody back to then come back and get it right later. Yet at the end of the day, we all agree that a year is the right length of time and that 60 days is not the right length of time. Everybody agrees it's a bad length of time. They're just doing it instead of zero. They're saying 60 is better than zero.

Folks, why do we have to have zero? Why can't we have 360? We can. We don't have to have 60 as the Senate proposed. We can have 360 as the House proposed, and that's why we moved today to go to conference.

From House Minority Whip STENY HOYER:

I'm disappointed that Senate Republicans would not agree to a longer term extension of critical policies.

He's talking about this so-called ''bipartisan agreement'' from the Senate.

I'm disappointed that Senate Republicans would not agree to a longer term extension of critical policies.

I'm going to team up with the minority whip. Again, one end of the spectrum—my end of the spectrum—two opposite ends of the spectrum. I agree with STENY HOYER in that I am disappointed that we did not see a longer term extension of critical policies come out of the Senate.

But it's not too late. Oh, Mr. Speaker, that's what folks have been saying all day—oh, it's too late. It's too late. It is not too late. These policies do not expire until January 1, and the only thing standing between us and a conference committee to work out these differences is the will to make it happen.

Do you know how painful it has been all day, Mr. Speaker, to have folks stand up speaker, after speaker, after speaker, talking about how it can't be done? You didn't run for Congress, Mr. Speaker, because it couldn't be done. I didn't run for Congress because it couldn't be done. I ran for Congress because they weren't getting it done, and it's time to get it done the right way.

But, Mr. Speaker, we've been here 1 year. We have 10 days to get it right for the American people. We can and we should. Now, what are we talking about?

You can't see this chart, Mr. Speaker, and it might not even show up in the cameras back in folks' offices, but I want to go through it because it talks about why this is so important. Again, this isn't an academic exercise. This is a country we're talking about.

Folks have been saying all day long, Oh, why don't you just pass the Senate bill? Why don't you just move that 60-day extension? Why don't we just come back and do it later?

Mr. Speaker, I hope you haven't had to put anything on your credit card during this Christmas season, but I've got a lot of friends and family who have. Money is tight. Here in the Christmas season, if you opened up your credit card account on the day that Jesus Christ was born and if you put $500 on that credit card and if you put $500 on it again the next day and the next day and the next day and the next day, 7 days a week, Mr. Speaker, from the day that Jesus Christ was born until today, you would have to continue to put $500 a day on that credit card every day, 7 days a week, for another 700 years to put on your credit card the kind of debt that the Senate bill puts on America's children's credit card next year alone.

Hear that.

Just do it. Just do it. We'll come back later and fix it. Just do it, they say.

This isn't something small we're talking about, Mr. Speaker; $30 billion on the credit card of America's children is what this bill did. Now, it raised taxes even more than that. It put the burden on the home mortgage industry; it put it on the construction industry, an industry that we desperately need to reinvigorate this country. It took it out of Fannie and Freddie, a group that we absolutely need to continue to build, but we need to put that money in the trust fund to make sure that they can pay their bills when it happens.

But it's not a small decision. That's also not the only difference, Mr. Speaker. Let me just make a comparison for you.

''Protecting seniors' access to their doctors.''

That's talking about this giant Medicare cut that is looming out there on January 1, and everyone is looking for a solution to it. It's a cut, Mr. Speaker, that was passed in 1997. Neither Democrats nor Republicans have had the good sense to fix it for 15 years, but at least we're trying this year in the House-passed bill to fix it for 2 years, a 2-year fix to provide certainty to America's seniors.

In the House bill, in protecting seniors' access to their doctors, it's a 24-month solution. In the Senate bill, it's 2 months.

Don't worry, seniors. That's my mom and my dad. They just went on Medicare. Don't worry. Just let us go home and take some vacation time. Let's come back and listen to the state of the Union. Then miraculously all of our problems will be solved, and we'll be able to agree on something.

Mr. Speaker, we have the ability to agree on something today, and it's important that we do. It's 2 months in the Senate bill. It's 24 months in the House bill. It's the right thing to do.

''Federal unemployment benefits extension.''

There is a lot of controversy about Federal unemployment benefits. The first 26 weeks are actually paid for through unemployment taxes. The rest of this extension generally now is coming out of Federal general revenues, general taxpayer dollars. So there is a real oversight responsibility in determining how we deal with that.

In the House bill, we say, Let's deal with it. Let's create more jobs. Let's make some reforms to help people get off unemployment and find working paychecks that they can receive. It's a 13-month extension. From our friends in the Senate, it's 2 months, Mr. Speaker.

We heard speaker, after speaker, after speaker, after speaker come to the well of the House on the Democratic side of the aisle, wanting to know why Republicans aren't working hard for America's unemployed. They asked that question, Mr. Speaker, while bringing a 2-month extension. Republicans brought 13. By Republicans, I mean it was a bipartisan House-passed bill, Mr. Speaker, going through regular order.

''Number of long-term unemployed allowed to start collecting Federal benefits after February.''

It's the long-term unemployed, the folks who have been looking, but who can't find work. We heard today about how unemployment numbers are dropping. We know that they're dropping because people are just quitting, and they're no longer looking. The Obama economy has so discouraged the American workforce that they just quit looking. Yet there are still some long-term unemployed folks out there. Not some—lots.

How many of them get helped under the House bill? Four million. How many get helped under the Senate bill? Zero.

Is it worth fighting about, Mr. Speaker? Is it worth standing up and being counted when the solution that this House has proposed under regular order speaks to the needs of 4 million long-term unemployed Americans and when the Senate bill speaks to zero?

''Payroll tax cut extension.''

This is an extra 2 percent. Ordinarily, folks are paying about 6 percent in payroll taxes out of their paychecks. This is cutting that down to about four. It's a 2 percent reduction in the Social Security contributions of every American worker. Every American worker takes home 2 percent more in his paycheck.

The House-passed solution is a 12-month extension of that 2 percent. The Senate-passed solution is 2 months.

How many speakers have we heard today who have talked to us about how families are hurting? Member, after Member, after Member, after Member has come to the floor with stories of those they know from their constituencies who are hurting in this Obama economy.

A 2-month extension was the best the Senate could do, and 12 months is what we got out of the House. We can do better and we will do better, Mr. Speaker, in conference.

□ 1750

What's that payroll tax cut worth, Mr. Speaker, for a worker earning about $50,000 a year? In the House-passed bill, it is worth $1,000. That is real money in the pockets of a $50,000-a-year worker. What does the Senate-passed bill do to help American families? $167.

Take us back, Mr. Speaker, to when I told you if you put $500 on the credit card of your child and you started that credit card account on the day Jesus Christ was born, and you ran up that card $500 a day every day from the day Jesus was born through today, and you would have to continue to do it 7 days a week for another 700 years to run up a $30 billion credit card bill. That's what the Senate does to America in the name of a 2-month extension to put $167 in someone's pocket.

Is $167 important to the American family? Sure, it is, Mr. Speaker. Every dollar counts. Every nickel counts in today's economy. But don't tell me that you are empathetic with the plight of middle class hardworking Americans and tell me your solution is to find $167 for them that you are borrowing from their children. Mr. Speaker, $1,000 is the first step in the right direction that the House-passed solution contains. It's worth fighting for.

Reforming unemployment to focus on reemployment. Mr. Speaker, do you have any constituents that say to you that what they would rather have is an unemployment check instead of a paycheck? Because I don't. I don't. Folks in the Seventh Congressional District of Georgia want paychecks. Now, some of them have to accept unemployment checks while they're out there looking to feed their family, but they want a paycheck.

So in the spirit of solving the real problems—not just putting a Band-Aid on it, but solving the real problems, the House-passed bill focuses on reemployment. What does the Senate bill do? Nothing.

Regulatory reforms to protect American jobs. Mr. Speaker, you heard my colleague from Wisconsin who said, Businesses are closing, laying people off because of Boiler MACT, this EPA regulation. You have heard it from our friends from Arkansas, Mr. Speaker, who say that the folks in the pipe manufacturing business there in Arkansas are laying off jobs because of the delay in approving the XL pipeline. This is not about unemployment checks alone. It is about unemployment checks for those who can't find jobs, and jobs for those folks who are looking.

What happens in the House-passed bill? Regulatory reforms to protect American jobs, yes. What happens in the Senate bill? Nothing. Tell me, Mr. Speaker, are these things worth fighting for? Are these things worth spending a few extra days between now and the end of the year to get right? President Obama says ''yes.'' A conservative House freshman from Georgia says ''yes.'' From extreme to extreme, folks are saying ''yes.'' Mark my words, Mr. Speaker, HARRY REID is going to say ''yes'' too and bring the Senate back to get the American people's business done.

A pay freeze for Members of Congress and Federal workers. Mr. Speaker, I don't mind telling you that I think I work pretty hard. I try to give folks an honest day's work for an honest day's dollar. But do you think I can go home to a town hall meeting and look somebody in the eye and tell you that I'm doing such a good job, I deserve a raise? I'm just telling you how the Senate is going to run up your credit card bill by $30 billion on your children. I'm telling you how the House can't find enough votes to persuade the Senate to come to the table.

Am I doing my best? You'd better believe it. Am I going to quit trying? No, I'm not. Am I going to accept a pay raise while American families are hurting? No, I am not. In the House-passed bill, a pay freeze for Members of Congress and Federal workers, yes. In the Senate-passed bill, no. I'll leave you with that bit of irony, Mr. Speaker. We're here begging our colleagues in the Senate to come back and work. The House freezes salaries for Members of Congress. The Senate said, We'll sort that out when we come back from vacation in February.

I thank the Speaker for the time.

THE REPUBLICAN AGENDA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Georgia (Mr. JOHNSON) is recognized for 60 minutes as the designee of the minority leader.

Mr. JOHNSON of Georgia. Mr. Speaker, I'm reminded of a commercial that has been in heavy rotation lately. It's a Christmas commercial, Santa Claus with a backache and a pain remedy being offered to him after he climbs down the chimney. Y'all are probably familiar with that. The first shot is Santa trying to work at his headquarters up in the North Pole putting gifts together; and he's just got a bad backache, has probably got a headache too. And his elves are kind of looking at him concerned as he works dutifully on a job that only he can do.

Then they show him as he trudges across a roof about to go down the chimney, and he's holding his back. And then when he gets down the chimney, they show him standing over by the Christmas tree. The homeowner is kind of watching from a different room, and he sees Santa struggling with this backache. So he then goes to get some pain medicine. And while Santa is presumably unpacking the gifts and putting them under the tree and everything, then he turns around, and there is a glass of water and pain medicine right there for Santa. Then all of a sudden, the music becomes lively, and Santa perks up and goes on about his business.

That kind of reminds me of the headache that the citizens, the middle class have had over the last year, a headache and a backache; but there's nobody there to offer them any pain medication. Instead, this Tea Party-controlled House Republican Party looks at them and just laughs. And then they leave. After getting as much as they can out of those middle class citizens, they leave. They don't even offer a drink or pain medication. They just leave. That's what we've done today. Not in the spirit of Christmas, not in the spirit of Chanukah, not in the spirit of mankind; but in the spirit of the Koch brothers.

And ladies and gentlemen, I'm going to talk to you a little bit about the Koch brothers, who you've heard me talk about before. The Koch brothers are a secretive brother-brother combination, two brothers. They inherited their fortune from their daddy. They earned it the hard way. And they have turned their daddy's business—once he passed on, they've continued this business and built it into something like a $100 billion-a-year company. And they are billionaires. Both of the brothers are multi-billionaires, multi-multi-billionaires. They've got a lot of money. A lot of their business is involved with energy-related concerns.

□ 1800

In fact, they own refineries, oil refineries. They own terminals where that oil is brought to for processing. Those trucks and pipelines, they are all involved in the energy business. They stood to get quite a bit of a return on their investment in the 2010 elections wherein, through their organization, Americans for Prosperity, they financed what is called the Tea Party, which is supposed to be a grassroots group but, actually, it is a corporate-driven animal, and the financing for that animal comes from the Koch brothers and their Americans for Prosperity organization.

They spent about $45 million in the 2010 election just running negative ads against Democrats. They spent that money without having to account for whom their contributors were. So we don't know who the contributors are to those secret organizations that were unleashed to taint people's opinions about their Representatives and candidates for office.

And as a result of this Tea Party ruse that was perpetrated on the people, the Koch brothers ended up in control of Congress using the Tea Party as a front or as a costume, if you will, taking many justifiably angry American citizens down a deceptive path—Americans who are not happy with the shift in the income disparity in this country. They call them the Tea Partiers, the Tea

Party movement. Those people, they look at government and they say that it's government that is too big. What they really mean is that government is not working for me.

And then we have the 99 percent crowd, the Occupy Wall Street faction. That group has arisen based on income inequality, and they blame the corporations, the millionaires and the billionaires, for income inequality.

And, actually, ladies and gentlemen, both sides have something that is legitimate about their concerns. But it all boils down to money; and the money comes from the Koch brothers, the Koch brothers through their Americans for Prosperity. They're the ones who brought thousands of people from the heartland on buses to Washington, D.C., during the health care debate to demonstrate against something that was in their own interest, their ability to access the health care system. They tricked the people and then financed them to come here. They put them on first-class buses, brought them down here. And we all knew that that was not spontaneous. That was preplanned and orchestrated.

As a result of that movement, they were able to take over the House of Representatives, calling themselves Tea Partiers. They took over the House of Representatives. This is all pursuant, if you will, and I'm getting ready to get into some trouble here, but I don't know if any of you all are familiar with Lewis Powell, former Supreme Court Justice Lewis Powell.

Back in 1971, I believe, Lewis Powell was appointed to the U.S. Supreme Court by President Nixon. He was a business lawyer out of Richmond, Virginia, sat on 11 or 12 different corporate boards. He was friends with people in the U.S. Chamber of Commerce. After he was appointed but before he was confirmed, he wrote a memo to his good friend, who was the head of the U.S. Chamber of Commerce at that time, and that document, which is known as the Powell Memo or the Powell manifesto, was addressed to his friend Eugene Sydnor who was the director of the U.S. Chamber of Commerce. That memo is dated August 23, 1971, just 2 short months before Powell was nominated, so I misspoke. This memo was written before he was nominated by President Nixon for a seat on the Supreme Court. No prior judicial experience, no prior litigation experience, just a corporate lawyer appointed and confirmed for the Supreme Court. And, unfortunately, this memo did not come out, did not become public knowledge until at some point after his confirmation.

It was actually revealed to Jack Anderson, who was a liberal syndicated columnist whose column appeared in, among other publications, The Washington Post. He was an investigative reporter with a brilliant journalistic quality that is lacking in our journalists, our so-called journalists of today.

But anyway, this Lewis Powell Memo, which he wrote to Eugene Sydnor, director of the U.S. Chamber of Commerce, was written for the purpose of getting the Chamber of Commerce to understand that the free market system and capitalism were under attack and that the businesses in the U.S. Chamber of Commerce were aiding and abetting those attacks on capitalism.

He went on to talk about blacks out demonstrating and the more thoughtful blacks, the more well-spoken blacks, speaking against capitalism, the capitalist system.

He talked about Ralph Nader suing large corporations based on people getting injured in cars that were not manufactured sufficiently. He talked about Ralph Nader suing the drug companies for adulterated drugs or for drugs that did not do what they said that they were going to do, these kinds of things. He talked about William Kunstler, a famous civil rights lawyer.

Lewis Powell, after expressing himself on how these kinds of things are now happening in society—and by the way, that was right during the Vietnam War period, the civil rights era. And he talked about where are we going, what do we need to do to save our free market system.

□ 1810

He advocated to the chamber members, the U.S. Chamber of Commerce members, that each one of them should have a vice president of corporate affairs so that that person could have a job that did nothing but protect the corporate interests. And he also recommended that various think tanks be established like the Heritage Foundation and the Cato Institute. He said we need to have something different, we need to hear some different voices other than the Brookings Institution and other institutions of fact-gathering. And so they did those things. Up came the Heritage Foundation, the Cato Institute, and a bunch of other rightwing—not fair and balanced—but rightwing organizations calling themselves think tanks.

Then we have corporate money being put into the university system to produce the kind of thought that would be protective of the status quo. And so they began to demand a voice in the academic arena. It's all propaganda that they started putting out there. And they've been doing this, ladies and gentlemen, since 1971, 40 years. It has produced a result culminating in the 2010 election cycle, where they were able to put their hands firmly around the throat of democracy and strangle it. They are doing that today through the folks whom they have elected. Those are the Tea Party Republicans.

So, now, what have those Tea Party Republicans done this past year since they have been in office? They've been up to quite a bit. They have been up to quite a bit, none of which is good for America. It's been destructive for the people, the regular working people, of this country and the poor people.

What have we seen that they have done? They opposed a debt ceiling increase by misleading the public into thinking that it was more spending, as opposed to authorization for what we have already spent, to borrow that money. They played games. As a result of their failure to do what had been done on a regular basis for decades—increasing the debt ceiling—it resulted in a devaluing of this Nation's credit rating, making the cost of borrowing go up.

Now I know some of you say, well, we don't need to be borrowing any money, but I'll tell you, I don't know of many people able to go in and purchase a house for cash. You go get a mortgage. I don't know many people who are able to go buy a car with cash. No, you get some financing. This capitalist system that they're trying so hard to protect—and I'm a capitalist. I believe in capitalism. But I believe in fairness also. I don't believe in laissez-faire capitalism. I believe in capitalism that works for everybody, that's fair.

In their endeavor to protect that laissez-faire corporation, laissez-faire economics, they have damaged the ability of this government to provide for the common defense and to promote the general welfare—the general welfare, not the welfare of the millionaires and billionaires—but the general welfare, the 99 percent.

What have these Tea Party Republicans done for the 99 percent? Well, they made it more difficult for their government to borrow money. Some of you say that's good. I say that when you have money, when you need to borrow money in order to prime the pump of your economy, then you should borrow the money, prime the pump of the economy, build up your economic engine, pay off the debt and move forward. That's the way that we have always done it. That's the way that America rose, if you will. We're not in any danger of not being able to pay back our debt. It was a manufactured crisis. So 50 million jobs, ladies and gentlemen, have been lost largely out of the private sector based on these cutbacks, these mindless cutbacks.

Seniors have been threatened with a change in Medicare into a voucher system as proposed by the Budget Committee chairman. These things have not been good for the working people of this country. The cuts in the Paul Ryan House GOP budget are inhumane and merciless. They have been quite dutiful in doing the business of the Koch Brothers. They haven't been doing any business on behalf of the 99 percenters. The Ryan budget, the Cut, Cap and Balance Act, which set arbitrary spending caps and required a balanced budget amendment which would lock in an unfair tax code and tax rate and tax system, would just lock it in forever, requiring a three-fifths vote in order to actually raise taxes, not to mention just the failure to look at a fundamental new direction for our Tax Code. No, they are maintaining the status quo because that's what the Koch

Brothers want. They love all of those loopholes, tax credits, and exemptions that are built into the Tax Code just to benefit them and a couple of their worthy, wealthy friends.

They have sought to remove the ability of the federal agencies like the EPA and the FDA from being able to regulate and make sure that we have safe products, we have safe air and water, food and drugs. They have fought and passed legislation to remove those regulations and to hamper the ability of these federal agencies to produce other regulations as the need arises.

□ 1820

Short-sighted. It was all to benefit the Koch brothers and their friends.

The Energy Tax Prevention Act of 2011, preventing the EPA from regulating greenhouse gas emissions. The Farm Dust Regulation Prevention Act of 2011, a waste of time that prevents the EPA from regulating farm dust even though the EPA has said that it does not plan to regulate farm dust.

The North American-Made Energy Security Act, which would purport to force the President to approve the Keystone pipeline. The Keystone pipeline, by the way, there's a terminal owned by the Koch brothers, one of their corporate subsidiaries located at the beginning of this pipeline up in Canada, Alberta, Canada. And then along the proposed route of the pipeline are other Koch brothers refineries that will profit as a result of the tar sands, oil sands coming out of Canada through the U.S. all the way down to the Gulf of Mexico. And then what will happen at the Gulf of Mexico, that oil will be shipped over to China, not any of it available to Americans for our energy use. It's all going overseas to the highest bidder. And that's a fact.

The Consumer Financial Protection Safety and Soundness Improvement Act of 2011, which would weaken the Consumer Financial Protection Bureau which was a part of the Dodd-Frank Wall Street regulations, they've sought to water that down. And then in the Senate, the Republicans have prevented a head of that agency from being confirmed.

They have fought the payroll tax cuts and the extension of unemployment insurance to the long-term unemployed. They have fought that with great vigor. They held those items hostage, by the way, last year at this time just so that they could get a 2-year extension on the Bush tax cuts, which benefit the top 1 percent.

And I must congratulate the Members of the House, the Tea Party Republicans, who have batted 100 percent in insuring that not one tax increase for millionaires and billionaires was able to pass through this House. But easily, though, they can walk away from a tax cut for the middle class. They just did it today. Instead of allowing us to vote on a Senate bill, which was approved over there in a bipartisan way—89 of 100 Senators voted ''yes,'' 10 voted ''no.'' That's almost a 90 percent bipartisan bill that the Senate passed.

Now, it's not the best bill—a 2-month extension of unemployment insurance, a 2-month extension of the payroll tax cut for the middle class, a 2-month extension of what's called the ''doc fix.'' But the doctors, at the end of the year, who treat Medicare patients are scheduled to receive a 27 percent reduction in the amount of their reimbursements paid by the government. And the Republicans here in the House refused to allow us to vote on that Senate bipartisan bill which, as they say, kicks the can down the road; but it does extend the opportunity to reach a longer term agreement by 60 days.

But instead, what we have is the Republicans here in Congress, the Tea Party Republicans, refusing to let us vote on the Senate proposal. And then they, instead of announcing that we're leaving town now, they don't intend to come back, they're gone. If you go to the airport right now, you'll see them lined up—many of them with hats on trying to shield themselves from the glare of public attention—making their way back home. You will find them at the airport right now. And they don't want to come back.

We could have had this done, ladies and gentlemen. We could have all left this Chamber today with our heads held high knowing that there won't be a tax increase as of January 1 for 160 million Americans. We would have known that those 2.2 million long-term unemployed individuals would have their benefits extended. We would have known that the 47 million seniors on Medicare here in the United States would have the ability to access the same doctor that they have utilized because that doc fix didn't go into effect, the 27 percent decrease. That's going to cause doctors to be unable, financially, to treat those patients. So it raises the possibility that people will have to be reassigned to another doctor. And then, because so many doctors will opt out of treating Medicare, then that means the doctors who do treat them have a larger clientele, patient base, and can't be as effective as if they could just simply practice medicine in a way that was not volume oriented.

So these are not things that I feel good about in terms of being able to leave today. But my Republican friends got up and inferred—actually told you that the reason why they were leaving is because it's not a 12-month extension of a tax cut. And you know, I know and the American people know that that's not true. And they argued that with righteous indignation, one after the other. It's like they have gotten to the point where now they believe this stuff themselves. But don't you be fooled, ladies and gentlemen.

□ 1830

Don't be hoodwinked. Don't be misled. We've got elections coming up in 2012. The mantra of the opposition to President Obama has been: We're going to do everything we can to make him a one-term president. They announced that on the day of his inauguration. They have stuck to it, and they are concerned because, despite all of that obstructionism, the economy has started to get a little better. They're concerned about that, and so they want to impose as much harm and pain on middle class people as they can to try to keep them confused about what is actually happening in their lives. Is it the Koch brothers and unbridled laissez faire free market activity that's harming them or is it government?

Well, to the extent that government is in bed with folks like the Koch brothers, yeah, government is the problem. But there are some good people out here. Not everybody is involved with the Koch brothers, is bought and sold off to the Koch brothers. Not everybody. Not everybody has been influenced under the Lewis Powell manifesto that has been put into operation and has resulted in where we are today with people in the streets demanding equity.

This is a serious situation that we're in, ladies and gentlemen. It's for the heart and soul of our country. And there are many good people out here in Congress who want to do the right thing by way of the people.

But then you've got a group of extremists in here calling themselves Tea Partiers, who are controlling the flow of everything, and it's not to your benefit.

Now, I don't normally come up and participate in these 1-hour dissertations. This is the first one I've done ever by myself. But I thought I would do so today because I really—it's on my heart to make sure that we set the record straight before the end of this year and that you at least have a voice that's crying a different tune than the righteous indignation of those who I have to again congratulate this year, the Tea Party Republicans. They batted 100 percent. Not one penny of taxes for their Koch brothers friends, millionaires and billionaires.

But yet they leave and cost each middle class taxpayer, on average, about $1,000, which will go into effect on January 1 because they would not let this body vote on the Senate bipartisan compromise bill. They don't like compromise; they don't want bipartisanship—it's our way or you take the highway—and that's the way that it's been this past year.

All of the manufactured crises, the debt ceiling, the will we be able to keep the government operating, government shutdowns, we've had about three of those this year. And then they leave out of here saying that a 2-month extension of tax cuts for the middle class won't do anything; it can't be done.

I heard one—the fourth highest ranking Republican in this body lamented that a 2-month extension of the unemployment insurance for the long-term uninsured would burden the payroll

software companies. They're more worried about the burden of an accounting fix that could be done with a couple of strokes on the computer. They're worried about that burden on the corporations that prepare the payroll checks and information like that. They provide payment for their corporate customers. He's worried about them, but he's not worried about the very people who will lose, who'll end up paying $1,000 more. It doesn't really make a whole lot of sense. He doesn't care about those who are struggling to stay in the middle class, depending on their unemployment insurance which will get cut off, whacked off come January 1.

Somebody else today on the Tea Party side said that we are—this is a game of poker that we're playing right now. How ridiculous. Are any of you out there playing poker? Do you have anything to play poker with? You're trying to buy Christmas gifts out here.

They say that this payroll tax cut and the unemployment insurance and the doc fix can't be implemented within 2 months, but those things are—we're just maintaining the status quo. There's nothing to implement. Why can't we let it go for another 2 months and give it another—give ourselves another opportunity to negotiate a fair and balanced bipartisan piece of legislation that the President can sign, like what they did in the Senate? Why can't we do that?

Well, I submit to you that they're not really interested in the middle class. That's clear, because if they were, they would not have left today.

Some of them, unwittingly, are pawns in this master plan that was set out in the Lewis Powell Memo, and I'd advise you to go to the Internet and look it up—L-E-W-I-S, Lewis Powell. And you will read that, and you will see how effective his plan has been carried out, and how close we are to the hopes and dreams of middle class Americans being strangled due to their public policy being controlled by those corporations, not for the benefit of the people, but for the benefit of the rich, powerful and the corporations, which our U.S. Supreme Court now says are people in the Citizens United decision.

I watched one of the Justices shaking his head during the President's State of the Union address where he directed comments about the Citizens United decision. I watched that Justice shaking his head ''no.'' I wonder if he would shake his head ''no'' today as the President pointed out exactly what would happen as a result of that corporate influence gaining unfettered access to our public policymaking apparatus, our democracy.

□ 1840

So we're under attack, middle class people. It's time for us to stand up, to get educated about what's going on out here. And the fact that there's no need to be angry with your neighbor because they are African American, or the neighbor over there is gay, or this one over here, I don't know if they are an illegal alien or not, so we've got to do away with them. And abortion—we end up dividing ourselves based on the public relations game plan that is put forward to influence us. And we fall for it. And so then we get divided and blaming ourselves instead of directing our attention to those who continue to drive their Brinks trucks hour after hour into the bank.

So it's time for us to wake up, ladies and gentlemen. It's time for us to get smart. It's time for us to put aside our dislikes based on how somebody looks, and it's time for us to unite and take this country back.

I want to thank you all for listening to me today. I feel better after closing the year with setting things in a proper format, and I look forward to us being able to come back next year and do some things that will benefit regular working people in this country and try to shift the imbalance of wealth back into one where all people are able to prosper in this country.

I yield back the balance of my time.

OMISSION FROM THE CONGRESSIONAL RECORD OF MONDAY, DECEMBER 19, 2011, AT PAGE H9944

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 789. An act to designate the facility of the United States Postal Service located at 20 Main Street in Little Ferry, New Jersey, as the ''Sergeant Matthew J. Fenton Post Office.''

H.R. 1264. An act to designate the property between the United States Federal Courthouse and the Ed Jones Building located at 109 South Highland Avenue in Jackson, Tennessee, as the ''M.D. Anderson Plaza'' and to authorize the placement of a historical/identification marker on the grounds recognizing the achievements and philanthropy of M.D. Anderson.

H.R. 1892. An act to authorize appropriations for fiscal year 2012 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

H.R. 2422. An act to designate the facility of the United States Postal Service located at 45 Bay Street, Suit 2, in Staten Island, New York, as the ''Sergeant Angel Mendez Post Office''.

H.R. 2845. An act to amend title 49, United States Code, to provide for enhanced safety and environmental protection in pipeline transportation, to provide for enhanced reliability in the transportation of the Nation's energy products by pipeline, and for other purposes.

H.R. 2867. An act to reauthorize the International Religious Freedom Act of 1998, and for other purposes.

H.R. 3421. An act to award Congressional Gold Medals in honor of the men and women who perished as a result of the terrorist attack on the United States on September 11, 2001.

H.R. 3672. An act making appropriations for disaster relief requirements for the fiscal year ending September 30, 2012, and for other purposes.

H.J. Res. 94. Joint resolutions making further continuing appropriations for fiscal year 2012, and for other purposes.

H.J. Res. 95. Joint resolution making further continuing appropriations for fiscal year 2012, and for other purposes.

HOUSE BILLS AND JOINT RESOLUTIONS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and joint resolutions of the following titles:

December 7, 2011:

H.R. 394. An Act to amend title 28, United States Code, to clarify the jurisdiction of the Federal courts, and for other purposes.

December 13, 2011:

H.R. 2192. An Act to exempt for an additional 4-year period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days.

December 16, 2011:

H.J. Res. 94. A joint resolution making further continuing appropriations for fiscal year 2012, and for other purposes.

December 17, 2011:

H.J. Res. 95, A joint resolution making further continuing appropriations for fiscal year 2012, and for other purposes.

December 20, 2011:

H.R. 470. An Act to further allocate and expand the availability of hydroelectric power generated at Hoover Dam, and for other purposes.

H.R. 2061. An Act to authorize the presentation of a United States flag on behalf of Federal civilian employees who die of injuries in connection with their employment.

SENATE BILLS AND JOINT RESOLUTION APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and a joint resolution of the Senate of the following titles:

December 13, 2011:

S. 1541. An Act to revise the Federal charter for the Blue Star Mothers of America, Inc. to reflect a change in eligibility requirements for membership.

S. 1639. An Act to amend title 36, United States Code, to authorize the American Legion under its Federal charter to provide guidance and leadership to the individual departments and posts of the American Legion, and for other purposes.

December 19, 2011:

S. 535. An Act to authorize the Secretary of the Interior to lease certain lands within Fort Pulaski National Monument, and for other purposes.

S. 683. An Act to provide for the conveyance of certain parcels of land to the town of Mantua, Utah.

S.J. Res. 22. A joint resolution to grant the consent of Congress to an amendment to the

compact between the States of Missouri and Illinois providing that bonds issued by the Bi-State Development Agency may mature in not to exceed 40 years.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DIAZ-BALART (at the request of Mr. CANTOR) for today on account of a family medical issue.

ADJOURNMENT

Mr. JOHNSON of Georgia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 41 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, December 21, 2011, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4347. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.622(i), Post-Transition Table of DTV Allotments, Television Broadcast Stations, (Montgomery, Alabama) [MB Docket No.: 11-137] (RM-11637) received November 30, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4348. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations, (Bastrop, Louisiana) [MB Docket No.: 11-87] (RM-11628) received November 30, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4349. A letter from the Special Assistant to the President and Director, Office of Administration, transmitting the personnel report for personnel employed in the White House Office, the Executive Residence at the White House, the Office of the Vice President, the Office of Policy Development, and the Office of Administration for FY 2011, pursuant to 3 U.S.C. 113; to the Committee on Oversight and Government Reform.

4350. A letter from the Secretary, Department of Energy, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1, 2011 to September 30, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

4351. A letter from the Secretary, Department of Health and Human Services, transmitting the semiannual report from the Department of Health and Human Services Office of Inspector General for the period ending September 30, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

4352. A letter from the Secretary, Department of Labor, transmitting the Semiannual Report of the Inspector General for the period April 1, 2011 through September 30, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

4353. A letter from the Managing Director/CFO, Federal Maritime Commission, transmitting the Commission's Performance and Accountability Report for FY 2011; to the Committee on Oversight and Government Reform.

4354. A letter from the President and Chief Executive Officer, Overseas Private Investment Corporation, transmitting the Corporation's annual Management Report for FY 2011, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

4355. A letter from the Chairman, Railroad Retirement Board, transmitting the Board's Office of Inspector General Semiannual Report for the period April 1, 2011 through September 30, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(d); to the Committee on Oversight and Government Reform.

4356. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Inseason Action To Close the Commercial Non-Sandbar Large Coastal Shark Fishery in the Atlantic Region [Docket No.: 0906221072-91425-02] (RIN: 0648-XA781) received November 30, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4357. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XA812) received November 30, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4358. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures; Inseason Adjustments [Docket No.: 100804324-1265-02] (RIN: 0648-BB47) received November 30, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4359. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 110210132-1275-02] (RIN: 0648-XA802) received December 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4360. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fraser River Sockeye and Pink Salmon Fisheries; Inseason Orders (RIN: 0648-XA803) received December 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4361. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Herring Fishery; Temporary Removal of Herring Trip Limit in Atlantic Herring Management Area 3 [Docket No.: 0907301205-0289-02] (RIN: 0648-XA805) received December 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4362. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Update to Information on the Effective Date of Atlantic Smoothhound Shark Fishery Management Measures [Docket No.: 110912579-1627-01] (RIN: 0648-BB43) received December 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4363. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Red Grouper Management Measures [Docket No.: 110819519-1640-02] (RIN: 0648-BB22) received December 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4364. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company (GE) CF6 Turbofan Engines [Docket No.: FAA-2010-1151; Directorate Identifier 95-ANE-10-AD; Amendment 39-16855; AD 2011-23-04] (RIN: 2120-AA64) received November 30, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4365. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Thielert Aircraft Engines GmbH (TAE) Reciprocating Engines [Docket No.: FAA-2010-0683; Directorate Identifier 2010-NE-25-AD; Amendment 39-16852; AD 2011-23-01] (RIN: 2120-AA64) received December 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BONNER: Committee on Ethics. In the matter of Allegations Relating to Representative Don Young (Rept. 112–336). Referred to the House Calendar.

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. STEARNS (for himself and Mr. TOWNS):

H.R. 3737. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to fast track approval of certain orphan drugs; to the Committee on Energy and Commerce.

By Mr. FITZPATRICK:

H.R. 3738. A bill to amend title 18, United States Code, to increase from 1 to 2 years the post employment restrictions on Members of the House of Representatives; to the Committee on the Judiciary.

By Mr. FITZPATRICK:

H.R. 3739. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to terminate payments to States certified under that Act, and for other purposes; to the Committee on Natural Resources.

By Mr. BUTTERFIELD (for himself, Mr. MCINTYRE, Mr. SHULER, Mr. KISSELL, Mr. MILLER of North Carolina, Mr. PRICE of North Carolina, and Mr. WATT):

H.R. 3740. A bill to provide supplemental emergency disaster assistance to agricultural producers for certain crop losses during the 2011 crop year, to eliminate limitations on certain waivers for borrowers eligible for direct farm operating loans, and to suspend the limitation on the period for which borrowers are eligible for guaranteed farm operating loans, for farming or ranching operations in counties subject to a disaster declaration issued in 2011; to the Committee on Agriculture.

By Ms. WILSON of Florida (for herself, Ms. BASS of California, Ms. BROWN of Florida, Mr. BISHOP of Georgia, Mr. BUTTERFIELD, Mr. CARDOZA, Mr. CARNEY, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Mrs. CHRISTENSEN, Ms. CHU, Mr. CICILLINE, Mr. CLARKE of Michigan, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. COHEN, Mr. CONNOLLY of Virginia, Mr. CONYERS, Mr. CROWLEY, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. DEFAZIO, Ms. DEGETTE, Mr. DEUTCH, Mr. DIAZ-BALART, Ms. EDWARDS, Mr. ELLISON, Mr. FATTAH, Mr. FILNER, Ms. FUDGE, Mr. GARAMENDI, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. GRIMM, Mr. GUTIERREZ, Ms. HAHN, Ms. HANABUSA, Mr. HASTINGS of Florida, Mr. HIGGINS, Ms. HOCHUL, Mr. HOLT, Mr. HONDA, Mr. HOYER, Mr. JACKSON of Illinois, Ms. JACKSON LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Mr. KEATING, Mr. KILDEE, Mr. KUCINICH, Mr. JOHNSON of Georgia, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LEVIN, Mr. LEWIS of Georgia, Mrs. MALONEY, Mr. MEEKS, Ms. MOORE, Mr. NADLER, Ms. NORTON, Mr. PALLONE, Mr. PAYNE, Mr. POLIS, Mr. POSEY, Mr. RANGEL, Ms. RICHARDSON, Mr. RICHMOND, Mr. RIVERA, Ms. ROS-LEHTINEN, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SCOTT of Virginia, Mr. DAVID SCOTT of Georgia, Ms. SEWELL, Mr. THOMPSON of Mississippi, Mr. TOWNS, Ms. WASSERMAN SCHULTZ, Ms. WATERS, Mr. WATT, Mr. WELCH, Mr. WEST, Ms. WOOLSEY, Mr. HINOJOSA, Ms. MCCOLLUM, Mr. WOLF, Mr. SIRES, Mr. PETERS, Mr. RYAN of Ohio, Mrs. NAPOLITANO, Mrs. LOWEY, Mr. COOPER, Mr. MCGOVERN, Ms. DELAURO, Mr. VAN HOLLEN, Ms. BALDWIN, Mr. PIERLUISI, Ms. PINGREE of Maine, Ms. LORETTA SANCHEZ of California, Mrs. MCCARTHY of New York, Mr. BARLETTA, Ms. LINDA T. SÁNCHEZ of California, Ms. SPEIER, Mr. CLYBURN, Ms. SLAUGHTER, Mr. BRADY of Pennsylvania, Mr. ISRAEL, Mr. LIPINSKI, Mr. MILLER of North Carolina, and Mr. SERRANO):

H.R. 3741. A bill to require State child welfare agencies to promptly report information on missing or abducted children to law enforcement authorities, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PEARCE:

H.R. 3742. A bill to designate the United States courthouse located at 100 North Church Street in Las Cruces, New Mexico, as the ''Edwin L. Mechem United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. LEVIN (for himself, Ms. PELOSI, Mr. HOYER, Mr. CLYBURN, Mr. LARSON of Connecticut, Mr. BECERRA, Mr. GEORGE MILLER of California, Ms. DELAURO, Mr. ISRAEL, Ms. SLAUGHTER, Mr. VAN HOLLEN, Mr. PALLONE, Mrs. MALONEY, Mr. RANGEL, Mr. STARK, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. NEAL, Mr. THOMPSON of California, Mr. BLUMENAUER, Mr. PASCRELL, Ms. BERKLEY, Mr. CROWLEY, Mr. ACKERMAN, Mr. ALTMIRE, Mr. ANDREWS, Mr. BACA, Ms. BALDWIN, Ms. BASS of California, Mr. BERMAN, Mr. BISHOP of New York, Ms. BORDALLO, Mr. BRALEY of Iowa, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mrs. CAPPS, Mr. CARNAHAN, Mr. CARNEY, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Mr. CHANDLER, Mrs. CHRISTENSEN, Ms. CHU, Mr. CICILLINE, Mr. CLARKE of Michigan, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CONNOLLY of Virginia, Mr. CONYERS, Mr. COOPER, Mr. COSTA, Mr. COSTELLO, Mr. COURTNEY, Mr. CRITZ, Mr. CUELLAR, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEUTCH, Mr. DICKS, Mr. DINGELL, Mr. DONNELLY of Indiana, Ms. EDWARDS, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Mr. FARR, Mr. FATTAH, Mr. FILNER, Mr. FRANK of Massachusetts, Ms. FUDGE, Mr. GARAMENDI, Mr. GONZALEZ, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HANABUSA, Ms. HAHN, Mr. HASTINGS of Florida, Mr. HEINRICH, Mr. HIGGINS, Mr. HIMES, Mr. HINCHEY, Mr. HINOJOSA, Ms. HIRONO, Ms. HOCHUL, Mr. HOLDEN, Mr. HOLT, Mr. HONDA, Mr. INSLEE, Mr. JACKSON of Illinois, Ms. JACKSON LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KEATING, Mr. KILDEE, Mr. LANGEVIN, Mr. LARSEN of Washington, Ms. LEE of California, Mr. LOEBSACK, Ms. ZOE LOFGREN of California, Mrs. LOWEY, Mr. LUJÁN, Mr. MARKEY, Mr. MATHESON, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MCINTYRE, Mr. MCNERNEY, Mr. MEEKS, Mr. MICHAUD, Mr. MILLER of North Carolina, Ms. MOORE, Mr. MORAN, Mr. MURPHY of Connecticut, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. OLVER, Mr. OWENS, Mr. PASTOR of Arizona, Mr. PAYNE, Mr. PERLMUTTER, Mr. PIERLUISI, Ms. PINGREE of Maine, Mr. POLIS, Mr. PRICE of North Carolina, Mr. RAHALL, Mr. REYES, Ms. RICHARDSON, Mr. RICHMOND, Mr. ROSS of Arkansas, Mr. ROTHMAN of New Jersey, Ms. ROYBAL-ALLARD, Mr. RUPPERSBERGER, Mr. RUSH, Mr. RYAN of Ohio, Mr. SABLAN, Ms. LORETTA SANCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. SCHWARTZ, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SEWELL, Mr. SHULER, Mr. SIRES, Mr. SMITH of Washington, Ms. SPEIER, Mr. THOMPSON of Mississippi, Mr. TIERNEY, Mr. TONKO, Mr. TOWNS, Ms. TSONGAS, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Ms. WATERS, Mr. WATT, Mr. WAXMAN, Mr. WELCH, Ms. WILSON of Florida, Mr. YARMUTH, Mr. SHERMAN, Mr. BOSWELL, Mr. BRADY of Pennsylvania, Ms. WOOLSEY, Mr. BISHOP of Georgia, Mr. FALEOMAVAEGA, Mr. PETERS, Ms. LINDA T. SÁNCHEZ of California, Mr. DAVID SCOTT of Georgia, Mr. KISSELL, and Mr. KUCINICH):

H.R. 3743. A bill to provide incentives for the creation of jobs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, Transportation and Infrastructure, Natural Resources, Foreign Affairs, Financial Services, 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. ADERHOLT:

H.R. 3744. A bill to provide that the United States Postal Service shall maintain postal service to rural areas, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. BROWN of Florida:

H.R. 3745. A bill to amend the Federal Credit Union Act with respect to the limitations on member business loans; to the Committee on Financial Services.

By Mr. LOEBSACK:

H.R. 3746. A bill to provide a temporary employee payroll tax cut for 2012; to the Committee on Ways and Means.

By Mrs. LOWEY (for herself and Mr. GARRETT):

H.R. 3747. A bill to amend the Internal Revenue Code of 1986 to increase the alternative minimum tax exemption amount and index such amount for inflation; to the Committee on Ways and Means.

By Ms. RICHARDSON (for herself, Ms. JACKSON LEE of Texas, and Mr. JOHNSON of Georgia):

H.R. 3748. A bill to establish a grant program for stipends to assist in the cost of compensation paid by employers to certain recent college graduates and to provide funding for their further education in subjects relating to mathematics, science, engineering, and technology; to the Committee on Education and the Workforce.

By Ms. RICHARDSON:

H.R. 3749. A bill to amend the Older Americans Act of 1965 to expand the Senior Community Service Employment Program; to the Committee on Education and the Workforce.

By Ms. RICHARDSON (for herself and Ms. JACKSON LEE of Texas):

H.R. 3750. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize the Attorney General to provide grants to States and units of local government for the video recording of custodial interrogations; to the Committee on the Judiciary.

By Ms. RICHARDSON:

H.R. 3751. A bill to establish the History Is Learned from the Living grant program to enable communities to learn about historical movements in the United States in the past century through the oral histories of community members who participated in those movements, and for other purposes; to the Committee on Natural Resources.

By Ms. RICHARDSON:

H.R. 3752. A bill to amend title 31, United States Code, to require each agency Chief Financial Officer to submit to the Office of Management and Budget a report on and recommendations concerning the adjustment or reduction of fees imposed by the agency for services and things of value it provides; to the Committee on Oversight and Government Reform.

By Ms. RICHARDSON:

H.R. 3753. A bill to establish a grant program to encourage fire stations to establish or upgrade restroom, shower, and changing facilities to create more equitable conditions for women firefighters; to the Committee on Science, Space, and Technology.

By Ms. RICHARDSON:

H.R. 3754. A bill to amend the Small Business Act to improve the program under section 8(a), and for other purposes; to the Committee on Small Business.

By Ms. RICHARDSON:

H.R. 3755. A bill to amend title 38, United States Code, to prohibit demonstrations at

places of mourning during a funeral, memorial service, or other bereavement ceremony honoring a deceased veteran; to the Committee on Veterans' Affairs.

By Ms. RICHARDSON:

H.R. 3756. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for interest paid on indebtedness incurred in connection with the purchase of a new automobile or light truck; to the Committee on Ways and Means.

By Ms. RICHARDSON (for herself and Ms. BASS of California):

H.R. 3757. A bill to improve the ability of the National Oceanic and Atmospheric Administration, the Coast Guard, and coastal States to sustain healthy ocean and coastal ecosystems by maintaining and sustaining their capabilities relating to oil spill preparedness, prevention, response, restoration, and research, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Science, Space, and Technology, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. RICHARDSON:

H.R. 3758. A bill to ensure that seniors, veterans, and people with disabilities who receive Social Security and certain other Federal benefits receive a $250 payment in the event that no cost-of-living adjustment is payable in a calendar year; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. SCHMIDT (for herself, Mr. LATOURETTE, Mr. TURNER of Ohio, Mr. AUSTRIA, Mr. JOHNSON of Ohio, Mr. GIBBS, Mr. STIVERS, Mr. CHABOT, Mr. LATTA, Mr. RYAN of Ohio, Mr. TIBERI, and Mr. RENACCI):

H.R. 3759. A bill to ensure the viability of a technology described in section 1703(b) of the Energy Policy Act of 2005; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, 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. SIRES:

H.R. 3760. A bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the programs and activities of the National Institutes of Health with respect to Tourette syndrome; to the Committee on Energy and Commerce.

By Mr. THOMPSON of California (for himself, Ms. ZOE LOFGREN of California, Mr. REYES, Mr. CONYERS, Mr. BERMAN, Mr. GUTIERREZ, Mr. GRIJALVA, Mr. FILNER, Mrs. NAPOLITANO, Ms. LINDA T. SÁNCHEZ of California, Mr. HONDA, Ms. ROYBAL-ALLARD, and Ms. ROS-LEHTINEN):

H.R. 3761. A bill to amend the Immigration and Nationality Act to protect the well-being of soldiers and their families, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TONKO (for himself and Ms. SCHAKOWSKY):

H.R. 3762. A bill to amend the Public Health Service Act to include occupational therapists as behavioral and mental health professionals for purposes of the National Health Service Corps; to the Committee on Energy and Commerce.

By Ms. WATERS:

H.R. 3763. A bill to amend title 5, United States Code, to provide for additional requirements for public comments submitted in connection with certain proceedings before the Federal Communications Commission; to the Committee on the Judiciary.

By Ms. WATERS:

H.R. 3764. A bill to revise the 90-10 rule under the Higher Education Act of 1965 to count veterans' education benefits under such rule, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Armed Services, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FITZPATRICK:

H.J. Res. 96. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of terms that a Member of Congress may serve to 4 in the House of Representatives and 2 in the Senate; to the Committee on the Judiciary.

By Mr. YARMUTH (for himself and Mr. JONES):

H.J. Res. 97. A joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures with respect to Federal elections; to the Committee on the Judiciary.

By Mr. NUGENT:

H. Res. 503. A resolution expressing the sense of the House of Representatives that the United States should leave no member of the Armed Forces unaccounted for in the withdrawal of forces from Iraq and Afghanistan; to the Committee on Armed Services.

By Ms. EDWARDS:

H. Res. 504. A resolution raising a question of the privileges of the House.

By Mr. AUSTRIA:

H. Res. 505. A resolution expressing the sense of sympathy of the House of Representatives to those who perished or were displaced in the Philippines as a result of the December 16, 2011 flooding; to the Committee on Foreign Affairs.

By Mr. BILIRAKIS (for himself, Mrs. MALONEY, Mr. GRIMM, Mr. SARBANES, and Ms. BERKLEY):

H. Res. 506. A resolution calling upon the Government of Turkey to facilitate the reopening of the Ecumenical Patriarchate's Theological School of Halki without condition or further delay; to the Committee on Foreign Affairs.

By Mr. COFFMAN of Colorado (for himself, Mr. SMITH of Texas, Mr. BONNER, Mr. LUETKEMEYER, Mr. DUNCAN of Tennessee, Mr. CASSIDY, Mr. BOUSTANY, Mr. HARPER, Mr. CULBERSON, and Mr. SESSIONS):

H. Res. 507. A resolution expressing the sense of the House of Representatives regarding the Government of Antigua and Barbuda and its actions relating to the Stanford Financial Group fraud; to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. RICHARDSON (for herself, Ms. JACKSON LEE of Texas, Mr. CONYERS, Ms. CLARKE of New York, Mrs. MALONEY, Mr. MEEKS, Mrs. CHRISTENSEN, Ms. NORTON, Mr. GUTIERREZ, Mr. RANGEL, Mr. RUSH, Mr. NADLER, Mr. TOWNS, Ms. MOORE, and Ms. LEE of California):

H. Res. 508. A resolution supporting the goals and ideals of International Day for the Abolition of Slavery, recognizing the tenth anniversary of the adoption by the United Nations of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime, and commending the efforts of modern day abolitionists following in the tradition of Frederick Douglass; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII,

172. The SPEAKER presented a memorial of the Senate of the Commonwealth of Massachusetts, relative to Senate Resolution memorializing the Congress to enact legislation to encourage the annual observance of a national 2-minute moment of silence; to the Committee on Veterans' Affairs.

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. STEARNS:

H.R. 3737.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mr. FITZPATRICK:

H.R. 3738.

Congress has the power to enact this legislation pursuant to the following:

Commerce Power, Art. I, Sec. 8, Cl. 3;

The Necessary and Proper Clause, Art. I, Sec. 8, Cl. 18

By Mr. FITZPATRICK:

H.R. 3739.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8, Cl. 1; General Welfare Clause

By Mr. BUTTERFIELD:

H.R. 3740.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution, specifically clause 1 (relating to the power of Congress to provide for the general welfare of the United States), clause 3 (relating to the power to regulate interstate commerce), and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Ms. WILSON of Florida:

H.R. 3741.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution, which states: ''The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. PEARCE:

H.R. 3742.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2 of the Constitution of the United States grants Congress the power to enact this law.

By Mr. LEVIN:

H.R. 3743.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8.

By Mr. ADERHOLT:

H.R. 3744.

Congress has the power to enact this legislation pursuant to the following:

Clause 7 of section 8 of article I of the Constitution

By Ms. BROWN of Florida:

H.R. 3745.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause of the United States Constitution (Article I, Section 8, Clause 3)

By Mr. LOEBSACK:

H.R. 3746.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I of the Constitution which grants Congress the power to provide for the general Welfare of the United States.

By Mrs. LOWEY:

H.R. 3747.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, of the United States Constitution.

By Ms. RICHARDSON:

H.R. 3748.

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 of the United States Constitution.

By Ms. RICHARDSON:

H.R. 3749.

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 of the United States Constitution.

By Ms. RICHARDSON:

H.R. 3750.

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 of the United States Constitution.

By Ms. RICHARDSON:

H.R. 3751.

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 of the United States Constitution.

By Ms. RICHARDSON:

H.R. 3752.

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 of the United States Constitution.

By Ms. RICHARDSON:

H.R. 3753.

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, Clauses 1 and 18 of the United States Constitution.

By Ms. RICHARDSON:

H.R. 3754.

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 of the United States Constitution.

By Ms. RICHARDSON:

H.R. 3755.

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 14 of the United States Constitution.

By Ms. RICHARDSON:

H.R. 3756.

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, Clauses 1 and 18 of the United States Constitution.

By Ms. RICHARDSON:

H.R. 3757.

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, Clauses 1 and 18 of the United States Constitution.

By Ms. RICHARDSON:

H.R. 3758.

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, Clauses 1 and 18 of the United States Constitution.

By Mrs. SCHMIDT:

H.R. 3759.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1: ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States'' and

Article I, Section 8, clause 18: ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.''

By Mr. SIRES:

H.R. 3760.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution

By Mr. THOMPSON of California:

H.R. 3761.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4

By Mr. TONKO:

H.R. 3762.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. WATERS:

H.R. 3763.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. WATERS:

H.R. 3764.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I of the Constitution of the United States.

By Mr. FITZPATRICK:

H.J. Res. 96.

Congress has the power to enact this legislation pursuant to the following:

The constitutional amendment authority and process set forth in Article V of the U.S. Constitution.

By Mr. YARMUTH:

H.J. Res. 97.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 104: Ms. HOCHUL.

H.R. 139: Mr. LEVIN and Ms. WATERS.

H.R. 157: Mr. LONG and Mr. JOHNSON of Ohio.

H.R. 178: Mr. LANGEVIN.

H.R. 210: Ms. BALDWIN and Mr. MCNERNEY.

H.R. 265: Mr. ELLISON.

H.R. 266: Mr. ELLISON.

H.R. 267: Mr. ELLISON.

H.R. 418: Mr. MCDERMOTT.

H.R. 507: Mr. FITZPATRICK, Ms. CHU, Mr. STIVERS, Mr. KUCINICH, Ms. SUTTON, and Mr. REICHERT.

H.R. 512: Mr. BUTTERFIELD.

H.R. 529: Mr. REICHERT.

H.R. 593: Mr. WITTMAN.

H.R. 612: Ms. WATERS.

H.R. 665: Mr. NEUGEBAUER.

H.R. 676: Mr. THOMPSON of Mississippi.

H.R. 708: Mr. HANNA.

H.R. 721: Mr. BRADY of Texas and Mr. AMODEI.

H.R. 733: Mr. BILIRAKIS and Mr. HASTINGS of Florida.

H.R. 750: Mr. SMITH of Texas.

H.R. 835: Mr. RUPPERSBERGER, Ms. WILSON of Florida, and Ms. JACKSON LEE of Texas.

H.R. 1001: Mr. MCCOTTER.

H.R. 1116: Mr. PASCRELL.

H.R. 1148: Mr. GONZALEZ and Ms. ROS-LEHTINEN.

H.R. 1167: Mr. JONES, Mr. KINZINGER of Illinois, and Mr. AMODEI.

H.R. 1171: Ms. SCHAKOWSKY.

H.R. 1244: Mr. RIBBLE and Mr. YODER.

H.R. 1288: Ms. WILSON of Florida.

H.R. 1289: Mr. AL GREEN of Texas.

H.R. 1348: Mr. MURPHY of Connecticut.

H.R. 1370: Mr. GOODLATTE.

H.R. 1375: Ms. WATERS and Mr. PASCRELL.

H.R. 1416: Mrs. BACHMANN.

H.R. 1418: Mr. BONNER.

H.R. 1426: Mr. MILLER of North Carolina.

H.R. 1513: Mr. RUPPERSBERGER and Mr. CARNEY.

H.R. 1515: Mr. WEST.

H.R. 1519: Mr. SMITH of Washington.

H.R. 1533: Mr. DUFFY, Mr. CLARKE of Michigan, Mr. KEATING, and Mr. MCCOTTER.

H.R. 1546: Mr. BLUMENAUER.

H.R. 1574: Ms. WATERS.

H.R. 1621: Mr. THOMPSON of Mississippi.

H.R. 1697: Mr. BONNER.

H.R. 1704: Mr. MILLER of North Carolina, Mr. DENT, Mr. LEVIN, and Ms. WILSON of Florida.

H.R. 1718: Mr. SCHIFF.

H.R. 1739: Mr. FRELINGHUYSEN.

H.R. 1744: Mr. NEUGEBAUER.

H.R. 1761: Mr. MARKEY, Ms. ZOE LOFGREN of California, Mr. FILNER, Mrs. CAPPS, Mr. GRIJALVA, and Mr. GRIMM.

H.R. 1781: Ms. SPEIER.

H.R. 1834: Mr. MURPHY of Pennsylvania.

H.R. 1865: Mr. MCINTYRE.

H.R. 1895: Mr. FARENTHOLD.

H.R. 2020: Mr. LEVIN.

H.R. 2077: Ms. BUERKLE.

H.R. 2088: Mr. PASCRELL, Mr. TIERNEY, Mr. KUCINICH, and Mr. BACA.

H.R. 2098: Mr. KUCINICH.

H.R. 2148: Mr. STARK.

H.R. 2159: Mr. HASTINGS of Florida.

H.R. 2198: Mr. REHBERG and Mr. ROKITA.

H.R. 2245: Mr. COHEN and Mr. PASTOR of Arizona.

H.R. 2256: Mr. STARK, Mr. SMITH of Washington, Ms. SLAUGHTER, Mr. LANCE, Mr. BRADY of Pennsylvania, Mr. HONDA, and Mr. ENGEL.

H.R. 2268: Mr. CONNOLLY of Virginia.

H.R. 2288: Mr. RAHALL and Mr. STARK.

H.R. 2359: Mr. HASTINGS of Florida.

H.R. 2425: Mr. CONYERS.
H.R. 2492: Ms. JACKSON LEE of Texas and Mr. OWENS.
H.R. 2501: Mr. SERRANO.
H.R. 2505: Mr. SCHOCK and Mr. GERLACH.
H.R. 2536: Mr. KUCINICH, Mr. SCHOCK, and Mr. REICHERT.
H.R. 2541: Mr. ADERHOLT.
H.R. 2554: Mr. BLUMENAUER.
H.R. 2683: Mr. DANIEL E. LUNGREN of California.
H.R. 2695: Mr. POSEY.
H.R. 2696: Mr. POSEY.
H.R. 2697: Mr. TOWNS.
H.R. 2698: Mr. MCDERMOTT.
H.R. 2866: Mr. SCHILLING.
H.R. 2962: Mr. BERG and Mr. TIBERI.
H.R. 2966: Mr. CARNEY.
H.R. 2969: Ms. DEGETTE.
H.R. 2982: Mr. FRELINGHUYSEN.
H.R. 2997: Mr. GIBBS.
H.R. 3039: Mr. STIVERS.
H.R. 3042: Mr. HUNTER.
H.R. 3067: Mr. CASSIDY, Mr. HIGGINS, Ms. SCHAKOWSKY, Mr. OWENS, Mr. REED, Mr. BRALEY of Iowa, Mr. KIND, Ms. CHU, Mr. LANGEVIN, Mr. RIBBLE, Mr. KING of Iowa, Mr. SHERMAN, Mr. SMITH of New Jersey, Mr. LOEBSACK, Mr. DAVID SCOTT of Georgia, Mr. OLVER, and Mrs. LOWEY.
H.R. 3074: Mr. PETRI.
H.R. 3086: Mr. YOUNG of Florida.
H.R. 3099: Mr. YOUNG of Florida.
H.R. 3102: Mrs. MALONEY.
H.R. 3142: Mr. KLINE and Mr. HALL.
H.R. 3167: Mr. CONNOLLY of Virginia and Mr. SCHILLING.
H.R. 3179: Mr. COHEN, Mr. JOHNSON of Georgia, and Ms. PINGREE of Maine.
H.R. 3192: Mr. MORAN.
H.R. 3200: Ms. LORETTA SANCHEZ of California and Mr. RUSH.
H.R. 3216: Mr. BUCSHON.
H.R. 3244: Mr. HUIZENGA of Michigan.
H.R. 3265: Mr. JOHNSON of Ohio.
H.R. 3269: Mr. WOLF, Mr. PASCRELL, Mr. SAM JOHNSON of Texas, Mr. DAVIS of Kentucky, Mr. BACHUS, Ms. PINGREE of Maine, Mr. SMITH of Texas, Mr. POSEY, and Mr. HUIZENGA of Michigan.
H.R. 3275: Mr. JONES.
H.R. 3276: Mrs. ADAMS.
H.R. 3316: Ms. NORTON.
H.R. 3317: Ms. NORTON.
H.R. 3323: Mr. GIBBS.
H.R. 3324: Mrs. CHRISTENSEN, Mr. MCDERMOTT, Mr. NADLER, and Mr. STARK.
H.R. 3346: Mr. RUSH and Mr. PASTOR of Arizona.
H.R. 3365: Mr. WALDEN.
H.R. 3368: Ms. WATERS.
H.R. 3393: Mr. GRIMM.
H.R. 3395: Mr. COURTNEY.
H.R. 3397: Mr. HUNTER.
H.R. 3400: Mr. MCHENRY.
H.R. 3401: Mr. LONG.
H.R. 3410: Mr. HECK.
H.R. 3435: Ms. KAPTUR, Mr. LUJÁN, Mr. REYES, Mr. JOHNSON of Georgia, Mr. INSLEE, Mr. BECERRA, Mr. CUMMINGS, Mr. HOLT, Ms. HOCHUL, Ms. BALDWIN, Mr. SCHRADER, Mr. JONES, Ms. SCHWARTZ, Ms. HIRONO, Mr. KISSELL, Mr. LANGEVIN, Mr. RYAN of Ohio, and Mr. MCNERNEY.
H.R. 3465: Ms. WATERS.
H.R. 3510: Mr. CONYERS, Mr. CARNAHAN, Mr. RIVERA, and Mr. HULTGREN.
H.R. 3511: Mr. CONNOLLY of Virginia.
H.R. 3515: Mr. STARK, Ms. NORTON, and Ms. MOORE.
H.R. 3521: Mr. FLORES.
H.R. 3523: Ms. ESHOO and Mr. MICHAUD.
H.R. 3538: Mr. GOODLATTE.
H.R. 3545: Mr. CRITZ and Mr. GERLACH.
H.R. 3573: Ms. DELAURO.
H.R. 3575: Mr. FLORES.
H.R. 3576: Mr. FLORES.
H.R. 3578: Mr. FLORES.
H.R. 3579: Mr. FLORES.
H.R. 3580: Mr. DUNCAN of South Carolina, Mr. MCCLINTOCK, Mr. RIBBLE, and Mr. FLORES.
H.R. 3582: Mr. ROSS of Florida and Mr. BROUN of Georgia.
H.R. 3583: Mr. WESTMORELAND.
H.R. 3586: Mr. ROGERS of Michigan.
H.R. 3589: Mrs. SCHMIDT and Mr. JOHNSON of Ohio.
H.R. 3606: Mr. NEUGEBAUER.
H.R. 3614: Mr. JACKSON of Illinois.
H.R. 3643: Mr. MICHAUD and Mr. RIBBLE.
H.R. 3652: Mr. WEST, Mr. REED, Mr. KINGSTON, Mr. LABRADOR, Mr. HARRIS, and Mr. WALSH of Illinois.
H.R. 3661: Mr. LARSON of Connecticut and Mr. SCHOCK.
H.R. 3676: Mr. HUIZENGA of Michigan, Mr. SHERMAN, and Mr. MCDERMOTT.
H.R. 3681: Mr. RENACCI.
H.R. 3702: Mr. TOWNS, Ms. LEE of California, Ms. NORTON, Mr. GEORGE MILLER of California, Mr. ACKERMAN, Mr. RYAN of Ohio, Mr. MCDERMOTT, Mr. LARSEN of Washington, Mr. SMITH of Washington, Mr. INSLEE, Mr. HONDA, Mr. MCGOVERN, Mr. RANGEL, Mr. ELLISON, and Mr. HASTINGS of Florida.
H.R. 3713: Mr. PETRI.
H.R. 3714: Ms. SCHAKOWSKY.
H.J. Res. 88: Mr. OLVER and Mr. FARR.
H.J. Res. 90: Mr. LARSON of Connecticut and Mr. FARR.
H.J. Res. 92: Ms. NORTON.
H. Con. Res. 85: Mr. PASCRELL, Mr. FARR, Ms. MCCOLLUM, Ms. SPEIER, Mr. FATTAH, and Ms. HOCHUL.
H. Res. 58: Ms. WASSERMAN SCHULTZ, Ms. BORDALLO, and Mr. HOLT.
H. Res. 98: Mr. GIBBS.
H. Res. 367: Mr. HIMES.
H. Res. 374: Mr. KINZINGER of Illinois.
H. Res. 475: Mr. AKIN, Mr. ROSS of Florida, Mr. JOHNSON of Ohio, Mr. THORNBERRY, Mr. KINGSTON, Mr. AUSTRIA, Mr. OLSON, and Mr. FLORES.
H. Res. 489: Mr. FINCHER, Mr. AUSTRIA, Mrs. CHRISTENSEN, Mr. NUNES, Mr. SULLIVAN, Mrs. BACHMANN, Mr. WITTMAN, and Ms. FOXX.