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# Congressional Record

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# House of Representatives

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

## DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
*January 31, 2012.*

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

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

## MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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

## KEYSTONE XL PIPELINE AND THE K-FAST BILL

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

Mr. POE of Texas. Mr. Speaker, across the globe, Iran continues its saber rattling. The little fella from the desert, Ahmadinejad, threatens to block the Strait of Hormuz and all the oil shipments going through it.

This worries Americans who can't afford for the price of gasoline to go up.

What if we made unstable Middle Eastern countries irrelevant to our energy security? Imagine a place where the United States actually controlled its own energy destiny. There are two different paths to that world. The administration and environmental obstructionists will tell you the only way to energy independence is through so-called ''clean and green'' energy projects funded at taxpayer expense.

This may sound good in a sound bite, but these projects are expensive, unreliable, and in many cases they continue to fail.

Cases in point, three companies: Solyndra, Ener1, and Beacon Power. In each of these cases, the Federal Government has taken taxpayer money and gambled it on risky projects. With Solyndra, half a billion taxpayer dollars were poured into a company that was doomed to fail. The result: Solyndra went belly up, 1,000 people lost their jobs, and the American people will never see a refund on their money.

Clean energy may be a noble goal, but we're just not there yet.

The second path to controlling our energy destiny is an all-of-the-above approach: solar, wind, nuclear, clean coal, natural gas, and yes, oil.

For now, oil is the most reliable and cost-effective source of energy we have. That's one reason why the Keystone XL pipeline is a golden opportunity for our country. This project, unlike Solyndra, won't cost the taxpayers any of their money.

It would bring 750,000 barrels of oil per day from our stable ally, Canada, down to refineries in my district in southeast Texas. Equally important, it would create at least 100,000 jobs in its lifetime, including 20,000 immediate construction and manufacturing jobs. But unfortunately, the administration has said no to Keystone pipeline. It said no to our national interest. It said no to jobs. It said no to energy security. It said no to our ally Canada. It said no to the will of the American people because most Americans support the pipeline. But it did say yes—yes to China, because China will probably be the recipient of that Canadian oil and the jobs if the pipeline is not built in the United States. Now, isn't that lovely?

Keystone would enhance our energy security by bringing almost as much oil as we get from Saudi Arabia to the United States. It would help enhance our foreign policy by bolstering our relationship with Canada instead of depending on unstable Middle Eastern countries. But radical obstructionists got their way when they took to the streets in front of the White House and threatened their support for the President.

They seem to conveniently forget that pipelines are the safest way to transport oil.

Failure to approve the pipeline is putting our national security, energy security, and economic security at risk. That is why I have introduced, along with my friend DAN BOREN from Oklahoma, the bipartisan Keystone for a Secure Tomorrow Act, or K-FAST for short. This bill would allow Congress to act immediately and approve the permit for the Keystone XL pipeline.

There is precedent for congressional approval of pipelines. In 1973, the same type of special interest groups were holding back the permit for the Trans-Alaska pipeline. After 4 years of delay, Congress finally took direct action and successfully approved that pipeline.

I'm pleased that a bipartisan group of 45 Senators agree that Congress should approve the Keystone pipeline. The Hoeven-Lugar-Vitter bill, similar to my bill, would do that.

While green energy is a worthwhile ambition, we simply cannot afford to reject a reliable supply of energy.

So while the administration continues to say no to Americans, Congress has the obligation and the legal ability to say yes. Let's make Keystone pipeline a reality.



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It's time we create jobs, bring energy to the United States, and make Middle Eastern politics and turmoil irrelevant to our national and energy security. It's time to think of the American people because they can't wait.

And that's just the way it is.

## AMERICAN HERO, JOHN ''JACK'' FRANCIS HANNIGAN

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

Mr. FLORES. Mr. Speaker, I rise today to remember an American hero from this country's Greatest Generation. John ''Jack'' Francis Hannigan was born March 27, 1918 to Frank Hannigan and Elsie Sternweiss Hannigan in New York City. He attended parochial school throughout his life, obtaining a college degree and a law degree from St. John's University in New York. Through his beloved sister Myrtle, he met the love of his life, Marion Josephine Ronayne, and he also fell in love with her large and caring Irish family. They were married on May 2, 1942 at Maxwell Air Force Base in Montgomery, Alabama, thus beginning a union that lasted 67 years.

Jack was a navigator and a lawyer in the United States Army Air Corps, serving during World War II in the European theater of operations. As part of the 397th bomb group, also known as the Bridge Busters, he flew 70 combat missions in a B–26 Marauder, including three over Normandy Beach on D-Day. He earned a Purple Heart during his wartime service. In 1948, his commission as a JAG officer was transferred to the newly created United States Air Force.

Jack's and his wife's military service spanned 30 years, living in Alabama, Louisiana, South Carolina, Florida, Georgia, New York, New Jersey, Pennsylvania, New Mexico, Arizona, Germany, Virginia, the Philippine Islands, Massachusetts, Maryland, and, of course, Texas. Throughout his service, he was awarded many medals of commendation, including the Silver Star, the Legion of Merit, the Meritorious Service Medal, the Air Medal, the Air Force Commendation Medal, and the Army Commendation Ribbon. Upon retirement, Colonel Hannigan received the Distinguished Service Medal in 1971 at Randolph Air Force Base in Texas. The Hannigans retired to Allen, Texas, and were active parishioners at St. Jude's Catholic Church. While there, he volunteered his legal services and his wife's typing to many church members.

Jack and Marion raised a large Irish Catholic family with six children. While the family is spread across the country, the love that Jack and Marion held for them is a bond that will forever unite the Hannigan clan. Jack is survived by his children, John F. Hannigan, Jr., United States Air Force retired colonel of Colorado; Mary Gadow of Arizona; Barbara Clark of Massachusetts; Joan Johnston of Massachusetts; Dr. Jim Hannigan of Austin, Texas; Kathy Havel of Dallas, Texas; 14 grandchildren; and 10 great-grandchildren. He will also be remembered for his quick wit, practical jokes, skill with crossword puzzles, love of sports—especially golf—and yes, his ''yes dears'' to his wife, Marion.

This Friday, on February 3, 2012, a memorial service will be held at Arlington National Cemetery to honor his and his wife's life of service to our country.

Mr. Speaker, the service of Mr. and Mrs. Hannigan to our country will never be forgotten. They serve as examples for our current generations of Americans to emulate. God bless their service, and God bless the United States of America.

□ 1210

## AFGHANISTAN

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

Mr. JONES. Mr. Speaker, over the weekend, I read an article by the Associated Press that the French have made a decision to fast-track their withdrawal from Afghanistan and bring troops home by the end of 2013 instead of the end of 2014. If France follows through with this accelerated drawdown, they will join other countries like Canada and the Netherlands, who have also drawn down their forces in recent years.

I believe these countries are on the right track.

The Department of Defense has recently been asked to find over $490 billion in cuts. We are currently spending $10 billion a month, which equates to $120 billion a year, in Afghanistan. By bringing our troops home now, we would be saving hundreds of billions of dollars, which would prevent the Department of Defense from cutting other military programs. It simply is common sense to bring our troops home now and not wait.

Mr. Speaker, I would like to quote from a January 20, 2012, New York Times article by Matthew Rosenberg, titled, ''Afghanistan's Soldiers Step Up Killings of Allied Forces'':

''American and other coalition forces here are being killed in increasing numbers by the very Afghan soldiers they fight alongside and train, in attacks motivated by deep-seated animosity between the supposedly allied forces, according to American and Afghan officers and a classified coalition report obtained by The New York Times.''

Mr. Rosenberg further states in his article, ''A decade into the war in Afghanistan, the report makes clear that these killings have become the most visible symptom of a far deeper ailment plaguing the war effort: the contempt each side holds for the other, never mind the Taliban. The ill will and mistrust run deep among civilians and militaries on both sides, raising questions about what future role the U.S. and its allies can expect to play in Afghanistan.''

Mr. Speaker, more important than the money are the young men and women who are sacrificing their lives, limbs, and families by serving in a corrupt nation led by a corrupt leader.

Beside me, Mr. Speaker, is a poster that I have been bringing to the floor from time to time of a young soldier from Fort Bragg, North Carolina, who is sitting in a wheelchair with both legs gone and an arm gone, with his lovely wife standing beside his wheelchair showing him their new apartment.

How many more young men and women have to die? How many more young men and women have to lose their legs, their arms? And the sad part about it is that, as history has shown, no great nation in the history of the world has ever changed Afghanistan; and we're not going to change it either. History has proven that fact time and time again. It is time to bring our troops home from Afghanistan.

Before closing, Mr. Speaker, I want to tell the story of my visit to Walter Reed, which is in Bethesda, Maryland. A young Marine corporal from Camp Lejeune, which I have the privilege to represent, said to me, with his mom in the room: Why don't we come home, Congressman? Why don't we come home?

It is time that this administration and this Congress say to the American people: We're not going to wait until 2014 to bring our troops home. We're going to start bringing them home in 2013.

And with that, Mr. Speaker, in closing, I ask God to please bless our men and women in uniform. I ask God to please bless the families who have given a loved one dying for freedom in Afghanistan and Iraq. And I will close by asking God three times: God, please, God, please, God, please continue to bless America.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 14 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. ELLMERS) at 2 p.m.

## PRAYER

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

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

Bless the Members of this assembly as they set upon the important work that faces them. Help them to make wise decisions in a good manner and to carry their responsibilities steadily with high hopes for a better future for our great Nation.

May they be empowered by what they have heard during their home district visits to work together. May they realize that each of them represents voters who side with their opponents, and that there are millions of Americans who voted for their opponents as well. The work to be done must benefit all Americans. Give them courage to make difficult choices when they are faced with them.

May Your blessing, O God, be with them and with us all this day and every day to come, and may all we do be done for Your greater honor and glory.

Amen.

## THE JOURNAL

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

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

## PLEDGE OF ALLEGIANCE

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

Mr. BURGESS led the Pledge of Allegiance as follows:

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

## STOCK ACT

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

Mr. POE of Texas. Madam Speaker, the STOCK Act will prohibit Members of Congress and Federal employees from using nonpublic information for their own personal profit and help prevent insider trading.

Representative TIMOTHY WALZ of Minnesota has introduced this legislation in the House. The Senate has already voted to move forward on the STOCK Act.

I join a bipartisan group of 217 Members in supporting this legislation. Several media reports have indicated that insider trading is a problem in the Halls of Congress.

Madam Speaker, we work for the American people and cannot lose their trust. The STOCK Act or similar legislation is needed because it brings more transparency and oversight.

Insider trading, any way you look at it, is not only illegal in the United States, but it is corrupt and morally wrong. In Washington and in Congress, things must not only be right; they must look right.

And that's just the way it is.

## COMMENDING PRESIDENT BARACK OBAMA'S LEADERSHIP IN SUPPORTING WORKING AMERICANS

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

Mr. FALEOMAVAEGA. Madam Speaker, as required by our Constitution, last week President Obama addressed our Nation in his annual State of the Union message before a joint session of Congress. President Obama outlined his blueprint for an America Built to Last, a plan that begins with American manufacturing.

President Obama noted in his address that the American auto industry is back. The President's decision to provide emergency loans to the auto industry saved more than 1.4 million American jobs. This decision by President Obama also prevented personal income losses over 2 years of more than $96 billion and helped make the Big Three automakers—Chrysler, General Motors, and Ford—all profitable for the first time in years.

After taking office, President Obama signed the Recovery Act to get our Nation back to work. As a result, the U.S. has seen 22 consecutive months of private sector job growth, adding more than 3.2 million jobs. Last year we added the most private sector jobs since 2005.

Madam Speaker, I commend President Obama for his vision and leadership. I commend his bold actions and, most of all, his commitment to serving our Nation in these difficult times.

## BEYOND THE AFFORDABLE CARE ACT

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

Mr. BURGESS. Madam Speaker, this year the Supreme Court agreed to hear and issue a decision on the Affordable Care Act. Of course, I'm eager to see what happens, and I'll be following the case very carefully, as will millions of Americans. But important steps will need to be taken depending upon how the Court rules. Right now, we do not know if the Court will rule solely on the individual mandate or say that the entire law is unconstitutional. Either way, this House must be prepared.

Now, House conservatives have been working for at least the past 3 years, well before the Affordable Care Act was even passed, to craft policies that focused on patients instead of payments, that focused on quality instead of quantity, innovation instead of stagnation, and affordability as opposed to just being cheap.

I'm fully committed to continuing this work and producing alternative legislation that will benefit the American people without putting an undue burden on the economy.

The Congressional Health Care Caucus discussed this issue today at a briefing. James Capretta and Thomas Miller discussed and shared ways on which we can prepare in the coming months with specific policy ideas. Although no one has a clear idea of how the Court will rule, we do know that we need to work together to consider ideas and craft policies to take care of the American people when their decision is rendered.

## DUCKS UNLIMITED

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

Mrs. BLACKBURN. Madam Speaker, it is so true that ''to whom much is given, much is required,'' especially when it comes to ensuring the blessings of creation for our children and grandchildren. Seventy-five years ago, a group of concerned citizens came together to offer their time, talents, and treasures to protect waterfowl populations and preserve wetland habitats.

Ducks Unlimited has a purposed beginning. During the 1937 Dust Bowl, drought-plagued waterfowl populations were at unprecedented lows. Recognizing the waterfowl were dangerously near to unrecoverable populations, a small group of sportsmen organized themselves and got to work.

Over the past 75 years, the members of Ducks Unlimited have worked to conserve, restore, and manage habitats essential to the well-being of our continent's waterfowl populations. Through public-private partnerships and the hard work of Ducks Unlimited volunteers throughout the country, more than 12 million acres across North America have been preserved.

Madam Speaker, it never ceases to amaze me how the citizenry, bound together by common dedication, determination, and focus, and not by government fiat, can change the world. Ducks Unlimited has spent the last 75 years improving water quality, mitigating the effects of floods, safeguarding and expanding recreational opportunities. They are to be commended for their 75 years.

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
*Washington, DC, January 31, 2012.*

Hon. JOHN A. BOEHNER,
*The Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 31, 2012 at 10 a.m.:

That the Senate passed S. 1236.

That the Senate agreed to S. Con. Res. 34.
With best wishes, I am
Sincerely,

KAREN L. HAAS.

## APPOINTMENT OF CONFEREES ON H.R. 658, FAA REAUTHORIZATION AND REFORM ACT OF 2011

Mr. CRAVAACK. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 658) to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes, with the Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota? The Chair hears none and, without objection, appoints the following conferees:

From the Committee on Transportation and Infrastructure, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

Messrs. Mica, Petri, Duncan of Tennessee, Graves of Missouri, Shuster, Mrs. Schmidt, Messrs. Cravaack, Rahall, DeFazio, Costello, Boswell, and Carnahan.

From the Committee on Science, Space, and Technology, for consideration of secs. 102, 105, 201, 202, 204, 208, 209, 212, 220, 321, 324, 326, 812, title X and title XIII of the House bill and secs. 102, 103, 106, 216, 301, 302, 309, 320, 327, title VI, and sec. 732 of the Senate amendment, and modifications committed to conference:

Messrs. Hall, Palazzo, and Ms. Eddie Bernice Johnson of Texas.

From the Committee on Ways and Means, for consideration of title XI of the House bill and titles VII and XI of the Senate amendment, and modifications committed to conference:

Messrs. Camp, Tiberi and Levin.

There was no objection.

## RECESS

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

Accordingly (at 2 o'clock and 10 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1715

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at 5:15 p.m.

## PROVIDING FOR CONSIDERATION OF H.R. 1173, FISCAL RESPONSIBILITY AND RETIREMENT ACT OF 2011

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 522 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 522

*Resolved,* That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 1173) to repeal the CLASS program. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule for a period not to exceed three hours. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those received for printing in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII in a daily issue dated January 31, 2012, or earlier and except pro forma amendments for the purpose of debate. Each amendment so received may be offered only by the Member who caused it to be printed or a designee and shall be considered as read if printed. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

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

GENERAL LEAVE

Mr. SESSIONS. 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 Texas?

There was no objection.

Mr. SESSIONS. House Resolution 522 provides a modified open rule for consideration of H.R. 1173. This rule allows for any amendment prefiled in the CONGRESSIONAL RECORD which complies with the rules of the House to be made in order. That's pretty simple.

Mr. Speaker, I rise today in support of this rule and the underlying bill, H.R. 1173, the Fiscal Responsibility and Retirement Security Act of 2011, which was introduced on March 17, 2011, by the gentleman, my dear friend from Louisiana, Congressman CHARLES BOUSTANY, and was reported by the Committee on Energy and Commerce by a vote of 33–17 on November 29, 2011.

□ 1720

Additionally, the bill was reported by the Committee on Ways and Means on January 18, 2012, by a vote of 23–13.

This legislation has been through regular order. Members from both sides of the aisle on several committees have had opportunities to submit perfecting ideas, and those amendments have been considered. With the modified open process brought forward by the Rules Committee, every preprinted amendment will be given full and fair consideration by this body.

Mr. Speaker, the Community Living Assistance Services and Supports Act, also known as the CLASS Act, was a budgetary gimmick introduced by congressional Democrats in the ObamaCare bill to fit a 10-year budget score, not to provide reliable insurance coverage. This is why we are here today. Built on an unstable foundation, this long-term health insurance system was broken from its inception, and yet was used to sell ObamaCare to those who did not fully comprehend its future implications.

Let's review the facts of this case. The CLASS Act establishes a long-term health coverage program that would be operated by the Federal Government. The program is a guaranteed issue, meaning no one can be turned away. The program provides subsidized premiums to those under the age of 22 and to those below the poverty line. Finally, it can use no government funding. If that isn't a recipe for failure, I'm not sure how else you would design the program. Giving reduced premiums to some and mandatory coverage to all necessarily drives up the monthly premium. The Department of Health and Human Services indicated that the plans, as designed, would cost $235 and $391 a month and could rise to as much as $3,000 a month for those in the program. Anyone who is healthy and above the poverty line would most certainly turn to the private sector, leaving the program woefully underfunded. These are the facts. The program is not viable and is not sustainable.

In reference to the program, the Secretary of Health and Human Services, Secretary Sebelius, finally agreed on October 14, saying, ''I do not see a viable path forward at this time.'' It makes you wonder what other sections of ObamaCare might not be fiscally sound, given a closer review as well. Oh, by the way, this Republican Congress is doing that right now, in committee, under regular order. Apparently, however, we had to pass the bill to find out about the CLASS Act and what was in it and how it might work.

Mr. Speaker, we are not solving the problem by creating programs that are unsustainable. We continue to double down, taxing Medicare and Medicaid relentlessly to where they cannot pay for themselves. President Obama and congressional Democrats actually cut $500 billion in Medicare in order to fund the CLASS Act and flawed programs like it in the ObamaCare package. The majority of Republicans in this House are committed to protecting Medicare, Medicaid, and Social Security for future generations, not passing empty promises—those that cannot sustain themselves and those that would be headed for failure from their inceptions. I believe we are abandoning the core mission of entitlement programs, which was meant to bring necessary coverage to those who cannot provide for themselves.

Mr. Speaker, I, like many Americans, can speak on a personal basis about what a disappointment this is, not just the ObamaCare bill, but the provisions laid out in it. You see, I'm not unlike many Americans. I have a disabled son at home. I have an 18-year-old Down syndrome young man. I, and Alex, perhaps at some point, will count on the government's being able to uphold its real responsibility. I believe government should have a mission statement, and that government should have a role in the lives of Americans, but it should be one which is very narrow and well understood.

I understand and believe that we should have a government that does help people who need help, and that we do have a government that can give assistance. However, I believe that able-bodied people should not be included in these programs. I believe that the people who should be a part of this government assistance should be those who have an intellectual or physical disability, those who are seniors—our parents. Because of their ages and their service to this great country, they have earned this and should be given that help. Lastly, those who are poor—those, in other words, who are at or below the poverty line—should be a part of this as well.

I believe that what this bill has done—and the philosophy of the Democratic Party, including that of this President—will diminish the real role that government should be playing, because, in fact, it has gone so far out of its intended purpose, or of its ability to sustain what it should be doing, that it will be a sham system and unable to help those it should have been intended to help in the first place. I have seen this many times. I have seen it in professional sports where, as an analogy, people will buy a season ticket and get a parking pass with it. There are sometimes 10,000 or 15,000 people who buy season tickets for 4,000 parking places. In other words, there may be 10,000 people who have the right to come to those parking places, but there is only room for a few.

Mr. Speaker, I believe our government and the leaders of this government, including Secretary Sebelius, recognize the limitations and the failures of this piece of legislation. This one piece alone is what we, as Republicans today, are trying to highlight, and Dr. BOUSTANY is right in bringing it to us.

We should not be creating a system that would be outside the scope of what the government should actually be doing, which is to help those who cannot help themselves or who deserve that opportunity to have help. In other words, by creating a larger-than-life scenario which cannot be sustained, they've, in fact, put the underpinnings of something that could be good at risk—selling too many parking places for the ones that need to exist. The parking places that need to exist need to be on a one-on-one basis now for the people who need them the most. That is what the government should be doing and doing well, not going outside of its mandate and not promising something that is unsustainable and that they cannot deliver on.

Mr. Speaker, I would submit and suggest that some Democrats will rise today to defend this bill, the CLASS Act, but the facts of the case are now known and well understood so that even the President and his administration are walking away from this part of the bill. The program is fatally flawed, and a full repeal is the only realistic way we should approach this.

Now is the time to be serious with the American people. Now is the time when we need to say that this should not have been a part of what this health care bill is about. It will surely not deliver on what was sold or do what it was intended to do; and before we engage in that, we ought to be realistic and honest about what this is doing.

Now is the time to be serious with the American people about expectations from the Federal Government as related to this program. House Republicans are committed to providing affordable, patient-driven solutions to the problems facing our health care system; and we recognize, in going through the bill, that this stands out as a prime example of what is broken about the legislation that is law today.

So we are here forthrightly, through regular order, to talk in a polite and sensible way about how we should handle what we now know and what we should have known then but failed to do. Not reading the bill is just another example of the flawed process that we were going through.

I urge all of my colleagues to vote for this modified open rule, which allows for the consideration of all preprinted amendments that comply with the rules of the House, and to vote for the underlying bill.

I reserve the balance of my time.

□ 1730

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

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

Mr. MCGOVERN. I want to thank the gentleman from Texas (Mr. SESSIONS) for yielding me the customary 30 minutes.

First of all, Mr. Speaker, I would urge my colleagues to vote ''no'' on this rule. One is, as was pointed out, this is not truly an open rule—there is a preprinting requirement. But there is also a cap, a time limit of 3 hours on the total debate for this bill. So if Members have an idea about an amendment they want to offer and it bumps up against the 3-hour time limit, they're out of luck.

I would remind my colleagues that this is an important issue. This is about long-term care, health care, mostly for our senior citizens. This is an important subject. We should be talking about this. We should be deliberating on this, and it deserves the necessary time to do this issue justice.

I guess I shouldn't be surprised, because we can't get this leadership to bring up not only legitimate health care bills to help improve the quality of health care for our citizens, but we can't get them to bring up jobs bills. We can't seem to get this leadership to bring up anything of any consequence or any significance to the American people or anything that will improve the quality of life for the citizens of this country.

Mr. Speaker, my friends on the other side of the aisle want to portray this as a very simple debate. They want everyone to think that this is a bill that just ends, as they put it, a problematic or a failed program, a bill that says we're going to run our government more effectively and more efficiently, a bill that says that we're going to get health care right for the American people.

But, Mr. Speaker, nothing, absolutely nothing, could be further from the truth. And let me be clear: This bill is just one more example of how the Republican majority in this House stands with Big Insurance instead of the American people. It's another example of how Republicans want to rig the health care system so insurance companies can continue to discriminate based on preexisting conditions and can continue to reap big profits at the expense of our families.

Democrats stand for improving access to the best health care system in the world. We want Americans to be able to take care of themselves and to plan for long-term care should they need it.

The debate in the Rules Committee last week was a telling example of how my friends on the other side of the aisle view this critical health care issue. During that debate, one of our colleagues, Republican colleagues on our Rules Committee, compared long-term care planning to owning a swimming pool, a luxury, saying that since the government shouldn't build a swimming pool for everyone in the country, that we shouldn't be providing long-term care advice or help

with long-term care planning for the American people.

Mr. Speaker, this is where the discourse on health care has landed. We talk about how to lower costs and to increase access to health care, and my Republican friends talk about swimming pools. They are in over their heads, which is why their poll numbers are sinking to the bottom. This bill may appear to be fairly simple, but it will have a devastating impact on Americans as they plan for the future.

H.R. 1173, the so-called Fiscal Responsibility and Retirement Security Act, would repeal the CLASS Act and defund the National Clearinghouse for Long-Term Care Information. The CLASS Act is a national voluntary insurance program for purchasing long-term or disabled care for things like nursing home fees. Let me repeat that: It's a voluntary program. There's no mandate, no requirement, no obligation for anyone to participate.

This bill also converts mandatory funding for the National Clearinghouse for Long-Term Care Information into discretionary funding. While they say that this saves $9 million, the truth is Americans will lose access to critical information that can help them decide what kind of long-term care coverage they may or may not want, they may or may not need, as they grow older.

We need to figure out how to best address the cost and availability of long-term care in the United States, and the reality is that voting for this bill is the same as putting your fingers in your ears or covering your eyes. Surely you may not want to be able to hear or see what is bothering you, but it doesn't mean that these problems go away.

So why are we doing this today? Why are we repealing this without any replacement, without any thought given to how we might help the American people?

Well, if you listen to the Republican rhetoric, you'd think that some unnamed and unseen person is going to send you off to a dark room in an isolated nursing home, and you have no choice where to spend your golden years. That is, of course, if you listen to their ridiculous rhetoric.

It's true that the Obama administration has suspended enactment of the CLASS Act. They have done so after carefully assessing how they could implement a long-term, financially stable CLASS program. Unfortunately, they did not see a way forward at this particular point, but that doesn't mean we should just give up, throw up our hands and walk away.

While the CLASS Act is a sound premise, it clearly needs more work if it's going to be a viable program. The problem with H.R. 1173 is that it repeals the CLASS Act. We need to fix the CLASS Act, not destroy it. We need to engage on how to solve this problem, not to walk away from it, not to turn it into yet another piece of campaign rhetoric.

But that's not how the Republicans operate in this House. Their goal, it appears, is to tear down the health care system and to prevent people from getting adequate health care. How else can you explain their actions to repeal the Affordable Care Act and to end Medicare?

Mr. Speaker, the Republicans began the 112th Congress with an effort to ''repeal and replace'' the Affordable Care Act. Well, the House voted to repeal the new health care law, but we still haven't seen their replacement. They voted for repeal without replacement.

I should also point out to my colleague from Texas, it wasn't brought up under regular order; the repeal was brought up under a closed rule—but that's not unique in this House either.

The Republicans in control of the House of Representatives have found the time for bills on abortion and guns, bills to defund Planned Parenthood and National Public Radio and bills reaffirming our national motto, as if our national motto needs reaffirming. But when it comes to improving the quality of health care for the American people, my friends on the other side of the aisle are strangely silent.

As we near the second anniversary of the enactment of the Affordable Care Act, it's important to look at the success of this law and explain why repeal, as they have advocated, would cause real harm to the American people. We know for a fact that the Affordable Care Act is lowering costs and expanding coverage for millions of Americans.

The truth is crystal clear: 2.5 million young adults gained health insurance, 2.5 million young Americans gained health insurance. More than 40,000 Americans with preexisting medical conditions gained affordable health care coverage. Three hundred fifty new community health centers were built, and nearly 19,000 new jobs were created last year alone. Americans are benefiting from greater protections from unreasonable private insurance premium hikes.

More than 2 million senior citizens saved more than $1.2 billion on prescription drugs in 2011. Again, let me repeat that: More than 2 million senior citizens saved more than $1.2 billion on prescription drugs in 2011.

They want to repeal the bill, the affordable health insurance bill, which closes the doughnut hole, and all of a sudden senior citizens will see a tax hike the next time they look at their prescription costs.

Seniors in Medicare Advantage plans saw their monthly premiums decrease 14 percent from 2010 to 2011. Millions of women, seniors, and people with disabilities accessed preventative services.

The Department of Health and Human Services and the Department of Justice stopped $3 billion in fraudulent claims in 2011.

We also know that the quality of care is improving because of the Affordable Care Act. I'm talking about an expanded workforce, including primary care workers, better coordinated care for Medicare patients, and improvements in preventable hospital care and readmission conditions, just to name a few. In fact, the entire debate within the health care community is changing on how we can better keep our citizens well.

Finally, we know that the health care industry is hiring more workers because of the Affordable Care Act. In fact, 514,900 new health care jobs have been created since the Affordable Care Act was enacted almost 2 years ago. Clearly, Mr. Speaker, the Affordable Care Act is working, and benefits will continue to grow as we move towards full implementation by 2016.

But by opposing the Affordable Care Act by pursuing repeal of the bill, Republicans have made it clear that they're against protections for people with preexisting conditions, that they are against expanding coverage for 2.5 million young adults who can't get health care on their own, that they are against new community health centers, that they are against the new jobs created by the Affordable Care Act.

□ 1740

And with this bill today, they are announcing that they are against planning for long-term care. This makes no sense, Mr. Speaker. Americans need to think about long-term care. They need planning options for the future.

Currently 10 million Americans need long-term care, and 5 million more will need long-term care over the next decade. Yet only 8 percent of Americans currently buy private long-term care insurance. Instead of forcing people to migrate towards Medicaid, the only other long-term care option available, we should be providing Americans with the tools they need to plan for the future. That's what the intention of the CLASS Act and the purpose of the National Clearinghouse for Long-Term Care Information is all about.

I know my friends will say: Trust us; we're going to come up with something down the road. Wouldn't it have been refreshing, in the spirit of bipartisanship, if we had come up with something before they chose to just outright repeal this provision? Maybe this would have been an opportunity for people to come together. But, no, we're told we're repealing it. You know, that fits in with our campaign rhetoric for 2012: We're going to repeal it; and the American people, just trust us. Take two tax breaks; call me in the morning. That's all you need to worry about.

The American people expect Congress to work each and every day to make this country better. Like Social Security and Medicare before it, the Affordable Care Act is an example of responsible legislating that is improving people's lives. It's not perfect. We need to build on it. We're going to need to make corrections. But there's not a piece of legislation that we have ever passed in any Congress that hasn't needed to be corrected and adjusted

and tweaked as time has gone on. But it is an important step in the right direction. And notwithstanding the rhetoric on the other side of the aisle, it has made a real difference in the lives of many millions of Americans who otherwise wouldn't have access to health care.

We must not and we will not let the Republicans drag us down with them on this issue. Vote ''no'' on this rule and ''no'' on the underlying bill.

I reserve the balance of my time.

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

I find very interesting my friend's arguments. First of all, the health care bill hasn't even kicked in, so millions of people have not gotten the advantages of this bill yet.

Mr. MCGOVERN. Would the gentleman yield?

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

Mr. MCGOVERN. If I'm not mistaken, the allowance to let families keep their kids on their health insurance until they are 26 years old has kicked in.

Mr. SESSIONS. And that was a bipartisan agreement.

Mr. MCGOVERN. No, no. Under your repeal bill, that would go away. That was part of the Affordable Care Act. That is one of the many things that has kicked in.

Mr. SESSIONS. Reclaiming my time, Mr. Speaker, at the time the bill was passed, we agreed to a number of things that we did think were good ideas. That was a good idea.

The $500 billion of cuts in Medicare that Republicans talked about, we did not set that up for this election. They did that 2 years ago. That's one of the reasons why the American people, 50-plus percent of the American people, another reason why they do not like this bill.

But to suggest that all of the advantages that are occurring as a result of this bill would be a misnomer. As a matter of fact, it's causing almost 80 percent of small business owners not to make decisions about hiring people for the future; and it's causing intense financial problems, not only upon small businesses but upon other businesses who don't hire people. It's causing a substantial problem on the amount of money that we are spending by this government right now.

Oh, by the way, that legislation also said in certain pieces of it that it's not for review by judicial or congressional oversight, that whatever these panels do is a decision that they would make. It's very restrictive. It's a government-run system, and it's causing enormous financial distress to this country.

I appreciate the gentleman trying to take all of the high attributes for it. It's a system that Republicans will vote to repeal, and we will replace that with a system that is market-based and that works.

Lastly, I will say that the gentleman talked about how cost effective it is. Insurance rates are raising 30 percent this year alone for people in the private sector, and that's nonsustainable.

Mr. Speaker, today, however, we are talking about a larger issue, and that is a piece part of that bill, the CLASS Act. I'm very pleased today to have a gentleman who is a great member of our conference, a physician by trade. It's just of enormous consequence that we have a person who understands why this piece of the bill in particular, today, must be repealed.

I'm delighted to yield 5 minutes to the gentleman from Louisiana (Mr. BOUSTANY), the original sponsor of the bill.

Mr. BOUSTANY. Mr. Speaker, I thank my friend from Texas for yielding some time to me on this important debate.

As a physician, I know firsthand about the needs out there with regard to long-term care. I've treated hundreds of patients who've needed it. This is a very important problem. It's an acute problem, and it's something that this Congress has to take seriously.

Also, I have a personal stake in this. I lost my father 3 years ago. He did not have a long-term care policy, and we had to deal with it. And we dealt with it. We were fortunate; as a family, we came together and we were able to take care of his needs. Many families can't. That's why this Congress has to get serious about dealing with this problem.

Now, our friends on the other side of the aisle had the last two Congresses to try to deal with this, and they proposed the health care bill. Yet there was no debate on any other alternatives. This was a one size fits all. This particular program wasn't even vetted in the House committees, and yet it was added into the bill as a budget gimmick. That's not serious legislation and that's not doing justice to the American people who are faced with these problems every single day.

Washington should have learned from this mistake. And there are three lessons, three basic lessons that we can learn from this CLASS program that was added into ObamaCare, this CLASS program, a failed program, an unsustainable program by the administration's own admission:

First, the first lesson, don't ignore reality. Democrat leaders ignored actuarial experts' warnings when they used the CLASS program as a budget gimmick in ObamaCare. President Obama can't create a self-funded, sustainable program that prohibits underwriting unless he intends to force healthy Americans to participate. Most enrollees will be high risk, causing premiums to skyrocket, making CLASS less appealing to healthy Americans. So the first lesson: Don't ignore reality.

The second lesson is simple: Don't break the law. The administration planned to break the law by excluding Americans made eligible by the statute. And when Congressional Research Service attorneys warned of lawsuits, I sent letters to Secretary Sebelius as the Oversight Subcommittee chairman on Ways and Means for her legal authority to make this change. Subsequently, she, and I think rightfully, suspended the program. But this does not correct bad law, a bad statute written into law. And unless we repeal CLASS, the Department of Health and Human Services will be in violation of the law when it misses an important deadline for implementation in October of 2012 and again in 2014. The administration, I think rightfully, doesn't want to break the law, but we need to go further and repeal this; otherwise, they are in violation of the law. And this is not my opinion, this is the opinion of CRS lawyers.

So the first lesson, don't ignore reality; second, don't break the law; and, third, let's not compound our Nation's long-term fiscal problems.

A prominent Democrat and former Congressional Budget Office Director, Alice Rivlin, wrote: ''Since the CLASS program is a new, unfunded entitlement, it should be repealed because it will increase the deficit over the long term.'' Pretty clear statement from a Democrat and former Congressional Budget Office Director.

The President's own deficit commission agrees with this assessment, and our grandchildren simply cannot afford a new budget-busting entitlement when we already have entitlements that we're struggling with.

We need to solve problems. We need to get our budget under control. We need to solve this problem of long-term care, and there are ways to do it. There are many ways to do it. I'm working on legislation. I've got it in draft form. I'm sharing it with fellow colleagues, Democrats and Republicans, on the House Ways and Means Committee.

I believe firmly that we have to do the right thing here, and I urge my colleagues on both sides of the aisle to support this rule. Let's repeal the CLASS program and support H.R. 1173, and this will give us the impetus to move forward on sensible legislation that will actually solve this problem and not add to the deficit.

I believe, beyond CLASS repeal, we should make it easier for disabled Americans to save for their future needs.

□ 1750

We can expand access to affordable, private, long-term care coverage; and we can better educate Americans on the need for retirement planning. There are ways to do this. There are a lot of good ideas on both sides of the aisle. I have already had conversations with Democrats on our committee. Let's solve the problem. Let's not add to the deficit. Let's not put the administration—by its own admission and by the analysis of CRS attorneys—let's not put them in a position of actually breaking the law. That's not a good example to set for the American public.

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

First of all, I just want to point out to my colleagues, in case they may have forgotten, that the CLASS Act was actually debated in the Energy and Commerce Committee. And do you want to know what the vote was? It passed by voice vote. There were a lot of other provisions in this health care bill that did not pass by voice vote where my Republican friends insisted on an up-or-down vote; but on this one, it passed by a voice vote. I want to point that out just so there's no misunderstanding.

The other thing I also think is important so there's no misunderstanding is that somehow nothing in the Affordable Care Act has kicked in. A lot has kicked in already. Blood pressure screenings for adults aged 18 and older, every 2 years for those with normal readings and annually for those with elevated results; cervical cancer screenings; child services, including screenings for autism; cholesterol screenings; colorectal cancer screenings; diabetes screenings; diet counseling; evaluation for depression; immunizations; mammograms, all aimed at encouraging people to get preventative care so that they can avoid some of the debilitating results from not being checked. Those are all being covered under the Affordable Care Act.

My colleagues, over a year ago—over a year ago—it's now January 31—well over a year ago, you brought up on this floor under a closed rule a bill to repeal the Affordable Care Act. And you said, oh, we've got some ideas on how to fix the health care challenges in this country. It's been a year. Nothing. What have we been doing here? Well, we had a very rigorous debate on National Public Radio, something I'm sure everybody is concerned about all across this country.

We had a bill brought to the floor on reaffirming the national motto of this country, ''In God We Trust.'' There it is, ''In God We Trust,'' in gold letters right above where the Speaker sits. It's on the dollar bill. I didn't know it needed reaffirming, but we had to come to the floor and have this debate and vote on reaffirming our national motto.

We had votes on every hot-button issue that you can imagine; but when it comes to things like health care, improving the quality of life for people, we can't find the time. My friends say they have all these great ideas. It's been over a year since you voted to repeal the Affordable Care Act. Do you want to repeal all these new services that are covered, all these tests to help people stay well, and in staying well, controlling health care costs?

My grandmother used to say an ounce of prevention keeps the doctor away. She was right. There's wisdom in encouraging people to seek out preventative-care services. If we can provide those services without a cost to encourage more people to take advantage of them, then more people will stay well, and we will control health care costs in this country.

We're having a discussion as a result of the Affordable Care Act about results-oriented health care, how do we keep our populations better. Not just how we could have the best doctors to do heart surgeries, brain surgeries and all these very complex surgical procedures which we want to make sure we still have the very best in the world, but maybe there are people who can avoid getting to that point.

Already, because of the passage of this bill, more and more people are taking advantage of these screenings. That's a good thing. And my colleagues, every one of them on the other side of the aisle, voted to repeal outright all these things. All these things would have gone away. Senior citizens would be paying more for prescription drugs today if their repeal bill made it through this process. So there are some good things that are happening.

I know it's tough to ever concede that this President has done anything good; but under this, the Democratic Congress, with no help from the Republicans on the other side of the aisle in this House, and the President of the United States, actually, I think, took a step in the right direction. As time goes on, more and more people are appreciating what is covered in that legislation.

So I point that out because my friends on the other side have a tendency to say ''no'' to everything. It's very easy to say ''no.'' You don't have to take responsibility for anything. You said ''no'' over a year ago when you voted to repeal the Affordable Care Act, and you've said ''yes'' to nothing since. Today, you're asking us to join you in saying ''no'' again to the issue of making sure the people have the ability to take care of their loved ones and themselves in the case where they need long-term care. You're saying, say ''no'' to that. And replace it with what? Oh, trust us, we'll get back to you. Don't worry about it. We know what we're doing here. Well, again, it's very easy to say ''no.'' It's more difficult to say ''yes,'' and you've said ''yes'' on nothing when it comes to positive improvements in our health system.

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

(Ms. JACKSON LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON LEE of Texas. Let me thank the gentleman from Massachusetts, and let me thank my colleague from Texas.

This is a very important debate. It brings about a lot of emotion for two reasons for me. In that same year on our debate on Affordable Care Act, I lost my mother, and she was in need of long-term care. As I speak, there are two elderly, senior-citizen relatives who likewise are in the midst of long-term care. They are of a different era. They did not have the opportunity to plan as much because of their economics and because of their station in life for their later life. But as I've watched the intensity of the care, I realize that we cannot make health care a political football.

I remember distinctly that very emotional time in March of 2010, and my recollection serves me not one friend on the other side of the aisle, not one Republican in this House, voted to help save the lives of Americans and provide them with a safety net of health care.

My good friend from Massachusetts has already given a litany of provisions that are already saving lives, from the 26-year-old being on insurance to not being kicked out of the hospital and many others. But let us focus on long-term care, a very personal part of one's life; 21 million people in 2008 had a condition that caused them to need help with their health and personal care. Many of them may be young people who've had serious, catastrophic illnesses and/or accidents. Medicare does not cover long-term services and supports—about 70 percent of people over 65.

But the real point that I want to make is if you want to talk about money, let me tell you how many of the family caregivers or how much their kind of help is equated. Some $450 billion comes out of the family's either personal care or resources. This is not a throwaway. This is not throwing money away.

We recognize that the administration has thoughtfully said it needs to look at this long-term care in order to do it right. So I agree with the gentleman from Massachusetts that this should not be a throwaway; this should be a fix-up. One of the amendments that I had suggested was the idea of letting the Secretary come forward with best practices. For no one can intrude into the most personal time of your life when you are desperately in need, when you are catastrophically ill, or when you have aged to the point that there are people who you need to do the most personal things in life, in essence, to clean you up because of personal hygiene.

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

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

□ 1800

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

Long-term care is needed by a projected 15 million people. As I indicated, chronic conditions, trauma, or illness brings you to this, but the real idea is personal hygiene, getting dressed, using the bathroom. Do you want to put in the sunset of life or in time of great desperation the idea that no one is thinking about how we can best do long-term care? This repeal turns a light out, closes a door, abandons those family caregivers who are already giving $450 billion of their time, their heart, the devastation—Medicaid giving $101 million, but personal is $14 billion.

Mr. Speaker, let's not throw the baby out with the bath water. Let us not, if you will, pass this bill that denies that America has a heart in the most difficult times of Americans. Who would raise their hand and say, I want someone to help me in my personal hygiene, I need someone to help me get to the bathroom, or something even more? This is what we're talking about. This is not the way to do it, Mr. Speaker. I demand that we vote against the CLASS Act repeal.

Mr. Speaker, I rise in opposition to H. Res 522, ''Rule Providing Consideration on the Bill H.R. 1173, 'The Fiscal Responsibility and Retirement Security Act of 2011'.'' This bill would repeal title VIII of the Patient Protection and Affordable Care Act and Supports (CLASS) Program—a national, voluntary long-term care insurance program for purchasing community living assistance services and supports. Title VIII also authorized and appropriated funding through 2015 for the National Clearinghouse for Long-Term Care Information (clearing house). H.R. 1173 would rescind any unobligated balances appropriated to the National Clearinghouse for Long-Term Care Information.

The CLASS Act was designed to provide an affordable long-term care option for the 10 million Americans in need of long-term care now and the projected 15 million Americans that will need long-term care by 2020.

Individuals need long-term care when a chronic condition, trauma, or illness limits their ability to carry out basic self-care tasks, called activities of daily living (ADLs), (such as bathing, dressing or eating), or instrumental activities of daily living (IADLs) (such as household chores, meal preparation, or managing money).

Long-term care often involves the most intimate aspects of people's lives—what and when they eat, personal hygiene, getting dressed, using the bathroom. Other less severe long-term care needs may involve household tasks such as preparing meals or using the telephone.

Estimates suggest that in the upcoming years the number of disabled elderly who cannot perform basic activities of daily living without assistance may double today's level.

CLASS provides the aging and the disabled with a solution that is self-sustaining, at no cost to tax payers.

As the estimated 76 million baby boomers born between 1946 and 1964 become elderly, Medicare, Medicaid, and Social Security will nearly double as a share of the economy by 2035.

Baby boomers are already turning 65. As of January 1, 2011, baby boomers have begun to celebrate their 65th birthdays. From that day on 10,000 people will turn 65 every day and this will continue for the next 20 years.

It is reasonable to assume that over time the aging of baby boomers will increase the demand for long-term care.

Repealing the CLASS program does nothing to address the fact that private long-term care insurance options are limited and the costs are too high for many American families, including many in my Houston district, to afford.

In 2000, spending from public and private sources associated on long-term care amounted to an estimated $137 billion (for persons of all ages). By 2005, this number rose to $206.6 billion.

Individuals 85 years and older are one of the fastest growing segments of the population. In 2005, there are an estimated 5 million people 85+ in the United States; this figure is expected to increase to 19.4 million by 2050. This means that there could be an increase from 1.6 million to 6.2 million people age 85 or over with severe or moderate memory impairment in 2050.

An estimated 10 million Americans needed long-term care in 2000. Most but not all persons in need of long-term care are elderly. Approximately 63% are persons aged 65 and older (6.3 million); the remaining 37% are 64 years of age and younger (3.7 million).

The lifetime probability of becoming disabled in at least two activities of daily living or of being cognitively impaired is 68% for people age 65 and older.

By 2050, the number of individuals using paid long-term care services in any setting (e.g., at home, residential care such as assisted living, or skilled nursing facilities) will likely double from the 10 million using services in 2000, to 26 million people. This estimate is influenced by growth in the population of older people in need of care.

Of the older population with long-term care needs in the community, about 30% (1.5 million persons) have substantial long-term care needs—three or more activities of daily living limitations. Of these, about 25% are 85 and older and 70% report they are in fair to poor health. 40% of the older population with long-term care needs are poor or near poor (with incomes below 150% of the federal poverty level).

Between 1984 and 1994, the number of older persons receiving long-term care remained about the same at 5.5 million people, while the prevalence of long-term care use declined from 19.7% to 16.7% of the 65+ population. In comparison, 2.1%, or over 3.3 million, of the population aged 18–64 received long-term care in the community in 1994.

While there was a decline in the proportion (i.e., prevalence) of the older population receiving long-term care, the level of disability and cognitive impairment among those who received assistance with daily tasks rose sharply. The proportion receiving help with three to six ADLs increased from 35.4% to 42.9% between 1984 and 1994. The proportion of cognitive impairment among the 65+ population rose from 34% to 40%.

INFORMAL CARE GIVERS AND FAMILY

Informal Care Givers and Family are the unsung heroes for those who need longer term care. These care givers are unpaid individuals such as family members, partners, friends and neighbors who provide care. Just imagine for a moment an average family in the United States.

Imagine if the average working couple now has to balance raising children and caring for the needs of their aging parents or disabled adult relative without any additional support. Imagine how caretaking if left unaddressed will impact our workforce.

This is exactly what millions of families face every day. Over three-quarters (78%) of adults living in the community and in need of long-term care depend on family and friends (i.e., informal caregivers) as their only source of help; 14% receive a combination of informal and formal care (i.e., paid help); only 8% used formal care or paid help only.

Although estimates may vary the following numbers of family and informal care givers is still alarming and the numbers will only grow:

52 million informal and family caregivers provide care to someone aged 20+ who is ill or disabled.

44.4 million caregivers (or one out of every five households ) are involved in care giving to persons aged 18 or over.

34 million caregivers provide care for someone aged 50+.

27.3 million family caregivers provide personal assistance to adults (aged 15+) with a disability or chronic illness.

5.8 to 7 million people (family, friends and neighbors) provide care to a person (65+) who needs assistance with everyday activities.

8.9 million informal caregivers provide care to someone aged 50+ with dementia.

By the year 2007, the number of care giving households in the U.S. for persons aged 50+ could reach 39 million.

Even among the most severely disabled older persons living in the community, about two-thirds rely solely on family members and other informal help, often resulting in great strain for the family caregivers.

HOME AND COMMUNITY-BASED CARE

The majority of people, almost 79%, who need long-term care, live at home or in community settings. Less than 21 percent of individuals who need this type of care live in institutions. More than 13.2 million adults (over half younger than 65) living in a community received an average of 31.4 hours of personal assistance per week in 1995. Only 16% of the total hours were paid care (about $32 billion), leaving 84% of hours to be provided (unpaid labor) by informal caregivers.

The trend towards community-based services instead of nursing home placement was formalized with the Olmstead Decision (July, 1999)—a court case in which the Supreme Court upheld the right of individuals to receive care in the community as opposed to an institution whenever possible.

Most assisted living facilities (ALFs) discharge residents whose cognitive impairments become moderate or severe or who need help with moving from a wheelchair to a bed. This limits the ability of these populations to find appropriate services outside of nursing homes or other institutions.

Older individuals living in nursing homes require and receive greater levels of care and assistance. The issue before us today, is how we intend to treat our aging and disabled at a time when they are in need of assistance that will have a direct impact on their quality of life.

Traditionally, most long-term care is provided informally by family members and friends. Some people with disabilities receive assistance at home from paid helpers, including skilled nurses and home care aides.

Nursing homes are increasingly viewed as a last resort for people who are too disabled to live in the community, due to a number of factors, cost being one.

Mr. Speaker, I believe that we must leave the framework that exists in place and work with seniors, families, industry, HHS and others to find a way to make the CLASS Act or an alternative long-term care program work.

NOVEMBER 14, 2011.

Hon. FRED UPTON,
*Chairman, House Energy and Commerce Committee, House of Representatives, Washington, DC.*
Hon. JOE PITTS,
*Chairman, Subcommittee on Health, House Energy and Commerce Committee, House of Representatives, Washington, DC.*
Hon. HENRY WAXMAN,
*Ranking Member, House Energy and Commerce Committee, House of Representatives, Washington, DC.*
Hon. FRANK PALLONE,
*Ranking Member, Subcommittee on Health, House Energy and Commerce Committee, House of Representatives, Washington, DC.*

DEAR CHAIRMAN UPTON, RANKING MEMBER WAXMAN, CHAIRMAN PITTS, AND RANKING MEMBER PALLONE: The undersigned organizations write to oppose legislation, H.R. 1173, to repeal the Community Living Assistance Services and Supports (CLASS) program and respectfully urge members to reject such legislation.

In 2008, 21 million people had a condition that caused them to need help with their health and personal care. Medicare does not cover long-term services and supports (LTSS), yet about 70 percent of people over age 65 will require some type of LTSS at some point during their lifetime. As our population ages, the need for these services will only grow. In addition, about 40 percent of the individuals who need LTSS are under age 65 and LTSS can enable individuals to work and be productive citizens.

Regardless of when individuals may need these services, there is a lack of financing options to help them plan and pay for the services they need to help them live independently in their homes and communities where they want to be. Family caregivers are on the frontlines. They provided care valued at $450 billion in 2009—more than the total spending on Medicaid that year. Private long-term care insurance helps some people pay for the cost of services, but it is not affordable for most, and some people are not even able to qualify for it. Too often, the cost of services wipes out personal and retirement savings and assets that are often already insufficient—as a result, formerly middle class individuals are forced to rely on Medicaid to pay for the costs of LTSS. There are few options for individuals to help them pay for the services they need that could help them delay or prevent their need to rely on Medicaid, the largest payer of LTSS.

That's why we support the CLASS program—to give millions of working Americans a new option to take personal responsibility and help plan and pay for these essential services. CLASS could also take some financial pressure off Medicaid at the state and federal levels—paid for by voluntary premiums, not taxpayer funds. For us, this is about the financially devastating impact that the need for LTSS has on families across this country every day and the essential, compelling and urgent need to address this issue. Every American family faces the reality that an accident or illness requiring long-term care could devastate them financially. This issue affects the constituents of every U.S. Representative. CLASS is an effort to be part of the solution. The CLASS actuarial report established that CLASS can still

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Health & Disability Advocates; Inter-National Association of Business, Industry and Rehabilitation; LeadingAge; Lutheran Services in America; Mental Health America; The National Alliance for Caregiving; National Alliance on Mental Illness (NAMI); National Association of Area Agencies on Aging (n4a); National Association of County Behavioral Health and Developmental Disability Directors (NACBHDD); National Association of the Deaf; National Association for Home Care & Hospice; National Association of Nutrition and Aging Services Programs (NANASP); National Association of Professional Geriatric Care Managers; National Association of Social Workers; National Association of State Head Injury Administrators; The National Center for Learning Disabilities.

National Committee to Preserve Social Security and Medicare; The National Consumer Voice for Quality Long-Term Care (formerly NCCNHR); National Council on Aging; National Council on Independent Living; National Disability Rights Network; National Down Syndrome Congress; National Multiple Sclerosis Society; NISH; Paralyzed Veterans of America; Physician-Parent Caregivers; SEIU; Self-Reliance, Inc.; Services and Advocacy for GLBT Elders (SAGE); United Cerebral Palsy; United Spinal Association; Volunteers of America.

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

You know, the beautiful part of this body and really the historical context of the United States Congress is that people can come down and advocate for things that they see, things that they want. We go through, have hearings, we pass bills. We're not here today to say what's good or bad or right or wrong in terms of how we help people. We're here saying the government cannot make this program work.

To make the program work means that it has to have the underpinnings of an understanding, not just how it will work and who will pay for it, but really, what are the services that are going to be provided? The gentlewoman from Texas was very genuine in talking about the needs of people. I deeply believe in those needs also. But it also goes back to, this administration is the one that is walking away from the legislation, and it does us no good to try and act like, it's okay, we'll just ignore that.

The Congressional Budget Office today released its viewpoint for the coming year, and once again this administration, President Obama, will have a $1 trillion deficit on his hands. The prior record before President Obama had been $459 billion. We are going to be a trillion dollars—again—in the hole. At some point someone needs to recognize we cannot sustain all these great and wonderful ideas because if you cannot pay for something, you have set an expectation of performance that will not ever come true. That is cruel. That is cruel, and that is exactly what this ObamaCare bill and this CLASS Act is all about. It is about substantially telling the American people that something will be there when it never will be there because it's not put together where it's sustainable. The President's own people are saying it's not sustainable. And we as Members of Congress are trying to work with the administration on how it might work, and they're saying it can't and won't.

So the reality base of this is that the Republican Party does recognize the need. I recognize the need personally. I think CHARLES BOUSTANY, Dr. BOUSTANY, who is the sponsor of the bill, recognizes a need. But the way that it is defined and was defined in the Energy and Commerce Committee was, it's a concept and an idea; let's voice vote this or agree that we'll get something back later. The bill was not voice voted. The agreement that they would come back later and look at it was.

In fact, Republicans are not guilty as charged. We are people who primarily go back home every weekend. I've never spent a weekend in Washington, D.C., in the 16 years I've been a Member of Congress. I go back out of Washington and try and go home to listen to people about the concerns that they have. It doesn't take much of a person who goes back every weekend to recognize there are great needs in this country. But to try and put together a program that cannot sustain itself, that offers a false hope and cannot be met, is cruel.

So today, Republicans, without calling anything bad, we're simply saying it cannot be sustained. It cannot be sustained by the government. The government cannot figure out a way to make it work. The managers of the business cannot figure out a way.

So, we've heard today we should hold hearings. We should. We should take up this issue. Dr. BOUSTANY talked about the need to do that, and we're going to. But the way the law looks right now, it's unsustainable, and we should tell the truth about that. And that is what Republicans are on the floor of the House doing today.

I reserve the balance of my time.

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

First of all, I think it's important to make it clear that there was a voice vote in the Energy and Commerce Committee. There were 2 days of debate on this CLASS Act, 2 days of debate. And the language in the amendment apparently was even changed before there was a voice vote. So to somehow diminish that there was some sort of a real vote or not—there was a real vote; 2 days of debate and a real vote.

Secondly, just so there's no misunderstanding, my friends keep talking about the debt and the deficit we face. First of all, as a Democrat, I want to say that I don't need a lecture from my friends on the other side of the aisle about deficits and the debt. We saw how this country went from surplus to deficit with the passage of the Bush tax cuts—mostly for the wealthy that weren't paid for. Every economist will affirm that they brought us into debt. Two, the prescription drug bill—that was much more expensive than my friends on the other side of the aisle told us it was going to be, and then they didn't pay for it on top of it. And then add to that two wars that aren't paid for. We are fighting the wars in Afghanistan and Iraq, and we didn't pay for them. We didn't look for offsets in the budget. They didn't even go to

the American people and say, we're at war, we have to have a war tax, or we have to find a way to pay for the war. No. Soldiers go fight, you know, their families suffer, and we do nothing. So you want to know why we're in debt? That's why we're in debt.

And just for the record, this CLASS Act that we're talking about is not this taxpayer-subsidized, endless government funding type of a program here. I mean, it has to be self-financed by the premiums that people pay who volunteer to get into it. It says in the law that this cannot be funded by the dollars of taxpayers. What this is is a framework, a framework to get us to focus on the issue that we need to address, which is long-term health care in this country.

Now, I'm from Massachusetts, and I may be a little sensitive on this issue because one of my heroes, the late Senator Ted Kennedy, championed this issue. He understood that there was a need out there, and he saw, as we all have seen, what families go through when loved ones can't afford or families can't afford to pay for the long-term care of loved ones. So it took us decades to get here, to get to this point where we have a framework. Yes, it is true: This is not perfect. It needs more work. But we have a framework here. And it's not a framework which calls for endless subsidies by the taxpayers. It says we've got to come up with a program that can self-sustain itself, that is financed by those who want to be enrolled in it. Why would you throw this away? Why would you throw this away?

My friend on the other side of the aisle talks about false promises. Please, give me a break. False promises? You got up over a year ago and said we're repealing this health care reform bill, the Affordable Care Act, and we're going to replace it with something. It's been over a year. Nothing, nothing, not a single thing. You know, it's not like we haven't had time to do it or to talk about these issues or debate these issues. I mean, this has become a place where trivial issues get debated passionately and important ones not at all. National Public Radio funding, we had to debate that on the floor. Reaffirming our national motto ''In God We Trust,'' we had time for that. Issues on abortion and every hot button issue you can think of, including we had a debate on making it easier for unsafe people to bring concealed weapons from State to State to State.

□ 1810

Now, I don't know about Texas or about other countries, but I've got to tell you, people talk to me about a lot of problems and about a lot of things that keep them up at night. Some of the things that you've brought to this House floor never even enter their minds, because what keeps them up at night are things like this:

What happens if I get sick, will I be able to take care of myself? What happens if my spouse gets sick, seriously ill, will I be able to care for her? Will I be able to care for him? What if it's my child? What if it's my mother, or what if it's my father? Will I be able to take care of them over a long period of time? Those are real-life issues that real people worry about each and every day.

So I would say to my friends on the other side of the aisle, first of all, vote down this rule, because I think it is insulting to bring a rule to the floor on the issue of long-term care and say we're going to cap debate at 3 hours. I think this is too important. This is more important than reaffirming our national motto, number one.

Number two, I would urge my colleagues on this side of the aisle, understand that what this represents is a framework and understand how long it has taken us to get to this point. And I've got to tell you, if we throw this framework away, I doubt very much that at any time in the near future this Congress is going to do anything meaningful on the issue of long-term health care.

So let's get serious about dealing with the real challenges that the American people are faced with. Let's not say that this is going to add to the deficit. It's not going to add to the deficit. In the law, it says it has to be self-sustaining; if not, it doesn't work. It says that we are not going to be subsidizing this program. That's what it says.

If you want to get serious about the deficit, you know what? Then make sure Warren Buffett pays the same tax rate as his secretary. If you want to get serious about the deficit, that's what you can do to help us deal with the issue of the deficit. But going after this with all these smokescreens I think is unfortunate.

So I would urge my colleagues, vote ''no'' on the rule and vote ''no'' on the underlying resolution.

I yield back the balance of my time.

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

I think what we've done today is fair and honorable. We've talked about a problem. We've talked about a potential answer. First of all, an answer is that, since we do not have a workable program without bringing it back to the Congress, we ought to work with the administration. I think we've been responsible. But we have heard feedback from the administration, in a hearing, that said, we can't make that program work; we cannot make that program work.

So I think that what we are doing today is the fiscally responsible thing, to end the program, to end a program that is not going to work and was not designed to work, and then start back over, if we choose to, and put it into a workable mode. But only to have a false hope out there of something that cannot be sustained and something that the managers of the government cannot make work is a bad idea.

We've got another trillion-dollar deficit that is facing this country, another $1 trillion. We know who that is. That's Pin the Tail on the Donkey, Mr. Speaker. They are the ones responsible. They are the ones that are happy with that, and they are the ones that try to justify that.

Today we are coming together to find the solution to a long-term care issue in this country by talking about it, doing something that cannot be sustained, and then admitting, as Mr. BOUSTANY did, that we need to do something better. And we should not throw the idea away. Today we are going to vote on something that will do no further harm.

I applaud my colleague from Louisiana, Congressman BOUSTANY, for introducing the bill. I appreciate him coming before us. I respect and appreciate my committee, the Rules Committee, and the gentleman from California (Mr. DREIER) for bringing this debate here in such an open and transparent process. I encourage a ''yes'' vote on the rule.

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

The previous question was ordered.

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.

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

The yeas and nays were ordered.

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

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 6 o'clock and 16 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1830

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at 6 o'clock and 30 minutes p.m.

## PROVIDING FOR CONSIDERATION OF H.R. 1173, FISCAL RESPONSIBILITY AND RETIREMENT SECURITY ACT OF 2011

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on adoption of the resolution (H. Res. 522) providing for consideration of the bill (H.R. 1173) to repeal the CLASS program, 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.

The vote was taken by electronic device, and there were—yeas 251, nays 157, not voting 24, as follows:

[Roll No. 12]

YEAS—251

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berman
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carney
Carter
Cassidy
Chabot
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
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 (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
Kildee
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (CT)
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 (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
Welch
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NAYS—157

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dingell
Doggett
Doyle
Edwards
Ellison
Eshoo
Farr
Fattah
Fudge
Gonzalez
Green, Al
Green, Gene
Hahn
Hanabusa
Hastings (FL)
Heinrich
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Keating
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz (MN)
Waters
Watt
Waxman
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—24

Bono Mack
Brown (FL)
Burton (IN)
Butterfield
Chaffetz
Cuellar
Engel
Filner
Frank (MA)
Grijalva
Gutierrez
Higgins
Hinchey
Inslee
Kaptur
Kingston
Mack
Paul
Pingree (ME)
Platts
Rush
Visclosky
Wasserman Schultz
Young (AK)

□ 1854

Messrs. RAHALL, KUCINICH, AL GREEN of Texas, and MORAN changed their vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 12, 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. Had I been present, I would have voted "nay" on rollcall vote No. 12.

## NOTICE OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 3630, TEMPORARY PAYROLL TAX CUT CONTINUATION ACT OF 2011

Mr. MICHAUD. Mr. Speaker, under rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 3630, the conference report to extend the payroll tax, unemployment insurance, and SGR payments for doctors.

The form of the motion is as follows:

Mr. Michaud 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 section 2123 of the House bill, relating to allowing a waiver of requirements under section 3304(a)(4) of the Internal Revenue Code of 1986, including a requirement that all money withdrawn from the unemployment fund of the State shall be used solely in the payment of unemployment compensation.

## PRESIDENT'S ACTIONS THREATEN OUR NATIONAL SECURITY

(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, last Thursday, the President's plans were revealed to cut almost 80,000 army troops and 20,000 marines. This action will weaken our military's ability to protect us from increasing global threats.

This decision is another prime example of how the President and his administration continue to put American families at risk. Throughout our history, we have learned the consequences of downsizing our military, leading to surprise attacks.

I look forward to working with House Armed Services Committee Chairman BUCK MCKEON to stop the execution of these drastic cuts which will decimate our military capabilities and threaten the security of America's servicemembers.

I would also like to offer my sympathy to the family of Aiken Public Safety Master Corporal Sandra Rogers, who sacrificed her life while on duty Saturday.

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

## TISSUE ENGINEERING AT TEXAS CHILDREN'S HOSPITAL

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

Mr. OLSON. Mr. Speaker, over the past 50 years, engineers, scientists, and clinicians have made amazing advances in the design and implementation of artificial organs. However, despite these advances, the gap between the number of patients waiting for an organ transplant and the number of available organs is widening.

The next great medical breakthrough will come from tissue engineering where organs are grown in a laboratory, in some cases with the patient's own cells, and then implanted.

My wife, Nancy, and I recently visited Texas Children's Hospital, one of the amazing institutions in the Texas Medical Center. By bringing scientists and engineers together who are developing tissue-engineered solutions with pediatric-focused clinicians, they spur more pediatric-focused research. Nancy and I are proud of the innovative work being done at Texas Children's Hospital. We saw firsthand that Texas Children's Hospital is leading the way on the most important component of this research—pediatric tissue engineering, new organs for kids.

Leaders lead, and Texas Children's is leading the way.

□ 1900

## CELEBRATING THE 100TH ANNIVERSARY OF THE GIRL SCOUTS OF THE USA

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today I rise to commend the Girl Scouts of the USA on its 52nd annual convention and its 100th anniversary. Since 1912, America's Girl Scouts have contributed significantly to the advancement of women in our society. For generations, Girl Scouts of America have actively promoted initiatives to help young women develop positive values, a sense of service, and other virtues that turn girls into productive contributors to their community, the country, and the world. Not only that, they've advanced the Nation by instilling courage, confidence, and character that young girls draw on to become leaders and make the world a better place.

Today, there are 3.2 million Girl Scouts—2.3 million girl members and 800,000 adult members working primarily as volunteers—all dedicated to inspiring generations of girls to reach for their goals and discover their full potential.

I want to commend each Girl Scout of each generation for their hard work and inspiring accomplishments, and I wish them well as the organization embarks on the next 100 years of service. Congratulations, Girl Scouts.

## CELEBRATING AMERICAN HEART MONTH

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

Mr. PAULSEN. Mr. Speaker, tomorrow is February 1, and I want to recognize the month of February as being American Heart Month. Contrary to popular belief, heart disease does not discriminate by gender. It is the number one killer of both men and women and accounts for nearly one-quarter of all deaths in the United States.

Every 34 seconds—every 34 seconds—someone in America is stricken by a heart attack, and every 60 seconds, someone in this country will die as a result of heart disease.

As cochair of the Congressional Wellness Caucus, this is an issue that is near and dear to my heart—pun intended, Mr. Speaker. Living a healthy lifestyle is one of the easiest ways to reduce your risk of heart disease. It's as simple as abstaining from tobacco, maintaining your body weight, eating healthy, and exercising every day, along with regular visits to your doctor. We should all do our part to raise awareness, staying healthy and staying heart healthy.

## MAKE IT IN AMERICA: MANUFACTURING MATTERS

The SPEAKER pro tempore (Mr. HARRIS). Under the Speaker's announced policy of January 5, 2011, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, I want to join with my colleagues this evening to take up an extremely important subject. This is about the heart and soul and the opportunity of the middle class of America. This is about, once again, rebuilding the great American manufacturing machine. Through the last century, America came to prominence for many reasons. But one of the most important was that we knew how to make things. This was the manufacturing heart of the world.

Just 20 years ago, nearly 20 million American workers were employed in manufacturing, and that gave rise to the great middle class and the stability of this Nation, and the opportunity for an individual to get an education, go into the manufacturing sector as an engineer or as a line worker and earn enough money to buy a home, take care of their family, and pay for their education—lead and live that good middle class life.

But that was yesterday. Today, we have about 11 million people in manufacturing. We've seen the decline of manufacturing in the United States keeping pace with the decline of the middle class.

It doesn't have to be that way. Tonight, my colleagues and I are going to talk about policies that we can put in place here in Congress—policies that we must put in place—to rebuild the American manufacturing machine. Joining me is Mr. BLUMENAUER of Oregon, Ms. JAN SCHAKOWSKY from Illinois, and a couple other of my colleagues who are coming in a little later.

What this is all about is government policy. We already, on the Democratic side, have taken steps to begin the process of reversing this very awesome and dangerous trend. For example, a year ago December, we introduced and passed a piece of legislation that took away from American corporations over $12 billion of tax breaks that they received for off-shoring jobs. I know it's hard to believe, but they were actually getting a tax break for every job that they off-shored. Those days are significantly reduced. That's just but one example of what we have been working on.

I'd like now to just point out to you this logo. Those of us in the Democratic Party here in the caucus keep this on our desk, and we've got it on our coffee cups, to remind us that it is our mission in the Democratic Caucus to push for legislation to create American manufacturing jobs. And we're going to talk about some of these tonight.

Mr. BLUMENAUER from Oregon, I know that you're very interested in an important piece of this. I see you've got a bicycle on your lapel. Perhaps that has to do with transportation. And I will note that we do have a major transportation bill coming up here in the House later this week, or later, on the new transportation program for the next 6 years. I know you have some concerns about this, so please share those with us.

Mr. BLUMENAUER. Thank you. I deeply appreciate your courtesy in permitting me to speak, and I appreciate your leadership in coming to the floor this evening and focusing on the importance of our being able to make goods and services in this country, particularly manufacturing. There is an element, as you referenced, that is the quickest way to jump-start the economy, that would be the largest source of family-wage jobs and which would tie into a whole host of contractors and subcontractors of people who make equipment operations in this country.

You're right. Our Republican colleagues have offered up a proposal to reauthorize the Surface Transportation Act. I'm pleased to at least see something come to the floor, because the act expired 850 days ago.

The notion of our transportation legislation used to be an area of bipartisan cooperation. It was something that people from both sides of the aisle worked on and came together to focus on how we strengthen our communities, how we put people to work and how we improve the environment, transportation, and mobility. Sadly, one of the casualties of the hyperpartisan environment was this notion that we worked together cooperatively in the legislation. My Democratic colleagues did not see the legislation. At first, I was concerned that they weren't brought in to be a part of this process that I always enjoyed as a minority party member back in the day. But now when we see the legislation, we understand perhaps why it wasn't as open and transparent.

This is a piece of legislation that for the next 5 years is going to dramatically underinvest in infrastructure. It is claimed that it's a $260 billion piece of legislation, but the revenues that they anticipate from oil and gas drilling in the Arctic are ephemeral. CBO tells us it may be 50, so it's going to have a $50 billion to $60 billion shortfall.

□ 1910

It guts environmental protections. It removes the power of local communities to plan cooperatively on this legislation and to be able to make sure that it meets their needs.

It is appalling to me, at a time when we are looking for ways to make things in America, to strengthen the manufacturing base, to move goods and services and put people to work at family wage jobs, that we are seeing a piece of legislation come forward that represents a failure of imagination. It doesn't even comport with what bipartisan commissions from the Bush administration recommended that it be funded at. It loses a chance for us to be able to have Americans deal with the steel, Americans deal with the equipment, Americans putting these pieces together. And over the course of the evening tonight we may be able to perhaps return to this, but I think it's important to look at this failure of vision, failure of will, failure of imagination in a way that's going to dramatically undercut the proposals to make it in America and put Americans to work.

Mr. GARAMENDI. Thank you very much, Mr. BLUMENAUER, and your work on this has been noted for a long, long time. You've been a leader across this Nation on providing all types of transportation well beyond just the bicycle, which you happen to have on your lapel. But this is a very important moment.

This week, this House, in the Transportation Committee, is taking up a long-term transportation bill. You've described all the shortcomings, but I do believe there's an alternative. Now, our colleague from Pennsylvania (Mr. ALTMIRE) would like to talk about an alternative, which is basically the Democratic alternative.

And so, as we look at this transportation bill, is there some way that we can write a piece of legislation that would give us the infrastructure and the ability to move goods and services and people and, simultaneously, enhance American manufacturing?

Please share with us your thoughts.

Mr. ALTMIRE. I thank the gentleman from California for leading the hour and for yielding some time.

I come from a region of the country in western Pennsylvania—the Pittsburgh area and surrounding region—that knows a little bit about manufacturing. And just as important, we know a little bit about the policies that have led to the loss of manufacturing, not just in western Pennsylvania, but in this country; policies that have given a preferred tax treatment for companies that outsource jobs, that transfer physical assets overseas and then can claim a tax deduction for the cost of moving expenses. We understand that those policies have failed. They do not lead, certainly, to job and economic growth. It's quite the opposite. But they do not help America become more competitive in the global economy, which is what this House is debating right now.

And, yes, I do serve on the Transportation Committee, and we are talking about a long-overdue reauthorization of the transportation funding reauthorization.

We also, in western Pennsylvania, we have locks and dams. The roads and bridges that we have are in serious decay. Our waterways infrastructure, just as an example, with locks and dams averages 85 years old. Locks and dams that were built to withstand 50 years before they would need to be replaced are now rated in imminent threat of failure by the Army Corps of Engineers.

On the transportation side, we in the State of Pennsylvania have over 6,000 structurally deficient bridges. And in western Pennsylvania, my region, we have 1,000 structurally deficient bridges. Our infrastructure is literally crumbling around us, and we must do something about it. And that presents a wonderful opportunity for the Make It in America agenda, because when these roads and bridges and locks and dams are rebuilt, we want it to be American workers. And when the American taxpayer pays their tax dollars to fund infrastructure improvements, we want it to be done here in America. And we're going to talk more about that tonight.

I know the gentleman from California understands there's a bridge project, which is leading the discussion on this, across the country. I believe it's a $400 million renovation. The gentleman can correct me.

Mr. GARAMENDI. That's billion dollars, $4 billion.

Mr. ALTMIRE. A $4 billion bridge project. And the American taxpayer is funding the Chinese to give the steel to California to rebuild this bridge. And the infrastructure improvements that are being made, certainly we'll see some benefit, but those are American jobs. And American tax dollars are going overseas for something that could be done better and more cost efficiently here at home.

So I know the gentleman wants to talk about that, but I appreciate his leadership.

Mr. GARAMENDI. Well, Mr. ALTMIRE, you're raising the San Francisco Bay Bridge fiasco, which is one that gets the adrenaline flowing in California because the State of California decided they would put it out to bid. And there were two bids that came out by the same contractor. One was a bid that said the steel would be coming from China and the other was a bid that the steel would be coming from America. So that is not just the steel, but the formation of it and the structure itself.

So the Bridge Authority, in its infinite wisdom, decided to go with the 10 percent cheaper. Well, be careful if it's too good to believe. In this case what happened is the steel was manufactured in China. The bridge sections were welded together there. And it turns out that the welds were faulty; the inspections were faulty; the steel was not up to, and the overruns were well more than the 10 percent savings. Not only that, but you're employing some several thousand Chinese steelworkers. And mills in China are just revved up to get the steel going, and the mills in America shut down and American bridge and ironworkers were out of a job. We cannot let that happen anymore.

And so, as this transportation bill moves forward, one of the key elements in it—and this is being proposed, I understand, by Mr. RAHALL, and I think you want to talk about this in more detail—is that, associated with the program, not only is there more revenue and better in dealing with the issues that Mr. BLUMENAUER raised, but also a very, very important policy that the money will be spent on American-made products.

Please continue.

Mr. ALTMIRE. I thank the gentleman.

And I would just say briefly, I am an original cosponsor of that bill. I don't know that my colleagues are. I presume they're cosponsors.

But it's very simple, actually. All it says is we're going to do this infrastructure. We're going to come up with the resources in this country to rebuild America, to invest in our infrastructure. It's long overdue in this country. And it just says, if you're going to do that, you have to seek out American workers and American products to do that. You have to use manufacturing from American workers to rebuild our infrastructure. It just sounds so simple. And our colleagues listening today and others might be surprised to know that that's not already in the law, that we would have a preference in this country for American workers and American steel and American goods to perform our infrastructure improvements.

Mr. GARAMENDI. Well, that's exactly what we should do.

About 2 months ago, the gentlelady from Illinois spoke on the floor about a history lesson that I was unaware of. I'm not sure she wants to go into that today, but it dates back to the Presidency of George Washington. If she doesn't cover it, I'll remind her and we'll have her cover that piece of it. But I know she wants to jump in here. Illinois, a great manufacturing sector of America, as well as finance and commerce.

Ms. SCHAKOWSKY.

Ms. SCHAKOWSKY. Well, I thank the gentleman not only for yielding,

but for day after day, week after week coming to the floor and talking about something that resonates with every American, that in the United States of America it is time for us to bring jobs home and to have things that we make here stamped with ''Made in America.''

I also want to thank my colleague. Representative BLUMENAUER came to Chicago and convened, oh, it was maybe 100 people from all aspects of the transportation industry, contractors and actual workers, people who made the cement and people who were the engineers and would be involved in his project, Americans who are ready to work.

And, yes, at the very dawn of this country we had an industrial policy. President George Washington made sure that we thought about and created a policy for not only importing from England, who we had just split from, but actually making things. He insisted that the suit that he wore for his inauguration be made in the United States of America. And it wasn't that easy to find that suit, but he did so that he would be wearing something made in America.

Mr. GARAMENDI. If I might interrupt just a second, I'm going to complete the story you told on the floor here just by my memory. If I'm wrong, please correct me.

But he told Alexander Hamilton to develop an industrial policy for America.

Ms. SCHAKOWSKY. That's correct.

Mr. GARAMENDI. So those free traders who say get government out of the way need to go back to the very history, the very beginning of history of this where President George Washington told his Treasury Secretary to develop an industrial policy for America so that we can make it in America.

□ 1920

This is not new. We need policies that do it.

Please excuse me for interrupting.

Ms. SCHAKOWSKY. Understanding the future of this country, that if we are going to compete in a global marketplace, we cannot just be a service economy. We can't just have people working and making beds and flipping hamburgers and selling in retail stores. All these industries, all these jobs could be better jobs if they were better paid.

We need to manufacture things. We are the center of innovation. We can educate our young people to become innovators. In fact, I had a meeting this week with educators and the founder of the Austin Polytechnical Academy where they are teaching young people how to work in advanced manufacturing and the new kinds of steel mills and talking about ownership of those plants.

I wanted to say just a couple of things about what the President raised at the State of the Union address:

So we have a huge opportunity, at this moment, to bring manufacturing back. But we have to seize it. Tonight, my message to business leaders is simple: Ask yourselves what you can do to bring jobs back to your country, and your country will do everything we can to help you succeed. My message is simple. It is time to stop rewarding businesses that ship jobs overseas, and start rewarding companies that create jobs right here in America.

I have a piece of legislation called Patriot Corporations of America that would reward those patriot companies that hire 90 percent of their workers as American workers. They would get tax breaks. They would be able to jump the line for government contracts, and it would be paid for by taking away those tax cuts.

I want to return to the issue of transportation that you raised, that my colleagues Mr. ALTMIRE and Mr. BLUMENAUER were talking about. In fact, we have done something on transportation. My home State of Illinois, along with Iowa, Michigan, Missouri, California, and Washington State, received $782 million, my State did, for the purchase of 33 quick-acceleration locomotives and 120 bilevel passenger cars that will run on rail corridors in our States. Those trains will be designed to travel at more than 110 miles per hour between cities, will follow high-speed rail standards established by State-led Next Generation Equipment Committee. The committee will provide manufacturers with consistent specifications, reducing costs for manufacturers and customers. It is exactly the kind of coordinated government effort needed to address our transportation needs.

Mr. GARAMENDI. Excuse me. That is called the Patriot Act?

Ms. SCHAKOWSKY. No. This is high-speed rail, money that has gone to States.

I want to point out that we hear a lot from the Republicans about how the President hasn't created jobs, which, of course, he has—3 million new jobs, 22 consistent months of private sector jobs. But Wisconsin, I would like to point out, refused to accept the money from the Federal Government for high-speed rail, $810 million to construct a new high-speed rail line between Milwaukee and Madison. As a consequence, a company called Talgo America, which was going to actually build trains in Milwaukee—and the City of Milwaukee invested over $10 million to prepare a facility for Talgo. The company hired about 100 union workers, and 80 percent of those had been out of work for more than 2 years. That factory is going to close down this year because Governor Walker told the Federal Government that Wisconsin did not want the $110 million in Federal investment. We are hoping that that company is going to move to Illinois to build those trains where we are more than willing to move ahead.

What I am saying here is that, in a partnership between government at all levels, Federal and State, and partnerships with private industry, like a company like Talgo, we can create millions of jobs and billions of dollars in economic activity in this country. Why we would see a reluctance, as Mr. BLUMENAUER pointed out, by the Republicans to fill this gap that we have between our need for infrastructure development and the millions of people who want to work, to make our country so much better and stronger and safer so we don't have the bridges collapsing—Mr. ALTMIRE mentioned the thousands of bridges in his State that are not safe. We have thousands of them in Illinois as well. We can do this. We can do this together. Why the reluctance to partner, I can't understand. We can make it in America and America can make it in the world, continuing as a world leader.

I thank you.

Mr. GARAMENDI. Well, don't leave us, because we are going to go around on this subject again.

Mr. BLUMENAUER, you were kind of anxious to jump in with some ideas.

Mr. BLUMENAUER. I really appreciate what my colleagues have focused on.

Mr. ALTMIRE referenced the infrastructure deficit in this country. The American Society of Civil Engineers does a 5-year assessment. The latest assessment gave American infrastructure grades of C, C minus, D, with a total unmet need over the next 5 years of $2.2 trillion just to bring it up to standard.

They have done another interesting study talking about the cost of not dealing with the improvements. Hundreds of billions of dollars of cost are going to be visited upon the American public because we don't bring our water infrastructure up to standard.

I see from my friend from western Pennsylvania that we leak from our underwater pipes in this country 6 billion gallons a day, enough to fill 9,000 olympic-sized swimming pools that would stretch from the Capitol, where we are standing, to my friend's district in western Pennsylvania. We can do better.

The notion of talking about the consequences of not investing in American companies—I appreciate both of you talking about that bridge segment. The $400 million that was invested for an inferior product was money that didn't deal with our manufacturing infrastructure here. It meant not only we were giving money to our competitors, but there were thousands of American workers who didn't have the work and the suppliers and subcontractors that would have been part of the manufacturing chain.

In my district, we are constructing the first American-built streetcar in 58 years. These streetcars are going to be running in Portland, Oregon, in their streetcar system. It is going to be in Tucson, with our dear friend Gabby Giffords in the system she fought for, and in Washington, DC. It is not just that these streetcars are manufactured in Portland, Oregon, but there are dozens of subcontractors' manufacturing operations throughout the Midwest that get components to build as part of this.

It is part of the virtuous cycle where, when we focus, when we invest in making it in America, we are rebuilding and renewing our communities, meeting vast unmet needs that will not just revitalize the economy but make our communities safer and healthier. Remember, each billion dollars that is invested in infrastructure creates 30,000 jobs in America.

We can make it in America. We should start with rebuilding and renewing America.

Mr. GARAMENDI. And the transportation system goes with it.

Mr. BLUMENAUER, you are rightfully talking about the glories of Portland, Oregon; however, I want to bring to your attention that streetcars are now being manufactured in Sacramento, California, near my district. I will not let you get away with boosterism without mentioning my own State and what is happening there.

□ 1930

Now, the reason that both of these plants are operating goes back to a very important action that the Democrats took here in January of 2009. Shortly after President Obama came into office, the American Recovery Act was voted on. I wasn't here at the time, but my colleagues on the Democratic side did. You voted for the American Recovery Act; and in the American Recovery Act, there was a provision for streetcars and rail systems, locomotives, that they be manufactured in America.

The direct result of that—not speaking of Oregon, because I don't know—but in California the direct result of that is that one of the largest manufacturing companies in the world, Siemans, came to Sacramento, built a factory to manufacture streetcars, and now they're producing eight locomotives for Amtrak as a direct result of a specific provision built into the American Recovery Act, the stimulus bill, that said you get the money but you've got to spend it in America on American-made products. That's what we need to do.

Joining me now, I see my colleague in part of the East-West program here, my colleague from New York (Mr. TONKO). Welcome.

Mr. TONKO. Thank you, Representative GARAMENDI. Thank you for bringing us together for a very thoughtful hour of discussion about the need to invest in America's infrastructure.

What I like about the comments made here are that we have the tools within our grasp to make a difference, to invest in the infrastructure, whether it's safety on the highways, whether it's dealing with environmental soundness as an outcome, by promoting public transportation, or by enhancing energy efficiency at our water treatment facilities, which is something I worked on when I was president and CEO in NYSERDA, New York State Energy Research and Development Authority.

But prime in the focus of this investment in infrastructure is an outcome that speaks to the reigniting of the American Dream. We have work to do.

This dream should not be beyond the grasp of Americans, certainly not beyond the grasp of America's middle class. The underpinnings of the support for reigniting the American Dream, embrace small business, which is the pulse of American enterprise that speaks to the moms-and-pops that raised a family based on a business that they developed, and they can feed this plan to rebuild America's infrastructure.

It's also driven by the dynamic of entrepreneurs, the doers, the believers, the dreamers. Those pioneers that made things happen in this country are out there ready to respond to a present-day, modern-day, cutting-edge retrofit of infrastructure in this country.

It speaks to empowering the middle class.

Those three legs of the stool are what reigniting the American Dream is all about. We have work to do. Unfortunately, it's not being done in this Chamber. We need a progressive agenda, embraced aggressively, to bring about an outcome that grows jobs driven by reigniting the American Dream.

I represent a district in the upstate reaches of New York that was impacted in 1987 by the collapse of the interstate highway bridge, brought down by the flood waters of April of '87, equal to the flow of Niagara Falls. We lost, I believe, 10 lives in that incident. We saw what economic crippling occurred in that given region. You could not transport your products, the area lost volumes of visitors, and there was an economic consequence to that failed infrastructure caused by Mother Nature. There are samplings of that around this Nation.

That incident and the data that are assembled based on similar experiences should motivate us, inspire us to invest in our infrastructure. Water, an essential for industry, for residents, water efficiency, energy efficiency as you're dealing with water treatment facilities, can be upgraded in a way that addresses the bigger picture of energy policy inextricably linked to the economic comeback, linked to the grasping of the American Dream.

When you look at a number of our communication and energy retrofits that are required to provide for energy self-sufficiency for enabling cottage industries to be developed in remote places, if you broadband out to those areas, great things can happen.

So, Representative GARAMENDI, my statement is let's reignite the American Dream. We have work to do; and we can do it through small business, entrepreneurs, and a thriving middle class. The thriving middle class is the pulse of the Nation. If the middle class is doing well, America does well.

Any democracy around the world is most effective, most strong if it has a thriving middle class. Let's go forward with the agenda. It's possible. We have the intellect. Let's embrace America's intellect as the intellectual capacity, and let's get it done.

Mr. GARAMENDI. You've used some very, very challenging words for us, reigniting the American Dream.

We have an opportunity. It's this week. This House is going to take up in the Transportation Committee an extraordinarily important bill that speaks to the transportation infrastructure. The way that bill is currently structured, A, it's underfunded—it can only add to the deficit or not fulfill its mission and its purpose—and, B, has nowhere in it requirements that will cause jobs to be in America.

For example, here's what we presently do. We presently use our tax dollars. We send them overseas to buy buses and rail cars and ferry boats and the like. When this bill leaves that committee, and certainly if it were to leave this floor, it must have a make-it-in-America provision so that our tax dollars are spent on American-made equipment, buses, trains, steel, bridges, whatever. Why in the world we would export our money and our jobs is beyond my understanding.

But the bill as presently composed has no make-it-in-America provisions. It can be done. Those ideas have been presented.

I'm going to take just one more second and put up one more of my favorite charts, which happens to be my legislation, H.R. 613. It simply says: ''If you're going to use American taxpayer money to do a high-speed rail or build a bridge or a bus, then it's going to be made in America.''

Mr. ALTMIRE, you were talking about this earlier. Let's reignite the American Dream and build the middle class by making things in America.

Mr. ALTIMRE. I thank the gentleman.

The gentleman leads me directly into what I was going to talk about. I wanted to make a couple of points.

One is we talked about the transportation bill, which we're going to be debating in the Transportation Committee, later on the floor of this House, maybe as soon as next week. Funding is a key issue. We've all referenced funding—where is the money going to come from—and that's a discussion that we're going to have as a country. Justifiably, we've had hours, days, months of discussion and intense debate in this Chamber and in both sides of this Capitol and around the country about spending, about what are our national priorities. Have we been spending money inefficiently? Are there things that we can redirect spending towards or away from, whatever the case may be?

But with regard to infrastructure, when I'm back home and I talk about spending, I talk about setting priorities, and I use the example that any family in America is going to understand, any business in America: if you have a leak in the roof that you discover, that leak is not going to fix itself.

Mr. GARAMENDI. How did you know my problem?

Mr. ALTMIRE. Right. You have to find a way to pay for it because it's only going to get worse if you ignore the problem.

Now, you might say as a family, you know what, we can't take the kids out for that steak dinner. We can't go out to see the movies this month like we were talking about. But we have to find a way to fix this leak because it's only going to get more expensive, it's only going to get worse, and it's only going to create more damage if we ignore that problem.

I talked earlier about the state of our roads and bridges, the state of our locks and dams; and the gentleman's chart shows the first word on that chart is ''airports.'' Our aviation infrastructure in this country is as out of date as any other developed nation on the planet.

□ 1940

Our air traffic control system literally operates with 1950s technology.

One of the debates that we are having with infrastructure and aviation is this NextGen system, which is where we would utilize what has become commonplace everywhere else in the country: the system of satellites and GPS. It just makes common sense. The reason we have such bottlenecks at the major hub airports in the country, which affect everybody in this country, is that even if you don't live in that city, you're affected by it because that plane is going to be coming to your city; and if it's delayed, it affects you. We have those delays worse than anywhere else on the planet because of the state of our infrastructure with aviation and with airports.

It touches every type of transportation infrastructure you can think of—waterways, rail, roads, bridges. It is critically important.

This is a tremendous opportunity for America. In using American workers, in using American resources, we're all going to win from this; and that's why I support the gentleman's plan.

Mr. GARAMENDI. I thank the gentleman from Pennsylvania very much.

It's about jobs, isn't it?

Mr. ALTMIRE. Yes.

Mr. GARAMENDI. At the end of the day, it's about jobs.

Those jobs, if they're in the manufacturing sector, will be middle-American jobs, and it will reignite the American Dream. Men and women can see the opportunity. They can see the opportunity to buy a house, to educate their kids, to take care of their families, to put food on the table. That's the American Dream, and we intend to reignite it.

Ms. SCHAKOWSKY, if you would carry on here, you have more things, and I know you were talking earlier about some of them. So, please.

Ms. SCHAKOWSKY. I wanted to go back to this theme of a robust middle class. It's really in the manufacturing sector. It's really making it in America that built the middle class in our country. Yet there are people—and you hear it all the time—who say, you know what, these jobs are never going to come back. Just forget about it. We're not going to do this kind of manufacturing in America anymore.

Why would that be?

That is a myth that we have to bust. Of course, we can make it in America. We're not going to necessarily see factories where people are doing those kinds of repetitive jobs, and we don't want to see those dirty smokestacks come back. It's the vast manufacturing, the manufacturing for the 21st century and beyond, of clean jobs and of creating energy-storing batteries that we need and that we can export all around the world—the wind turbines that need to be built all over the world. Those innovators are here. Instead of turning it over to some other country—to China or some other country—to then make the stuff or create the supply chain, we should make it right here. With transportation costs going up as they have been, it's actually becoming economically advantageous to make it in America. That's why manufacturers are actually coming back, and we want to encourage that at every step.

So the idea that somehow making it in America—factory work—is passé is absolutely wrong. That's what the Democrats have been saying, and that's what our Make It in America agenda is all about, that we are going to be the creators, the thinkers, the engineers, the factory owners.

And do you know what? We actually have a succession problem in the factories that we have right now. Instead of thinking, in order to make it, you have to go into the financial sector, where absolutely nothing is made, we have to encourage our young people: go into business, the business of making things. Start figuring out how you can be a leader in a manufacturing plant, in the manufacturing process, which is going to lead this country in the 21st century.

It is all there, waiting for us, if government will be a partner, not just creating the jobs but partnering with the private sector to make it all happen.

Mr. GARAMENDI. That history of partnership goes back to the very first President of this Nation. George Washington set up an industrial policy: Mr. Hamilton, Go out and develop an industrial policy because we're going to make things in America.

So at the very earliest day of this Nation, government and the private sector became partners to make things in America and to make a great manufacturing sector.

Ms. SCHAKOWSKY. President George Washington knew if we didn't do that, that we would not see the United States of America becoming a world leader or even putting its own people to work and being able to grow.

Mr. GARAMENDI. Mr. TONKO, a few moments ago, you talked about reigniting the American Dream. So how are you going to do that?

Mr. TONKO. I think there are a great number of things that we need to invest in in order to make it happen; but let me preface that response with a description, if you will, of the 21st Congressional District.

As I stated earlier, we are a chain of mill towns given birth to by the Erie Canal. The waterways of the 21st Congressional District can easily be defined as the ink that wrote the history of the Industrial Revolution. They were the gateway to the Westward Movement. What you had there were ideas from people working in factories, oftentimes the immigrant patterns entering this Nation, the very first stages of immigrants. So that American Dream was ignited there in a scenario that was very much deemed rags to riches. People came here with nothing but an idea and the hope to build for their families. They provided the fuel that created the Industrial Revolution, and so America became this promised land.

Our best days lie ahead of us. We, as a sophisticated society, based on our humble roots, developed some of the primary products that are now manufactured in other nations; but we need, as a sophisticated society, to step up to the plate and do those product deliveries now that are not yet on the radar screen. We have it within our intellect to be able to do that; but when it comes to the infrastructure, we need capital; we need physical infrastructure; and we need human infrastructure. That's what we're looking to do with our Make It in America agenda, produced by the Democratic Caucus in this House, and we need action on these legislative items in order to make things happen.

Let me just close with this statement for now.

My district was ravaged by storms this past August. In late August, we were hit with Irene and Lee, and the infrastructure was devastated. People lost homes, homes that were entirely swept into the waters. People are still repairing homes that we hope will be recoverable. The infrastructure needs of taking a navigation channel like the Erie Canal and retrofitting it for flood design purposes so that it can be there as flood control infrastructure is an enormous mission. It's not just the engineers and the teams of construction workers who will put this together. You will need hydrogeologists to determine what the best patterns are. If we're going to simply build bridges at the same height and at the same span as currently exists when all the forecasts are that you're going to have greater amounts of water flowing, based on historic data now that are available, then that is foolish government. We need smart government. People want thoughtful government.

There is a way to embrace a recovery for these flood-torn areas and to rebuild their infrastructure by reaching

to all elements of manufacturing and intellect that can build an agenda, that builds this Nation—and that is going back to our pioneer roots, to a rags-to-riches scenario that is driven by the initial American Dream. We need to reignite that American Dream. We need to do it with innovation, education, higher education, and research, research into how best to do things so that we are ahead of the curve, not constantly reacting to issues with a Band-Aid approach.

Mr. GARAMENDI. We have work to do.

Mr. TONKO. We have work to do.

Mr. GARAMENDI. We need to put these things in place.

Let's see, we've had the Northeast, New York. We've had the Midwest. We've had western Pennsylvania. How about Texas? Let's go to Texas.

SHEILA JACKSON LEE, thank you for joining us tonight.

Ms. JACKSON LEE of Texas. It's a pleasure to join the gentleman from California and my colleagues from the great State of Oregon, the great State of Illinois, and the great State of New York. I heard earlier this evening that it's okay to say happy new year up until the end of January, which happens to be today; and I certainly wanted to start the year off right by joining you again and really pleading with our colleagues.

I just want to briefly talk about what my good friend from New York mentioned with regard to reigniting the American Dream, which I am zealously advocating, really, across my State and across the Nation; and I am adding to that: building ladders and removing obstacles.

I also see the work of the gentleman from California as really focusing in on an age-old problem. I want to call up a dear friend who is the former chairman of the Transportation Committee, Chairman Oberstar.

□ 1950

Just a few years ago he watched his own community have a horrific incident that many of us in America continue to be shocked at, the collapsing of a bridge, the literal collapsing of a bridge and, of course, there was loss of life, devastation and fear, and an economic loss for people who could not be connected. That's not the America we know and love.

So why this is so important—and let me just suggest that there are so many variables—there are thousands of soldiers coming home from Iraq who are willing to sacrifice their lives for us, and those who have come back are now seeking opportunity. That's another component of individuals who want to work, although this administration, this Congress has been excellent in veterans preferences and seeking to employ them.

Every one of them will say they don't want a handout. They have been able to do massive work overseas that gives them the skills so they could be engaged in the reconstruction, the infrastructure work of airports, highways, high-speed rail, trains and transit, and we can give them the opportunity of reigniting the American Dream.

We know that what we must do is build on the working class and middle class. We must build on opportunities for young people who may choose a 4-year college, but as the President said last Tuesday, may choose a community college that gets them into job skills. So most economists will say that this is not a time to be, in essence, Scrooge.

When times are hard, you invest in human capital. And as someone who represents one of the largest airports in the country, George Bush Intercontinental Airport, and is also in a community that has Ellington Airfield and Hobby Airport, it is truly key to be able to work on the infrastructure. As someone who comes from the coastal areas—and I want to present to the gentleman my legislation that talks about deficit reduction and restoration of coastal areas using the energy industry—but looking at it from a positive sense, all dealing with manufacturing, because manufacturing does matter.

Let me just say this in conclusion: Our friends or those who want to speak negatively are absolutely wrong that we don't have the genius of manufacturing. In fact, I can document that factories are coming back to America, that the high cost of labor for our friend and sometimes challenging ally, China, is going up, that the cost of having factories there is difficult, and there are obstacles such that now our American companies who are even thinking of going are looking at the agility of the skills of American workers.

You cannot underestimate the genius of American workers, the enthusiasm of American workers, the willingness to go into factories, the ability to build them, and I take on anyone who has suggested that our logistical or supply chain does not work. Frankly, let some of our military personnel who are now coming back, who are going into civilian life, let them show you how to do a logistical supply chain.

So I believe that manufacturing is here to stay. Just a news clip today talked about an individual who, with tears in his eyes, was talking about bringing back manufacturing of furniture in the Carolinas. I think in this instance it was North Carolina. He was excited. He was emotional about the fact that his father had left him this legacy. He was bringing it back.

Despite some of our friends who are talking about they can't make certain iPhones here in the United States, I frankly believe that our technology sector is alive and well, and that we're going to be building more, and certainly the infrastructure begs out, in tribute to our dear friend, Chairman Oberstar, and many others who have talked for years, as I joined him, and as I join my colleagues, to say that I believe we live in the greatest country in the world. I believe that there is nothing better than reigniting that American Dream, and I believe that once we move the obstacles and build the ladders, we'll be building airports. We'll be talking about high-speed rail.

Thank you to this administration for not abandoning it. We'll be doing the trains, we'll be doing the infrastructure, and we'll be putting people back to work. I can't imagine a better way to start off the new year.

I must leave this in tribute to a pastor's words I heard on Sunday: 2012 will be the year of uncommon favor. That's because we are not going to give up on the American worker and this great Nation.

I thank the gentleman for coming to the floor and allowing me to share with him.

Mr. GARAMENDI. Ms. SHEILA JACKSON LEE, thank you very much for once again joining us in these dialogues and how America can make it. Certainly if we make it in America, we'll be well on our way. Manufacturing does matter.

Just this last weekend I was in one of the small communities of California, the town of Colusa, very small, 6,000 people. There was a General Motors-Chevy-GMC truck dealer that came up to me—it was a crab feed—and we were chatting, and he came up and he said, I just want you to know that I'm still in business.

I thought about that, well, that's a strange way to start a conversation. I'm still in business. And I said, it was President Obama that made a very courageous decision to bail out General Motors, and in doing so, not only does General Motors survive, but maybe tens of thousands of the supply chain manufacturers survived. And way off in California, a little town, up in the Sacramento Valley, an auto dealer said, I'm still in business.

He would have been gone, along with tens of thousands of other manufacturers and hundreds of thousands of jobs, if President Obama, together with this House, with the American Recovery Act providing the money, President Obama had not stood forward and said, I will not allow General Motors and Chrysler to die, not on my watch. Those two companies are now in business and profitable.

There is a partnership that needs to exist through time, beginning with George Washington and carried through, as you described the Erie Canal which was, what, 30 years after that, a partnership of business and private sector working together to create opportunity, to create the American Dream. Our task is to reunite it.

Mr. TONKO, why don't you pick it up.

Mr. TONKO. Representative GARAMENDI, thank you again for bringing us together.

But when you speak to the history of the Erie Canal, it was devised because of economic tough times. This Nation was struggling at the moment, and we responded by building. We didn't walk away and cut our way through; we

built our way to opportunity and prosperity.

And so as we look at the present moment, reigniting the American Dream begins with those underpinnings of support, investing in capital infrastructure so that there are the dollars available for research and retrofitting America's business community, its manufacturing base, which was for far too long ignored. It also requires the investment in human infrastructure. It is totally unacceptable to develop jobs in our Nation that will grow as we develop automation with advanced manufacturing, to not invest in the nurturing of skill sets within the American worker, totally unacceptable to not do that.

So I tell people now, as we tour with our roundtables on manufacturing, that there are thousands of jobs across this country waiting to be filled because there is an automated process that has been engaged in for manufacturing. And I have, at my community college base, training that is done for automated manufacturing.

I have within my technical 4-year college base and grad school base in the region—RPI and Hudson Valley Community College come to mind. But they allow, through incubator programs, to develop automated response to a particular manufacturer that we visited, Kintz Plastics. And Win Kintz reminded us that he has now been able to compete internationally by not necessarily doing it cheaper but smarter, and that's what the tools we require here are all about.

It's putting the capital, human, physical infrastructure demands into working order so that we're realistic about providing hope to America's working families, all by reigniting the American Dream. And yes, Representative GARAMENDI, we have work to do. Let's do it in this Chamber.

Mr. GARAMENDI. Mr. TONKO, thank you very much for your leadership and your steadfastness on this issue of rebuilding the American middle class. The President spoke here less than 2 weeks ago on the issue of manufacturing, on the issue of jobs and making it in America. We need to follow up with that.

We have an opportunity this week, and I would ask my Republican colleagues to pay attention to what we're saying here, in the transportation bill that should be marked up, put together in the Transportation Committee, there is an enormous opportunity to put in place policies that allow the American manufacturing sector to thrive as we spend our tax money on infrastructure issues, on buses, on trains, highways, and bridges. All of those essential transportation needs we ought to couple that with the notion that that money must be spent on American-made equipment.

□ 2000

It's a simple concept, but it is so powerful and it will create jobs, and that is our task, to reignite the American Dream, to put in place all of the ladders so that the middle class can once again succeed, eliminate the barriers that exist and get on with building America. Make it in America so that America can make it.

With that, Mr. Speaker, I believe my hour is nearly up. I thank my colleagues for joining us, and I turn this over to our Republican colleagues and hope that they will be responsive to our plea that we use the transportation bill to make it in America.

I yield back the balance of my time.

## REGULATIONS STIFLING AMERICAN ECONOMY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. CARTER) is recognized for 60 minutes as the designee of the majority leader.

Mr. CARTER. Mr. Speaker, that was an interesting conversation we just heard. I was very impressed by that. And I agree, we need to expand infrastructure. Everything that was said there is important.

You know, I've been talking on the floor of the House about regulations recently; and as I listened to my Democratic colleagues talk about infrastructure, I was reminded that we have a bunch of new regulations on cement that are going to drive our cement industry out of the country. It's going to be a little tough to build bridges without cement. We have moratoriums on oil and gas. Asphalt is made with oil, so we need to think out these projects as we go forward.

Today I'm going to talk about some regulations, and I'm very grateful to be joined by numerous of my colleagues; and we are going to be talking about some new regulations that are going to attempt to be imposed upon an industry that is struggling and will, quite honestly, be a setback, in my opinion.

I'm going to start off by recognizing Mr. GUINTA and letting him tell us his comments on the subject of the new 54-mile-per-gallon rules that are being proposed for our automobiles.

Mr. GUINTA. I thank the gentleman from Texas, and I thank you for your hard work in trying to protect small job creators, not just in your State but all across the country, in your proposal and amendments and legislation to try to address what I think is an unjust, overregulated approach to negatively affecting not just the auto industry but also the consumer.

Earlier last year, the EPA and California regulators, of course under the guidance and direction of President Obama and his White House, proposed the most expansive regulations ever on the auto industry. Estimates suggest that the cost will be $157 billion. This is at a time, I remind you, when we have a debt and deficit of about $16 trillion and $1.3 trillion to $1.5 trillion, respectively. This is not a time when this administration should impose greater oversight, greater regulatory challenges to job creators in America.

I want to remind those who are listening, as I take a look at an article written in The Wall Street Journal back in September of last year, September 14, it talks specifically about this piece of legislation and how new cars and light trucks would have to increase their fuel economy to 54.5 miles a gallon. And the White House officials actually commented in that article. They commented that the proposed fuel efficiency target could raise average vehicle prices by about $3,000. This administration acknowledges that their overregulation will increase the cost of an average vehicle by $3,000.

Now, if you think about that, when an individual goes to purchase or lease a vehicle, they sometimes use a 3-year window, maybe a few more months, 39 months, and I find it interesting that we are about to extend the payroll tax for the balance of the year, which would give the average American $1,000 back in their pocket. And the Obama administration would like to take that $1,000 from the consumer pocket and put it back into the coffers of the Treasury.

I find that bad public policy, to say the least, not in the direction of trying to reduce our debt and deficit and have a pro-growth economy, and I think it stifles the auto industry. And most importantly, it stifles small business owners across the country.

I just want to share with you, briefly, statistical information about this industry in my State of New Hampshire. We have about 800 different businesses within this industry; 25,000 employees in New Hampshire, alone, that would be affected by this regulation.

I'm concerned about the job loss around the country. I'm concerned about small business owners having access to capital, being able to continue to survive through this down economy. And I'm concerned about those employees who work for those job creators, our friends and our neighbors. They're not Democrats or Republicans or Independents. They're Americans, and they're demanding that this Congress stop the regulatory oversight from President Obama and his administration and the EPA. We are trying to do that on behalf of the American public. I think it is a smart way for us to give back to not just the consumer but the job creators who we so desperately rely on for a pro-growth economy.

The final point that I would like to make is that, in addition to the $3,200 estimated increase in the cost of the vehicle acknowledged by the President and his White House, this regulation would also essentially take the $15,000 vehicle out of existence. We would not be able to, as consumers, access an affordable vehicle for ourselves or for anybody who's purchasing a vehicle, for that matter. The very middle class that our friends on the other side of

the aisle talk about preserving and protecting are being targeted by this regulation.

It's time that the country hears more about how this administration chooses to take money from one entity and give it to another. They're taking money from hardworking Americans and putting it in the coffers of the Treasury so they can expand the size and scope of government.

The people of New Hampshire have had enough. They've sent me here to fight for those middle class families, those hardworking job creators who in New Hampshire provide 25,000 jobs in this industry. And I will continue to work with you and anybody else in this body who shares the opinion of enough with regulation. Let the free market work. Let the consumer win for a change.

I thank you for yielding to me and, again, I look forward to working with you on future legislation that you seek to address on the floor of this House.

Mr. CARTER. I thank you, and I agree with absolutely everything you've said. I think it's a real eye-opener to realize that we sit here and we have a State of the Union address where the middle class was referenced, I don't know, a dozen times probably, how it is all about the middle class and how we are going to do things for the middle class. I guess we can start off by saying that the first thing we are going to do is raise the price of a car for you by $3,200, not because we have to, not because it fits our plan of coming up with fuel standards, which we had in place before the EPA in California interfered, no. We're going to do it now even though it was supposed to be 3 years from now that we start looking at these standards, and we're going to take $3,200 out of your pocket when you buy that first car. That doesn't seem to be looking out for the middle class.

I think this House ought to be looking out for the middle class. I think they ought to be looking out for the buyer. I think we ought to realize that in a time when we have an industry which we had to pour literally billions and billions and billions of dollars in to save—and we've done it. We've got it, at least we hope, back on its feet—and then all of a sudden we impose standards upon that industry which, quite honestly, will probably harm them, you raise the price of your product $3,200 that you weren't expecting to raise, you're not ready for that kind of problem.

□ 2010

Finally, and most importantly for Texans, the pickup truck capital of the world, I'm told this will eliminate SUVs and pickup trucks. And them's fightin' words where we come from. So that's the other thing that we ought to be concerned about. The lifestyle of Americans is going to be changed by requiring standards that some certain vehicles, quite honestly the engineers tell us, just can't get there. We're not thinking these things out. We're too busy. There's too many people around this town that are too busy trying to get the government in control of your entire life that they're not thinking out what they're doing. Thank you for your comments.

My co-partner of sorts from Ohio (Mr. AUSTRIA) is here. He and I have been in this battle a good while, and we have done some stuff on the Appropriations Committee to raise this issue. We've got folks who came here ahead of you, but we're kind of co-chairing this thing, so you can make an opening if you would like, STEVE.

Mr. AUSTRIA. I thank the gentleman from Texas for yielding, and I thank Congressman CARTER for his hard work and commitment with this very important issue, in addressing this very important issue that directly impacts hardworking Americans. Judge CARTER and I have worked on an amendment together in committee to try to stop these duplicate government tasks that are going on right now. And I think you've done a good job in articulating the importance of having that amendment.

I can tell you, Judge, I fly home every weekend to Ohio, back to my district, number one, to be home with my family, but also to be out in the district and get what I call my reality check, to talk to the hardworking Ohioans, the small businessowners and farmers. And like many other Members of Congress, I do town halls, and I attend different events and meetings.

What I do hear from those hardworking families and those small businesses is that, number one, we have got to stop this out-of-control spending. And part of that includes wasting hard-earned taxpayers' dollars because of duplicate services that are going on with different agencies in the government; and, number two, we've got to get government out of the way. We've got to stop these unnecessary, burdensome regulations that are hurting small businesses and that are killing jobs.

Back in 1975, Congress, this body, tasked NHTSA, the National Highway Transit Service Authority, under the Department of Transportation, that agency, with the task of setting those standards. And those standards were called the Corporate Average Fuel Economy standards, or the CAFE standards. And they were enacted, again, in 1975 with accountability and transparency with Congress to gradually and responsibly increase the fuel economy in America. And they've been reinforced and raised by Congress repeatedly, as recently as 2007.

And what we saw shortly after this administration came in was that EPA expanded its authority to start setting its own standards. And then they expanded it even further allowing California to create its own State standards. And what's happened here is we've created duplicate services, wasting taxpayers' hard-earned dollars creating the most expensive regulations ever. You get three different agencies sometimes setting different standards, creating uncertainty in the auto industry, and raising the cost of vehicles for hardworking families to pay for this, hurting our small businesses and killing jobs.

Last year, we saw the EPA, again without authorization from Congress, propose rules to regulate the fuel economy of cars and light trucks for model years 2017 to 2025. This is last year, in 2011 they're doing this. They increased the required average fuel economy over 54 miles per gallon. Because the EPA is not accountable to Congress for this, because they don't have any substantive guidance on how to create these regulations and they don't have to follow the same rules that were put in place, they're not required to take into account factors like job losses. We're going through one of the most difficult economies we've seen in decades. Unemployment is at one of the highest levels it's been, and they don't have to include job losses or consumer demand or safety. It became very apparent to myself and many of our colleagues that these regulations are out of touch with the American people. They're out of line with Main Street, USA, with small businesses that are the backbone of this economy. And in some cases, they're irresponsible.

I was proud to join you last July in offering an amendment during our full committee consideration of the Interior, Environment and Related Agencies bill that simply just put a 1-year time-out on the EPA's rulemaking process so that Congress and our constituents could have time to determine what's the most responsible path here to move forward. And the amendment also prevented the EPA from granting permission to California to create their own regulations, State regulations, that would lead to an impossible patchwork of State laws. So what this could lead to is, think about this, if you have an activist State, they could actually hijack Federal policy with regulations they're putting in place.

Our amendment was included in the Interior appropriations bill. It was reported out of committee. I joined you again in October, Judge CARTER, in sending a letter to the committee, along with 64 of our colleagues, bipartisan support on this, encouraging that this amendment be included as part of the final appropriations package that passed last year.

Unfortunately, this administration and their allies in the Senate, the Democrat majority, blocked this commonsense amendment, leaving the EPA with the authority to go out and continue to move forward with this harmful and ill-conceived rule.

I think the facts are, and you pointed this out, number one, it's the most expensive regulation ever on the auto industry, $210 billion in new regulations. It's going to raise the average cost of a

vehicle for a hardworking family by roughly $3,200. It's going to regulate cheaper vehicles that are under $15,000 pretty much out of existence. And the EPA has already wasted over $24 million creating these duplicate regulations.

This is out of control what's happening right now. It's a waste of the taxpayers' dollars. And we have to, at some point, understand what's happening here. We're accountable for the taxpayers' dollars. We have to ensure that the way things are being done are being done properly. The EPA, again, has already spent 24 million, as I mentioned, on these duplicate services with the largest budget deficit in history. Congress and the administration should focus on eliminating the duplicate government programs and protecting the taxpayers' dollars. The redundant regulations of the fuel economy by the EPA is simply just a magnitude of the government waste that we're seeing today.

With that, Judge CARTER, I appreciate, again, your leadership on this very important issue. I know we have a lot of Members here to speak on this.

Mr. CARTER. I would now like to have you hear from my colleague from Virginia, SCOTT RIGELL, who has been waiting to talk. I learned in a conversation before we started here tonight he's been in the car, the automobile business, and so he brings a good perspective to this conversation.

Mr. RIGELL. I thank the gentleman for yielding and bringing this to our attention. It's a critical matter facing our country. It has a direct impact on job creation, and I regret the way it's headed. That impact is adverse. And so we rise tonight, I believe all of us do, in defense of the folks who would be most directly impacted by it, the folks who are producing our cars, the folks who are selling and servicing our cars and the related industries.

I come to this body, and I know we all do, regardless of political affiliation, with the idea that we are first Americans. And I always try to find where do we agree. I start out tonight thinking we surely agree that it's a good idea for fuel economy standards and performance to increase over time. We share that with our colleagues on the other side. Yet that is also regrettably the point of demarcation because there is a sharp contrast, I believe, between where the administration is headed with this.

This is yet a third level of regulation on an industry that is already highly regulated. The Department of Transportation, the State of California itself, and now, and I believe unwisely so, the administration is allowing, in fact, encouraging the EPA to inject itself into this. There are multiple flaws in this path that I believe the administration is on through the EPA.

□ 2020

I just want to touch on one, Judge. Because as you noted, I've had the privilege of being in this great industry for a long time. Since I was about the age of 23, I've had the privilege of being a retail automobile dealer for about 21 of those years, and through our organizations had the great pleasure of retailing over 100,000 automobiles in our market and have spent a tremendous amount of time on the sales floor.

You know, we know this instinctively, that as the price increases, demand will drop. Now, this may be, I think, some noteworthy news to some who are in the regulatory business here, but an additional $30 a month, I've seen it oftentimes, it becomes the stopping point for families, and rightfully so. As they try to live within a budget, $30 a month—$1 dollar a day you could say—that is in and of itself enough for a family to make a different purchasing decision. The math is pretty easy. With over a $3,000 increase in a vehicle over 60 months—I think my math is pretty good here—it would be at least $50, not to include interest, on a monthly basis. So on the margin we would see in dealerships across this country decisions to not buy cars. The higher the price, the fewer the buyers.

Now, that which seems so obvious to us—let me read from the regulation itself here. The administration's proposed regulation states: ''Since the impact of this proposal on sales is unknown and sales have the largest potential effect on employment''—here's the point of note—''the impact of this proposal on employment is also unknown.'' Judge, I'd submit to you tonight, well, the EPA and the Obama administration may not understand the impact of these regulations on employment, but I do. I think the American people do. Sales go down, employment follows. The only thing that increases is the pain, real pain and suffering, of American families on the margin. Some employers have to tighten up, some manufacturers have to tighten up because of the decreased demand.

So Judge, I stand with you tonight. I applaud your leadership in this matter. And I hope that the EPA will reconsider—in fact, come to a full stop and allow the CAFE standards that have been in place since 2007 to guide us going forward. They're doing a good job. Manufacturers are improving in their fuel economy standards. It's a wise course of action to stay where we are. And I thank you again for your leadership.

Mr. CARTER. Reclaiming my time, and thanking my colleague for his comments—you know, we're talking this whole year of how we're going to get this economy back on its feet, how we're going to put people back to work, how we're going to make our decisions make sense to put people to work and make our economy grow. And I'm concerned, where we already have the NHTSA—or whatever it's called—setting these standards, we had CAFE standards established—gosh, that's 8 years ago—with a plan to study on down the road, looking at the economic consequences and the job consequences, as well as the environmental consequences. And the EPA chose to make a decision based solely on their global warming view of the world and not take into effect the job—in fact, they say in their statement, we don't even know what the job consequences are going to be, and we don't know what the economic consequences are going to be. And we don't know if you can sell a car, $3,200, but we're passing this regulation anyway. That's not the kind of decisions we ought to be making around this place. So I really thank you for raising those economic points, Scott. It helps a lot.

The next person I believe was here, ALAN NUNNELEE was the next one. I yield to my good friend from Mississippi.

Mr. NUNNELEE. Thank you, Mr. CARTER, for yielding.

Mr. Speaker, I have to confess, when Judge CARTER started talking about Texans loving their pickup trucks and the EPA coming to take our pickup trucks away, that got my attention. Because the judge would know that while Texans love their pickup trucks, the only reason that you love them more is because there's more Texans than there are Mississippians. I love my truck as well, and I don't want anybody to come get it.

The EPA, California regulators, and the Obama White House have combined forces to show how far the left will go. They'll use any means at their disposal to ram through its liberal agenda. I'm convinced that this administration is driven by a radical environmental agenda, and that this environmental agenda will use the threat of allowing California to impose its own set of regulations as a way to strong-arm auto manufacturers into going along with the new and unnecessary fuel economy standards. As has already been described here tonight, Mr. Speaker, this action would drive up the cost of a vehicle by an average of $3,200.

Now, my concern is that young family in Mississippi that's trying to make it on their own, that needs to go out and purchase a new vehicle. For that young family, $3,200 is a lot of money. My concern is the senior citizen that needs to go out and purchase a new vehicle, and they're trying to make ends meet on a limited income. For that senior citizen, $3,200 is a lot of money.

Also, my concern is for those manufacturing workers in Mississippi that are making vehicles tonight. And when the cost of those vehicles goes up by $3,200, common sense says there's going to be less demand. And we've got automobile manufacturers and their suppliers that are a vital part of Mississippi's economy.

Now, Congress has granted sole authority to regulate fuel economy to the Department of Transportation. And all this proposal is is a backdoor attempt to implement cap-and-trade. But there's even a larger issue here. The

larger issue is about a President and the ideology he represents being obsessed with expanding Washington's control over every facet of our life. They've dictated what kind of light bulbs we use. Now they're trying to say what kind of vehicles we drive, what kind of health insurance we purchase, whether you can be forced to provide medical services that even violate your religious beliefs. Their attitude is that regulators know more about what families need than individuals.

Mr. Speaker, it's time to stand up. It's time to say no more. When they're coming for my pickup truck, the answer is ''no.''

Mr. CARTER. I would now like to recognize my good friend, STEVE PEARCE from New Mexico, Texas' good neighbor to the west.

Mr. PEARCE. I thank the gentleman for yielding, and thanks for his leadership on this work.

To adequately assess exactly what the effects are going to be of increasing the CAFE standards from 35 to 54 miles per gallon requires that we take a look at the increase that we had just in 2007, the increase that moved us to 35 miles per gallon. We had testimony that declared that at least one auto manufacturer would go out of business, would file bankruptcy if that law was actually implemented. That was because we do not have the technical capability to enforce and to build the vehicles that would take us to 35 miles per gallon. In order to reach that objective then, the auto manufacturers were going to have to arbitrarily price their lower mileage vehicles—they raise the price on them to drive demand down. That is, they'd sell fewer. It's not that we're actually increasing the mileage; it's that we're selling fewer of the larger vehicles, vehicles like pickup trucks that are used in the oil field, on ranching operations. So we wanted to depress down the demand for them while simultaneously adding stimulus to the lower cost vehicles. Now, the problem with that for a business is that the profits are made from those vehicles that are like pickup trucks and the SUVs.

So this government was in the process of mandating that the manufacturers would build fewer of the high-profit vehicles and more of the low-profit vehicles. That's the only way they could comply with the government standards. And it was therefore going to decrease profits enough to put at least one of the manufacturers into bankruptcy. As it turned out, two of the three manufacturers in America filed for bankruptcy, two of the three.

□ 2030

The taxpayers went in and had to bail them out.

When the President in his State of the Union last week talked about not bailing out companies, he spoke out of the other side of his mouth later in the speech by saying that the company we bailed out in General Motors was such a great success. It is not a great success when taxpayers have to subsidize the processes declared by the U.S. Government. If that is what happened when we moved the mileage from 20 to 35 miles per gallon, imagine the distress in the auto industry when we move it to 54.

The Prius does not even qualify. It does not reach 54 miles per gallon. The Toyota Yaris only gets 38 miles per gallon. The technology does not exist. The same geniuses in the White House that brought us Cash for Clunkers, are now going to bring us 54-mile-per-gallon requirements for fuel standards.

The reason that the United States economy is faltering and suffering is because of what is happening by government agencies. The unfairness for the lower-class people in this country is ghastly.

The President stood on this floor last week and talked about fairness to everyone, economic fairness. Let the President hear his own words. He made fun of one of his agencies that declared milk to be a hazardous substance. He made fun of the regulation which got so much attention that it was rolled back. Let the President make fun of this regulation, because it is going to kill the car manufacturers. They cannot make cars that go 54 miles to the gallon.

For those who say just make the rule, and they will develop it, I simply say let's pay our EPA workers, all of those involved in this process, let's simply start paying them with General Motors' stock. Let them find out in their own lives exactly what the value of their opinions and their designs are.

The final problem with the implementation of this rule is the constitutionality. Our Founding Fathers set up a system of checks and balances. The President would sign legislation. The Senate and the House would pass the legislation, but they had to pass exactly the same bill. No one House, no one branch could dominate the others. What the President is doing is taking his beliefs, his agendas outside that set up by the Founding Fathers that would guarantee voters would have input. He is moving it into extraterritorial agencies that have no controls by the taxpayers and no controls by the voters.

The President should be ashamed of what he is suggesting. The President is causing our Constitution to be set on a shelf. The Constitution is here not for the rich; the Constitution is here for the poor. The Constitution is that which gives the poor standing in this country. The rich can always have their way; the powerful can always get their way; but the Constitution defends and protects the poor. When the President crassly sets aside the Constitution, he is working against the fairness economically and the fairness constitutionally of this Nation towards 99 percent of its inhabitants.

I think that it is time for this Congress and this House to stand up and tell the President no more, you will bypass the Constitution no more. We need to mean business, and we need to back our words up with actions.

I thank my friend from Texas.

Mr. CARTER. I thank my friend from New Mexico for a very strong statement.

I want to recognize Mr. ROSCOE BARTLETT, my friend from Maryland. He wants to get up here with some of his own charts, and I'm going to step aside and let him do it.

Mr. BARTLETT. Thank you very much for yielding.

I sat and listened to this discussion, and I am reminded of how futile efforts are to try to get something done by doing it wrong two different ways.

The President believes that we need higher CAFE standards, and he is going to impose those through regulations from the EPA. He is also assuming that the American people don't have the sense to understand that they need to have higher CAFE standards, so he is going to force them on them. Without trying to educate the American people, he is just going to tell them you need to trust me, you need higher CAFE standards, and this is what it is going to be. What the President is doing is illegal and ill-logical, and I don't think that the American people are going to stand for it.

I just have a couple of charts here that put in context why we need to look at CAFE standards. If the President would use this approach, the American people would do the right thing relative to the kind of car they buy when they understand the environment that the United States and the world is in.

Here I have two charts and they are from the IEA, the International Energy Association. This is a creature of the OECD. It is perhaps, maybe along with our Energy Information Administration, a part of our Department of Energy, the best followers and prognosticators of energy in the world. This is their world-energy outlook.

This one is in 2008. I just want to point to a couple of things here. First of all, the oil that we are now pumping—and you could go back here 150 years with this blue thing here. It started back at zero, and it pumped more and more and more and more. Here we are today pumping this much oil. These are the conventional oil fields that we are pumping oil from now. We are also getting some natural gas liquids, and you see that curve is growing and growing. This is not gas in your gas tank. This is propane and butane and gases like that.

The green here is nonconventional oil. We are having a lot of discussion of nonconventional oil now about the Keystone pipeline and bringing the oil from the tar sands of Alberta, Canada. We are going to build a pipeline. It is either going to be in this country, or it is going to be across Canada through the Rocky Mountains. If the environmentalists are worried about environmental impact, they ought to be thinking about what is going to happen to

the environment when they put a pipeline through the Rocky Mountains.

Either we're going to get that cheap oil, or the Chinese are going to get that cheap oil. They're going to have a pipeline. We're not going to avoid a pipeline. There's going to be a pipeline.

I just think that commonsense comes down on the side of, gee, I would like that oil, I would like the jobs that go with getting that oil. And I am concerned about the environment, but there is going to be a pipeline. That is a given. It is either going to be here, or it is going to be in Canada. I think it is going to be more of an environmental insult going through the Rocky Mountains than down through the Mississippi Valley with that pipeline.

That green area is nonconventional oil, and that is increasing. It will increase. You see it is not a big fraction of what we get. Notice that we have been stagnated here for 5 years now at 84 million barrels. We call it oil, but it is more than oil because it is natural gas liquids too. The world has not been able to produce any more oil than 84 million barrels a day, which is why oil is about $100 a barrel and we are in a recession, and it is still stuck at about $100 a barrel.

They prognosticate that the production from current fields is going to go down fairly dramatically. You see it dropping off there. Not to worry, because we are going to get a lot of oil from the fields that we discovered, the light blue here that are too tough to develop. Then we are going to get a fair amount of oil from fields we have yet to discover, the bright red there. This is kind of a nice dream, isn't it? By the way, the dark red here is enhanced oil recovery. It really ought to be a part of this. That is putting $CO_2$ down there or live steam or something down there to get a little bit more oil out.

Note that by 2030 they are prognosticating that we are going to be up at 106 million barrels of oil a day. This chart has disappeared. If you go on the Internet and try to find that chart, it is not there. It was there. That's where we got it. They're a little embarrassed by its presence because just 2 years later in 2010, they made this prognostication, the same people. By 2035, 5 years later, instead of having 106 million barrels a day, they are up to only 96 million barrels of oil a day.

□ 2040

Notice they've now incorporated the enhanced oil recovery here with conventional oil and notice a fairly precipitous drop-off. Now they're telling you that the production of oil is not going to decrease because we're going to get huge amounts of oil from the fields that we have now discovered that are too tough to develop like under 7,000 feet of water and 30,000 feet of rock in the Gulf of Mexico. A lot of discoveries like that, and fields yet to be discovered.

I think there is little probability that these two wedges are going to occur. I think what's going to happen is that this curve is going to tip over and start down. Let me tell you why I think that's true.

Because the United States reached its plateau, which is called ''peak oil,'' in 1970, and that was predicted in 1956 in what I think was the most important speech in the last century, given by M. King Hubbert in 1956. He says, 14 years from now, in 1970, the United States will reach its maximum oil production. After that, it will drop off. It did.

Now, he didn't predict the discovery of any oil in the Gulf of Mexico and in Alaska, and here we see there was a little blip in the slide down with the huge amounts of oil we found in Alaska. Remember the fabled discoveries of oil in the Gulf of Mexico, the yellow there. That's all it did.

We now produce half the oil that we did in 1970. I do not think the world is any more resourceful or creative than the United States. If we could not reverse this downtrend in our country, I do not think that the world will be able to reverse it worldwide, which is why I say that the world is going to follow the United States. By the way, this was predicted by M. King Hubbert. He said that the world would be peaking about now.

Your government has paid for four studies that said this is going to happen. I quote here from one of those studies. This was the first big study. This was the SAIC report called the Hirsch report.

World oil peaking is going to happen, they said. Peaking is when you reach this plateau, and after that, it falls off. They said the peaking of oil is going to happen. Oil peaking presents a unique challenge. The world has never faced a problem like this.

I just have one more chart here, and these are some quotes from what I think is the most insightful speech of the last century. The most important one I think was given by M. King Hubbert on March 6, 1956. This speech was given just a bit later, the 15th day of May in 1957, a speech given by Hyman Rickover, the creator of our nuclear submarines:

''There is nothing man can do to rebuild exhausted fossil fuel reserves. They were created by solar energy 500 million years ago and took eons to grow to their present volume. In the face of the basic fact that fossil fuel reserves are finite, the exact length of time these reserves will last is important in only one respect: The longer they last, the more time do we have to invent ways of living off of renewable or substitute energy sources''—we've been trying to do that, haven't we?—''and to adjust our economy to the vast changes which we can expect from such a shift.''

By the way, this talk was given to a group of physicians in St. Paul, Minnesota. If you simply Google for ''Rickover energy speech,'' his speech will come up. They lost it for several years. It's now back on the Internet.

In another place in this speech he said, in the 8,000-year recorded history of man, the age of oil would be but a blip. And, wow, what a ride it's been. The quality of life that we have as a result of using these fossil fuels has just been incredible.

Just one last quote from what I think was the most insightful speech of the last century. I love this quote:

> Fossil fuels resemble capital in the bank. A prudent and responsible parent will use this capital sparingly in order to pass on to his children as much as possible of his inheritance. A selfish and irresponsible parent will squander it in riotous living and care not one wit how his offspring will fare.

I think what our President needs to do is educate the American people to the situation we're in. If these charts truly represent that situation, the American people will voluntarily say, Mr. President, we need to respond to that in a responsible way. The President doesn't need to assume that you're ignorant and can't understand or assume that he has to tell us what we ought to do.

Mr. CARTER. I would now like to recognize Mr. MANZULLO from Illinois, who is a champion of starting up the manufacturing again in this country. He understands the economy and how it works.

Mr. MANZULLO. I thank the gentleman from Texas for yielding.

Mr. Speaker, we have something very interesting going on in this administration, and it's called ''Who's in Charge?'' At one time, we believed that the National Highway Transportation Safety Agency, NHTSA, as part of DOT was in charge of regulating the corporate average fuel economy standards. In fact, it's always been that way. Well, then, all of a sudden the EPA gets involved, gets its nose under the tent and decides that, well, because there are emissions that they're going to get involved in it. Then along comes the California Air Resources Board and says, No. If you live in California, these are the standards.

So we have the automobile manufacturers taking a look at which agency is in control, if any, and what they have to follow, although they have been forced to follow the standard that's been set down by the EPA to have this amazing 54.5 miles per gallon fuel economy for model years beginning in 2017.

In the district that I'm proud to represent, Chrysler has a plant in Belvedere that's going to house the body shop for the new Dodge Dart. I saw that automobile at the auto show here in Washington this past week, and it's a beauty. It's beautiful. It represents more than a $600 million investment in the community and workforce in northern Illinois, and Chrysler had more than 1,600 production workers at the same assembly plant started in July when they had the third shifts. This is another signal of the increase in automobile sales that we're seeing in this country from the zenith of 17 million that were sold years ago to where we are now.

But this car starts at $16,000, and with the average price of a vehicle to increase by $3,200 and the source of that is the government itself, I just don't know what these people are thinking. In fact, if you take a look at the EPA rule, that says the estimate is that the mandate will cost $157 billion, which always means the number is vastly greater. That's a lot of money. That's a huge amount of money. I mean, this is classic Obama EPA.

But you ask yourself, What is the $157 billion for? The great scientists, mathematicians, and bureaucrats over at EPA said, well, this is the cost that it's going to take in investing in new technology. I hear those words, ''investing in new technology,'' as if people that don't even know the sweet smell of machine oil who sit in offices in Washington, D.C., can sit there with their calculators and their green clerks hats and come to an estimate of what it's going to cost to increase the technology to come up to that 54.5-mile-per-gallon standard.

We all know government figures are wrong. I mean, $157 billion, that's a huge amount of money. I think the total amount of the bailout, if anybody was interested in that, was around $15 billion. Now, this is 10 times the amount.

You ask yourselves, where is this money coming from? Obviously, if manufacturers have to gear up for this major expense, they're not going to wait until 2017. They're going to start doing it now. And so the increase in prices of automobiles will be directly related to this new mandate from the EPA.

So to the gentleman from Texas, I want to thank you for having the courage of speaking out here, and I thank you for the opportunity to help explain to the American people of the folly of this latest EPA action.

Mr. CARTER. I thank my friend for his great comments. One of the things I like to say about Washington is to show us the common sense, and, Mr. MANZULLO, I think you made a good, commonsense argument that we can understand.

I'd now like to introduce my friend, Mr. KELLY from Pennsylvania, and hear what he has to say on this interesting new challenge the Obama administration has given us.

□ 2050

Mr. KELLY. I thank the gentleman from Texas.

I come from a family that in 1953 started in the automobile business. My father came from being a parts picker in a warehouse for General Motors, surviving World War II and then coming back home and starting his own dealership in 1953. So, not only can I talk the talk, but I've actually walked the walk.

When we sit back and when we see what this administration is doing, while they say on one side they're very concerned with jobs and that they're very concerned with the recovery of the automobile industry, they propose legislation that will take 7 million buyers out of the market. That is a staggering number of cars that we will not be able to build. If we can't build them, we don't need folks there in the factories. We don't want to mess with the fragile recovery that the automobile industry has right now. Again, as I said, in having walked that walk and in understanding the cost of these vehicles as they go up, it is a terrible thing that this administration is considering. It does not surprise me because we are talking about people who have never in their lives actually had their own skin in the game. So, when they talk about these measures that they're taking, when they talk about all these well-intentioned ideas, they forget that the ultimate sacrifice made is by the buyers, by the American consumer. We are going to raise the average cost of these vehicles by $3,200. As I said earlier, 7 million prospective buyers will not be in the market. We have jumped the standards that we had by 3 years.

I was there in the early seventies when the CAFE standards came into existence. The corporate average fuel economy had nothing to do with green energy; it had nothing to do with a carbon footprint. What it had to do with was our reliance on foreign oil. We are making great strides to that effect. Now, I do know that my friends in the automobile manufacturing business have agreed to these new standards. I also know that there are so many resets in this new standard that they opted to go along with this administration's directions and that they bought into this idea knowing that each electric car that they build, which is subsidized by $7,500 in taxpayer funds—hardworking American families who have paid their taxes will not have the same benefit that people buying these electric cars—the metrics on that is $175,000. That is their average income.

Now, who are we appealing to?

We give the industry a double count on those. That's how they get to the 54.5 miles per gallon, and they understand with the resets that it's much easier to go along with this administration than to try to fight them up front. I will tell you, of my friends in the automobile dealer business, who are the folks who go to work every day, who have to put bread on the table, in my dealership there are 110 folks who come in there every day to solve the transportation needs of the people in our community.

The other side of this is safety. When my wife and my four children get in their cars—and keep in mind there are five grandchildren involved now—we're going to start asking those folks to start driving lighter cars, cars that will not be as safe as the cars we have on the road right now. And why? Because we are catering to an administration that puts its agenda ahead of the American public's safety.

So I appreciate what the gentleman from Texas is doing. I understand the unintended consequences of this, so it's time for us to blow the whistle on an administration that refuses to acquiesce to what the public needs and continues to drive its own agenda. I appreciate what you've done.

Mr. CARTER. In reclaiming my time, I'd like to ask the gentleman a question because it just dawned on me the economics that you're describing here.

What they're doing now is not saying, Okay, we're going to make a Chevrolet pickup or a Ford pickup that gets 54.5 miles per gallon. What they're saying is, Yeah, we've still got a Ford pickup or a Chevrolet pickup or a Chrysler pickup that gets 18 to 20 miles a gallon. But, hey, look at all these electric cars that don't use any gasoline, so we get an offset for those.

You also said the market for these is the rich people, that 1 percent that everybody is complaining about. No one is going to be able to afford to buy these electric cars. They're the market, and yet that's how they get this number down, but it's not real—it's imaginary.

Mr. KELLY. Yes, absolutely. We talked about that.

The loopholes in this program are not for the hardworking American families that go to work every day to support their kids and their families and their well-being. The folks really don't buy these cars to drive; they buy them because they can. We are giving people $7,500 in Federal loopholes. Then in my State of Pennsylvania, it throws another $3,500 towards the purchase of an electric car. Those cars, by the way, are 200,000 cars per manufacturer. It's not 200,000 cars in total, but 200,000 cars per manufacturer. The cost of this and as you see the trajectory of this expense, it goes off the charts. The answer is it is not going to improve fuel economy. What really drives fuel economy is the number of miles you drive each year and the cost of gasoline. Yet they start to talk about, No, no. We've got to tell people that they can only drive a car that gets 54.5 miles per gallon.

You know, sir, as well as I do, that that is not the case. We've been gamed again. I think there should be an outrage over this with the American people now. This is a regulation that does nothing but push an agenda and does not push the well-being of the American citizen.

Mr. CARTER. That is a real eye-opener, and I thank you for explaining that. I didn't really get that concept.

So, in addition to playing games with numbers, the Federal Government is subsidizing the playing games with numbers, and then your State also subsidizes it. I hope Texas doesn't—but heck, who knows.

Mr. KELLY. Again, I appreciate the gentleman for bringing this topic up. We have to understand that, if we are really going to get this economy back on track, it is the people who make

things—and we talk about making it in America. If we're really trying to support the domestic automakers, then you don't raise the price of the car by $3,200. With each price increase, we eliminate somebody who would have bought a new car. As we eliminate the purchase of new cars, we also affect the long-range market for used cars. A new car eventually becomes a used car.

We are eliminating personal transportation in this country by upping the bar in a systematic way, and people aren't noticing it. There should be an outrage among the hardworking American families of whom sometimes Dad works two jobs and Mom works a job—all to put food on the table, to educate their children, and to somehow get them from where they live to where they need to be, whether it be for their jobs or for education or for after-school activities. We are eliminating private transportation in this country by upping the price and by making it impossible for the average American to own his own car.

Mr. CARTER. That's shocking.

I do remember that the car that my wife and I are driving right now cost more than our first three-bedroom, two-bath house that we purchased when our first two children were born. That's kind of shocking as to how all that gamesmanship can drive that price up.

I did have a person in the transportation business who was telling me—and I'm not going to disclose who it was—they do studies on selling tickets for the planes. It was the air industry. The ticket price is the price at which they know people will fly. They have done studies to determine, if they were to add $10, in some instances, to that price of the ticket that people will fly, you'd lose like 18 percent. Add $50, and you could lose half of your flying public. That's how much the margin is, and you have the same kind of deal in the automobile industry.

Mr. KELLY. It's all price point and it's all affordability, and it comes down to: How much per month does it cost for the average, hardworking American family to keep private transportation?

We are raising the price by $3,200 per car. We are eliminating 7 million people from having the opportunity to own their own cars, their own transportation, which has been the hallmark of this country and which has driven this economy for many, many years. It has allowed the people to move out of the cities and into the suburbs because they had a way to get to work, and they didn't have to rely on public transportation.

In this country, what is very unique is that you can get up in the morning, and you can drive to wherever it is you want to go, and you can get there by yourself or with your friends; but that's the uniqueness and that's the greatness of America, and it has always been. It is the one thing that the rest of the world looks at. Private transportation is absolutely critical, and we are going to eliminate the ability for 7 million Americans to have that opportunity.

Mr. CARTER. In reclaiming my time, there is an agenda that is being sold here.

In testimony we had before the Appropriations Subcommittee on Transportation, which I happen to serve on, we talked to our former colleague about this administration's vision of the world it wants us to live in. It wants us all to live in high-rise apartments and to take public transportation. They will tell you straight out that's the future of America—concentrate. There have been at least some in the administration who have said the days of the two-story home in the suburbs are over.

I don't know if America knows that. This is a perfect example of part of the plan to drive us out of the suburbs and into concentrated populations where the only solution is public transportation. Quite honestly, where I live, that's not going to be very popular.

Mr. KELLY. I agree with the gentleman, and I will tell you that I join in your fight. This is not only a fight that we must fight; this is a battle we must win.

□ 2100

I will fight with you every step of the way. We cannot continue to take a free and self-governing people and tell them not only what foods they can eat, what houses they can live in, what light bulb they can use, or what car and truck they can drive.

So I thank you for being a champion of the American people and the hardworking Americans that pay for every single thing that this government does.

Mr. CARTER. I thank you, Representative KELLY. I will be glad to have you in the fight. You are a man I stand back-to-back with.

Mr. Speaker, we have been here talking about something that many of us realize is a shocking change of our world. It seems a small thing, but 54.5 miles per gallon, everyone will tell you the kinds of cars we drive in Texas, which is pickup trucks, they can never get there. They can't gear and torque to get to that number, 54.5. Therefore, unless you pull a scam that was being talked about, every electric car offsets the pickup trucks, we're in trouble.

Mr. Speaker, I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. STUTZMAN). Members are reminded to refrain from engaging in personalities toward the President.

## KEYSTONE XL PIPELINE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Georgia (Mr. WOODALL) is recognized for 30 minutes.

Mr. WOODALL. Mr. Speaker, I have got energy on my mind tonight too. It's a wonder, or I should say it's not a wonder, that everybody who comes to the floor of the House has this common theme, Mr. Speaker, that we have an economy that's in trouble, we have a regulatory network that is going out of control. And we have energy needs in this country that feed, that feed the economic heart of this country, and we're struggling to find that food.

Mr. Speaker, I have here, you can't see it, but it's an editorial from The Washington Post. It's January 19 of this year. Now, you know, Mr. Speaker, and as folks do who have a chance to read The Washington Post, it is one of the most liberal newspapers in this entire Nation. Now there are a few, San Francisco Chronicle or others, that might able to compete, but one of the most liberal newspapers in this country.

And they put an editorial in their newspaper speaking on behalf of the newspaper editorial board on January 19, the day after President Obama announced his decision to block the Keystone pipeline, and this is what it said. It's entitled, ''A Kink in the Pipeline,'' and the headline reads—you won't be able to see this on the screen, Mr. Speaker—but it says, Approving the Keystone XL project should have been an easy call for the administration. Approving the Keystone XL project should have been an easy call for the administration.

This is from one of the most liberal newspapers in the country, Mr. Speaker, saying why, Mr. President, why did you choose to stand in the way, and they've got some ideas. The Washington Post has some ideas about that. The editorial begins like this: On Tuesday, President Obama's jobs council reminded the Nation that it is hooked on fossil fuels and will be for a long time. The council said this—it's going to require the United States to optimize all of its natural resources and for states to construct pathways, pipelines, transmission, and distribution to deliver electricity and fuel.

But that's what it's going to take, Mr. Speaker, to get the economy back on track. It's going to require that the United States optimize all of its natural resources.

It added that the regulatory and permitting obstacles that threaten the development of some energy projects negatively impact jobs and weaken our energy infrastructure. Mr. Speaker, you wonder why it is that I have to read this. You would say, ROB, that's common sense. Don't folks know that in the great State of Georgia?

I would tell you, Mr. Speaker, they do know that in the great State of Georgia. Where they don't know it is here in Washington, D.C., in this regulatory environment where if folks see a problem, they throw more rulemaking at it. The President's jobs council sees a problem. It's a problem—there's not enough energy infrastructure. Is the United States not maximizing its energy production?

Here's what the jobs council says, Mr. Speaker. It added, the regulatory permitting obstacles that could threaten the development of some energy projects, negatively impact jobs, and weaken our energy infrastructure need to be addressed immediately. And this is what The Washington Post says. Mr. Obama's jobs council could have started out by calling, well, the Obama administration to help in this effort.

On Wednesday the State Department announced that it had recommended rejecting the application of the TransCanada Corporation to build the pipeline, rejecting it. The President's jobs council, Mr. Speaker, says we need to maximize every energy opportunity that we have. If we are to see our economy succeed, we must access every bit of energy that we can domestically. We must find transportation mechanisms for it, pipelines, transmission facilities. And the White House says no, no.

The editorial goes on. Environmentalists have fought the Keystone pipeline furiously, and in November, the State Department tried to put off the politically dangerous issue until after next year's election.

Mr. Speaker, you came here for the same reason that I came here, and that is to take on the politically dangerous issues. We didn't run for Congress so that we could dodge the tough questions. We came to Congress so we could speak out on the tough questions. We came to Congress because we represent folks back home who view these issues with the common sense that America always does.

If you have an energy crisis, what do you need? You need more energy. Do you need energy efficiency? Of course. Do you need energy conservation? Of course.

But we have resources, Mr. Speaker, in this country. We have been so blessed. God has blessed this Nation with energy resources, and we have to harvest them.

The State Department wants to put the decision off because it's politically dangerous. When do they want to put it off to, Mr. Speaker? Until after the next election. So it's unconscionable. The Washington Post makes that point and goes on.

Listen to the cynicism that's here, Mr. Speaker. This is what it's come to in Washington, D.C. The Washington Post says this: We almost hope this was a political call because on the substance there should be no question. The Washington Post says, we hope it was the President just playing politics, Mr. Speaker. We hope it was the President just playing to the radical, leftist wing of its party. We hope that it was because if he's looking at the substance, if he's looking at the same facts that we are, it should have been no question, an easy call.

Hear this, Mr. Speaker. Without the pipeline, Canada will still export its oil. And with the long-term transglobal market, it's far too valuable to keep in the ground. But it would go to China, Mr. Speaker.

You're from a part of the world like I am, Mr. Speaker, where we care about the environment. We're hunters, we're fishermen, we're farmers. No one plays outside more than you and I do, Mr. Speaker. No one works outside more than you and I do.

We care about our communities, and you tell me which community is going to treat the world's environment the best, Mr. Speaker. Is it going to be your community back home? Is it going to be my community back home? Or is it going to be the industrial machine that is mainland China? Mr. Speaker, we can either bring this oil from Canada to America and use it responsibly, or we can ship that oil from Canada to China, where it would surely go, so says the Washington Post.

We go on: Environmentalists and Nebraska politicians say the route the TransCanada pipeline proposed might threaten the State's ecologically sensitive areas. And in consultation with Nebraskan officials, they decide to proceed, even though the government announces last year, concluded that the original path would have had limited adverse environmental impact. Hear that. Here it is, a private pipeline going to go through America, Mr. Speaker, going to try to feed America's energy needs so we don't have to import oil from folks who hate us overseas. Folks said we have some concerns about the original pipeline path. The Federal Government does a study, they say we don't see any problem. We see very limited environmental impact, but if it's a concern to you, we'll move it. Willing to move it.

Environmentalists go on to argue that some of the fuel in U.S. refineries that produce China's bitumin might be exported elsewhere.

□ 2110

Don't bring the oil to America, Mr. Speaker. Why? Because it might get refined in American refineries by American companies, using American workers, and we might sell that to another nation at a profit. For whom? For Americans.

Don't do it. Don't do it, Mr. Speaker. In this tough economy, don't you bring those products back to America. Don't you bring them to American factories. Don't you put American workers back to work. Why? Because we might export it to a foreign land to make a profit.

Mr. Speaker, that's what we need to be doing, and The Washington Post knows it to be true.

Here's how The Washington Post concludes, Mr. Speaker: There are far fairer, far more rational ways to discourage oil use in America, the first of which is establishing higher gasoline taxes. Environmentalists should fight for policies that might actually do substantial good instead of tilting against Keystone XL, and President Obama should have the courage to say so.

Those are not my words, Mr. Speaker. That comes from The Washington Post editorial board. President Obama should have the courage to say so. He should have the courage to stand up to the radical left. He should have the courage to stand up for American job creators. He should have the courage to stand up for American, North American, energy independence.

The headline, Washington Post, Mr. Speaker: Approving the Keystone XL project should have been an easy call for the administration. The Washington Post, Mr. Speaker. We hope it was a political call because on the substance, there should have been no question. And if you believe it happened for environmental reasons, Mr. Speaker, instead of political reasons, there are far fairer, far more rational ways to discourage oil use. President Obama should have had the courage to say so.

We're not done with this issue in the House, Mr. Speaker. You know, we're going to continue to bring this issue back because we know where the American people stand on it. They stand for energy independence. They stand for American jobs. They stand for American manufacturing, and we can achieve those goals with that all-of-the-above energy policy that harnesses all of the God-given bounty that America has and puts it to work for the American worker.

Mr. Speaker, let me go on to the President's State of the Union address. He rejected the Keystone pipeline a week before the State of the Union. Here's what he said in the State of the Union: It's time to double down on a clean energy industry that never has been more promising.

Mr. Speaker, we have an opportunity to do something today about rising energy costs. We have an opportunity to do something today with the Keystone pipeline. We can put 20,000 workers to work today. We can bring $70 million worth of oil into this country a day. We can do that with Keystone pipeline. The President says no, I'm canceling Keystone pipeline. I'm going to double down on clean energy because it's never been more promising.

Mr. Speaker, I believe in clean energy. I believe in clean energy. What I believe in even more, though, is energy independence, and we can't get to energy independence with the clean energy resources that we have today. We have to use the resources that we have here in this country. And once we achieve energy independence, Mr. Speaker, the entire conversation in America will change. The entire conversation will change from how much to from where, and we can do the doubling down on green energy. But the President wants to double down on green energy today. Why? Because it's been his calculation in his 3 years in office, Mr. Speaker, that the environment has never been more promising.

Let's see.

The President's promising environment, Mr. Speaker: Solyndra, bankrupt. Loans guaranteed by the taxpayer, $535 million; a half-billion dollars, Mr. Speaker, sent out the door

through crony capitalism and this administration. Down the drain, Solyndra, bankrupt.

What about Ener1? Guaranteed loans by the taxpayer, $118 million. How'd that project work out? Bankrupt. That's okay, Mr. Speaker. Maybe there are some successes.

What about Beacon Power? No, $43 million from taxpayers, Mr. Speaker. How'd that project work out? Bankrupt.

President Obama says the environment has never been more promising. If he's looking at the same financials you and I are looking at, Mr. Speaker, he sees bankrupt project after bankrupt project after bankrupt project. And we're doing this why? We're sending out government dollars, why? These taxpayer dollars, why, Mr. Speaker? A half-billion to Solyndra; $100 million to Ener1; $43 million to Beacon Power. We're sending those out why? Because we have energy needs in this country that cannot be satisfied because the President has stopped the Keystone XL pipeline, which was going to be built with what? Half a billion dollars in government loans? No, with private sector initiatives, private sector initiatives, to bring fuel that we know that we can use today to refineries where we know we can process it, whether we use it here or whether we export it abroad.

The President thinks there has never been a better time than now, Mr. Speaker, to double down on the green energy projects funded by the taxpayer.

We see here, Mr. Speaker, those have all been busts. And it's not that we can't do green energy, Mr. Speaker, it's that we have to let the marketplace choose those things. Crony capitalism doesn't work. Government picking winners and losers doesn't work. You know who picks winners and losers? The American consumer. You know who picks winners and losers well? The American marketplace, not the American government. We've got to take that power out of Washington, D.C., and return it to industry, and we will succeed.

The President knows this in his heart. Listen to what he says, Mr. Speaker: ''We have a supply of natural gas that can last America nearly 100 years, and my administration will take every possible action to safely develop this energy. Experts believe this will support more than 600,000 jobs by the end of the decade.''

Do you know when he said that, Mr. Speaker? That was in his State of the Union speech. That was right here. Right here from where we are tonight, Mr. Speaker. He spoke these words just a week ago. He knows we have a supply of natural gas that can fuel this country for 100 years, that will support 600,000 new American jobs.

Well, golly, I bet we're going to go right after that today. We're going to start right now. Why, Mr. Speaker, because it's 84 trillion cubic feet of undiscovered natural gas. Who has that? Is it Saudi Arabia? No, it's America. Is it Iran or Iraq? No, it's America. Is it Venezuela and Hugo Chavez? No, it's America. We have 84 trillion cubic feet of undiscovered natural gas, 3.4 billion barrels of undiscovered natural gas liquids. These are the fuels, Mr. Speaker, that will fuel the American economy for the next decade.

The President knows it. The President says we can fuel 100 years of America; 600,000 jobs in America. We know where it is. Let's talk about how we're going to get it, Mr. Speaker.

The good news about America, and I say this, Mr. Speaker, as I know you say to all of your constituents who are struggling: The good news about America is there is nothing wrong with America that we didn't do to ourselves. There's nothing. There is no worker who produces more than the American worker. There is no system of government that's more responsive to the people than ours. There is no engine of economic growth more powerful than the American entrepreneurial system. The President, though, knows that we have these resources. The question is, is he going to let Americans get them?

Here's where they are, off the coast: The Outer Continental Shelf: 2.28 trillion cubic feet in Washington and Oregon; 3.5 trillion cubic feet in northern California; 2.49 in central California; 7.76 in southern California.

It continues here along the east coast. In my home State of Georgia, Mr. Speaker, 2.4 trillion off the coast. Here in the Mid-Atlantic, right off the coast of Washington, D.C., 19.36 trillion cubic feet.

In the Gulf of Mexico, 16 trillion cubic feet.

We know, Mr. Speaker, this is the assessment of undiscovered but technically recoverable oil and gas resources on the Nation's Outer Continental Shelf. This comes from the Bureau of Ocean Energy Management. We know where these resources are.

And they're not just there, Mr. Speaker. They are where Americans often turn for energy resources, in Alaska. In Alaska, 76 trillion cubic feet. Over in the Beaufort Sea, 27 trillion cubic feet. All around the coast of Alaska, Mr. Speaker, you see opportunity after opportunity after opportunity. Again, not to send money to folks who hate us, not to send American dollars to overseas enemies because of the hook that they have in us because of our oil needs.

□ 2120

Mr. Speaker, we have the ability to meet these needs with American production harvested by whom? American workers. Done through what? American companies. Whose dollars go where? To the American way of life. We can do those things. It's a national security issue, and it's an economic issue. The question is, Why aren't we, Mr. Speaker? And that is a political issue. You saw it in The Washington Post. The Washington Post said we hope the decision to cancel the Keystone XL pipeline was just a political issue because of the facts, there's no reason not to move forward. It must just be a political issue. Well, we saw that the President, in the State of the Union speech, said, I want to go after it all. I know that we've got 100 years of energy in natural gas. We can fuel 600,000 American jobs.

Well, what do the politicians say? Let's look just here in Alaska. LISA MURKOWSKI said, Americans can benefit from the tremendous resources in Alaska's Outer Continental Shelf. She votes ''yes.'' Congressman DON YOUNG here in the House said that the OCS would provide 1.2 million new jobs. Why are we continuing to send our hard-earned money overseas? DON YOUNG votes ''yes.'' The other Senator from Alaska says, My message to the President is that as America's energy storehouse, our State of Alaska can and should responsibly supply a significant portion of our country's energy needs. That's three for three, Mr. Speaker. Every Federal elected official from the State of Alaska says we've got energy here, and we want to harvest energy here to help fuel America, to help fuel America. We're in. We're in.

Mr. Speaker, do you know who's not in? President Barack Obama. He said all the right things in the State of the Union speech, Mr. Speaker. As the words were coming out of his mouth, I thought, I'm with you, I'm with you, time after time thinking that's the right thing to do. Now, sadly, I thought the same thing a year ago when so many of those same things were said. I said, I'm with you, it's the right thing to do.

We talked about abolishing corporate tax rates in this country so that we'll be able to bring more American companies here so we can create more jobs. I said, I'm with you. I voted for a budget here in the House last year that would do just that. I introduced a bill here in the House, a Fair Tax, that would do just that; and I got no support at all, Mr. Speaker, from the White House—not on our budget, not on the Fair Tax, not on any corporate tax reform bill whatsoever.

We had that Joint Select Committee at the end of the year, Mr. Speaker. They could have done anything—anything—to reform our economy, to get our fiscal house in order and to put American job creation back on track. They could have done anything. It was guaranteed to come to the floor of the House for a vote, and they produced nothing at all. And the President supported that effort not at all.

Here we are on the Outer Continental Shelf, 1.76 billion acres, Mr. Speaker, 1.76 billion acres—38 million open for exploration, 97 percent off limits. Do I need to go back, Mr. Speaker, to what the President said? We have a supply of natural gas that can last America nearly 100 years. My administration will take every possible action to safely develop this energy. Experts believe,

he says, this will support more than 600,000 American jobs by the end of the decade—97 percent off limits.

Now, good news, Mr. Speaker. The Department of the Interior controls so many of these resources. They put out a 5-year plan. They talk about when it is we're going to be able to open up these areas. I'll just take you back to Alaska, Mr. Speaker, Alaska where so much of America's energy production comes from. Right here in the Beaufort Sea, 27.64 trillion cubic feet of natural gas. The Department of the Interior under the Obama administration, Mr. Speaker, said we're going to let you start leasing up there in 2015—2015.

I looked at my watch before I came down here, Mr. Speaker. It's 2012 and just barely into that—2012. You heard in the State of the Union speech: we have a supply of natural gas that can last America 100 years, and my administration will take every possible action to safely develop this energy because it can provide 600,000 American jobs. We know where the energy is, Mr. Speaker. The President's agency in charge says, just wait another 3 years, we'll let you in. Right here in this Chamber, Mr. Speaker, the President said he would do everything—everything—in his power. I'm asking you, Mr. Speaker, has he done anything? Has he done anything?

There is nothing wrong with America that we didn't do to ourselves. God blessed us with these resources. It's man's law that won't let us get them out of the ground. Our friends in Canada, Mr. Speaker, want to open up a pipeline to bring hundreds of thousands of gallons of oil into America every day, the market price of which is $70 million a day. Mr. Speaker, we're using the oil anyway in our cars, our factories, plastics—all of our products. We're already using the oil. The question is where do we get it? And today we send that same $70 million to Iraq, to Venezuela, and to Oman.

Mr. Speaker, we could have energy independence in this Nation if we applied ourselves to it, and it would change our foreign policy forever. If not in this Nation, Mr. Speaker, we could have energy independence on this continent. Our friends in Mexico, our friends in Canada, and we could collectively have energy independence. Why don't we? Why don't we, Mr. Speaker? And the answer is, as The Washington Post said, because in terms of leadership in this Nation, we lack the courage.

I just want to make that clear, Mr. Speaker. Let's go back to an issue that's going to come up over and over and over again until the President gets it right. It's the Keystone pipeline. When I say we lack the courage, Mr. Speaker, you and I both voted to move this Keystone project along. The AFL–CIO has endorsed moving this project along. It's not a Republican-Democratic issue, Mr. Speaker. It is an American jobs versus radical leftist agenda issue. The Washington Post, the most liberal newspaper in the area, one of the most liberal in the country, Mr. Speaker, said on its face there is no question that approving the Keystone XL project should have been an easy call for the administration. The courage that we're asking for from the President, Mr. Speaker, is to stand up to the most radical, most leftist, and most anti-jobs segment of his party. That's the ask.

When The Washington Post here says President Obama should have had the courage to say so, they weren't saying, shake up the apple cart, Mr. Speaker. They weren't saying, take some dangerous untrodden path through the woods. They were saying, approve the project that on its face there could be no question about. Approve the project that our friends in Canada have already endorsed; approve the project that brings North American oil to America instead of shipping it to China; approve the project that saves $70 million a day keeping it in North America instead of shipping it to the Middle East; approve the project that will improve 20,000 jobs today and more going forward; approve the project, as the President said, through our natural gas resources and through our oil resources that could support 600,000 new jobs by the end of the decade.

Who is the beneficiary, Mr. Speaker? You have the same town hall meetings I do. Who is the beneficiary of lower fuel prices?

□ 2130

Is it ExxonMobil? No. Is it the big plastics plant? Well, I'm sure they'll do better, but that's not who it is. The big beneficiary, Mr. Speaker, of lower oil prices are American families. The big beneficiary, when American energy prices drop, are American workers. The big beneficiary, when we make these easy decisions to look to America's energy resources first, the beneficiary is the American economy. Should have been an easy call, Mr. Speaker. Should have been an easy call. I know you believe that. I believe that. The Washington Post believes that.

Mr. Speaker, I don't know how we'll find that true voice in the President's State of the Union speech. You know, there's so much double-speak in this town. It's sometimes tough to know what folks are actually saying. Rather than guess at what folks are actually saying, I blew it up in big words and put it right here because I wanted to be able to see it; I wanted to be able to remember it. Here's what the President says: ''We have a supply of natural gas that can last America nearly 100 years. And my administration will take every possible action to safely develop this energy because experts believe this will support more than 600,000 jobs by the end of the decade.''

Mr. Speaker, it's up to you and me. We have to hold the President accountable for these words. You cannot say these words when you're speaking to the American people in the State of the Union. You cannot say these words when you speak to the House and Senate here in joint session in the State of the Union. You cannot say these words while canceling the largest opportunity we have for energy independence in this country. You cannot say these words when you're actually focusing your energy, your efforts, taxpayer money on these projects that we've proven time and time again don't work. You cannot say these words, Mr. Speaker, when you know we have 1.76 billion acres that we could explore, but only 38 million are open for exploration, meaning 97 percent are off limits.

Mr. Speaker, this debate does not end tonight. This debate begins tonight. You, me, and the American people, we can make a difference; and we owe it to the American people to do that.

Mr. Speaker, I thank you for the time.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. ROYBAL-ALLARD (at the request of Ms. PELOSI) for February 1 and 2 on account of a death in the family.

## SENATE BILL REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 34. Concurrent resolution expressing the sense of Congress in honor of the life and legacy of Václav Havel; to the Committee on Foreign Affairs.

## BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reports that on January 26, 2012 she presented to the President of the United States, for his approval, the following bill.

H.R. 3237. To amend the SOAR Act by clarifying the scope of coverage of the Act.

Karen L. Haas, Clerk of the House, reports that on January 30, 2012 she presented to the President of the United States, for his approval, the following bills.

H.R. 3800. To amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

H.R. 3801. To amend the Tariff Act of 1930 to clarify the definition of aircraft and the offenses penalized under the aviation smuggling provisions under that Act, and for other purposes.

## ADJOURNMENT

Mr. WOODALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 32 minutes

p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, February 1, 2012, at 10 a.m. for morning-hour debate.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4732. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Southeastern States; Suspension of Marketing Order Provisions [Doc. No.: AMS-FV-11-0027; FV11-953-1 FR] received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4733. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Pistachios Grown in California, Arizona, and New Mexico; Decreased Assessment Rate [Doc. No.: AMS-FV-11-0077; FV-983-2 IR] received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4734. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — United States Standards for Grades of Frozen Okra [Document Number: AMS-FV-07-0100, FV-11-327] received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4735. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Revision of the Salable Quantity and Allotment Percentage for Class 1 (Scotch) and Class 3 (Native) Spearmint Oil for the 2011-2012 Marketing Year [Doc. No.: AMS-FV-10-0094; FV11-985-1A IR] received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4736. A letter from the Assistant Secretary of the Navy, Manpower and Reserve Affairs, Department of Defense, transmitting the Navy Fisher House annual report for Fiscal Year 2011; to the Committee on Armed Services.

4737. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Carroll F. Pollett, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

4738. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Disclosure Requirements for Depository Institutions Lacking Federal Deposit Insurance (Regulation I) [Docket No.: CFPB-2011-0024] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4739. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Real Estate Settlement Procedures Act (Regulation X) [Docket No.: CFPB-2011-0030] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4740. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Consumer Leasing (Regulation M) [Docket No.: CFPB-2011-0026] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4741. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Mortgage Acts and Practices — Advertising (Regulation N); Mortgage Assistance Relief Services (Regulation O) [Docket No.: CFPB-2011-0027] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4742. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — S.A.F.E. Mortgage Licensing Act (Regulations G & H) [Docket No.: CFPB-2011-0023] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4743. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Fair Debt Collection Practices Act (Regulation F) [Docket No.: CFPB-2011-0022] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4744. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Electronic Fund Transfers (Regulation E) [Docket No.: CFPB-2011-0021] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4745. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Equal Credit Opportunity (Regulation B) [Docket No.: CFPB-2011-0019] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4746. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Truth in Savings (Regulation DD) [Docket No.: CFPB-2011-0032] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4747. A letter from the Attorney, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — Truth in Lending (Regulation Z) [Docket No.: CFPB-2011-0031] (RIN: 3170-AA06) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4748. A letter from the Secretary, Department of Health and Human Services, transmitting written notification of the determination that a public health emergency exists and has existed in the state of New York since September 24, 2011, pursuant to 42 U.S.C. 247d(a) Public Law 107-188, section 144(a); to the Committee on Energy and Commerce.

4749. A letter from the Secretary, Department of Health and Human Services, transmitting an interim report entitled ''The Children's Health Insurance Program: An Evaluation (1997 — 2010)''; to the Committee on Energy and Commerce.

4750. A letter from the Secretary, Department of Health and Human Services, transmitting a letter with a report entitled ''Essential Health Benefits Bulletin''; to the Committee on Energy and Commerce.

4751. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

4752. A letter from the Secretary, Department of Commerce, transmitting the annual report for FY 2011 of the Department's Bureau of Industry and Security (BIS); to the Committee on Foreign Affairs.

4753. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: Revision of U.S. Munitions List Category VI (RIN: 1400-AC99) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4754. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: Revision of U.S. munitions List Category XX (RIN: 1400-AD01) received January 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4755. A letter from the President, African Development Foundation, transmitting a letter fulfilling the annual requirements contained in the Inspector General Act of 1978, as amended, covering the period October 1, 2010 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.

4756. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the Administration's Performance and Accountability Report for fiscal year 2011; to the Committee on Oversight and Government Reform.

4757. A letter from the Administrator, Small Business Administration, transmitting the Administration's semiannual report from the office 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.

4758. A letter from the Assistant Attorney General, Department of Justice, transmitting the ''21st Century Department of Justice Appropriations Authorization Act'', related to certain settlements and injunctive relief for the third quarter of 2011, pursuant to 28 U.S.C. 530D Public Law 107-273, section 202; to the Committee on the Judiciary.

4759. A letter from the President, American Academy of Arts and Letters, transmitting the annual report of the activities of the American Academy of Arts and Letters during the year ending December 31, 2010, pursuant to section 4 of its charter 36 U.S.C. 4204; to the Committee on the Judiciary.

4760. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from the Pantex Plant in Amarillo, Texas, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

4761. A letter from the Assistant Attorney General, Department of Justice, transmitting a letter concerning grants made during FY 2011 under Section 2806(b) of the Paul Coverdell National Forensic Science Improvement Act of 2000 (Pub. L. 106-561) to improve forensic science services; to the Committee on the Judiciary.

4762. A letter from the President, National Safety Council, transmitting the Council's Annual Financial and Audit Report for Fiscal Year 2011, pursuant to 36 U.S.C. 1101(36) and 1103; to the Committee on the Judiciary.

## 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:

*[Pursuant to the order of the House on January 25, 2012, the following reports were filed on January 30, 2012]*

Mr. RYAN of Wisconsin: Committee on the Budget. H.R. 3582. A bill to amend the Congressional Budget Act of 1974 to provide for macroeconomic analysis of the impact of legislation; with an amendment (Rept. 112–377 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN of Wisconsin: Committee on the Budget. H.R. 3578. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to reform the budget baseline; with an amendment (Rept. 112–378). Referred to the Committee of the Whole House on the state of the Union.

*[Submitted January 31, 2012]*

Mr. DREIER: Committee on Rules. H.R. 3575. A bill to amend the Congressional Budget Act of 1974 to establish joint resolutions on the budget, and for other purposes; with amendments (Rept. 112–379 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN of Wisconsin: Committee on the Budget. H.R. 3581. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to increase transparency in Federal budgeting, and for other purposes; with an amendment (Rept. 112–380 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

*[The following action occurred on January 30, 2012]*

Pursuant to clause 2 of rule XIII the Committee on Rules discharged from further consideration. H.R. 3582 referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

*[The following actions occurred on January 31, 2012]*

Pursuant to clause 2 of rule XIII the Committee on the Budget discharged from further consideration. H.R. 3575 referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Pursuant to clause 2 of rule XIII the Committees on Oversight and Government Reform and Ways and Means discharged from further consideration. H.R. 3581 referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MICA (for himself and Mr. DUNCAN of Tennessee):

H.R. 7. A bill to authorize funds for Federal-aid highway, public transportation, and highway and motor carrier safety programs, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CARNEY (for himself and Mr. BUCSHON):

H.R. 3839. A bill to address critical drug shortages; to the Committee on Energy and Commerce, 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. STARK (for himself, Mr. RANGEL, and Mr. CROWLEY):

H.R. 3840. A bill to amend the Internal Revenue Code of 1986 and the Social Security Act to provide for employment tax treatment of professional service businesses; to the Committee on Ways and Means.

By Ms. WATERS (for herself, Mr. GUTIERREZ, Mr. CONYERS, Mr. BERMAN, Mr. FILNER, Ms. SCHAKOWSKY, Mr. CLARKE of Michigan, Mr. BLUMENAUER, and Mr. GRIJALVA):

H.R. 3841. A bill to prevent foreclosure of, and provide for the reduction of principal on, mortgages held by Fannie Mae and Freddie Mac; to the Committee on Financial Services, and in addition to the Committee on Ways and Means, 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. BLACK (for herself, Mr. BACHUS, Mrs. BLACKBURN, Mr. BROOKS, Mr. CARTER, Mr. DUNCAN of Tennessee, Mrs. ELLMERS, Mr. FRANKS of Arizona, Mr. GOSAR, Mr. GRAVES of Georgia, Mr. HALL, Mr. HERGER, Mr. HUELSKAMP, Ms. JENKINS, Mr. JONES, Mr. KINZINGER of Illinois, Mr. LANDRY, Mr. LANKFORD, Mr. LONG, Mr. MANZULLO, Mr. MARCHANT, Mr. POMPEO, Mr. QUAYLE, Mr. ROSS of Florida, Mr. SCOTT of South Carolina, Mr. WESTMORELAND, and Mr. WILSON of South Carolina):

H.R. 3842. A bill to prohibit Federal funding for lawsuits seeking to invalidate specified State laws that support the enforcement of Federal immigration laws; to the Committee on the Judiciary.

By Mr. BERMAN:

H.R. 3843. A bill to amend the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 to provide for the imposition of sanctions with respect to the National Iranian Oil Company and the National Iranian Tanker Company; 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 Mrs. ROBY (for herself, Mr. HUIZENGA of Michigan, Mr. SOUTHERLAND, Mr. KINZINGER of Illinois, Mrs. ADAMS, Mr. HUELSKAMP, Mr. DUNCAN of South Carolina, Mr. WEST, Mr. GIBBS, Mrs. ELLMERS, Mr. CRAVAACK, Mr. JOHNSON of Ohio, Mr. GRIFFIN of Arkansas, Mr. REED, Mr. FITZPATRICK, Ms. HAYWORTH, Mr. GARDNER, Mr. BERG, Mr. BROOKS, Mr. DUFFY, Mr. CANSECO, Mrs. BLACK, Mr. ROSS of Florida, Mr. DOLD, Mr. AUSTIN SCOTT of Georgia, Mr. FLORES, Mr. HULTGREN, Mr. CRAWFORD, and Mr. BACHUS):

H.R. 3844. A bill to provide for greater transparency and honesty in the Federal budget process; to the Committee on the Budget, and in addition to the Committees on Rules, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POLIS:

H.R. 3845. A bill to establish an alternative accountability model; to the Committee on Education and the Workforce.

By Mr. BLUMENAUER:

H.R. 3846. A bill to establish a National Commission for Independent Redistricting to prepare Congressional redistricting plans for all States and to require Congressional redistricting in a State to be conducted in accordance with the Commission plan for the State; to the Committee on the Judiciary, and in addition to the Committee on Rules, 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. MARKEY (for himself, Mr. WAXMAN, Ms. SCHAKOWSKY, and Ms. DELAURO):

H.R. 3847. A bill to amend the Federal Food, Drug, and Cosmetic Act to ensure that a medical device is not marketed based on a determination that the device is substantially equivalent to a predicate device that has been recalled, corrected, or removed from the market because of an intrinsic flaw in technology or design that adversely affects safety, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DESJARLAIS:

H.R. 3848. A bill to prohibit the use of Federal money for print, radio, television or any other media advertisement, campaign, or form of publicity against the use of a food or beverage that is lawfully marketed under the Federal Food, Drug, and Cosmetic Act; to the Committee on Energy and Commerce.

By Mr. FINCHER (for himself, Mr. DONNELLY of Indiana, and Mr. GARY G. MILLER of California):

H.R. 3849. A bill to amend the S.A.F.E. Mortgage Licensing Act of 2008 to provide an exception from the definition of loan originator for certain loans made with respect to manufactured homes, to amend the Truth in Lending Act to modify the definition of a high-cost mortgage, and for other purposes; to the Committee on Financial Services.

By Mr. GRAVES of Missouri (for himself, Mr. OWENS, and Mr. SCHILLING):

H.R. 3850. A bill to amend the Small Business Act with respect to goals for procurement contracts awarded to small business concerns, and for other purposes; to the Committee on Small Business, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAVES of Missouri:

H.R. 3851. A bill to amend the Small Business Act with respect to Offices of Small and Disadvantaged Business Utilization, and for other purposes; to the Committee on Small Business, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Florida:

H.R. 3852. A bill to amend the Internal Revenue Code of 1986 to disallow a deduction for amounts paid or incurred by a responsible party relating to a discharge of oil; to the Committee on Ways and Means.

By Mr. LYNCH:

H.R. 3853. A bill to provide for semiannual actuarial studies of the FHA mortgage insurance program of the Secretary of Housing and Urban Development during periods that the Mutual Mortgage Insurance Fund does not meet minimum capital ratio requirements; to the Committee on Financial Services.

By Mr. PETERS:

H.R. 3854. A bill to amend title 23, United States Code, to help leverage private investment for transit oriented development near transit stations; to the Committee on Transportation and Infrastructure.

By Mr. QUIGLEY (for himself, Mr. BURTON of Indiana, Mr. CHABOT, Ms. ROS-LEHTINEN, Mr. DIAZ-BALART, Mr. DOLD, Mr. GRIMM, Mr. KINZINGER of

Illinois, Mr. RIVERA, Mr. SHIMKUS, Mr. HIGGINS, Ms. KAPTUR, Mr. LIPINSKI, Mr. MURPHY of Connecticut, Ms. SCHAKOWSKY, and Mr. MEEKS):

H.R. 3855. A bill to amend the Immigration and Nationality Act to modify the requirements of the visa waiver program and for other purposes; to the Committee on the Judiciary.

By Mr. SOUTHERLAND (for himself, Mr. ROSS of Florida, Mr. RIVERA, Mr. WEST, Mrs. ADAMS, Mr. MILLER of Florida, Mr. ROONEY, Mr. BUCHANAN, and Mr. WEBSTER):

H.R. 3856. A bill to limit the authority of the Administrator of the Environmental Protection Agency with respect to certain numeric nutrient criteria, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. TURNER of New York (for himself, Mr. KING of New York, Mr. ROGERS of Alabama, and Mr. GRIMM):

H.R. 3857. A bill to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to require the Secretary of Homeland Security to include as an eligible use the sustainment of specialized operational teams used by local law enforcement under the Transit Security Grant Program, and for other purposes; to the Committee on Homeland Security.

By Mr. VAN HOLLEN (for himself, Mr. CUMMINGS, Ms. NORTON, Ms. EDWARDS, Mr. MCGOVERN, Mr. REYES, and Mr. LUJÁN):

H.R. 3858. A bill to provide that Members of Congress shall not receive a cost of living adjustment in pay during 2013; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JENKINS (for herself, Mr. PAUL, Mrs. BLACK, Mrs. HARTZLER, Mr. YODER, Mr. HULTGREN, Mr. AKIN, Mr. SCHILLING, Mr. JONES, Mr. HERGER, and Mr. GOSAR):

H. Con. Res. 98. Concurrent resolution to express the sense of the Congress that any Executive order that infringes on the powers and duties of the Congress under article I, section 8 of the Constitution, or that would require the expenditure of Federal funds not specifically appropriated for the purpose of the Executive order, is advisory only and has no force or effect unless enacted as law; to the Committee on the Judiciary.

By Mr. ISRAEL (for himself, Mr. NEAL, Mr. HIGGINS, Mr. CARNAHAN, Mr. TOWNS, Mr. LEWIS of Georgia, Mr. ENGEL, Mrs. MALONEY, Mr. KING of New York, Ms. CLARKE of New York, Mr. REED, Mr. RANGEL, Mr. SABLAN, Mr. BACA, Ms. DELAURO, Mr. CAPUANO, Mr. BURTON of Indiana, Ms. RICHARDSON, Ms. SPEIER, Mr. CONYERS, Mr. LEVIN, Mr. GRIJALVA, Mr. PIERLUISI, Mrs. CHRISTENSEN, Mrs. MCCARTHY of New York, Mr. HINCHEY, Mr. TURNER of New York, Mr. ACKERMAN, Ms. MCCOLLUM, Mrs. LOWEY, Ms. BORDALLO, Mr. FALEOMAVAEGA, Mr. PRICE of North Carolina, Mrs. DAVIS of California, Ms. LORETTA SANCHEZ of California, Mr. HASTINGS of Florida, Mr. NADLER, Mr. COHEN, Mr. COOPER, and Mr. FRANK of Massachusetts):

H. Res. 531. A resolution recognizing the 40th anniversary of the National Cancer Act of 1971 and the more than 12,000,000 survivors of cancer alive today because of the commitment of the United States to cancer research and advances in cancer prevention, detection, diagnosis, and treatment; to the Committee on Energy and Commerce.

## 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. MICA:

H.R. 7.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1, Clause 3, Clause 7, and Clause 18.

By Mr. CARNEY:

H.R. 3839.

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.

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.

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 Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. STARK:

H.R. 3840.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution.

By Ms. WATERS:

H.R. 3841.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States.

By Mrs. BLACK:

H.R. 3842.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7.

By Mr. BERMAN:

H.R. 3843.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced pursuant to the authority delineated in Article I section 1, which includes an implied power for the Congress to regulate the conduct of the United States with respect to foreign affairs.

By Mrs. ROBY:

H.R. 3844.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress in regards to appropriations, as enumerated in Article I, Section 7, Clause 1, Article I, Section 8, Clause I, and Article 1, Section 9 of the United States Constitution.

Article I, Section 7, Clause 1 (Bills of Revenue):

''All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.''

Article I, Section 8 (Enumerated Powers of Congress):

''The Congress shall have power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

Article I, Section 9 (Limits on Congress):

''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of Receipts and Expenditures of all public Money shall be published from time to time.''

By Mr. POLIS:

H.R. 3845.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1,

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. BLUMENAUER:

H.R. 3846.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4 of the Constitution of the United States.

By Mr. MARKEY:

H.R. 3847.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 or article I of the Constitution

By Mr. DESJARLAIS:

H.R. 3848.

Congress has the power to enact this legislation pursuant to the following:

clause 7 of section 9 of Article I and clause 18 of section 8 of Article I of the Constitution

By Mr. FINCHER:

H.R. 3849.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. GRAVES of Missouri:

H.R. 3850.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution, which provides Congress with the ability to enact legislation necessary and proper to effectuate its purposes in taxing and spending.

By Mr. GRAVES of Missouri:

H.R. 3851.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution, which provides Congress with the ability to enact legislation necessary and proper to effectuate its purposes in taxing and spending.

By Mr. HASTINGS of Florida:

H.R. 3852.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the Constitution of the United States, including but not limited to Amendment XVI, Clause 1 of Section 8 of Article I, and Clause 3 of Section 8 of Article 1.

By Mr. LYNCH:

H.R. 3853.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3—the Commerce Clause—and Article I, Section 8, Clause 18—the Necessary and Proper Clause—of the United States Constitution.

By Mr. PETERS:

H.R. 3854.

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 Mr. QUIGLEY:

H.R. 3855.

Congress has the power to enact this legislation pursuant to the following:

Article I. Section 8

By Mr. SOUTHERLAND:

H.R. 3856.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution, relating to the power to regulate interstate commerce.

By Mr. TURNER of New York:

H.R. 3857.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution of the United States: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Article I, Section 8, Clause 1 of the Constitution of the United States: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

Article I, Section 8, Clause 18 of the Constitution of the United States: The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the forgoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Office thereof.

By Mr. VAN HOLLEN:

H.R. 3858.

Congress has the power to enact this legislation pursuant to the following:

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 Office thereof.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

*[The following action occurred on January 30, 2012]*

H.R. 3582: Mr. MACK, Mr. GARDNER, Mr. SULLIVAN, Ms. HAYWORTH, and Mr. BILIRAKIS.

*[The following actions occurred on January 31, 2012]*

H.R. 23: Mr. LANGEVIN and Mr. BUTTERFIELD.

H.R. 32: Mr. HASTINGS of Florida, Mrs. MCCARTHY of New York, and Mr. GEORGE MILLER of California.

H.R. 58: Mr. STIVERS and Mr. MURPHY of Pennsylvania.

H.R. 104: Mr. HASTINGS of Florida, Ms. LINDA T. SÁNCHEZ of California, and Mr. NEAL.

H.R. 152: Mr. GOSAR.

H.R. 196: Mr. FARR, Mr. KEATING, Ms. JACKSON LEE of Texas, Mr. OLVER, and Mr. CARSON of Indiana.

H.R. 237: Mr. COURTNEY.

H.R. 300: Ms. MCCOLLUM, Ms. MOORE, and Mr. RANGEL.

H.R. 329: Mr. GENE GREEN of Texas, Mr. MCDERMOTT, Mr. CRITZ, and Mr. REYES.

H.R. 361: Mr. CRAVAACK, Mr. KINGSTON, and Mr. RIGELL.

H.R. 365: Mr. POE of Texas and Mr. CARSON of Indiana.

H.R. 399: Mr. CLAY.

H.R. 431: Mrs. BLACK.

H.R. 452: Mr. DUNCAN of South Carolina.

H.R. 458: Mr. TOWNS and Ms. LEE of California.

H.R. 466: Mrs. DAVIS of California, and Mrs. MALONEY.

H.R. 488: Mr. AKIN.

H.R. 529: Mr. VAN HOLLEN.

H.R. 575: Mr. JONES and Mr. WESTMORELAND.

H.R. 645: Mr. STIVERS.

H.R. 677: Mr. FILNER, Mr. PETERS, Ms. SCHAKOWSKY, and Ms. MOORE.

H.R. 718: Mr. GRIFFIN of Arkansas.

H.R. 719: Mr. RIBBLE, Mr. HUIZENGA of Michigan, Mr. COHEN, Mr. DUFFY, Ms. BALDWIN, Mr. MCCOTTER, Ms. DELAURO, and Mr. JONES.

H.R. 721: Ms. BUERKLE and Mr. HASTINGS of Florida.

H.R. 733: Mr. POE of Texas.

H.R. 735: Mr. HASTINGS of Washington.

H.R. 812: Mr. HIMES, Mr. SCOTT of Virginia, Ms. BROWN of Florida, and Ms. MOORE.

H.R. 816: Mr. POE of Texas.

H.R. 835: Mr. CRAWFORD.

H.R. 870: Mr. CUMMINGS.

H.R. 890: Mr. OLVER, Mr. WALBERG, Mr. YOUNG of Alaska, Mr. HONDA, and Mr. LARSEN of Washington.

H.R. 965: Mr. LANGEVIN.

H.R. 973: Mr. CRAVAACK.

H.R. 1048: Mr. DEUTCH and Mr. CLAY.

H.R. 1063: Mr. GARDNER.

H.R. 1148: Ms. LORETTA SANCHEZ of California, Mr. MCCAUL, Mr. TURNER of New York, Mr. MARCHANT, Mr. KEATING, Mr. SERRANO, Mr. HOYER, and Mr. PALLONE.

H.R. 1179: Mr. BERG, Mr. GUTHRIE, Mr. BONNER, Mr. RIBBLE, Mr. CRENSHAW, and Mrs. ADAMS.

H.R. 1206: Mr. GOWDY, Mr. KINGSTON, Mr. GALLEGLY, Mr. FINCHER, Mr. LANCE, and Mr. LATOURETTE.

H.R. 1219: Ms. BERKLEY.

H.R. 1236: Mr. CARNEY and Mr. HURT.

H.R. 1269: Mr. COHEN and Mr. DOGGETT.

H.R. 1321: Mr. DUNCAN of South Carolina.

H.R. 1340: Mrs. NOEM.

H.R. 1385: Mr. RENACCI.

H.R. 1397: Mr. CLARKE of Michigan.

H.R. 1417: Mr. CARNAHAN, Mr. RANGEL, and Mr. OLVER.

H.R. 1449: Ms. LEE of California and Mr. KISSELL.

H.R. 1464: Ms. CHU.

H.R. 1523: Mr. WEST.

H.R. 1543: Ms. MATSUI.

H.R. 1576: Mrs. MCMORRIS RODGERS.

H.R. 1587: Mr. HONDA.

H.R. 1621: Mr. DESJARLAIS and Mr. COLE.

H.R. 1639: Mr. DUNCAN of South Carolina.

H.R. 1648: Mr. GONZALEZ.

H.R. 1676: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1687: Mr. KING of Iowa.

H.R. 1711: Ms. MOORE.

H.R. 1715: Mr. WESTMORELAND.

H.R. 1722: Ms. ZOE LOFGREN of California.

H.R. 1744: Mrs. SCHMIDT, Mr. DENT, and Mrs. EMERSON.

H.R. 1755: Mrs. ELLMERS.

H.R. 1756: Mr. KEATING.

H.R. 1803: Mr. GRIJALVA.

H.R. 1826: Mr. DEUTCH.

H.R. 1831: Mr. CLARKE of Michigan.

H.R. 1856: Mr. BACHUS.

H.R. 1865: Mr. CRAVAACK, Mr. PALAZZO, and Mr. COLE.

H.R. 1876: Mr. DOYLE and Ms. HAHN.

H.R. 1897: Mr. TIBERI, Mr. RANGEL, Mr. WILSON of South Carolina, and Mr. BERMAN.

H.R. 1903: Ms. NORTON, Ms. HAHN, and Mrs. CHRISTENSEN.

H.R. 1960: Mr. STIVERS.

H.R. 1971: Mr. CRITZ.

H.R. 1997: Mr. PALAZZO.

H.R. 2014: Mr. PETERS.

H.R. 2016: Mr. DOGGETT and Mr. HEINRICH.

H.R. 2028: Ms. PINGREE of Maine and Mr. MCGOVERN.

H.R. 2082: Mr. CLAY.

H.R. 2139: Mr. LATHAM, Mr. LATTA, Mr. BOREN, and Mr. MCINTYRE.

H.R. 2179: Mr. TURNER of Ohio, Mr. LOBIONDO, Mr. RYAN of Ohio, and Mr. JONES.

H.R. 2210: Mr. STARK.

H.R. 2256: Mr. SCHIFF, Mr. BUCHANAN, Mr. JACKSON of Illinois, Ms. RICHARDSON, Mr. BISHOP of New York, Mr. LANGEVIN, Mr. KILDEE, Mr. SIRES, Mrs. MCCARTHY of New York, and Mrs. NAPOLITANO.

H.R. 2288: Ms. SCHAKOWSKY and Mr. MORAN.

H.R. 2304: Mr. CRAVAACK.

H.R. 2376: Mr. DEUTCH.

H.R. 2412: Mr. NEAL, Mr. SHERMAN, and Mr. MARKEY.

H.R. 2429: Mr. PAUL.

H.R. 2487: Mr. OLVER, Mr. COHEN, and Mr. HONDA.

H.R. 2499: Ms. MCCOLLUM and Mr. HEINRICH.

H.R. 2501: Ms. TSONGAS.

H.R. 2569: Mr. FRANKS of Arizona and Mr. BASS of New Hampshire.

H.R. 2580: Mr. FLEISCHMANN.

H.R. 2604: Mr. HINCHEY.

H.R. 2679: Mr. BLUMENAUER.

H.R. 2682: Mr. KINGSTON.

H.R. 2697: Mr. POLIS, Mr. MEEKS, and Mr. LARSEN of Washington.

H.R. 2706: Mr. PALAZZO.

H.R. 2716: Mr. CLAY.

H.R. 2729: Mr. BOSWELL, Mr. PETERS, and Mr. FALEOMAVAEGA.

H.R. 2834: Mr. CRAVAACK, Mr. PALAZZO, Mr. DUNCAN of South Carolina, Mr. STIVERS, and Mr. CALVERT.

H.R. 2902: Mr. KUCINICH, Ms. NORTON, Mr. LEWIS of Georgia, and Ms. PINGREE of Maine.

H.R. 2913: Mr. FITZPATRICK.

H.R. 2955: Ms. KAPTUR.

H.R. 2962: Mr. BOUSTANY, Mr. THOMPSON of California, and Mr. DAVIS of Kentucky.

H.R. 2969: Mr. RAHALL.

H.R. 2970: Mrs. MALONEY.

H.R. 2977: Mr. JONES.

H.R. 2978: Mr. POE of Texas, Mrs. LUMMIS, and Mr. WALBERG.

H.R. 2982: Ms. MOORE.

H.R. 3001: Mr. MEEHAN, Mr. STEARNS, Mr. GALLEGLY, and Mr. MCGOVERN.

H.R. 3030: Mr. GRIJALVA.

H.R. 3059: Mr. SMITH of Texas, Mr. ROSS of Florida, Ms. SEWELL, and Mr. WOMACK.

H.R. 3102: Mr. TOWNS and Mr. BERMAN.

H.R. 3145: Mr. BLUMENAUER.

H.R. 3151: Mr. ELLISON.

H.R. 3159: Mr. FRANKS of Arizona.

H.R. 3178: Mr. CLAY.

H.R. 3200: Mr. ROTHMAN of New Jersey, Ms. SPEIER, Mr. VAN HOLLEN, and Mrs. MALONEY.

H.R. 3206: Mr. MATHESON and Mr. BARROW.

H.R. 3209: Mr. MATHESON.

H.R. 3221: Ms. LEE of California.

H.R. 3243: Mr. AUSTIN SCOTT of Georgia.

H.R. 3266: Mrs. CAPPS.

H.R. 3269: Mr. THOMPSON of California, Mr. HOLDEN, Mr. KLINE, Mr. AUSTIN SCOTT of Georgia, and Mr. CROWLEY.

H.R. 3286: Mr. FARR.

H.R. 3298: Mrs. BIGGERT.

H.R. 3300: Mr. DOGGETT.

H.R. 3315: Mr. BENISHEK.

H.R. 3352: Mr. COSTA.

H.R. 3364: Mr. MARINO.

H.R. 3368: Ms. MCCOLLUM, Mr. PAUL, and Mr. STARK.

H.R. 3400: Mr. MCCOTTER and Mr. SCOTT of South Carolina.

H.R. 3407: Mr. DUNCAN of South Carolina.

H.R. 3418: Ms. NORTON and Mr. MCDERMOTT.

H.R. 3458: Mr. BOSWELL.

H.R. 3496: Mr. GRIJALVA.

H.R. 3510: Mr. BERMAN, Ms. LORETTA SANCHEZ of California, and Mr. THOMPSON of Pennsylvania.

H.R. 3521: Ms. JENKINS, Mr. UPTON, Mr. LOEBSACK, and Mr. POLIS.
H.R. 3523: Mr. GARY G. MILLER of California, Mr. STEARNS, and Mr. ISSA.
H.R. 3533: Mr. PETERS and Ms. BALDWIN.
H.R. 3541: Mr. JORDAN, Mr. SAM JOHNSON of Texas, Mr. CARTER, Mr. MARCHANT, and Mr. CONAWAY.
H.R. 3545: Mr. MCKEON and Mr. SCHRADER.
H.R. 3548: Mr. PETRI, Mr. WESTMORELAND, and Mr. KING of New York.
H.R. 3567: Mr. SCALISE.
H.R. 3568: Mr. COLE.
H.R. 3569: Ms. BASS of California.
H.R. 3575: Ms. HAYWORTH.
H.R. 3581: Mrs. BLACK.
H.R. 3596: Mr. FILNER, Ms. VELÁZQUEZ, Mr. DINGELL, Ms. PINGREE of Maine, Mr. BACA, Mr. KISSELL, and Mr. ROTHMAN of New Jersey.
H.R. 3606: Mr. SESSIONS and Mr. KING of New York.
H.R. 3608: Mr. CANSECO.
H.R. 3609: Mr. WESTMORELAND.
H.R. 3612: Mr. RUSH, Mr. RIBBLE, Mrs. DAVIS of California, and Mr. LATTA.
H.R. 3625: Mr. RANGEL and Ms. NORTON.
H.R. 3627: Mrs. DAVIS of California, Mrs. MCMORRIS RODGERS, Mr. ACKERMAN, Ms. SCHAKOWSKY, Mr. TOWNS, Ms. MOORE, and Mrs. CAPPS.
H.R. 3643: Mr. KISSELL.
H.R. 3652: Mr. WALBERG, Mr. ROKITA, and Mr. SAM JOHNSON of Texas.
H.R. 3658: Mrs. EMERSON and Mr. JONES.
H.R. 3666: Mr. KINZINGER of Illinois.
H.R. 3667: Mr. MCDERMOTT and Mr. TIBERI.
H.R. 3676: Mr. VAN HOLLEN and Mr. BURGESS.
H.R. 3698: Mr. LATTA.
H.R. 3702: Mr. LUJÁN, Mr. COHEN, Mr. GRIJALVA, and Mr. HINCHEY.
H.R. 3704: Mr. GRIJALVA, Mr. SERRANO, Ms. LEE of California, and Mr. HONDA.
H.R. 3714: Ms. HIRONO.
H.R. 3764: Mr. CONYERS, Mr. JACKSON of Illinois, and Mr. MCGOVERN.
H.R. 3767: Mr. LANCE, Mr. MEEHAN, Mr. RIVERA, and Mr. ROONEY.
H.R. 3770: Mr. AMODEI.
H.R. 3771: Mr. RUSH and Mr. STARK.
H.R. 3778: Mr. RIBBLE, Mr. BENISHEK, and Mr. AKIN.
H.R. 3798: Ms. PINGREE of Maine.
H.R. 3803: Mr. GUTHRIE, Mr. LONG, Mr. MILLER of Florida, Mrs. BLACK, Mr. BONNER, Mrs. BLACKBURN, Mr. GRAVES of Missouri, Mr. SAM JOHNSON of Texas, Mr. BARLETTA, Mr. GRIFFIN of Arkansas, Mr. KING of New York, Mr. CARTER, Mr. BISHOP of Utah, Mr. CONAWAY, and Mrs. ADAMS.
H.R. 3811: Mr. WESTMORELAND, Mr. GRIFFIN of Arkansas, Mr. ROKITA, Mr. REHBERG, and Mr. YODER.
H.R. 3814: Mr. HUIZENGA of Michigan and Mr. JONES.
H.R. 3820: Ms. SLAUGHTER, Mr. ENGEL, Mrs. MALONEY, Mr. NADLER, and Mr. KING of New York.
H.R. 3821: Mr. CONYERS and Ms. MOORE.
H.R. 3826: Mr. NADLER, Mr. BERMAN, Mr. RANGEL, Mrs. CAPPS, Mr. PALLONE, Mr. WELCH, Ms. ESHOO, Mr. CARSON of Indiana, Mr. MCDERMOTT, Mr. SARBANES, Ms. LEE of California, Mr. ELLISON, Mr. SHERMAN, Ms. HIRONO, Mr. ACKERMAN, Ms. SPEIER, Mr. LEWIS of Georgia, Ms. EDWARDS, Mr. CAPUANO, Mr. THOMPSON of Mississippi, Mr. DINGELL, Ms. MCCOLLUM, Mr. JOHNSON of Georgia, Ms. MOORE, Mr. SABLAN, Mr. PRICE of North Carolina, Ms. RICHARDSON, Ms. HAHN, Mr. MORAN, Mrs. MALONEY, Mr. FILNER, and Mr. COHEN.
H.R. 3828: Mr. HUIZENGA of Michigan, Mr. PITTS, Mr. MARCHANT, Mr. BURTON of Indiana, and Mr. LANKFORD.
H.R. 3833: Mr. NEUGEBAUER.
H.R. 3835: Mr. ROSS of Florida, Mr. OLSON, Mr. FITZPATRICK, and Mr. AMASH.
H.J. Res. 90: Mr. BLUMENAUER, Mr. GENE GREEN of Texas, and Mr. HONDA.
H.J. Res. 93: Mr. BROOKS.
H. Con. Res. 63: Ms. NORTON.
H. Res. 25: Ms. LORETTA SANCHEZ of California.
H. Res. 67: Mr. POSEY.
H. Res. 111: Ms. EDWARDS, Mr. GARRETT, Mr. FLEISCHMANN, Mr. AUSTRIA, Mr. RUSH, Ms. KAPTUR, Mr. MEEKS, Mr. HANNA, and Mr. CHABOT.
H. Res. 130: Mr. SMITH of Washington.
H. Res. 180: Ms. LINDA T. SÁNCHEZ of California.
H. Res. 456: Ms. BROWN of Florida.
H. Res. 484: Mr. JOHNSON of Georgia and Mr. SHERMAN.
H. Res. 509: Mr. KINGSTON, Mr. AMODEI, and Mr. POE of Texas.
H. Res. 521: Mr. FILNER.
H. Res. 523: Mr. DOYLE and Mr. KING of New York.
H. Res. 525: Ms. NORTON, Mr. LOEBSACK, Mr. HOLT, Mr. REYES, and Ms. MCCOLLUM.
H. Res. 526: Mr. TURNER of Ohio.

## CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. CAMP

The provisions that warranted a referral to the Committee on Ways and Means in H.R. 3567, the Welfare Integrity Now for Children and Families Act of 2011, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

## AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 1173

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT NO. 1: At the end of the bill, add the following:

**SEC. 3. ENSURING MARKET PENETRATION FOR PRIVATE LONG-TERM CARE INSURANCE.**

(a) IN GENERAL.—Section 2 shall not take effect until such date as the Secretary of Health and Human Services certifies to the Congress that at least 60 percent of individuals in the United States who are 25 years of age or older have private long-term care insurance.

(b) EXCEPTION.—Notwithstanding subsection (a), section 2(b)(3)(B) shall take effect upon the enactment of this Act.

H.R. 1173

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT NO. 2: Page 5, after line 19, add the following:

**SEC. 3. STUDY ON THE IMPACT OF NOT HAVING LONG-TERM CARE INSURANCE ON THE FEDERAL, STATE, AND LOCAL GOVERNMENTS.**

(a) STUDIES.—Section 2 shall not take effect until—

(1) the Director of the Congressional Budget Office completes a macroeconomic study and submits a report to the Congress on the impact on the Federal, State, and local governments of not having long-term care insurance; and

(2) the Secretary of Health and Human Services completes a study and submits a report to the Congress on the best practices necessary to have a viable, financially secure, and solvent long-term care insurance program.

(b) EXCEPTION.—Notwithstanding subsection (a), section 2(b)(3)(B) shall take effect upon the enactment of this Act.

H.R. 1173

OFFERED BY: MRS. CHRISTENSEN

AMENDMENT NO. 3: At the end of the bill, add the following:

**SEC. 3. ENSURING AVAILABILITY OF AN AFFORDABLE NATIONAL LONG-TERM CARE PROGRAM IN PLACE OF CLASS PROGRAM.**

(a) IN GENERAL.—Section 2 shall not take effect until such date as the Secretary of Health and Human Services certifies that an affordable national long-term care program for community living assistance services and supports (other than the CLASS Program under title XXXII of the Public Health Service Act (42 U.S.C. 300ll et seq.)) is in effect.

(b) EXCEPTION.—Notwithstanding subsection (a), section 2(b)(3)(B) shall take effect upon the enactment of this Act.

H.R. 1173

OFFERED BY: MR. DEUTCH

AMENDMENT NO. 4: At the end of the bill, add the following new section:

**SEC. 3. PREVENTING AN INCREASE IN MEDICAID SPENDING.**

Section 2 (other than subsection (b)(3)(B) of such section) shall not take effect until 90 days after the date on which the Comptroller General of the United States certifies to Congress that failure to implement the CLASS program established under title XXXII of the Public Health Service Act will not increase State and Federal spending for long-term care under the Medicaid program under title XIX of the Social Security Act.

H.R. 1173

OFFERED BY: MR. DEUTCH

AMENDMENT NO. 5: At the end of the bill, add the following new section:

**SEC. 3. CLASS PROGRAM FLEXIBILITY.**

(a) IN GENERAL.—Subject to subsection (b), section 2 (other than subsection (b)(3)(B) of such section) shall not take effect until such date on which each of the following has been satisfied:

(1) The Secretary of Health and Human Services submits to Congress a report including a determination made by the Secretary on whether or not the Secretary has the authority to implement the CLASS program under title XXXII of the Public Health Service Act and develop and implement the benefit plans described in subsection (c).

(2) In the case the Secretary determines the Secretary does not have the authority described in paragraph (1), the Secretary includes in the report described in such paragraph recommendations for statutory changes needed, and a recommended list of statutory provisions that would need to be waived, to provide the Secretary with such authority.

(3) In the case the Secretary determines the Secretary does not have the authority described in paragraph (1), not later than 90 days after the submission of such report and recommendations, Congress has considered and rejected such recommendations.

(b) EXCEPTIONS.—

(1) Section 2 (other than subsection (b)(3)(B) of such section) shall not take effect if the Secretary of Health and Human Services determines under subsection (a)(1) that the Secretary has the authority described in such subsection and the Secretary develops the 3 benefit plans described in subsection (c).

(2) In the case the Secretary determines under subsection (a)(1) that the Secretary

does not have the authority described in such subsection and Congress has not considered and rejected the recommendations described in subsection (a)(2) by the deadline described in subsection (a)(3), section 2 (other than subsection (b)(3)(B) of such section) shall not take effect and the Secretary shall have the authority to waive the provisions recommended by the Secretary to be waived under the report described in subsection (a)(2).

(c) ACTUARIALLY SOUND BENEFIT PLANS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall develop 3 actuarially sound benefit plans as alternatives for consideration for designation as the CLASS Independence Benefit Plan described in section 3203 of the Public Health Service Act that address adverse selection and have market appeal, regardless of whether such plans satisfy the requirements described in subsection (a)(1) of such section.