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# Senate

The Senate was not in session today. Its next meeting will be held on Thursday, February 9, 2012, at 9:30 a.m.

# House of Representatives

WEDNESDAY, FEBRUARY 8, 2012

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

## DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
*February 8, 2012.*

I hereby appoint the Honorable DANIEL WEBSTER 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 11:50 a.m.

## AFGHANISTAN: AMERICA NEEDS THE TRUTH

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

Mr. MCGOVERN. Mr. Speaker, Congress and the American people need to hear the truth about Afghanistan. It is impossible for us to make thoughtful, rational decisions on policy if we do not receive straight, accurate information about the situation on the ground. And we have no right to keep our brave service men and women in harm's way day after day, week after week, based on a steady diet of rosy statements that tell us everything is going well, progress is being made, conditions are improving, and victory is at hand.

On January 18, I had the privilege of sitting down with U.S. Army Lieutenant Colonel Daniel Davis for a special briefing on his assessment of the situation on the ground in Afghanistan. He had recently submitted reports in both classified and unclassified versions to his superiors at the Pentagon. I was joined at that briefing by my colleagues Congressman WALTER JONES and JOHN GARAMENDI, and we were not only impressed with Lieutenant Colonel Davis' character, but the information and analysis he shared with us. Simply put, the situation in Afghanistan does not reflect the optimistic statements we repeatedly hear from high military officials and commanders on a regular basis.

This week, a great deal of what Lieutenant Colonel Davis told us has appeared in the media in an article he wrote for the Armed Forces Journal, the Nation's oldest independent military magazine, and in The New York Times.

Lieutenant Colonel Davis talks about the difficulties of training the Afghan police and military, the challenges facing our own troops to establish sustainable security zones, the rampant corruption, and the great discrepancy between the military's positive public statements and the classified material that contradicts such claims.

The briefing with Danny Davis comes close on the heels of a number of articles that appeared toward the end of last year about the more pessimistic conclusions found in the most recent National Intelligence Estimate on Afghanistan.

According to the press, the current NIE on Afghanistan recognizes that U.S. policy has not achieved the objectives outlined by the President; that instead it casts doubt on official assertions of progress made by the U.S. Government and military leaders. No one likes to hear bad news, Mr. Speaker, but we do need to hear the unvarnished truth. We need accurate information in order to get a genuine understanding of what the situation is like on the ground in Afghanistan. We need to know the very real challenges faced by our troops and our diplomatic, development, and humanitarian workers every day.

As Lieutenant Colonel Davis asserts, the amount of unclassified information available to the American people, the media, and public officials continues to shrink. Ironically, one week before being briefed by Davis, Congressman WALTER JONES and I sent a letter on January 12 to the President asking him to declassify and release the 2011 NIE in Afghanistan. We are still waiting for a response to that request.

Mr. Speaker, the U.S. has spent hundreds of billions of dollars on military



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operations in Afghanistan. Over 5,500 Americans were wounded or killed in Afghanistan last year alone. Over the course of a decade, tens of thousands have come home. Many will carry for a lifetime the unseen scars of post-traumatic stress or traumatic brain injury. Like soldiers everywhere, they face a callous and unsympathetic battlefield. They do what is expected of them, and they do it with courage and determination.

As my colleagues know, the majority of Americans want a safe and orderly withdrawal from Afghanistan as quickly as possible. I want every single one of our troops home and reunited with their families and loved ones as soon as humanly possible. I want them to be able to leave safely and in a manner that generates confidence in what the next day will bring for Afghanistan and the region.

On February 1, the administration announced that it will end U.S. combat operations in Afghanistan at the end of next year. This is welcome news. To ensure that timeline is met and to ensure that our policies and priorities pave the way for a successful transition, we need to know now what the real conditions are on the ground. We can only do that with a clear-eyed, hard-eyed assessment of what is going on in Afghanistan.

An unclassified version of Lieutenant Colonel Davis' report can be found at www.Afghanreport.com. I encourage all my House colleagues to read it. I encourage them to meet with Lieutenant Colonel Davis for a briefing. I urge my House colleagues to ask the President to declassify the 2011 NIE on Afghanistan. And I ask the Pentagon public affairs office to stop stalling and formally approve the release of Lieutenant Colonel Danny Davis' unclassified report.

Mr. Speaker, the Congress and the people of this country deserve more than a whitewash. Too often over the last decade we have been misled about the wars in Iraq and Afghanistan. Too often Congress has made decisions based on false information, and too many of our brave service men and women have lost their lives. This must change. America needs and deserves the truth.

CONGRESS OF THE UNITED STATES,
*Washington, DC, January 12, 2012.*

Hon. BARACK OBAMA,
*President of the United States,*
*The White House, Washington, DC.*

DEAR MR. PRESIDENT: Recent media reports have detailed that the current National Intelligence Estimate (NIE) on Afghanistan recognizes that U.S. policy has not achieved the objectives you have stated for our nation in Afghanistan. Similar reports were published concerning the 2010 NIE. These reports reinforce outside, independent assessments of the Afghan war and cast doubt on official assertions of progress by the U.S. government and military.

Outside of official public statements by U.S. officials, there seems to be near universal recognition that the situation in Afghanistan over the last several years has deteriorated significantly. We are conscious of and sympathetic to the timing of a debate on the Afghan War during an election year. However, as you are aware, the majority of Americans continue to favor an accelerated withdrawal of American troops from the midst of what they rightly recognize as a civil war internal to Afghanistan, one devoid of significant or meaningful al-Qaeda participation.

In order to facilitate an honest understanding of America's involvement in Afghanistan we request that you authorize the declassification and release of the 2011 National Intelligence Estimate on Afghanistan. There are historical precedents for the declassification and release of NIEs. Tragically, there are also historical precedents for inaccurate and misleading public assertions of progress in war by those opposed to bringing military actions to a close. It is haunting in the face of the enormous expenditure of American lives, limbs and resources that progress in Afghanistan may, in fact, be something other than is being represented by those who advocate continued involvement.

The American public and its elected representatives deserve to have a full understanding of the situation in and outlook for Afghanistan as understood by our government. Too many families of our service members are sacrificing too greatly to allow for anything else.

Respectfully,

JAMES P. MCGOVERN,
*Member of Congress.*
WALTER B. JONES,
*Member of Congress.*

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[From the Armed Forces Journal, Feb. 6, 2012]

TRUTH, LIES AND AFGHANISTAN

HOW MILITARY LEADERS HAVE LET US DOWN

(By Lt. Col. Daniel L. Davis)

I spent last year in Afghanistan, visiting and talking with U.S. troops and their Afghan partners. My duties with the Army's Rapid Equipping Force took me into every significant area where our soldiers engage the enemy. Over the course of 12 months, I covered more than 9,000 miles and talked, traveled and patrolled with troops in Kandahar, Kunar, Ghazni, Khost, Paktika, Kunduz, Balkh, Nangarhar and other provinces.

What I saw bore no resemblance to rosy official statements by U.S. military leaders about conditions on the ground.

Entering this deployment, I was sincerely hoping to learn that the claims were true: that conditions in Afghanistan were improving, that the local government and military were progressing toward self-sufficiency. I did not need to witness dramatic improvements to be reassured, but merely hoped to see evidence of positive trends, to see companies or battalions produce even minimal but sustainable progress.

Instead, I witnessed the absence of success on virtually every level.

My arrival in country in late 2010 marked the start of my fourth combat deployment, and my second in Afghanistan. A Regular Army officer in the Armor Branch, I served in Operation Desert Storm, in Afghanistan in 2005–06 and in Iraq in 2008–09. In the middle of my career, I spent eight years in the U.S. Army Reserve and held a number of civilian jobs—among them, legislative correspondent for defense and foreign affairs for Sen. Kay Bailey Hutchison, R–Texas.

As a representative for the Rapid Equipping Force, I set out to talk to our troops about their needs and their circumstances. Along the way, I conducted mounted and dismounted combat patrols, spending time with conventional and Special Forces troops. I interviewed or had conversations with more than 250 soldiers in the field, from the lowest-ranking 19-year-old private to division commanders and staff members at every echelon. I spoke at length with Afghan security officials, Afghan civilians and a few village elders.

I saw the incredible difficulties any military force would have to pacify even a single area of any of those provinces; I heard many stories of how insurgents controlled virtually every piece of land beyond eyeshot of a U.S. or International Security Assistance Force (ISAF) base.

I saw little to no evidence the local governments were able to provide for the basic needs of the people. Some of the Afghan civilians I talked with said the people didn't want to be connected to a predatory or incapable local government.

From time to time, I observed Afghan Security forces collude with the insurgency.

FROM BAD TO ABYSMAL

Much of what I saw during my deployment, let alone read or wrote in official reports, I can't talk about; the information remains classified. But I can say that such reports—mine and others'—serve to illuminate the gulf between conditions on the ground and official statements of progress.

And I can relate a few representative experiences, of the kind that I observed all over the country.

In January 2011, I made my first trip into the mountains of Kunar province near the Pakistan border to visit the troops of 1st Squadron, 32nd Cavalry. On a patrol to the northernmost U.S. position in eastern Afghanistan, we arrived at an Afghan National Police (ANP) station that had reported being attacked by the Taliban 2½ hours earlier.

Through the interpreter, I asked the police captain where the attack had originated, and he pointed to the side of a nearby mountain.

''What are your normal procedures in situations like these?'' I asked. ''Do you form up a squad and go after them? Do you periodically send out harassing patrols? What do you do?''

As the interpreter conveyed my questions, the captain's head wheeled around, looking first at the interpreter and turning to me with an incredulous expression. Then he laughed.

''No! We don't go after them,'' he said. ''That would be dangerous!''

According to the cavalry troopers, the Afghan policemen rarely leave the cover of the checkpoints. In that part of the province, the Taliban literally run free.

In June, I was in the Zharay district of Kandahar province, returning to a base from a dismounted patrol. Gunshots were audible as the Taliban attacked a U.S. checkpoint about one mile away.

As I entered the unit's command post, the commander and his staff were watching a live video feed of the battle. Two ANP vehicles were blocking the main road leading to the site of the attack. The fire was coming from behind a haystack. We watched as two Afghan men emerged, mounted a motorcycle and began moving toward the Afghan policemen in their vehicles.

The U.S. commander turned around and told the Afghan radio operator to make sure the policemen halted the men. The radio operator shouted into the radio repeatedly, but got no answer.

On the screen, we watched as the two men slowly motored past the ANP vehicles. The policemen neither got out to stop the two men nor answered the radio—until the motorcycle was out of sight.

To a man, the U.S. officers in that unit told me they had nothing but contempt for the Afghan troops in their area—and that was before the above incident occurred.

In August, I went on a dismounted patrol with troops in the Panjwai district of Kandahar province. Several troops from the unit had recently been killed in action, one of whom was a very popular and experienced soldier. One of the unit's senior officers rhetorically asked me, ''How do I look these men in the eye and ask them to go out day after day on these missions? What's harder: How do I look [my soldier's] wife in the eye when I get back and tell her that her husband died for something meaningful? How do I do that?''

One of the senior enlisted leaders added, ''Guys are saying, 'I hope I live so I can at least get home to R&R leave before I get it,' or 'I hope I only lose a foot.' Sometimes they even say which limb it might be: 'Maybe it'll only be my left foot.' They don't have a lot of confidence that the leadership two levels up really understands what they're living here, what the situation really is.''

On Sept. 11, the 10th anniversary of the infamous attack on the U.S., I visited another unit in Kunar province, this one near the town of Asmar. I talked with the local official who served as the cultural adviser to the U.S. commander. Here's how the conversation went:

Davis: ''Here you have many units of the Afghan National Security Forces [ANSF]. Will they be able to hold out against the Taliban when U.S. troops leave this area?''

Adviser: ''No. They are definitely not capable. Already all across this region [many elements of] the security forces have made deals with the Taliban. [The ANSF] won't shoot at the Taliban, and the Taliban won't shoot them.

''Also, when a Taliban member is arrested, he is soon released with no action taken against him. So when the Taliban returns [when the Americans leave after 2014], so too go the jobs, especially for everyone like me who has worked with the coalition.

''Recently, I got a cellphone call from a Talib who had captured a friend of mine. While I could hear, he began to beat him, telling me I'd better quit working for the Americans. I could hear my friend crying out in pain. [The Talib] said the next time they would kidnap my sons and do the same to them. Because of the direct threats, I've had to take my children out of school just to keep them safe.

''And last night, right on that mountain there [he pointed to a ridge overlooking the U.S. base, about 700 meters distant], a member of the ANP was murdered. The Taliban came and called him out, kidnapped him in front of his parents, and took him away and murdered him. He was a member of the ANP from another province and had come back to visit his parents. He was only 27 years old. The people are not safe anywhere.''

That murder took place within view of the U.S. base, a post nominally responsible for the security of an area of hundreds of square kilometers. Imagine how insecure the population is beyond visual range. And yet that conversation was representative of what I saw in many regions of Afghanistan.

In all of the places I visited, the tactical situation was bad to abysmal. If the events I have described—and many, many more I could mention—had been in the first year of war, or even the third or fourth, one might be willing to believe that Afghanistan was just a hard fight, and we should stick it out. Yet these incidents all happened in the 10th year of war.

As the numbers depicting casualties and enemy violence indicate the absence of progress, so too did my observations of the tactical situation all over Afghanistan.

CREDIBILITY GAP

I'm hardly the only one who has noted the discrepancy between official statements and the truth on the ground.

A January 2011 report by the Afghan NGO Security Office noted that public statements made by U.S. and ISAF leaders at the end of 2010 were ''sharply divergent from IMF, [international military forces, NGO-speak for ISAF] 'strategic communication' messages suggesting improvements. We encourage [nongovernment organization personnel] to recognize that no matter how authoritative the source of any such claim, messages of the nature are solely intended to influence American and European public opinion ahead of the withdrawal, and are not intended to offer an accurate portrayal of the situation for those who live and work here.''

The following month, Anthony Cordesman, on behalf of the Center for Strategic and International Studies, wrote that ISAF and the U.S. leadership failed to report accurately on the reality of the situation in Afghanistan.

''Since June 2010, the unclassified reporting the U.S. does provide has steadily shrunk in content, effectively 'spinning' the road to victory by eliminating content that illustrates the full scale of the challenges ahead,'' Cordesman wrote. ''They also, however, were driven by political decisions to ignore or understate Taliban and insurgent gains from 2002 to 2009, to ignore the problems caused by weak and corrupt Afghan governance, to understate the risks posed by sanctuaries in Pakistan, and to 'spin' the value of tactical ISAF victories while ignoring the steady growth of Taliban influence and control.''

How many more men must die in support of a mission that is not succeeding and behind an array of more than seven years of optimistic statements by U.S. senior leaders in Afghanistan? No one expects our leaders to always have a successful plan. But we do expect—and the men who do the living, fighting and dying deserve—to have our leaders tell us the truth about what's going on.

I first encountered senior-level equivocation during a 1997 division-level ''experiment'' that turned out to be far more setpiece than experiment. Over dinner at Fort Hood, Texas, Training and Doctrine Command leaders told me that the Advanced Warfighter Experiment (AWE) had shown that a ''digital division'' with fewer troops and more gear could be far more effective than current divisions. The next day, our congressional staff delegation observed the demonstration firsthand, and it didn't take long to realize there was little substance to the claims. Virtually no legitimate experimentation was actually conducted. All parameters were carefully scripted. All events had a preordained sequence and outcome. The AWE was simply an expensive show, couched in the language of scientific experimentation and presented in glowing press releases and public statements, intended to persuade Congress to fund the Army's preference. Citing the AWE's ''results,'' Army leaders proceeded to eliminate one maneuver company per combat battalion. But the loss of fighting systems was never offset by a commensurate rise in killing capability.

A decade later, in the summer of 2007, I was assigned to the Future Combat Systems (FCS) organization at Fort Bliss, Texas. It didn't take long to discover that the same thing the Army had done with a single division at Fort Hood in 1997 was now being done on a significantly larger scale with FCS. Year after year, the congressionally mandated reports from the Government Accountability Office revealed significant problems and warned that the system was in danger of failing. Each year, the Army's senior leaders told members of Congress at hearings that GAO didn't really understand the full picture and that to the contrary, the program was on schedule, on budget, and headed for success. Ultimately, of course, the program was canceled, with little but spinoffs to show for $18 billion spent.

If Americans were able to compare the public statements many of our leaders have made with classified data, this credibility gulf would be immediately observable. Naturally, I am not authorized to divulge classified material to the public. But I am legally able to share it with members of Congress. I have accordingly provided a much fuller accounting in a classified report to several members of Congress, both Democrats and Republicans, senators and House members.

A nonclassified version is available at www.afghanreport.com. [Editor's note: At press time, Army public affairs had not yet ruled on whether Davis could post this longer version.]

TELL THE TRUTH

When it comes to deciding what matters are worth plunging our nation into war and which are not, our senior leaders owe it to the nation and to the uniformed members to be candid—graphically, if necessary—in telling them what's at stake and how expensive potential success is likely to be. U.S. citizens and their elected representatives can decide if the risk to blood and treasure is worth it.

Likewise when having to decide whether to continue a war, alter its aims or to close off a campaign that cannot be won at an acceptable price, our senior leaders have an obligation to tell Congress and American people the unvarnished truth and let the people decide what course of action to choose. That is the very essence of civilian control of the military. The American people deserve better than what they've gotten from their senior uniformed leaders over the last number of years. Simply telling the truth would be a good start.

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[From the Huffington Post, Feb. 6, 2012]

LIEUTENANT COLONEL DAVIS, DEATH AND DECEPTION IN AFGHANISTAN

(By Matthew Hoh)

''God help this country when someone sits in this chair who doesn't know the military as well as I do.''—President Dwight D. Eisenhower

In late December, Secretary of Defense Leon Panetta assured Representative Frank Wolf (R–VA) that the United States was ''making undeniable progress'' in its war in Afghanistan and that a congressionally mandated, independent assessment of the war was ''not necessary.'' However, recent media reports of internal Department of Defense and Intelligence Community assessments of the war contradict, again, claims of progress and illustrate instead that the war is stalemated with US policies over the last several years weakening the Karzai government and alienating the Afghan population, while strengthening the Afghan insurgency and ruining the US relationship with nuclear armed Pakistan. Independent studies of the conflict by non-government and international organizations corroborate these reports and assessments.

Today, the New York Times reports that an active duty Army officer, Lieutenant Colonel Daniel L. Davis, has submitted a classified report to members of Congress that documents the failings of US policy in Afghanistan. More importantly, LTC Davis attests that senior leaders of the Department of Defense, both uniformed and civilian, have intentionally and consistently misled the American people and Congress on the conduct and progress of the Afghan War. The 58-page classified report he prepared, briefed and submitted to senators, representatives and cleared staff members over the last few

weeks utilizes nearly 50 historical and current classified sources and draws from 250 interviews he conducted with soldiers throughout Afghanistan during his most recent year-long combat deployment.

In addition to the classified report, LTC Davis has written an 86-page unclassified version, as well as an article, published today by the Armed Forces Journal. These reports depict a near institutionalizing of dishonesty and deception by senior DOD leadership towards the American public and Congress. LTC Davis documents, as well, examples from the Iraq war and major weapons procurement programs to illustrate the persistent duplicity of the Pentagon's senior ranks. Victory narratives, career ambitions and institutional protection fuel these deceits. Deceits that have only delivered the loss of thousands of lives, the waste of hundreds of billions of dollars and the failure to achieve American policy objectives.

LTC Davis has submitted his reports to the Department of the Army, his chain of command and the Department of Defense Inspector General. Hard copies of the classified reports are available for viewing by appropriately cleared members and staff of Congress. However, DOD has not publicly released the unclassified version, even with it being verified as not containing classified information. This is in spite of LTC Davis having provided the report for review to the Defense Department over two weeks ago (Defense Department regulations require only a 10 business day review). I am not surprised DOD is slow with its approval; his allegations are harsh and damning, although accurate and honest.

Danny Davis is a friend of mine; we have known each other since the fall of 2009. Bonding over coffees and lunches as rightful skeptics of the escalation of the Afghan war, we are now observing our worst concerns being realized. At a cost of over 11,000 killed and wounded Americans, the surge in Afghanistan is now being wound down without the achievement of its core objectives.* However, accompanying such a failure, are triumphant claims of success and accomplishment from American generals and their civilian counterparts. For those that comprehend the true consequences of this war: the cold, waxen dead; the mutilated flesh and shattered bone; the fatherless children so very young and the new widows so alone and so heartbroken; such specious and unfounded claims of progress without fact in this war are reckless, dishonorable and injurious.

Over the last several months, at great risk to his career and personal life, LTC Davis has documented the deliberate misleading of the American people and Congress by the leaders of the Department of Defense.** He has done his nation and the United States Army a tremendous service. Thus far the Army has taken no punitive action against LTC Davis, however, I have no doubt his character and motivations will ultimately be attacked and disparaged. I suspect elements of DOD leadership and their supporters will seek to discredit him and persecute him. I am afraid he will face significant, but spurious, investigations and prosecutions for his truth telling actions, such as Justice Department lawyer Thomas Tamm or National Security Agency employee Thomas Drake had to suffer, or that State Department officer Peter Van Buren is currently enduring.

Over 5,500 Americans were killed or wounded in Afghanistan in 2011. Tens of thousands who have come home will soldier a lifetime with the unseen scars of post-traumatic stress or traumatic brain injury. Our service members find themselves held to account on a callous and unsympathetic battlefield in a schizophrenic and absurd war. They do what is expected of them and hold themselves responsible to those who depend on them.

In contrast, for those in Washington charged with the decisions of war and peace, many of the participants seem to alternate between Pollyannas, chickenhawks and those who have lost sight of the difference between respect for and deference to the military. Any accounting for last year's 5,500 killed and wounded, if the discussants are even aware of the toll, is only a mathematical exercise, and an abstract one at that.

We expect our service members in Afghanistan to do the hard, brutal and savage fighting our policies ask of them without question. They do. Their expectation of those of us in Washington, those of us in our heated offices, wearing ties and high heels, who wake each day safe with our families, is that we ask hard questions, examine the reality of the conflict and not accept assertions of success without evidence.

The assumptions underlying the escalation of the Afghan war were incorrect. The Afghan surge, viewed by policy makers and some in the military as some form of social experiment to validate personal and institutional legacies and theories, rather than achieve US objectives worthy of bodily sacrifice, is failing. LTC Davis has demonstrated the courage to expose the deceptions that perpetuate this war, its failings and its deaths. It is now up to the American people and its Congress to hold those who were not just wrong, but mendacious, to account.

*To be clear, however, continuation of the current war policy would simply be madness. Secretary Panetta's recent announcement to end US combat operations in 2013 is a wise decision (wiser if it had been made in 2009); particularly if this policy shift is coupled with a transition of the role of the US from belligerent in the conflict to mediator of an inclusive political process to settle the three decade plus Afghan war.

**Myself and investigative journalist and historian Gareth Porter, and former intelligence officer and author Tony Shaffer, have provided moral support throughout this process.

## ODDS AND SODS

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

Mr. McCOTTER. Mr. Speaker, odds and sods for brunch this morning.

We have recently seen an ad that played during the Super Bowl that is referred to as the halftime ad. It has caused much discussion in this country, much of it focusing on the political dimension of the attempt to sell cars that were made in my hometown of Detroit.

First I must admit that I disagree with the premise of the ad, that it is halftime in America. For logically, we would then have to conclude that the free Republic in which we inhabit will expire before its 500th birthday. I refuse to concede that a revolutionary experiment in human freedom has any timeline whatsoever. But what I do wholeheartedly concur with is the fact that American manufacturing, especially our auto industry, is starting to revive. As it does, it will continue to form a critical engine of any economic recovery we have and will form the basis of ensuring that our American economy leads the world. Yet despite this nascent recovery, we must continue to watch the horizon for any dangers that may loom to our industrial base here at home.

One of these is the attempt of our strong ally Japan to join the Trans-Pacific Partnership initiative. Currently the United States, Brunei, Chile, Malaysia, New Zealand, Peru, Singapore, and Vietnam are trying to ensure the free flow of goods, including automobiles, amongst our Nations. Japan wishes to enter into this partnership which was formed. Unfortunately, the time is not right. For Japan, like Communist China, continues to manipulate currency, continues to put up nontariff trade-entry barriers, and until Japan has restructured and reformed itself, their entry into this organization, to this initiative can only slow the progress and have a detrimental impact upon our manufacturing base.

I would encourage all to understand the importance—not just to those of us who were born and bred in what was once known as the arsenal of democracy—to understand the importance of manufacturing. I ask this administration and I ask all those involved in this initiative to ask Japan to do the right thing before they join us at the table and embark upon a greater period of prosperity for our nations.

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Finally, Mr. Speaker, I would just like to point out, as I did when the ObamaCare legislation on health care was passed: So this is what change looks like.

As an Irish Catholic, I remind my co-religionists and all Americans that no government can come between you and your conscience and the central tenets of your creed. What we are seeing now is the unfortunate fruits of the logical extension of the cesspool of Jean-Jacques Rousseau and his civil religion whereby your true religion was tolerated as long as it was subservient to the state. That is not what this Nation is about. It is a clear violation of your constitutional right to freely exercise your religion.

There is no debate. There is nothing to be worked out. This odious regulation must be withdrawn, lest this administration or those who support it go back on their word to protect and defend your rights under that said Constitution, and, as a practical matter, belie the left's myth that they will not enforce their morality on you.

## END THE WAR IN AFGHANISTAN

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

Mr. GARAMENDI. Mr. Speaker, I stand here today to speak about the Afghanistan war. I commend President Obama's administration for the steps it has taken to bring the longest war in our Nation's history to a close.

Last week, Defense Secretary Panetta said that by mid- or the latter part of 2013 we'll be able to make a transition from a combat role to a training, advice, and assistance role. I urge the administration to fulfill this aspiration and bring our troops home to their families. They have sacrificed enough.

The Afghanistan war began as a war of necessity. After the horrific September 11 attacks, we sent our troops to eliminate al Qaeda and their leaders and destroy their training camps to prevent a future terrorist attack. Our troops carried out this mission with extraordinary courage and dedication. Osama bin Laden was driven out of Afghanistan, and he is now dead.

Furthermore, the intelligence community affirms that al Qaeda is virtually extinguished from Afghanistan; yet the war continues. End this war now and focus like a laser on terrorists wherever they may be.

Our troops in Afghanistan are no longer fighting terrorists who pose a threat to the United States. They are now fighting domestic Afghanistan factions and defending a corrupt and inept Afghanistan Government. Our servicemembers are dying in another country's civil war. This has become a war of choice.

I recently met with Lieutenant Colonel Danny Davis, who described to me what a civil war looks like on the ground. He has served two combat deployments in Afghanistan and has traveled throughout the country talking to U.S. troops stationed all over. A recent evaluation of Colonel Davis reads: ''His maturity, tenacity and judgment can be counted on in even the hardest situations, and his devotion to mission accomplishment is unmatched by his peers.''

Now, this is what Colonel Davis has described as to what he has observed: ''What I saw bore no resemblance to the rosy official statements by U.S. military leaders about conditions on the ground. Entering this deployment, I was sincerely hoping to learn that the claims were true: that conditions in Afghanistan were improving. Instead, I witnessed the absence of success on virtually every level.

''I saw the incredible difficulties any military force would have to pacify even a single area of any of those provinces; I heard many stories of how insurgents controlled virtually every piece of land beyond eyeshot of a U.S. or International Security Assistance Force, ISAF, base. I saw little to no evidence the local governments were able to provide for the basic needs of the people. Some of the Afghan civilians I walked with said the people didn't want to be connected to a predatory or incapable local government. From time to time, I observed Afghan security forces collude with the insurgency.''

Colonel Davis' candid testimony reinforced my own conviction that there is no military solution to the conflict in Afghanistan, only the prospect of continued shedding of American blood in a war that is not ours to fight. Only through negotiated political settlement amongst the Afghan factions, not through an open-ended U.S. military presence, could Afghanistan become a stable and developing country.

America faces new threats now. More than $1 trillion spent on two wars over the course of a decade undermines our financial stability and takes away much-needed funds for American jobs and investments at home. The Obama administration has shown courageous leadership in eliminating Osama bin Laden. They have also shown leadership in bringing the war in Iraq to an end and in planning to ensure that the U.S. military commitment in Afghanistan is not an open-ended one. As President Obama clearly stated in his speech on the drawdown plan last year, we need to focus on nation-building at home. I agree. I strongly support ending U.S. combat operations in Afghanistan and bringing our troops home by mid-2013, if not sooner. It's us, the 435 Members of this body, the United States Congress, that can choose when this war ends.

## BRING OUR TROOPS HOME FROM AFGHANISTAN

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

Mr. JONES. Mr. Speaker, I join my friend from California who just spoke, and my friend from Massachusetts who spoke before him, Mr. GARAMENDI and Mr. MCGOVERN.

I joined in that meeting with Lieutenant Colonel Davis. He is a very brave man. In fact, if any of my colleagues would like to read the article in The New York Times on Monday, the title is: ''In Afghan War, Officer Becomes a Whistle-Blower,'' with a subtitle of ''A Solo Campaign to Tell the Truth.'' And as my two friends who have just spoken said, the truth does matter. Our Lord and Savior Jesus Christ spoke the truth, and it's time that we in Congress demand the truth on this war in Afghanistan.

I think Colonel Davis is doing this country a tremendous favor by trying to say: Congress, ask the right questions. Stop listening to those who keep telling you that training the Afghan soldiers and the Afghan to be policemen is going well. I'm on the Armed Services Committee, and I've been hearing that for 10 years. You can teach a monkey to ride a bicycle sooner than 10 years. How many more young men and women have to give their legs and their arms?

Last week, I had a Marine general in my office and a Navy admiral. After we talked about the issues impacting eastern North Carolina where we have three bases, we got into this war on Afghanistan. I was telling them that the broken bodies I've seen at Walter Reed and Bethesda—which now have been consolidated to Walter Reed at Bethesda, and I'll be there next Tuesday—I was telling them about seeing four young men that have no body parts below their waist. They're living. They would have died in Vietnam.

Medical technology has advanced to the point that a young man or young woman can live with half a body, nothing below their waist. The admiral told me of seeing a young man that he visited that has no arms or legs, no arms or legs and he's living. Uncle Sam, you've got a tremendous responsibility to take care of these heroes for the next 10, 15, 20, 25, 30 years; and this Congress can't even balance the budget. No veteran from these two wars should ever be told that your check did not come in this month because Uncle Sam cannot pay his bills.

Mr. Speaker, before closing, these two little girls beside me on this poster, their father, Sergeant Balduff from Camp Lejeune, was sent to Afghanistan with Colonel Palmer from Cherry Point Marine Air Station to train Afghans to be policemen. Sergeant Balduff emailed his wife, Amy, the night before he died and said, ''I don't trust them. I don't trust them. I don't trust any of them.'' The next night, a trainee stood up at a dinner and shot and killed the colonel and the sergeant.

To my friends who have spoken and my friends who are speaking after me, we must demand that this Congress awaken from its sleep on Afghanistan.

□ 1020

The American people are ready to bring our troops home. We don't need to wait till 2013, 2014, or 2015. We need to say to the President, Start the process this fall. It will take a year to bring them home. If you announce that you're going to bring them home this year, it will take a year before they come home.

These two little girls are standing at their father's grave at Arlington Cemetery. How many children have cried, and how many children have felt pain, and how many babies will never know their father or their mother?

To my colleagues on the other side and my colleagues on this side, let's come together. Let's end the war in Afghanistan. Karzai is a crook. Afghanistan's history said no great nation will ever conquer Afghanistan.

So, as I close, Mr. Speaker, as always, I ask God to please bless our men and women in uniform. I ask God to please bless the families of our men and women in uniform. I ask God, in His loving arms, to hold the families who've given a child dying for freedom in Afghanistan and Iraq. I ask God to bless the House and Senate, that we will do what is right in the eyes of God for the American people. And I ask God to please bless the President, that he will do what is right in the eyes of God for the American people.

And I close by asking three times, God, please, God, please, God, please continue to bless America.

## INCREASE FUNDING FOR RARE DISEASE RESEARCH AND DEVELOPMENT

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

Mr. TOWNS. Mr. Speaker, recently I met Jill Wood from my district in Brooklyn. I was very moved by this meeting as she described the struggles of her son, who is diagnosed with a rare genetic disease known as Sanfilippo syndrome.

Before we met, I was not familiar with this particular disease, but she touched my heart to hear about her child's courage. Every day he has to overcome physical disabilities that make it almost impossible for him to complete a very simple task that we complete with ease. I was inspired by the strength of their family and the bond that they share.

I have long been a strong advocate for rare disease research and development. In fact, this is why I am working with my colleague from Florida, Congressman STEARNS, on H.R. 3737, the ULTRA Act. This bill would codify the flexibility the FDA needs to encourage development of treatments for rare diseases like Sanfilippo syndrome.

It is our duty, as Members of the United States Congress, to come together and support measures that aid the rare disease community. Imagine being afflicted with a disease your physician has never heard of and has no idea as to how to treat it. Can you imagine the devastation this would cause to your family?

We must provide the National Institutes of Health with additional funding to support the important research for orphan and rare diseases. We must also give flexibility and support to the FDA to help the agency bring potential cures and treatments to the market much sooner.

How long must we wait and continue to suffer until lifesaving treatments are available?

Nearly 30 million Americans are affected by 7,000 rare diseases. We must do everything in our power to support education, advocacy, research, and patient assistance to bring this number down. Imagine the families out there watching their loved ones suffer because we have not yet provided enough support for this cause.

We are a great Nation of innovation, but that innovation and drive only goes so far without the proper support coming from the government. Our constituents need to know that we hear their needs and that, as their elected officials, we are determined to make available the resources that will support them.

The next time I speak to a family affected by rare diseases, I want to be able to look them in the eyes and tell them that we have helped, that we made available the means necessary to support lifesaving research and development, we care and we will do everything in our power to ensure that everyone has the chance to live full, healthy, and prosperous lives.

Thank you, Jill, for bringing this to my attention.

I urge my colleagues to support the ULTRA Act and increase funding for rare disease research and development. It is so important that we do everything possible to be able to bring the numbers down.

## OFFICER KEVIN BRENNAN, NEW YORK POLICE DEPARTMENT

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

Mr. POE of Texas. Mr. Speaker, recently, in one of New York's neighborhoods, gunshots rang out. One of NYPD's finest, Police Officer Kevin Brennan, quickly responded to the call. When he arrived at the scene with his partners, they recognized a familiar face. It was outlaw Latin Kings gang member Luis ''Baby'' Ortiz. Brennan gave the suspect a chance to turn himself over to the police by yelling, ''Stop. Police,'' but Ortiz took off running in the darkness of the night. The officers gave chase. Officer Brennan cornered Ortiz in a hallway, and rather than give up, Ortiz shot Officer Brennan, point blank, in the head. Ortiz was trying to flee the scene of the shooting so fast that he ran out of one of his shoes and left it at the crime scene.

Police Commissioner Ray Kelly said Ortiz may have tried to fire off a second shot into Officer Brennan's head. Obviously, Ortiz has a total disrespect for human life.

When Police Officers Michael Burbridge and Christopher Mastoros arrived and found Officer Brennan, he was lying in a pool of his own blood, left to die. But Officer Brennan miraculously survived this attack.

The outlaw was captured. When ''Baby'' was brought to court, he made a mockery of the judicial system, waving at the cameras, asking them to take his photograph, while blowing kisses to his family. His family, too, showed disdain for the justice system and the police by yelling obscenities to the police and banging their hands and fists on a police cruiser that led Ortiz back to the jailhouse.

On Ortiz's second appearance in the court, the courtroom was packed with a sea of blue. NYPD had come to support their wounded fellow officer.

Disturbing, but not surprising, this would-be assassin has been arrested 14 times in his just 21 years of a lifetime of crime and lawless, worthless existence. His crimes have included drugs, assault, and armed robbery; yet he has walked free every time, beating the system.

One more detail worth noting. The weapon used to shoot Officer Brennan was the same one used in a New Year's Day murder in New York. Coincidence? Probably not.

Officer Brennan, a 6-year veteran of NYPD, is married and has a young baby daughter.

Mr. Speaker, in my other life, I was a prosecutor and a criminal court judge in Texas. I have been privileged to meet a lot of Texas peace officers and other officers in the United States. I've had the opportunity to meet many New York police officers when I go to New York to do presentations and training. After we get through the language barriers, I've found them to be a remarkable bunch of dedicated crime fighters.

Officer Brennan and thousands of his comrades throughout America wear the blue uniform of the law every day. They pin the shield and badge over their chest, over their heart, as a symbol of their duty to defend the people against outlaws like Ortiz. They are the last strand of wire in the fence between the fox and the chickens. They are all that separate the lawful citizens from the lawless bandits.

They go into dangerous areas of our city looking for drug dealers, child molesters, wife beaters, robbers, bandits and other street terrorists that would do the rest of us harm. They deserve our respect, our admiration, and our appreciation. We thank the Good Lord for people like Officer Brennan and the others of NYPD blue.

As for ''Baby,'' it's past time that ''Baby'' met the long arm of justice.

□ 1030

He's looking at doing 40 years behind bars in the ''Do-Right'' Hotel.

Our society cannot allow street trash like Ortiz to get away with their desire to wreak havoc in their neighborhoods and shoot peace officers. After all, Mr. Speaker, ''We've got too many gangsters doing dirty deeds, too much corruption and crime in the streets. A man has to answer for the wicked things he's done because justice is the one thing you should always find.'' May it be swift and harsh, because justice is what we do in this country.

And that's just the way it is.

## FOOD STAMP PRESIDENT

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

Mr. GUTIERREZ. Mr. Speaker, I have to admit that when Newt Gingrich first used the phrase the ''food stamp President,'' I was outraged, but then I started looking at the facts. I did my homework. I crunched the numbers, and I have to admit, food stamp President might be on target.

I think we have to be willing to understand the numbers and speak the truth even when that truth might hurt. So I've come to the floor today with some facts and figures—all sourced and backed up—because I know that Newt Gingrich wouldn't have it any other way. So let's learn about the food stamp President.

Here are the facts:

It clearly shows that the food stamp President increased spending on food stamps by more than $19 billion. Let me repeat that: under the food stamp

President, the U.S. increased its spending on food stamps by more than $19 billion. That's a ''b.'' The source? The U.S. Department of Agriculture.

Here's fact number two. Under the food stamp President, the number of people using the food stamp program increased by 11 million people. The source? The USDA.

Here's fact number three. Even the amount of the benefit has increased under the food stamp President. The amount per benefit increased $27.38 per recipient. Not much you would say, $27. Guess what? The $27 increase per benefit is the largest increase that's occurred under any President in the last 30 years. Pretty dramatic, huh? What's the source of that? The USDA.

Now, let's just review for everybody again. Republicans and Democrats, let's all get together and review that the numbers don't lie. Under the Food Stamp President, spending increased by more than $19 billion; the number of people using the program increased by 11 million people; and the amount of the benefit increased by a historic amount not seen in the last 30 years.

We may not like the facts, but sometimes the truth just hurts.

Here we have him, the food stamp President of the United States. Yes, George W. Bush is the Food Stamp President of the United States. Under the food stamp President, George Bush, we spent more, had more recipients, and gave each recipient more money for food.

Now, I know that some of you are saying, LUIS, you aren't being fair. Aren't there some other food stamp Presidents out there? Okay. You're right.

Yet, under another food stamp President, spending increased by more than $9 billion, the number of recipients increased by 7 million, and the amount of the benefit increased by $17. Yes, it's showing who it is. Here it is. George Herbert Walker Bush was also the food stamp President. See, it runs in the family. Food stamp President, senior, and food stamp President, junior. It's hereditary. A rampant family disease that makes them just want to feed hungry poor people.

Now, I have to confess and make a confession today. I support the food stamp program. I think that SNAP—the Supplemental Nutrition Assistance Program, to call it by its actual name and not something that Newt Gingrich thinks is politically punchy—serves an important purpose. The purpose is largely to prevent children and old people from going hungry. SNAP doesn't provide them with some fancy perk from some out-of-control free spending program. It provides kids and old people with food. You can't redeem food stamps at Tiffany, which might be another reason why Newt Gingrich thinks it's so bad.

But I think that Americans want their people not to go hungry. Just in case I'm wrong, if Newt Gingrich met a food stamp President other than the one named George Bush, I want to thank Barack Obama today because he's also invested in SNAP. He's invested in nutrition for America's most vulnerable.

Here's another fact, the last one I'll make today, Mr. Speaker, and this one is for Newt Gingrich. Just in case his food stamp President name-calling was designed to make a political point that he wasn't quite so willing to come right out and say of the recipients whose race we know, 22 percent of SNAP recipients are black, 34 percent are white, because hunger knows no race or religion or age or political party. Hunger is color-blind, Mr. Gingrich.

## REGULATIONS PREVENT JOBS

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

Mr. WALBERG. Mr. Speaker, a few weeks ago during a district work period, I had the privilege to catch up with many of my constituents back in Michigan's Seventh District.

Business owners graciously invited me into their facilities eager to talk about the economic climate as well as what can be done to promote growth. These conversations continued in coffeehouses and town halls across the district where citizens packed into rooms eager to exchange their ideas, triumphs, and concerns with me.

But whether I was being given a tour by the owner of a manufacturing plant or having a cup of coffee with an engineer, a similar theme kept cropping up: People are worried about excessive, Big Government regulations, in particular how they impose unreasonable costs on businesses, create uncertainty and, in turn, affect job growth.

This time, many of my constituents expressed outrage over a new youth agricultural labor rule program. The Department of Labor proposed regulations to restrict the types of activities young people can participate in. While the rule includes an exemption of children on nonincorporated farms owned by their parents, it could prevent kids from working on incorporated farms owned by their parents, grandparents, aunts, and uncles, and close neighbors.

Even on such extended family farms, children under the age of 16 may be banned from working with animals or in specified farm situations while those under the age of 18 would be prohibited from any job ''involving farm product raw materials.'' That could come to mean any job involving grain elevators, grain bins, silos, feed lots, stockyards, livestock exchanges, and livestock auctions. If carried any further, the rule may end up barring kids from selling animals at their local 4–H fairs. This is nanny statism to the absurd.

My kids were all in 4–H, and some of the best memories we have together are these events. It was always a positive experience for my sons and daughter as well as every other child I know who got involved. Besides the life lessons learned—responsibility, hard work, and self-sufficiency—children often use the money from the sale of their animals for their college funds. This rule would not only hurt their ability to find a job now but also hurt their future.

In addition to participating in 4–H fairs, my kids also worked on farms where they were asked to drive tractors and run other farm machinery, all under the age of 16. The worst mishaps one of my kids ever had was running over a neighbor's mailbox with his duallies. But even through that experience, he learned responsibility. He not only had to pay for a new one out of his own pocket, but to replace it himself.

Farmers depend upon young people to take on these extra jobs so they can focus on the bigger picture. Parents depend upon their children to work on the family farm, not only to help out but instill a love of farming at a young age to keep their family farm going.

Lastly, young people, themselves, depend on these jobs as a source of income and a way to pay for college. There are often fewer job opportunities in rural areas, and if we impose more rules about what jobs young people can take, what have we gained?

I'll always stand behind regulations that genuinely protect the workers, especially when those workers are children. But when government bureaucrats are regulating in what capacity a young person can work on a farm, then it's clear they've overstepped their boundaries. It's time to fix the flawed and broken regulatory system that allows such rules to slip through the cracks.

Mr. Speaker, related, it's also the time to push back on Big Government's attack on our freedom to choose and our constitutional liberties. The recent assault on our religious rights of conscience and the separation of powers by this administration must be defeated. Kids on the farm and in the city deserve the rich future that our Constitution and Americans' exceptionalism can provide. This will then be a Nation that God can truly continue to bless.

□ 1040

## CONGRATULATING THE CITY OF INDIANAPOLIS AS HOST OF SUPER BOWL XLVI

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

Mr. CARSON of Indiana. Mr. Speaker, I rise to congratulate the great city of Indianapolis, my hometown, for doing an outstanding job as the host of Super Bowl XLVI.

On Sunday, two teams played an incredible game; but I believe that the events leading up to kickoff, organized by countless community organizations, good corporate citizens, committed public leaders, and thousands of volunteers, were as impressive as any play

on the field. Over 1 million visitors enjoyed the free festivities of Super Bowl Village, and a record 265,000 fans visited the NFL experience to test their passing and kicking skills and to meet their favorite players. So I was not surprised when Indianapolis received rave reviews for its accessibility, downtown amenities, civic commitment, and famed Hoosier hospitality.

Yet this success, Mr. Speaker, did not stop with the blocks surrounding Lucas Oil Stadium. With Commissioner Goodell and the NFL's assistance, I am confident that the impact of this Super Bowl will last far longer than the memories of that final Hail Mary pass.

Indianapolis embarked on an unprecedented effort to rebuild one of its hardest-hit areas. Even before the recession hit, Indianapolis' Near Eastside, a patchwork of neighborhoods just outside of downtown, led the Nation in foreclosures, and families were too often rattled by violent crime; but today, thanks to relentless efforts by community residents and with the Super Bowl as its springboard, Indianapolis' Near Eastside has been rejuvenated.

It has been given new life through housing developments like the St. Clair Senior Apartments, Commonwealth Apartments, and Building a Living Legacy housing initiative. These new housing options will help seniors and low-income families stay in the community they love and access the services they rely on, like the John Boner Community Center and People's Health and Dental Center. They will help the homeless find a new start and working men and women to locate near their employers.

On Super Bowl weekend, we also saw the grand opening of the Chase Near Eastside Legacy Center, which includes the area's only fitness center now offering low membership rates. This center will be home to the Youth Education Town. It is a facility that will provide classes to students of all ages through great national and local nonprofits.

While other host cities spend Super Bowl weekend breaking ground on projects, Indianapolis spent ours opening doors for these new facilities. Collectively, the Near Eastside redevelopment effort serves as a model, not only for what can be achieved throughout Indianapolis, but across this great Nation. Just a few years ago, the Near Eastside and all of Indianapolis were suffering the worst of the economic downturn. We had some of the Nation's highest unemployment, foreclosure and bankruptcy rates; but today our unemployment rate is near the national average and is getting better. Our critics counted us out many times, but this weekend showed that we are a modern city.

Mr. Speaker, this weekend, Indianapolis showcased why it is America's best-kept secret. It showed that we are a prime destination for conventions and big events and that we have some of the best sports facilities anywhere. It is with great pride that I ask my colleagues to join me in congratulating Indianapolis, Indiana, and all of those who worked so hard to make this event a huge success.

## ASSAULT ON OUR RELIGIOUS FREEDOM, THE FIRST AMENDMENT, AND OUR FREEDOM OF CONSCIENCE

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

Mr. CRAVAACK. Mr. Speaker, I will be brief because my message is clear and concise.

I rise today out of grave concern for this most recent assault on our religious freedom, the First Amendment, and our freedom of conscience.

The U.S. Department of Health and Human Services' order requiring every Catholic institution larger than a single church—and even in some cases a single church—to pay for contraceptives, sterilization, and morning-after abortifacients for its employees is directly contrary to the principles of the Catholic faith.

Let us ensure we do not confuse the issue here.

This is a direct attack against religious liberty for all religions—but forcing Catholic schools, hospitals, Catholic charities to comply with a Federal mandate that violates the core moral commitment of protecting the lives of the unborn is unconscionable. This act threatens to sabotage the very foundations of our First Amendment rights and our religious liberties.

Continually chipping away at our basic constitutional freedoms that set the foundation of this great country sends us down a very slippery slope to further government overreach and intrusion into our individual lives.

This must stop, and we as Americans must stop it.

## AFGHANISTAN

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

Ms. LEE of California. First, let me thank my colleagues Congressmen MCGOVERN and JONES, Congresswomen WOOLSEY and WATERS, and Congressman HONDA for their efforts to bring the war in Afghanistan to a swift and safe end.

Mr. Speaker, I am here this morning to remind my colleagues that there is no military solution in Afghanistan. It is time to bring our troops home and to make sure that we leave no permanent military bases. While many, and a growing number, of my colleagues have come to this conclusion, there are still those who claim that Afghanistan is going well and that we should stay there indefinitely.

We are gathered here this morning to give some real and important insight into the reality that nothing could be further from the truth. We are here to discuss very important revelations brought to light by a brave Army officer, Colonel Daniel Davis.

Colonel Davis has honorably served this country for over a quarter century, and has received praise from his commanders for his maturity, determination, and judgment. He recently made the brave decision to release an unclassified account of the war in Afghanistan after witnessing the huge gap between what the American public was being told about the progress in Afghanistan and the dismal situation on the ground. Declassifying the National Intelligence Estimate on Afghanistan is a necessary step so that our policy is based on accurate information.

In an article published this past Sunday in the Armed Forces Journal, Colonel Davis asks:

''How many more men must die in support of a mission that is not succeeding and behind an array of more than 7 years of optimistic statements by United States senior leaders in Afghanistan? No one expects our leaders to always have a successful plan, but we do expect—and the men,'' and women, I must add, ''who do the living, fighting and dying deserve—to have our leaders tell us the truth about what's going on.''

Mr. Speaker, the American people deserve to know the truth after spending the past decade on failed military strategies which have cost us over $450 billion in direct funding. The costs, of course, have been even greater in injuries, lives lost, and in the trillions of dollars we will need to spend on long-term care for our veterans, including hospitals, clinics, job training, post-traumatic stress disorder treatment, housing assistance, and homeless services. But we must spend these resources for our veterans.

The American people, though, are sick and tired of these endless wars. Fully two-thirds of Americans support ending combat operations in Afghanistan in 2013, and three out of four Americans favor a speedy withdrawal of all United States troops out of Afghanistan. We are set to spend an additional $88 billion, mind you, $88 billion in Afghanistan over the next year while domestic cuts in education, health care, roads, bridges, and other essential priorities are sacrificed.

We cannot afford an indefinite stay in Afghanistan. We need to ask what we have to show for the past decade of war. Instead of a stable democracy, we have a broken state which is completely dependent on foreign countries for its budget, with rampant corruption and widespread violence. For the fifth straight year, civilian casualties rose in Afghanistan. In fact, 2011 was a record year for the number of Afghan civilians killed. There were 3,021 Afghan children, women, and men who were caught in the crossfire between an insurgency and the heavy presence of NATO troops.

□ 1050

The reality on the ground in Afghanistan stands in stark contrast to the steady reports of progress we have been hearing from those who seek to maintain a military presence in Afghanistan in 2014 and beyond. It's time to bring our troops home from Afghanistan—not in 2014, not next year, but right now.

Congress authorized the use of force in 2001, which I voted against because it gave the President—any President—a blank check to use force anytime, anyplace, anywhere in the world for any period of time. We should have had a debate 10 years ago when Congress failed to consider the implications of giving the Pentagon a blank check in the rush to war.

Mr. Speaker, I want to thank Colonel Davis for his courage and risking his career to speak out to try to let the American people and their elected representatives understand the true risks we are taking in Afghanistan. To understand what is at stake in Afghanistan, I again call on the Pentagon to declassify the National Intelligence Estimate on Afghanistan so that we can have an informed discussion moving forward.

It is time to bring our young men and women home. They have performed valiantly, with incredible courage, and have done everything we have asked them to do.

[From the Armed Forces Journal]

TRUTH, LIES AND AFGHANISTAN

(By Lt. Col. Daniel L. Davis)

I spent last year in Afghanistan, visiting and talking with U.S. troops and their Afghan partners. My duties with the Army's Rapid Equipping Force took me into every significant area where our soldiers engage the enemy. Over the course of 12 months, I covered more than 9,000 miles and talked, traveled and patrolled with troops in Kandahar, Kunar, Ghazni, Khost, Paktika, Kunduz, Balkh, Nangarhar and other provinces.

What I saw bore no resemblance to rosy official statements by U.S. military leaders about conditions on the ground.

Entering this deployment, I was sincerely hoping to learn that the claims were true: that conditions in Afghanistan were improving, that the local government and military were progressing toward self-sufficiency. I did not need to witness dramatic improvements to be reassured, but merely hoped to see evidence of positive trends, to see companies or battalions produce even minimal but sustainable progress.

Instead, I witnessed the absence of success on virtually every level.

My arrival in country in late 2010 marked the start of my fourth combat deployment, and my second in Afghanistan. A Regular Army officer in the Armor Branch. I served in Operation Desert Storm, in Afghanistan in 2005–06 and in Iraq in 2008–09. In the middle of my career, I spent eight years in the U.S. Army Reserve and held a number of civilian jobs—among them, legislative correspondent for defense and foreign affairs for Sen. Kay Bailey Hutchison, R–Texas.

As a representative for the Rapid Equipping Force, I set out to talk to our troops about their needs and their circumstances. Along the way, I conducted mounted and dismounted combat patrols, spending time with conventional and Special Forces troops. I interviewed or had conversations with more than 250 soldiers in the field, from the lowest ranking 19-year-old private to division commanders and staff members at every echelon. I spoke at length with Afghan security officials, Afghan civilians and a few village elders.

I saw the incredible difficulties any military force would have to pacify even a single area of any of those provinces; I heard many stories of how insurgents controlled virtually every piece of land beyond eyeshot of a U.S. or International Security Assistance Force (ISAP) base.

I saw little to no evidence the local governments were able to provide for the basic needs of the people. Some of the Afghan civilians I talked with said the people didn't went to be connected to a predatory or incapable local government.

From time to time, I observed Afghan Security forces collude with the insurgency.

FROM BAD TO ABYSMAL

Much of what I saw during my deployment, let alone read or wrote in official reports. I can't talk about; the information remains classified. But I can say that such reports—mine and others'—serve to illuminate the gulf between conditions on the ground and official statements of progress.

And I can relate a few representative experiences, of the kind that I observed all over the country.

In January 2011, I made my first trip into the mountains of Kunar province near the Pakistan border to visit the troops of 1st Squadron, 32nd Cavalry. On a patrol to the northernmost U.S. position in eastern Afghanistan, we arrived at an Afghan National Police (ANP) station that had reported being attacked by the Taliban 2½ hours earlier.

Through the interpreter, I asked the police captain where the attack had originated, and he pointed to the side of a nearby mountain.

''What are your normal procedures in situations like these?'' I asked. ''Do you form up a squad and go after them? Do you periodically send out harassing patrols? What do you do?''

As the interpreter conveyed my questions, the captain's head wheeled around, looking first at the interpreter and turning to me with an incredulous expression. Then he laughed.

''No! We don't go after them,'' he said. ''That would be dangerous!''

According to the cavalry troopers, the Afghan policemen rarely leave the cover of the checkpoints. In that part of the province, the Taliban literally run free.

In June, I was in the Zharay district of Kandahar province, returning to a base from a dismounted patrol. Gunshots were audible as the Taliban attacked a U.S. checkpoint about one mile away.

As I entered the unit's command post, the commander and his staff were watching a live video feed of the battle. Two ANP vehicles were blocking the main road leading to the site of the attack. The fire was coming from behind a haystack. We watched as two Afghan men emerged, mounted a motorcycle and began moving toward the Afghan policemen in their vehicles.

The U.S. commander turned around and told the Afghan radio operator to make sure the policemen halted the men. The radio operator shouted into the radio repeatedly, but got no answer.

On the screen, we watched as the two men slowly motored past the ANP vehicles. The policemen neither got out to stop the two men nor answered the radio—until the motorcycle was out of sight.

To a man, the U.S. officers in that unit told me they had nothing but contempt for the Afghan troops in their area—and that was before the above incident occurred.

In August I went on a dismounted patrol with troops in the Panjwai district of Kandahar province. Several troops from the unit had recently been killed in action, one of whom was a very popular and experienced soldier. One of the unit's senior officers rhetorically asked me, ''How do I look these men in the eye and ask them to go out day after day on these missions? What's harder: How do I look [my soldier's] wife in the eye when I get back and tell her that her husband died for something meaningful? How do I do that?'

One of the senior enlisted leaders added, ''Guys are saying, 'I hope I live so I can at least get home to R&R leave before I get it,' or 'I hope I only lose a foot.' Sometimes they even say which limb it might be: 'Maybe it'll only be my left foot.' They don't have a lot of confidence that the leadership two levels up really understands what they're living here, what the situation really is.''

On Sept. 11, the 10th anniversary of the infamous attack on the U.S., I visited another unit in Kunar province, this one near the town of Asmar. I talked with the local official who served as the cultural adviser to the U.S. commander. Here's how the conversation went:

Davis: ''Here you have many units of the Afghan National Security Forces [ANSF]. Will they be able to hold out against the Taliban when U.S. troops leave this area?''

Adviser: ''No. They are definitely not capable. Already all across this region [many elements of] the security forces have made deals with the Taliban. [The ANSF] won't shoot at the Taliban, and the Taliban won't shoot them.

''Also, when a Taliban member is arrested, he is soon released with no action taken against him. So when the Taliban returns [when the Americans leave after 2014], so too go the jobs, especially for everyone like me who has worked with the coalition.

''Recently, I got a cellphone call from a Talib who had captured a friend of mine. While I could hear, he began to beat him, telling me I'd better quit working for the Americans. I could hear my friend crying out in pain. [The Talib] said the next time they would kidnap my sons and do the same to them. Because of the direct threats, I've had to take my children out of school just to keep them safe.

''And last night right on that mountain there [he pointed to a ridge overlooking the U.S. base, about 700 meters distant], a member of the ANP was murdered. The Taliban came and called him out, kidnapped him in front of his parents, and took him away and murdered him. He was a member of the ANP from another province and had come back to visit his parents. He was only 27 years old. The people are not safe anywhere.''

That murder took place within view of the U.S. base, a post nominally responsible for the security of an area of hundreds of square kilometers. Imagine how insecure the population is beyond visual range. And yet that conversation was representative of what I saw in many regions of Afghanistan.

In all of the places I visited, the tactical situation was bad to abysmal. If the events I have described—and many, many more I could mention—had been in the first year of war, or even the third or fourth, one might be wiling to believe that Afghanistan was just a hard fight, and we should stick it out. Yet these incidents all happened in the 10th year of war.

As the numbers depicting casualties and enemy violence indicate the absence of progress, so too did my observations of the tactical situation all over Afghanistan.

CREDIBILITY GAP

I'm hardly the only one who has noted the discrepancy between official statements and the truth on the ground.

A January 2011 report by the Afghan NGO Security Office noted that pubic statements made by U.S. and ISAF leaders at the end of 2010 were ''sharply divergent from IMF, [international military forces, MGO-speak for ISAF] 'strategic communication' messages suggesting improvements. We encourage [nongovernment organization personnel] to recognize that no matter how authoritative the source of any such claim, messages of the nature are solely intended to influence American and European public opinion ahead of the withdrawal and are not intended to offer an accurate portrayal of the situation for those who live and work here.''

The following month, Anthony Cordesman, on behalf of the Center for Strategic and International Studies, wrote that ISAF and the U.S. leadership failed to report accurately on the reality of the situation in Afghanistan.

''Since June 2010, the unclassified reporting the U.S. does provide has steadily shrunk in content, effectively 'spinning' the road to victory by eliminating content that illustrates the full scale of the challenges ahead,'' Cordesmen wrote. ''They also, however, were driven by political decisions to ignore or understate Taliban and insurgent gains from 2002 to 2009, to ignore the problems caused by weak and corrupt Afghan governance, to understate the risks posed by sanctuaries in Pakistan, and to 'spin' the value of tactical ISAF victories while ignoring the steady growth of Taliban influence and control.''

How many more men must die in support of a mission that is not succeeding and behind an array of more than seven years of optimistic statements by U.S. senior leaders in Afghanistan? No one expects our leaders to always have a successful plan. But we do expect—and the men who do the living, fighting and dying deserve—to have our leaders tell us the truth about what's going on.

I first encountered senior-level equivocation during a 1997 division-level ''experiment'' that turned out to be far more setpiece than experiment. Over dinner at Fort Hood, Texas, Training and Doctrine Command leaders told me that the Advanced Warfighter Experiment (AWE) had shown that a ''digital division'' with fewer troops and more gear could be far more effective than current divisions. The next day, our congressional staff delegation observed the demonstration firsthand, and it didn't take long to realize there was little substance to the claims. Virtually no legitimate experimentation was actually conducted. All parameters were carefully scripted. All events had a preordained sequence and outcome. The AWE was simply an expensive show, couched in the language of scientific experimentation and presented in glowing press releases and pubic statements, intended to persuade Congress to fund the Army's preference. Citing the AWE's ''results,'' Army leaders proceeded to eliminate one maneuver company per combat battalion. But the loss of fighting systems was never offset by a commensurate rise in killing capability.

A decade later, in the summer of 2007, I was assigned to the Future Combat Systems (FCS) organization at Fort Bliss, Texas. It didn't take long to discover that the same thing the Army had done with a single division at Fort Hood in 1997 was now being done on a significantly larger scale with FCS. Year after year, the congressionally mandated reports from the Government Accountability Office revealed significant problems and warned that the system was in danger of failing. Each year, the Army's senior leaders told members of Congress at hearings that GAO didn't really understand the full picture and that to the contrary, the program was on schedule, on budget and headed for success. Ultimately, of course, the program was canceled, with little but spinoffs to show for $18 billion spent.

If Americans were able to compare the public statements many of our leaders have made with classified data, this credibility gulf would be immediately observable. Naturally, I am not authorized to divulge classified material to the pubic. But I am legally able to share it with members of Congress. I have accordingly provided a much fuller accounting in a classified report to several members of Congress, both Democrats and Republicans. Senators and House members.

A nonclassified version is available at www.afghanreport.com [Editor's note: At press time, Army public affairs had not yet ruled on whether Davis could post this longer version.]

TELL THE TRUTH

When it comes to deciding what matters are worth plunging our nation into war and which are not, our senior leaders owe it to the nation and to the uniformed members to be candid—graphically, if necessary—in telling them what's at stake and how expensive potential success is likely to be U.S. citizens and their elected representatives can decide if the risk to blood and treasure is worth it.

Likewise when having to decide whether to continue a war, alter its aims or to close off a campaign that cannot be won at an acceptable price, our senior leaders have an obligation to tell Congress and American people the unvarnished truth and let the people decide what course of action to choose. That is the very essence of civilian control of the military. The American people deserve better than what they've gotten from their senior uniformed leaders over the last number of years. Simply telling the truth would be a good start.

## OBAMACARE VIOLATES FIRST AMENDMENT

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

Mr. HARRIS. Mr. Speaker, once again we are reminded why we need to repeal the President's Affordable Care Act, which most Americans know as ObamaCare. Mr. Speaker, a majority of Americans already understand how harmful ObamaCare will be to American health care, especially to the millions of seniors on Medicare who will have that program cut by $500 billion if we don't repeal it.

But 2 weeks ago, the latest administration rule implementing ObamaCare was announced by the Secretary of Health, and that rule would impose the latest mandate, this time, a mandate on all religious institutions to provide government-mandated coverage for drugs and surgery that is contrary to the beliefs of those religions.

The greatest uproar was from the Catholic Church over the rule that would force Catholic institutions to pay the full cost of all government-mandated drugs and procedures, and that would include sterilization and abortion-causing drugs. That mandate would put those institutions in the position of either paying the full cost of those drugs and procedures that violate their beliefs or paying a government fine. I repeat: It would end up being a government-imposed fine to practice your religious beliefs, with the administration using the broad mandates of ObamaCare to impose those fines.

But the religious intimidation by the administration didn't stop there. When the Archbishop for the Military Services, Timothy Broglio, wrote a letter about this new mandate to his diocese to be read at Sunday services, the U.S. Army Chief of Chaplains, a recent Obama appointee, ordered his chaplain corps not to read the letter at those Sunday services. Mr. Speaker, you know that those services are attended not only by the military, but by family and DOD employees. And this order was a clear violation of the First Amendment guarantees not only of the freedom of religion but the freedom of speech.

Let me read from the letter, and you will see why the administration was so concerned:

Dear Brothers and Sisters in Christ: It is imperative that I call to your attention an alarming and serious matter that negatively impacts the church in the United States directly and that strikes at the fundamental right to religious liberty for all citizens of any faith. The Federal Government, which claims to be 'of, by, and for the people,' has just dealt a heavy blow to almost a quarter of those people—the Catholic population—and to the millions more who are served by the Catholic faithful. It is a blow to a freedom that you have fought to defend and for which you have seen your buddies fall in battle.

The U.S. Department of Health and Human Services announced that almost all employers, including Catholic employers, will be forced to offer their employees health coverage that includes sterilization, abortion-inducing drugs, and contraception. Almost all health insurers will be forced to include those immoral 'services' in the health policies they write. And almost all individuals will be forced to buy that coverage as part of their policies.

In so ruling, the administration has cast aside the First Amendment to the Constitution of the United States, denying to Catholics our Nation's first and most fundamental freedom, that of religious liberty. And as a result, unless the rule is overturned, we Catholics will be compelled to choose between violating our consciences or dropping health coverage for our employees.

We cannot—we will not—comply with this unjust law. People of faith cannot be made second-class citizens. We are already joined by our brothers and sisters of all faiths and many others of good will in this important effort to regain our religious freedom. Our parents and grandparents did not come to these shores to help build America's cities and towns, its infrastructure and institutions, its enterprise and culture, only to have their posterity stripped of their God-given rights.

Mr. Speaker, after protest, the Chief of Chaplains finally allowed most of the letter to be read, but ordered that the line ''We cannot—we will not—comply with this law'' still not be read.

Mr. Speaker, now you can see why The Wall Street Journal—not usually a paper that comments on religious matters—found this issue so compelling

that today's lead editorial deals with this under the headline, ''ObamaCare's Great Awakening,'' with a highlight line, ''HHS tells religious believers to go to hell. The public notices.'' Yes, Mr. Speaker, the public noticed.

Let me just read the opening of that editorial:

> The political furor over President Obama's birth control mandate continues to grow, even among those for whom contraception poses no moral qualms, and one needn't be a theologian to understand why. The country is being exposed to the raw political control that is the core of the Obama health care plan, and Americans are seeing clearly for the first time how this will violate pluralism and liberty.

Mr. Speaker, in the last few days, a strategist in the President's campaign—not the Secretary herself or an administration official—has suggested that, well, maybe something can be done. Really, Mr. Speaker? Are we leaving dealing with First Amendment rights violations to campaign staff for resolution?

This latest controversy has given us yet another reason to repeal ObamaCare, a bill forced on America by the last Congress and this administration. Given the obvious willingness of regulators to force their value system on all Americans regardless of religious belief, the editorial comes to the right conclusion: ''Religious liberty won't be protected . . . until ObamaCare is repealed.'' Mr. Speaker, the time for repeal is now.

## PUTTING THE BRAKES ON RUNAWAY DEFENSE SPENDING

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

Ms. WOOLSEY. Mr. Speaker, Federal Reserve Chair Ben Bernanke testified on Capitol Hill last week and warned us that deficit reduction ''should be a top priority'' and that current spending projections are unsustainable. In response, the gentleman from Wisconsin, who chairs the Budget Committee, said that we needed to get our fiscal house in order, otherwise, ''it's going to get ugly pretty fast.''

To him, I would say: It's already ugly. It's really ugly for 13 million Americans who woke up this morning without a job to go to. And it would get uglier still if we embraced his vision of a shredded safety net and a voucher program that ends Medicare as we know it.

Here is what I find particularly distressing and disturbing: for my colleagues in the majority, every other sentence out of their mouths is about reducing Federal spending, and yet the programs they want to cut are the very ones that are keeping working families afloat. They never seem to aim their ax at the part of the budget that has shot through the roof the last 10 years and now eats up more than half of discretionary spending. I'm talking, of course, about the Pentagon budget.

It doesn't make any sense that the military industrial complex has gotten a virtually blank check while important domestic programs—and also important civilian international programs that promote national security—look for change in the couch in order to survive.

If we're in belt-tightening mode, then we should all be in belt-tightening mode. But if there are Federal dollars available—and there certainly are—I want to know why we can't make strong investments in the food stamps program, Head Start, or Pell Grants. If there's enough money to give the Pentagon a staggering $700 billion-plus a year, I want to know why we can't make relatively modest, but meaningful, investments in paid family leave or early childhood education.

The good news is that the President of the United States gets it. With the support of the Joint Chiefs of Staff, he is taking a strong first step toward putting the brakes on runaway defense spending.

□ 1100

But I think that we need to do more and we need to be much bolder. When we spend more on defense than the next 10 nations combined, clearly our priorities are out of whack.

The Cold War has been over for 20 years, and yet we still have tens of thousands of troops stationed in Europe. This makes no sense at all. Something else that doesn't make sense: our presence in Afghanistan. And it's not just the peace and justice folks who are calling for the end of this misguided adventure. Lieutenant Colonel Daniel L. Davis, Army ''brass,'' is asking, ''How many more men must die in support of a mission that is not succeeding?''

He goes on to say, ''You can spin all kinds of stuff, but you can't spin the fact that more men are getting blown up every year.''

Mr. Speaker, what we need is a fundamental overhaul in the way that we think about protecting America. We need to be smarter about national security.

SMART Security means replacing weapons systems with humanitarian aid and development. It means a civilian surge instead of a military surge. It means peaceful diplomacy instead of military devastation. It means lifting up and empowering innocent Afghan people instead of occupying their country and perpetuating a war that has killed them by the thousands.

This SMART Security approach is not only the better way to protect our interests and keep our country safe, it comes at a fraction of the cost of what we are spending.

Mr. Speaker, for the sake of our national conscience, also for our national treasury, it's time to do the smart thing and bring our troops home. Don't ask me; ask Colonel Daniel Davis.

## GETTING AMERICA BACK TO WORK

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

Mr. DOLD. Mr. Speaker, small businesses are reluctant to expand today. With so much economic uncertainty, our local job creators don't know if they can afford the risk of hiring a new worker.

As a small business owner myself, I know the pressures of meeting a budget and a payroll. I employ 100 people, and for me that's 100 families. I have to make sure that I can ensure that we can provide health care insurance and other benefits before it is time to hire new workers.

Mr. Speaker, there are 29 million small businesses in our Nation. Here, in this body, I believe our goal has to be to create an environment that enables those small businesses to have the confidence to be able to grow and thrive, to be able to add that one new worker. And think about where we would be at that point in time, Mr. Speaker; 29 million businesses across the Nation all hiring just one worker, we'd have a different problem on our hands.

The partisan rhetoric and the lack of progress in Washington is hindering businesses from hiring more people. But I do believe we can come together and tackle some of these problems. Washington has to stop viewing legislation through a political lens and start viewing it through the eyes of the American people.

One area we can agree on is the payroll tax extension. The House voted at the end of the year to extend it for an additional year. The President has asked that we extend it for a year. The holdup is yet again in the United States Senate. Senator HARRY REID would rather play political games with this important measure, and now some Members are asking for a 2-month extension.

Mr. Speaker, I say enough is enough. We need to extend this tax holiday for the entire year. Small businesses don't have the luxury of hoping that we'll get it right. So let's come together today and pass the yearlong extension in both the House and the Senate. Let's give hardworking American taxpayers the relief that they need.

Mr. Speaker, new regulations are also hindering small businesses from expanding. Hundreds of pages of new regulations in the President's health care law, hundreds of rules that have still yet to be written in Financial Services with regard to Dodd-Frank are hindering the financial services industry. Small businesses do not know what new rules are coming next; and, thus, they can't prepare for the future and job growth remains, at best, uncertain.

But we can and must find common ground on regulations. No one is arguing for the elimination of regulation, Mr. Speaker. What we need is smart regulations. It's vitally important we

have clean water, safe working environments, and rules to protect families' investments. Even the President has called for smarter regulations and repealing burdensome regulations that are around this Nation. We can repeal burdensome regulations that are nothing more than red tape and barriers for job creators. We can replace them with smart regulations that truly make our country better and give job creators the certainty they need to grow and thrive.

Finally, Mr. Speaker, we must stop the enormous deficit spending that's going on right here in Washington, DC. This next year, Mr. Speaker, we're faced with another trillion dollar deficit. If my business, my small business back in Illinois, ran the way the government runs, I'd be out of business inside of the month. It's time we in Washington rein in this out-of-control spending. We cannot ask hardworking American families all across the country to live within their means but then turned around and allow Washington to take their hard-earned money and spend it without regard to the future consequences of our children and grandchildren.

It's time we pass a budget that puts our country on a viable economic path forward. When we do this, it will signal to the rest of the world that we are serious about our economic health; and, thus, we'll be able to empower job creators to invest here at home and create jobs right here in our local communities.

Mr. Speaker, I am optimistic about the future. I'm optimistic that we can do this, that we can come together. Spurring our economy and talking about growth isn't a Republican idea or a Democratic idea, but it is certainly an American idea. It's time that we put people before politics and progress before partisanship. It's time for us to work together today for the future of our country and get America back to work.

## BIRTH CONTROL INSURANCE COVERAGE

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

Ms. MOORE. Mr. Speaker, I'm here today to be a voice for the millions of women and men who are celebrating the recent decision by the Secretary of Health and Human Services regarding requiring all businesses and corporations to provide birth control insurance coverage, a lifesaving benefit for women, millions of women. Under this new rule, virtually all women would have access to birth control coverage without a copay through their employer health plan.

If you listen to the political pundits in this town, you will come to the conclusion that people do not support the Obama administration's decision and that people of faith are en route to the White House prepared to storm it because of this decision. But if you talk to the average American, you will realize that there is absolutely overwhelming support for the decision on the birth control benefit. This support crosses party lines as well as religious affiliation. In fact, a poll released just yesterday found that roughly 6 out of 10 Catholics support requiring employers to provide their employees with health care plans that cover contraceptives.

Let's be clear. This decision represents a respectful balance between religious persons and institutions and individual freedom. It is very important to clarify that the law contains an exemption for religious institutions. What that means is that approximately 335,000 churches or houses of worship can choose not to provide birth control coverage for their employees. So if you're the secretary at the church or if you are employed by the archdiocese, they do not have to provide birth control coverage for their employees. It was very important for Health and Human Services to carve out this exception with respect to separating church and State concerns.

□ 1110

We are not requiring that Catholic churches go out and buy contraceptive coverage for all—in spite of what you have heard over TV. But this rule does require that religiously affiliated universities and hospitals—which are operating as large businesses and employ and serve a diverse array of people—would have to follow the same rules as other businesses. This is the part that keeps getting lost in the debate: the sole purpose of these institutions is not to offer people a place of refuge and worship. It is not a place for people of faith to go to gather in fellowship and worship. The purpose of these institutions is to provide health care, is to provide an education, football teams for their clients or for their students.

No one is trying to take away religious freedom but, rather, this ruling preserves personal freedom. The concept of separation of church and state protects these 335,000 places of worship. But the concept of separation of church and state does not mean that a church can use their bully pulpit to separate millions of women from critical health care benefits. Just imagine that women, on average, spend 30 years attempting to prevent pregnancy. Just think about what it means for the health of a woman, the health of her family to give birth or die trying for 30 years.

I understand that some people are worried and protective of their religious freedom in part because they're being misled by what this HHS ruling actually does; but I also worry that some people in the faith community are being exploited and used to create a diversion.

Another fact that people keep ignoring is that many religiously affiliated hospitals and universities already provide birth control to their employees through their insurance packages. I mean, it's standard at many of these workplaces. This is a nonissue for many Catholic and religiously affiliated colleges and universities already. And we're not talking about just a few workers. We're talking about millions of secretaries, janitorial staff, nurses aides, and lab techs of many different beliefs—some of no beliefs. So I would hope that we would not try to use religious bullying to deprive millions of women of critical, vital health care.

## ASSAULT ON RELIGIOUS FREEDOM

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

Mr. BARLETTA. Mr. Speaker, a few weeks ago, President Obama stood in this very Chamber and spoke about the need for fairness. Fairness, he said, is an American value. Yet the President and his administration are blatantly ignoring one of the most basic of American values—the freedom of religion. I'm referring to the decision by the Obama administration to force Catholic employers to provide insurance that includes coverage for sterilization, abortion-inducing drugs, and contraception.

Catholic employers who fail to provide that insurance coverage could be fined $2,000 per employee per year. And the Obama administration will force Catholics to buy insurance coverage that includes coverage for services that many of them find morally wrong. For many Catholics, this requirement violates their core beliefs about the sanctity of life of the unborn.

The health care law that is forcing Catholics to put their government ahead of their God includes a ''religious conscience'' exemption. It allows people with certain religious objections to opt out, and some religious groups have been allowed to opt out. But Catholics have been denied an opt-out. Instead, the Obama administration is forcing Catholics to violate their religious conscience.

This is not the United States of America that I know. Religious tolerance has been a bedrock principle of the American Government for almost 240 years. It's one of the reasons why the United States came to exist in the first place. The First Amendment states that Americans have the right to religious freedom. Religious freedom isn't just the ability to believe and worship as we see fit. It's also our right to keep other beliefs from being imposed on us. The Federal Government has respected those rights by being sensitive, by creating tolerant policies regarding our military service, our tax policies and even our airport screenings.

American Catholics are not asking for special rights. We're asking for equal rights. I am proudly pro-life, and I will stand here to defend the rights of

the unborn. But this isn't about abortion. This isn't a question of when life begins. This is about the fundamental rights of all Americans, as spelled out in our founding documents. And this decision by the Obama administration is a devastating blow against the freedom of religion.

It's one thing for the Federal Government to try to take over our health care system, and we can all debate the merits of such legislation. But I think we can all agree, no matter on what side of the aisle we stand, that the right to freely express our religious beliefs—and, more importantly, not have other beliefs forced upon us—is a core value of this country. It is nonnegotiable.

Good people of all faiths should be outraged by this decision. If this administration can trample on the beliefs and rights of the American Catholics, those of other religions should ask, are we next?

Yesterday, I read in The New York Times that legal scholars say the American Constitution is old and outdated, that it isn't relevant in the modern world. Now, as this administration ignores our most treasured values—not religious values, but American values—our Constitution could not be more relevant. The first words of the American Bill of Rights are: Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

They're first, and they're first for a reason. The United States of America has long been a place of religious freedom. It's one of the things that separates us from foreign countries. Just as the Federal Government should not endorse a religion, it should not punish a religion, either. All religions must be treated equally. They must be respected. That's the American way. Today, Catholics all across the United States feel like outsiders. They feel as if their government has betrayed them.

Catholic leaders, including three bishops that lead Catholics in my district, have clearly said they cannot and will not comply with this unjust decision by the Obama administration. No one should have to choose between their God and their government. And no one, especially a government founded on religious freedom, should force them to.

The decision by this administration to make Catholics violate their most basic principles is a violation of the most basic American principle. I strongly condemn the Obama administration for this outrageous overreach of Federal authority; and I strongly encourage the administration to rescind this unfair, un-American policy. If the Obama administration can take away this most basic American value for 80 million Catholics, who's next?

## H.R. 3548, THE NORTH AMERICAN ENERGY ACCESS ACT

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

Mr. HARPER. Mr. Speaker, yesterday, in an effort to create American jobs and move energy supply from a friendly trading partner to the United States gulf coast, the House Energy and Commerce Committee favorably reported H.R. 3548 to the full House. H.R. 3548, the North American Energy Access Act, would end a waiting game that has lasted for over 3 years by pushing forward approval of the Keystone XL pipeline.

In his State of the Union speech 2 weeks ago, the President promised to significantly expand production of oil and natural gas from offshore and onshore public lands.

□ 1120

Unfortunately, but not surprisingly, he never mentioned his decision to reject the Keystone XL pipeline.

While the President's comments about expanding oil and gas production in the U.S. were welcome news to many, I'm not sure how many people took his pledge seriously given his decision on Keystone XL. I am hopeful that the President will follow through on expanding production. I just wish he would have helped our country reduce our dependence on Middle Eastern oil while creating tens of thousands of jobs here in America by approving the pipeline application.

The President's excuse for not approving the pipeline application was that he didn't have enough time. Radical environmentalists say that tar sands crude is the dirtiest of all, and they talk as if that's something foreign, something new. Mr. Speaker, I'd like to point your attention to a Friday, February 3, 2012 article on the front page of the National Journal, an article that I believe shows the fallacies in the arguments against the pipeline. The article states that ''despite environmental opposition, the Obama administration has approved a controversial oil-sands pipeline.''

The article refers to an oil-sands pipeline approved by the administration over 2 years ago. On August 20, 2009, Secretary of State Clinton approved a 1,000-mile pipeline with the capacity to carry 800,000 barrels of oil from Canada's oil sands to Wisconsin. Mr. Speaker, if a pipeline that closely mirrors that of the proposed Keystone XL was good enough for the President in August of 2009, why is the Keystone XL pipeline not good enough for him in an election year? If time and the environment were reasons to deny Keystone XL in January 2012, they should have had the same reasons to deny the Canada-Wisconsin pipeline in 2009.

Keystone XL is a shovel-ready construction project that doesn't need a stimulus bill to get it started. Estimates show that the project could create 20,000 construction jobs immediately and could transport more than 1 million barrels of oil per day from Canada and the Bakken shale formation in North Dakota and Montana to gulf coast refineries.

With the ability to transport that amount of friendly oil from our largest trading partner and neighbor to the north, Canada, as well as domestic oil, and with the ability to create an additional estimated 100,000 jobs over the lifetime of the pipeline, it's no wonder why the American public supports Keystone XL. At a time when unemployment and prices at the pump are high and new predictions say gasoline could top $4 this year, it's no wonder that the American public was disappointed in the President's decision.

In a recent installment of the United Technologies/National Journal Congressional Connection poll, Americans surveyed were asked: Supporters of the pipeline say it will ease America's dependence on Mideast oil and create jobs. Opponents fear the environmental impact of building a pipeline. What about you—do you support or oppose building the Keystone XL pipeline? Sixty-four percent of the respondents favored the construction of Keystone XL and only 22 percent were opposed.

Mr. Speaker, Keystone XL makes sense. It means jobs, energy security, and satisfaction for the American public. The President made a political decision to pander to his extreme environmentalist supporters in a campaign year instead of listening to the majority of the American public, and that was unfortunate.

I think that House Republicans are making it well known that the fight for Keystone XL is not over. Support in the House to move the pipeline forward has been bipartisan, very public, and very well received by the American people. As of yesterday, that support has produced a bill to push Keystone XL forward. I look forward to continuing my commitment to jobs, energy security, and the building of the Keystone XL pipeline.

## WE ARE OUR BROTHERS' AND SISTERS' KEEPER

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE of Texas. Thank you very much, Mr. Speaker, for giving us an opportunity to share some crucial human catastrophes that are occurring around the world.

I'm challenging all of my colleagues and those who would listen that sometimes we are, in fact, through peaceful means, our brothers' and sisters' keeper. First, as we have seen the ascending violence occur in Syria, a nation-state that I have visited, bloodshed that has included the loss of women and children, hearing news reports where citizens of Syria are begging for someone to do something, it is almost as if you came out of your house and stood by as your neighbor's house burned. We know

in America many would try to get a garden hose, others call 911; but they do something because of the horror of what they're seeing.

Constantly, our media airwaves are being beat with the sounds of gunshots, smoke and devastation and a steadfast refusal of Dr. Assad to step down. His first representation was that these were al Qaeda and terrorists, and we need to listen to him. There is a general respect for the sovereignty of a nation. And I'm not one pushing the immediate attack by the United States. The American people have spoken on their cautiousness—our soldiers and their treasure are precious. But just as I was with a number of our men and women this past Saturday who had been to Iraq or Afghanistan or are prepared to go elsewhere, our soldiers are always prepared to defend the needs of people who cannot help themselves.

But I call upon today the recognition that the United Nations has to fix itself. For as a consensus was coming together for the right approach—possibly U.N. troops to maintain the peace, as was done in places on the continent of Africa—who raises their selfish voices? Two countries, China and Russia, veto the consensus of many to try and help these people who are in need—children and women dying in the streets, not able to live in peace.

So I believe that those who had an idea need to go back to the Security Council. They need to make sure that we know that the U.N. is the entity that it was crafted to be in the late 1940s, the voice of reason, the ability to step in. They need to pressure these two, in essence, outlanders—those who want to stand out of the circle of care just because of selfish reasons of oil—to get out of the way or be part of the team.

I believe it is important as well, as we look at Libya and its quietness now, working quietly to try and restructure. Many people fought against that. I was delighted to be with a number of my colleagues, the first Members of the United States Congress to go stand in front of the Libyan Embassy and say Qadhafi must go. Sometimes you have to step out of the circle of comfort.

I ask Syrian Americans to stand up and be heard. Go to the United Nations; ask that your countrymen be safe. Let us hear your voices. Likewise, I ask for Egyptian Americans—we have been allies with Egypt for a long time, and I am trying to understand the tension or confusion between governments. But my point is, this is a government-to-government issue. Let my people go. Let the Americans go. You can find no basis that they have intently, with intent, done anything that deserves that they are, one, indicted and, two, cannot travel out of the Egyptian boundaries. I call upon Egyptian Americans to rise up and be heard, for our alliance is better than a few Americans.

I take great issue with Republican Presidential politics trying to claim this is the same thing as the hostages in Iran. Let us make no political statement about this. These are Americans. We want them out; we want them out now. But the idea is that there must be some responsible leadership in Egypt to recognize that spoiling or ending the alliance between Egypt and the United States is not worth this petty action.

So I ask for Syrian Americans, Mr. Speaker, and Egyptian Americans to go to my Web site, SHEILA JACKSON LEE—you can find it. Let me know what you want to do and how you're going to support the efforts of making peace or having peace in Syria and saving our fellow Americans in Egypt. Now is the time. It is no time for languishing in fear.

□ 1130

## THE AMERICAN PEOPLE ARE LOOKING FOR MORE THAN TALK

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, last month we heard some productive talk from the President during his State of the Union Address. His acknowledgement that we need increased domestic production of oil and natural gas was quite promising. Or, maybe his commitment ''to fight obstruction with action.'' Those types of words are always welcome in this Chamber. Unfortunately, the President's action, or lack thereof, continues to fall short of the rhetoric.

Mr. Speaker, there continues to be a great divide between the words in the speech the President delivers and his actual actions or leadership. Despite a pledged commitment to energy security, this administration has worked to counter attempts at making America's energy future more secure.

The President's denial of the Keystone XL pipeline, which has the potential to create thousands of jobs and add to our energy security, is just the latest example. Between the energy resources that would be provided by a constructed, completed Keystone pipeline and the domestic natural gas fields in the United States that are in production right now, we could shut off the valve of dependency on Middle East oil.

In the House, we've advanced dozens of bills to expand domestic resource production and encourage new job creation, almost all of which have been denied consideration by the Senate.

With any hope, the President will meet his commitment to fight obstruction with action by calling on the Senate to work with the House on these important initiatives. With almost 2 million more Americans out of work since taking office, the American people are looking for more than just talk.

Mr. Speaker, the American people are looking for things that they've not seen in Washington: leadership by the President and action by the Senate.

## RECESS

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

Accordingly (at 11 o'clock and 32 minutes a.m.), the House stood in recess.

□ 1200

## AFTER RECESS

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

## PRAYER

Reverend Dr. David Anderson, Faith Baptist Church, Sarasota, Florida, offered the following prayer:

Our gracious Heavenly Father, we come before You with thanksgiving and praise for Your protection of and blessings on our Nation. We thank You for Your mercy, grace, and forgiveness of our national transgressions, and we trust You to lead us into righteousness.

We ask You to enable the men and women of the House of Representatives to faithfully carry out their duties and the purposes of Your will. Empower them with wisdom, courage, and compassion. Grant them the character to withstand the temptations of power and privilege, and bring them wise counselors and friends to help them do what is right. Give them wisdom and make them true statesmen.

We ask You to bless their families and shelter them from the political fallout of unpopular decisions. Fill their homes with love, hope, and faith.

Restore our Nation's historic faith that we might pray ''God bless America'' with integrity. We ask these things in the name of our Lord and Savior, Jesus Christ.

Amen.

## THE JOURNAL

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

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

## PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York (Mr. HIGGINS) come forward and lead the House in the Pledge of Allegiance.

Mr. HIGGINS led the Pledge of Allegiance as follows:

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

## WELCOMING REVEREND DR. DAVID ANDERSON

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

There was no objection.

Mr. BUCHANAN. Mr. Speaker, it is my privilege this morning to welcome a very good friend to the Halls of Congress.

Pastor David Anderson, who gave the morning prayer, is a great spiritual leader in Sarasota, Florida. He has more than 35 years of pastoral experience as a Baptist minister, and for the past two decades, he has served the Faith Baptist Church of Sarasota, located in the heart of my district. That is where my wife, Sandy, and I first met the pastor 5 years ago. He is devoted to his family and to helping other people in our community. He has made himself a beloved member of our community.

I commend Pastor Anderson for his longstanding service to our community and to our Nation. It is my honor today to welcome him here to the House of Representatives.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

## HOUSE WILL ACT TO REVERSE ADMINISTRATION'S ATTACK ON RELIGIOUS FREEDOM

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

Mr. BOEHNER. My colleagues, in recent days, Americans of every faith and political persuasion have mobilized in objection to a rule put forward by the Obama administration that constitutes an unambiguous attack on religious freedom in our country.

This rule would require faith-based employers, including Catholic charities, schools, universities, and hospitals, to provide services they believe are immoral. Those services include sterilization, abortion-inducing drugs and devices, and contraception.

In imposing this requirement, the Federal Government has drifted dangerously beyond its constitutional boundaries, encroaching on religious freedom in a manner that affects millions of Americans and harms some of our Nation's most vital institutions.

If the President does not reverse the Department's attack on religious freedom, then the Congress, acting on behalf of the American people and the Constitution that we are sworn to uphold and defend, must.

The House will approach this matter fairly and deliberately through regular order and appropriate legislative channels. Because it has primary jurisdiction on the issues involved, the Energy and Commerce Committee is taking the lead on the legislative process that will be necessary to enact an effective and appropriate solution. Chairman UPTON convened a hearing late last year and began laying the groundwork for legislative action when this flawed rule was first proposed, and I welcome his efforts to consider all possible options as his committee proceeds with its efforts.

This attack by the Federal Government on religious freedom in our country must not stand and will not stand.

## ASIAN CARP

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

Mr. HIGGINS. Madam Speaker, the Great Lakes are the largest source of freshwater in the world, and they support vital shipping and recreation jobs. The fishery alone accounts for $7 billion in annual economic activity.

But the Great Lakes face a very real threat from the Asian carp, which are progressing from the Mississippi River to the Illinois River and are nearing Lake Michigan. If this invasive species enters the lakes, it could decimate Great Lakes fishing and recreation.

Last month, the Great Lakes Commission released a report recommending the construction of a barrier to separate the Mississippi River from Lake Michigan in order to protect the lakes from the Asian carp. I joined my colleagues from the Great Lakes Task Force in sending a letter to the Army Corps of Engineers asking them to consider this report as they study the best ways of keeping the Asian carp out of the Great Lakes Basin.

Madam Speaker, the Asian carp have not yet entered the lakes, but there are very real reasons for concern, as scientists say that the conditions of Lake Erie are perfect to support this species of fish. It is essential to our economy and our environment that we all work together to protect and restore this underappreciated asset.

## THE ADMINISTRATION'S ATTACK ON THE FIRST AMENDMENT AND RELIGIOUS FREEDOM

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

Mr. RIGELL. Madam Speaker, I rise in strong objection to the President's decision requiring employers to provide insurance coverage for services which clearly violate their religious convictions. Many American employers are deeply offended and strenuously object to being forced by the administration to pay for contraceptives, sterilization and abortion-inducing drugs for their employees.

This is an egregious violation of the First Amendment, which protects religious freedom. Preventing government intrusion into the faith and religious convictions of Americans is precisely why our Founders embedded religious freedom into the First Amendment.

This is not a slight to the Constitution; it is an assault. The White House has said that adequate exemptions have been made, but this is simply not so.

I stand with my colleagues on both sides of the aisle and in both Houses of Congress in defending the right of conscience, our Constitution, and the right of all Americans to exercise their religious beliefs freely without intrusion from the Federal Government.

I call on the administration to reverse its decision today.

## TAXES

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

Mr. BACA. Madam Speaker, it has been 400 days since the Republicans took control of the House of Representatives, and we still have no bills designed to create jobs in America. Now the Republican political games are bringing us to the brink of yet another crisis.

If Congress does not act by the end of the month, 160 million Americans will see tax increases, millions more will lose their unemployment benefits, and seniors across the Nation will have access to their doctors put at risk by cuts to Medicare payments. The American people deserve better. Families need unemployment benefits and a payroll tax cut to put food on their tables and to keep roofs over their heads.

Let's do the right thing. Let's end tax breaks for millionaires and billionaires, and let's work to strengthen the middle class. We can't wait for another last-minute fix. Let's extend the payroll tax cut, unemployment benefits, and the Medicare doc fix today.

□ 1210

## FIXING THE FEDERAL DEFICIT

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

Ms. HAYWORTH. Madam Speaker, this past week, I had the pleasure to visit Fryer Machine Systems in Patterson, New York, in our beautiful Hudson Valley, Congressional District 19. They have spent 30 years in the Hudson Valley making the big machines that make components for manufacturers around the world. A local employer, loads of potential being held back by nearly every aspect of Federal policy. Trade, environment, education, financial services, and health care all are burdening this great local business. But the number one problem that Mr. Fryer would like us to fix here in the Federal Government is the Federal deficit.

So as we approach our work this year, I will bear this vividly in mind. We must have sympathy, respect, and a sense of awe for our hardworking, hard-pressed taxpayers and job creators. They are the true engine—not the Federal Government. They are the true engine of growth and the ultimate purchaser and securer of our liberties.

## STUDENT LOANS

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

Ms. PINGREE of Maine. Madam Speaker, last month I submitted comments to the Consumer Financial Protection Bureau about the rising problem of student loan debt.

I've heard from many people in my State—students, former students, and parents—who are struggling to pay back student loans. We are asking our students to take on more debt than ever, and in this weak economy, it's hard to make the rising monthly payments. There has to be a better way.

Private student loans are part of the problem. They are one of the riskiest ways to pay for college, often with uncapped variable interest rates that hit those who are least able to afford them the hardest.

But the Federal student loan system also needs reform. Currently, borrowers are paying an interest rate of up to 8 percent, while homeowners refinancing their mortgages are often paying less than half of that. There is no reason that students and their parents should pay so much more for something that is as basic and essential as an education.

Madam Speaker, an affordable education should be a right for every family in America.

## CLASS ACT REPEAL

(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. Madam Speaker, last Wednesday, the House passed the Fiscal Responsibility and Retirement Security Act of 2011, a bill which repeals a new program in the government health care takeover bill. During the health care debate, the President and congressional liberals said that this program would save taxpayers $80 billion. However, now internal evidence reveals that the administration was aware that the program was a ''recipe for disaster.''

The 2,700-page ObamaCare bill was rammed through Congress, just like Cash for Clunkers. The President and his liberal colleagues included unworkable programs into an unpopular bill to gain enough votes for passage. The CLASS program is yet another example of how this administration supports programs that are political gimmicks, identified by Bill Walker as being a free ticket but no show.

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

## UNEMPLOYMENT BENEFITS

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

Ms. SCHAKOWSKY. Unless Congress acts, emergency unemployment benefits will run out on February 23 for 3 million Americans. We simply can't let that happen.

Congress has never before allowed benefits to expire when unemployment was higher than 7.2 percent. And with more than three applicants for every job opening, we must not turn our backs on Americans who want to work, are trying to work, but simply can't find a job.

We shouldn't demean them either by asking them to jump through hurdles to get the unemployment insurance benefits that they've already paid for, such as getting drug tested or going back to high school after decades in the workforce.

Our economy is improving, thanks to the policies of this administration, but we have more to do. We need to extend unemployment benefits. It's good for American families, and it's good for America. Every dollar spent on UI benefits increases economic activity by $2. That increases gross domestic product and creates jobs and creates a stronger economy that works for everyone.

History has taught us and economists warn us about the dangers of prematurely pulling the plug on policies that work. Let's extend unemployment insurance benefits for a full year.

## BUDGET OR BUST

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

Mr. BROUN of Georgia. Madam Speaker, I rise today to urge my colleagues to support a bill that I recently introduced, H.R. 3883, the Budget or Bust Act. My legislation would force the House and the Senate to pass a budget or else their salaries would be held hostage until they do.

It has been 1,015 days since the Senate last passed a budget. That is 1,015 days that Congress has shirked one of its most basic responsibilities, and they shouldn't be getting paid for their irresponsibility.

Next week, we'll see the President roll out his budget for 2013, which is not part of his constitutional job description. The Budget or Bust Act would restore the power of the purse to its rightful owner, which the Founding Fathers specifically gave to Congress, not to the President. Congress should be deciding how to spend taxpayer dollars, and the President should simply be implementing the budget and policy that Congress puts forward.

I urge my colleagues to support my Budget or Bust Act so that Washington is finally forced to pass a budget and live within its means like the rest of America does.

## EXTEND UNEMPLOYMENT BENEFITS

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

Ms. HAHN. Madam Speaker, the deadline, again, to pass an extension of unemployment benefits is fast approaching. Last week, the numbers came out that our economy is on the mend, but we do still have a long way to go.

Unemployment benefits put money into the economy and serve as a lifeline for the millions of Americans who, through no fault of their own, have lost their job and cannot find work. These are benefits, by the way, that have been earned through years of hard work. They aren't giveaways.

If my friends on the other side of the aisle don't extend these benefits, 2.8 million Americans—including 491,000 Californians—will lose their lifeline, throwing their families into further despair and hampering our economic recovery.

We can't let this happen. Let's work together and pass these extensions of unemployment benefits for one full year.

## HOUSE GOP JOBS PLAN

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

Ms. FOXX. Madam Speaker, the facts don't lie: President Obama's policies have failed the American people and are making the economy worse.

Since the President took office, unemployment has been above 8 percent for 36 months, gas prices have doubled, the number of Americans having to rely on food stamps has climbed to an all-time high, while the number of new business startups has dropped to a 17-year low. Our national debt has reached $15 trillion, greater than our entire economy, and just last week, the CBO projected that 2012 will bring us our fourth trillion dollar deficit in a row.

Because the President cannot run on his record, he has, regrettably, turned to the politics of envy and division.

House Republicans have a plan for America's job creators to help turn this economy around. It's time for the President and Senate Democrats to stop blocking our jobs bills and help us put Americans back to work.

## CYBERBULLYING

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

Mr. HIMES. Madam Speaker, this piece of paper will never be the same. No matter how much you try, you can't remove the marks that are left behind. The paper may not have ripped, but once the damage is done, the scars remain.

I saw this idea on the Web site of a new organization formed in Ridgefield, Connecticut, Students Against Internet Discrimination, or SAID. SAID formed in response to anonymous bullies at Ridgefield High School who

were using Twitter to attack other kids from behind a wall of anonymity.

Cyberbullying, kids using the Internet to intimidate, defame, or attack other kids, is a growing problem.

Sophie Needleman, a senior at Ridgefield High, decided to create an outlet online for the legions of supportive, helpful, and decent students to speak out and speak up. With a few friends, she started a Facebook group for Ridgefield students to counter the actions of the bullies. Within 48 hours, it had 1,000 concerned students and adults who wanted to show that bullying has no place in our schools.

I commend the students behind Students Against Internet Discrimination and the entire community of support behind this growing movement.

For every bully out there, there are hundreds of adults and other students who will support this effort and offer help. Seek out a group like SAID and join the effort to stop the despicable practice of cyberbullying.

□ 1220

## GRAND CANYON AIR TOURISM

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

Mr. QUAYLE. Madam Speaker, a couple of weeks ago, the President was in Florida and announced new tourism initiatives with a particular focus on increasing visits to U.S. natural treasures. Unfortunately, once again, his rhetoric doesn't match his actions.

For example, the National Park Service is currently considering new regulations to be implemented by the FAA that would further restrict air tours above the Grand Canyon National Park in an attempt to reduce aviation noise. If implemented, these regulations would devastate the Grand Canyon air tourism industry that is responsible for $104.3 million in economic activity. It would reduce the industry's employment by 10 percent. Flight operations would go down 14.7 percent, and passenger volume would drop nearly 12.8 percent.

The Grand Canyon is a national treasure to us all, but 70 percent of the park is already off limits to flights, and the industry has already invested millions in quiet technology. This is yet another example of the administration's consistently inconsistent policies.

The administration must stop needless regulations that will destroy jobs.

## ACTIONS HAVE CONSEQUENCES: COPS FUNDING CRISIS

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

Mr. HOLT. Madam Speaker, let's put this in the category of actions have consequences.

Last year the City of Trenton was forced to lay off nearly one-third of its uniformed law officers. My State's capital now has the same number of police officers on the rolls as it did in 1932.

The city had hoped to reduce the number of layoffs through a grant from the Community Oriented Policing Services program, the COPS program. That grant would have allowed Trenton to hire back 18 officers. Unfortunately, because Congress failed to fund properly the COPS program, Trenton got no money to rehire laid-off officers.

In the last year, almost 150 people have been shot within the city of Trenton compared with only 60 the year before. Street robberies, aggravated assaults, and burglaries are up alarmingly. Trentonians tell me these trends are continuing. Clearly, we need more money to rehire police. We need it now before more Americans lose their lives and suffer injury and property loss.

## BUDGET AND JOBS

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

Mr. PITTS. Madam Speaker, the first Monday in February every year is supposed to be the day the President releases his budget, but this year the budget was delayed a week. Last year the budget was delayed a week also. The release date for the budget has been the same for decades, yet this administration seems to be incapable of completing their work on time.

Back when I was a high school teacher, turning in your work a week or two late meant you failed. Now is no time to fail on budgetary matters, not when we are $15 trillion in debt and have deficits every year of more than a trillion dollars.

The Senate hasn't passed a budget in more than 1,000 days. We need a realistic plan to get our country back on track. When the House put forward a plan last year, it was met with an attack that the nonpartisan PolitiFact called ''the lie of the year.''

The Federal budget affects every American, especially those who are looking for jobs. Right now, uncertainty abounds and employers wonder whether destructive taxes will hold back growth.

Let's get back on a sound fiscal track. Let's end the uncertainty. Let's pass a budget on time again this year.

## HONORING CONTRIBUTIONS MADE BY RAYTHEON

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

Mr. CICILLINE. Madam Speaker, I rise today to honor and recognize the contributions made by the hard-working men and women at the Raytheon Company.

Every day, the innovators at Raytheon strive to develop new technologies to defend our country and ensure the safety of our men and women in uniform. Raytheon, a defense research firm, employs 75,000 employees throughout our country and 1,300 in the town of Portsmouth in my home district in Rhode Island.

Raytheon's accomplishments were honored during Aviation Week's Annual Program Excellence Awards ceremony for its work to develop combat system software and mission system equipment for the next generation of surface combat ships—the DDG–1000 Zumwalt class destroyer. Aviation Week awarded Raytheon top honors in the category of system level production.

Raytheon's employees should take pride in the contributions they are making to our local economy and to ensuring the continued strength of the United States Navy.

I congratulate Raytheon on their impressive achievements.

## RIGHTS OF CONSCIENCE

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

Mr. GRIMM. Madam Speaker, I rise today as a pro-life Catholic and as an American deeply concerned with the administration's ruling as part of the health care law to require the Catholic Church, Christian and other religious-affiliated organizations to offer health insurance that covers contraceptives and sterilizations, even though it is clearly in violation of their beliefs and the fundamental teachings of the church.

I stand with Cardinal-designate Timothy Dolan, president of the U.S. Conference of Catholic Bishops, when he said, ''In effect, the President is saying we have a year to figure out how to violate our consciences'' and turn our backs on thousands of years of church teachings.

Religious liberty has been sewn into the fabric of our exceptional Nation. The ability to exercise our religious beliefs free of government interference was part of the very reason our Founders came to America and is the very first right mentioned in the Bill of Rights.

The current administration's efforts to challenge the conscience and reproductive rights of the Catholic Church, or any other religion, will not and should not be tolerated. I urge the President to reconsider this rule and restore the church's religious freedom.

## PAYROLL TAX CUT

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

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise today to urge my Republican colleagues to end the game and to give certainty back to the American people.

Right before the holidays, my Republican colleagues threatened to raise

taxes on the middle class because a small but very loud minority in their conference wanted to prove a point. Now we're back at it again. They want to prevent $1,500 from being in the hands of the middle class.

My fellow Democrats and I want to keep money in the hands of hard-working Americans by supporting the extension of the payroll tax holiday. We cannot afford to take more risks with the income of 160 million working Americans. In fact, the no-jobs agenda of the Republican Conference has pushed to continue tax cuts for the wealthiest of Americans while not giving breaks to working Americans and the middle class.

I ask my colleagues on the other side of the aisle if they will please come to the table for a strong and working middle class of America.

## MILLIONS OF AMERICANS FIGHTING MANDATE

(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, I think that there are millions of Americans today, many American Catholics, who listened intently to the debate that took place on the ObamaCare bill. They weren't really sure about it, but they kept hanging on to a couple of things: If you like what you have, you can keep it, is what the President said. They have found out that's not the way it turned out.

Well, when it came to all of the guidelines that were coming from HHS, don't worry about these. They'll never be mandates. They're just going to be guidelines. They're there for information and instruction.

Well, that didn't come about either, because what has happened, the Catholic organizations and schools and hospitals are being mandated by the Federal Government to violate their religious beliefs and to meet the Federal mandate of providing contraceptives, abortion services, and sterilization services, all in the name of a health care policy.

This is something that needs to be reversed. I stand with the millions of Americans who are fighting this mandate.

## EXTEND PAYROLL TAX HOLIDAY

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

Ms. HANABUSA. Madam Speaker, our constituents are saying: Here they go again. Don't they get anything right?

What they're talking about is the fact that the payroll tax, the extension of unemployment, and the extension of the SGR, that's all coming up again. Again. After the fiasco of last December, you would have thought we learned our lesson.

Look at what the payroll tax means—160 million will risk losing. They'll have about a $1,500 tax increase. For those in Hawaii, 700,000 will suffer a $1,120 a year reduction. What are we doing?

The SGR will increase the cost to our elderly, a 27-percent reduction to their doctor. We call it in Hawaii our kapunas, those who are very important to us. Look at what we are risking for them.

Instead, the focus seems to be: How do we keep money for the ultrarich, that 1 percent? Think about it. The middle class can use the $1,120 in Hawaii. Let's do it right.

□ 1230

## SPEAK UP, AMERICA

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

Mr. RANGEL. Well, I think I have some good news. Most Americans believe that when the Congress does not do what they want to happen that they can wait until Election Day, and then they remind us that we let them down. Certainly, I remember when this unemployment compensation and the holiday for taxpayers, as well as the payment of our doctors, was coming up a couple years ago, and it was almost Christmastime. Democrats really thought that, because of the Republican majority, and because they just felt that unemployed people getting compensation meant that they wouldn't look for work, or that they weren't paying enough taxes, or that they didn't want to deal with the question of the doctors—but still, after all of this battle, when the American people spoke up, they didn't wait until Election Day. They got on the phone. They called their House Members, Republicans and Democrats. They called everybody to say that they could not afford a sharp increase in their payroll deductions.

So, do it again, because it really works. You're going to get these extensions. All you have to do is call and demand that you get what you deserve.

## THE SMARTER APPROACH TO NUCLEAR EXPENDITURES (SANE) ACT

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

Mr. MARKEY. Madam Speaker, America's nuclear weapons budget is locked into a Cold War time machine. It doesn't reflect our 21st century security needs. It makes no sense. It is insane. It's insane to spend $10 billion building new plants to make uranium and plutonium for new nuclear bombs when we're cutting our nuclear arsenal and the plants we have now work just fine. It's insane that we're going to spend $84 billion for up to 14 new nuclear submarines when just one submarine with 96 nuclear bombs on board can blow up every major city in Iran, China, and North Korea.

It's an insane strategy, but it's America's current plan. And that's why we need a SANE approach to our nuclear weapons budget. Today, I am introducing the SANE Act—the Smarter Approach to Nuclear Expenditures Act—with 34 of my colleagues. The SANE Act cuts $100 billion in spending over the next 10 years on outdated, wasteful nuclear weapons programs over the next 10 years.

Let's cut new nuclear weapons, not the poor, the sick, the children, and the elderly of our country. Support and cosponsor the SANE Act.

## REPUBLICAN HYPOCRISY

(Ms. CLARKE of New York asked and was given permission to address the House for 1 minute.)

Ms. CLARKE of New York. Madam Speaker, today we find ourselves in the unfortunate and familiar position of running out the clock on the American people.

The Republican majority seems to have no problem moving Heaven and Earth to preserve tax cuts for the wealthiest Americans. However, they seem content to allow taxes to rise for the working poor and middle class. The majority's orthodoxy that tax cuts solve every problem seems not to extend to those that need it the most. This tax hypocrisy has not gone unnoticed by the American people.

Madam Speaker, the 112th Congress has not passed one job-creating bill in the face of this stubbornly high unemployment. And instead of addressing the jobs crisis, they are continuing their assault on the unemployed by threatening to cut off aid to those who would rather have a job in the first place.

I urge the majority to put aside election-year politics and pass a long-term payroll tax extension and extend unemployment benefits, especially in light of their failure to address the need for more job opportunity.

## REPUBLICANS PLAY POLITICS WHILE PEOPLE ARE HURTING

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

Mr. GRIJALVA. Madam Chair, the clock is ticking, Republicans are playing games, and people are hurting. Republicans care more about their singular goal of defeating Obama in November than helping people that are hurting and helping the middle class. This latest chapter on the extension of unemployment benefit adds to an already sordid and sad story.

Last December, Republicans threatened to lay off over 1 million Americans by refusing to extend unemployment benefits. House Republicans are now pushing a plan that would reduce

unemployment benefits for 3 million Americans who lost their jobs through no fault of their own. This plan is wrong. It's wrong for the middle class, and it's wrong for people who are trying to find jobs.

It is time that the Republican majority brought a real jobs plan to this floor that will create real jobs and put the American people to work. When they're working, our economy is fine. When they're working, our small businesses are fine. Rather than acknowledge these facts and these realities, Republicans in Congress seem intent on blaming the unemployed for unemployment.

## ASSAULT ON RELIGIOUS LIBERTY

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

Mr. DANIEL E. LUNGREN of California. Madam Speaker, just a couple of weeks ago, this administration announced a position that amounts to an assault on religious liberty in this country. Their narrow definition of what constitutes religious action, religious belief, and whether or not the Federal Government can cause you to take actions against your own conscience is a serious matter that ought not to be determined by the Friday release of a decision made by the Secretary of Health and Human Services.

This is an issue that goes beyond the Catholic Church and Catholic institution. It goes to the essence of the First Amendment protections contained in the Constitution with respect to religious freedom. We had better understand exactly how important this issue is, and we had better understand how it has to be addressed directly and cannot be compromised by saying we're not going to take away your religious liberty for a year. That is not a compromise. That is a form of political extortion.

## IRAN'S NUCLEAR AMBITIONS

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

Mr. DEUTCH. Madam Speaker, even as we stand here today, the centrifuges continue to spin in Iran, and their illicit nuclear weapons program forges ahead.

Yet, they are more isolated today than they have ever been. I commend President Obama for his Executive order freezing the assets of the Central Bank of Iran and making it impossible to do business both with Iran and with the United States. I thank our Asian allies for reducing purchases of crude oil and slashing trade with Iran, and I commend our European allies, as well, for banning the import of Iranian crude. The Iranian economy is in shambles. As a result of these international efforts, its currency is plummeting and inflation is skyrocketing.

I urge my colleagues, our friends across the way in the Senate, to pass tighter sanctions still to tighten the economic noose on the ayatollahs and to force them to give up their illicit nuclear ambitions. We must stand with the Iranian people even as their human rights are crushed by the Revolutionary Guard. In their quest for democracy, we stand with them. Our efforts are paying off, Madam Speaker, we cannot let up.

## EXPEDITED LEGISLATIVE LINE-ITEM VETO AND RESCISSIONS ACT OF 2012

Mr. WOODALL. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 540 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 540

*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. 3521) to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for a legislative line-item veto to expedite consideration of rescissions, and for other purposes. 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 equally divided among and controlled by the chair and ranking minority member of the Committee on the Budget and Representative Simpson of Idaho or his designee. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments recommended by the Committees on the Budget and Rules now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–12. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. 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 amendment in the nature of a substitute made in order as original text. 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.

SEC. 2. It shall be in order at any time on the legislative day of February 9, 2012, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1(c) of rule XV, relating to a measure addressing securities trading based on nonpublic information.

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

□ 1240

GENERAL LEAVE

Mr. WOODALL. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. WOODALL. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to my good friend from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume.

I'm pleased to be down here with you today, Madam Speaker, because what we have an opportunity to do with this rule is bring another in a series of 10 fundamental reforms to the congressional budgeting process.

Today, House Resolution 540 provides a structured rule for consideration of H.R. 3521, the Expedited Line-Item Veto and Rescissions Act. And yet again today, with this rule we have made in order every single amendment by either Republicans or Democrats that was germane to the underlying legislation to give us an opportunity to make this bill better.

Now, to be fair, Madam Speaker, H.R. 3521 is another example of bipartisanship in this House. It was introduced and sponsored by both the Republican chairman of the Budget Committee, PAUL RYAN, and the Democratic ranking member, Mr. VAN HOLLEN, another opportunity of things that we can do here in this new Congress to bring common sense to our budgeting process.

It's a bipartisan attempt, Madam Speaker, to provide both Congress and the President with all of the tools necessary to get our fiscal challenges under control. It exemplifies what can happen here in this body when we're willing to listen to folks back home and come together to try to make a difference here in Congress.

In the 111th Congress, Madam Speaker, nondefense discretionary spending was increased by almost 25 percent. This Congress, this body, working with the Senate, increased nondefense discretionary spending by almost 25 percent. Now, if your constituents are like mine, Madam Speaker, had they had that budget around their family dinner table, they could have found some items that they could have done without. In exchange for not putting their children and their grandchildren further and further and further in the hole, further and further and further under the mountain of debt that this country has run up, they could have found some things to cut.

Now, Congress in the past has tried to pass a line-item veto, line-item vetoes that I would have opposed had I been in Congress, Madam Speaker, because they transferred our authority, our authority here in the U.S. House of Representatives, to the executive branch. I'm opposed to that.

What we have today is not that process of days of old, not that process that has been tossed out by the Supreme Court as a violation of our House prerogatives; but what we have today is an expedited rescissions process that allows the President of the United States to go through those budget bills, those appropriation bills, those funding bills, to say, When I see this, it doesn't pass the smell test, let me give the Congress one more shot at it; send it back to Capitol Hill, where we accept it or reject it in its entirety.

I confess, Madam Speaker, I'm not thrilled about involving this President in budgeting decisions any more than is absolutely necessary. But given the nature of our challenges, it's not about this President or the previous President or the next President. It's about the American people. It's about what are we going to do to fulfill our responsibilities to keep America strong. This is one of those bills, Madam Speaker, that will provide another arrow in the quiver of fiscal responsibility to this Nation, and I believe it's one whose time has come.

Yesterday, we saw another bill in this budget reform process. Last week, we saw two other bills in this budget reform process. Each are coming to the floor, Madam Speaker, in as open and honest a process as we can bring the American people into this budget process, to make Congress' budget process as open and honest as it can be. As a proud member of the Rules Committee, Madam Speaker, and of the Budget Committee, I am here today in strong support of this rule and in strong support of the underlying resolution.

With that, I reserve the balance of my time.

Mr. POLIS. Madam Speaker, I thank my colleague from Georgia for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

I rise today in opposition to this structured rule. This is yet another example of this Congress' remarkable ability to take commonsense measures and churn them, through partisan posturing, into measures that not only put in jeopardy broad, bipartisan support from this body, but significantly weaken them and reduce the quality of the work product for the American people.

This rule that we're debating does two things. We'll have the opportunity in a moment to talk about the Expedited Line-Item Veto and Rescissions Act, an underlying bill that I strongly support, one that would empower the President of the United States to use the line-item veto on unnecessary expenditures to help reduce our deficit, subject to an en masse approval vote of the United States Congress. It fundamentally addresses some of the constitutional flaws with a broad line-item veto, which has been attempted in the past, that many Governors currently wield.

So it's, I think, a good-faith effort by both sides to come to something that the American people think is common sense. Congress should not be able to force the President to spend money in areas that are unnecessary, that are earmarks, that are special interest expenditures. The President can then highlight those, bring them back to Congress, subject to an up-or-down vote.

The bigger problem with this rule is the other component of this rule, which prevents Members from offering amendments that would strengthen the STOCK Act—a very significant piece of reform legislation offered by Mr. WALZ and my Rules Committee colleague and ranking member, LOUISE SLAUGHTER, which I proudly cosponsor.

This bill, the STOCK Act, has been subject to a lot of media attention of late. It would ban insider trading in Congress, again, a commonsense approach and something that I think has broad, if not universal, support on both sides of the aisle.

But a little bit of history of how we got here and why this particular rule many on our side and I myself see as an attempt to water down many of the critical provisions of the STOCK Act and make it less meaningful in responding to the public outrage about perceived behaviors that can occur, both among the Members and the staff in this body, as well as on the executive side of government.

This bill has been introduced, the STOCK Act, by Representative SLAUGHTER for 6 years now. I've been a cosponsor since last year. It has rapidly picked up cosponsors in the last year, including close to 100 cosponsors from the other side of the aisle. It's a strong bipartisan piece of legislation with strong support.

□ 1250

First, this bill, the STOCK Act, was blocked by the majority leader. Now it's being rewritten behind closed doors and without the input of Mr. WALZ or Ms. SLAUGHTER. We don't know what this so-called STOCK Act will contain. We have reason to believe it will water down a number of provisions of the STOCK Act.

It's my understanding that at least the version of the STOCK Act released last night removed the requirement that political intelligence firms register as lobbyists. Now, what are political intelligence firms? They are firms that are hired by those who do financial transactions and effectively bet on stocks going up or down. Hedge funds, et cetera, would hire these political information firms to try to figure out, using their connections, what Members of Congress and, just as importantly, committee staff and staff members are thinking, and timing, with regard to hearings and the introductions of bills.

Now, in an open system, obviously, discussion among people is certainly fine, but the issue is whether they have to register as lobbyists. Lobbyists have a registration process that critically includes who their clients are to provide visibility and transparency into who their clients are.

Political intelligence firms do not need to register under current law. They would be required to register under the STOCK Act. But under the version, the weakening of the STOCK Act that Leader CANTOR posted to the Web site, they would no longer be required to register. In fact, specifically, from the Web page of a political intelligence firm, it says that they, in fact, relish this ability to operate in secrecy. Quoting from their Web site it says: ''providing the service for clients who do not want their interest in an issue publicly known.''

So again, there is this, I think, commonsense loophole that the American people are outraged over that allows people to avoid registering as lobbyists who are in the business of developing relationships with Members and their staffs for the purpose of seeking inside information for financial gain. And I would strongly recommend that any serious STOCK Act include a registration requirement around political intelligence firms.

We also won't have the opportunity in the House, as the Senate did, to make the STOCK Act stronger and to strengthen the bill through the amendment process. Under this particular version of this rule that we're debating, there will be zero, zero amendments allowed—no amendments from Republicans and no amendments from Democrats to strengthen the STOCK Act.

Now, even the Senate, which is hardly known for its legislative efficiency, was able to consider amendments and get the bill done and passed because of its bipartisan support. We should do so in the House under an open process, or even a controlled process, 10, 15, 20 amendments.

I know Members across both sides of the aisle have ideas about how to reduce the perceived inequities and conflicts of interest that exist, both among Members and appointees, and on the executive side of government. We owe nothing less to the American people.

So I am terribly disappointed that this rule will not allow for any strengthening of the STOCK Act and, quite to the contrary, actually deals it a severe weakening blow by removing political intelligence.

Furthermore, we don't know, at this point, what exactly will be in this STOCK Act that potentially could be under consideration tomorrow. Contrary to the promise that the Republican majority made to the American people about having time to read bills, it's my understanding that an initial

version was posted last night. It's my understanding that a subsequent version weakening the STOCK Act was posted just an hour ago, which I don't think any of us have had the opportunity to read.

We fear that this could be changed again; and, yet, under this rule, this Congress could be called on to act on this tomorrow, to vote on this tomorrow, with no opportunity to strengthen the bill, no opportunity to prevent the watering down of the bill by the majority leader of this body, which is occurring behind closed doors as we speak.

Now, again, while I cannot support the rule for those reasons, I want to also discuss one of the underlying bills that this rule will bring to the House, which is the Expedited Line-Item Veto and Rescissions Act. This act is an important step, albeit a small step, a small but constructive step, towards the cause of deficit reduction and eliminating the wasteful spending and earmarks that have too often been the hallmark of this Congress and past Congresses.

Now, Members on both sides of the aisle have disagreements about this bill. When you have a bill that impacts legislative prerogative, that's likely to be the case. I know some are concerned about constitutionality, generally, of line-item veto bills. I believe that this bill was carefully crafted to take into account those valid constitutional arguments about the separation of powers and the prerogative of the legislative branch.

This legislation strikes the correct balance between the Framers' intent to place the power of the purse in the hands of Congress, which retains, under this bill, the ability to approve or disapprove of any Presidential line-item veto, with the need to cut out wasteful spending that piggybacks on larger, must-pass legislation which, whether it's an omnibus or an appropriations bill, we know that this body has been unable to produce, cleaner, leaner spending bills. And I think it can be a constructive step to enlist the help of the President of the United States in removing unnecessary and indefensible pork from spending bills.

I would also add that this bill is a welcome change for many of the other so-called budget-reform bills that have been brought forward by the House Budget Committee. The House Budget Committee has brought forward bills to pretend that inflation doesn't exist. They've brought forward bills to have funny scoring, trick scoring, dynamic scoring, rather than the usual objective process of the Congressional Budget Office.

But you can't pretend the deficit away. You can't pretend the deficit away by assuming there's no inflation. You can't pretend the deficit away by putting in wacky numbers that are whatever you feel like, based on your biases.

So this bill is really the first budget bill that is a constructive step towards actually controlling spending, something that I've often heard Members of both parties pay lip service to, but this body has done relatively little to address that notable goal of budgeting our budget.

However, there's a lot more to do. I've always maintained, as have many on my side of the aisle, that rather than talking about balancing the budget, rather than talking about what we want to do, and rather than trying to change the rules, let's balance the budget. The supercommittee had an opportunity to do that with a balanced approach.

The President of the United States has called for a balanced approach to balance the budget. The President of the United States has convened the Simpson-Bowles Commission to outline specific plans around ending our budget deficit and returning our Nation to fiscal responsibility. That bill, from the Simpson-Bowles Commission, there were no bills that have been taken up by this body that would fundamentally address the very real budget problems that we face.

And to be clear, we cannot simply pass this Expedited Line-Item Veto and Rescissions Act and say, problem solved, game over, let's go home. A constructive step towards balancing our budget, yes, but a small step, a baby step, a potential step in the right direction, but one that, by no means, should get Congress out of the responsibility of acting responsibly in a balanced manner to balance our budget, right our fiscal ship, ensure the long-term integrity of Social Security and Medicare, and balance our budget deficit.

We need to use a balanced approach to budget challenges. The approach needs to be comprehensive and bipartisan. I would like to maintain some hope and optimism that perhaps the Expedited Line-Item Veto and Rescissions Act would be a small first step towards a larger collaboration between the two parties to tackle the issues of the day.

While not, in and of itself, the real progress we need to actually solve the budget item, the Expedited Line-Item Veto and Rescissions Act will assist lawmakers in targeting wasteful government spending. Unlike previous attempts at a line-item veto that have been ruled unconstitutional, the Expedited Line-Item Veto and Rescissions Act respects the careful system of checks and balances that our Framers established.

Under this bill, the President can highlight unjustified government spending that's wasteful, and the President can then identify those items, but it has to come back to Congress to affirmatively approve, by majority, any cancellation of expenditures in those areas. Let them be debated and defended on their merits, rather than slipped in to thousand-page bills in the dark of night.

Further, the President's withholding authority is limited. The President can only hold back on spending for 45 days after the appropriations bill has been enacted.

I think this bill can be a step towards putting our Nation on a path towards fiscal discipline and a balanced budget. I am aware that there are those on both sides that, for constitutional or legislative prerogative reasons, feel differently than I do. But I think a ''yes'' vote on the underlying bill would be a small positive step towards combating the runaway spending that has characterized not only this Republican Congress, but prior Congresses controlled by both parties.

I reserve the balance of my time.

□ 1300

Mr. WOODALL. Madam Speaker, I yield myself such time as I may consume to thank the gentleman for his kind words about the underlying bill.

I say with the utmost sincerity that here in my freshman term in Congress, one of the Members I have enjoyed working with the most is Mr. POLIS. You can always count on him in the Rules Committee to say something unexpected. You can't pigeonhole him as to where he's going to be on things because he's thoughtful about all of the issues. And I would hope that he would find that to be one of the highest compliments we can pay to a Member, to find a thoughtful Member here in this body, and it's certainly been my pleasure to work with him.

I agree with him that we can't pretend the deficit away. We can't use wacky numbers, I think was his word, to wish the deficit away, though we do have a difference of opinion about where that pretending comes from and where the wacky numbers come from.

As a member of the Budget Committee, I will tell you that the steps we're taking this year are changing a historical process of pretending the deficit away, bringing in real accounting, changing a historical process of generating wacky numbers and bringing in new, honest accounting.

But I also want to say this, Madam Speaker. As folks come to the floor to talk about whether or not we're actually saving any money today, whether we're cutting the budget today, whether we're creating jobs today, this is a Budget Committee bill.

As a member of the Budget Committee, I wish it were in my authority to cut spending and create jobs, because, by golly, I've got to tell you, I could do it, bring bills to the floor on a regular basis to promote those ideas. But it's not within the Budget Committee's authority.

What is in the Budget Committee's authority to do is craft the most honest numbers possible to share with the American people to describe what it is that we're doing with their tax dollars day in and day out. That's exactly what this legislation is designed to do. That's exactly what the other nine pieces of budget reform legislation the Budget Committee is moving, what they are designed to do.

It is really with great pride, again, as a new member to the Budget Committee, to have my colleague from Colorado say such nice things about this bipartisan work, about the hope that this presents for us moving forward, and I, too, hope we'll be able to build on that progress.

I reserve the balance of my time.

Mr. POLIS. Madam Speaker, I yield myself such time as I might consume.

If we defeat the previous question, I will offer an amendment to the rule to ensure that the House votes on the political intelligence provisions that are included in the STOCK Act written by Ms. SLAUGHTER and Mr. WALZ as a standalone bill. This bill will help shine sunlight onto political intelligence firms and require that they register as lobbyists. This provision already has the support of a majority of the Members of this body—285 Members, including 99 Republicans.

The fact that the Republican leadership has weakened and watered down the STOCK Act by stripping out this provision we'll be considering this week is both shameful and wrong. It's clear that this House needs to act, and it will be my hope that we defeat the previous question and I'm able to offer this amendment.

I am honored to yield 5 minutes to the gentlewoman from New York (Ms. SLAUGHTER), the ranking member of the Rules Committee and the sponsor of the STOCK Act.

Ms. SLAUGHTER. Madam Speaker, I thank my friend, my colleague, for yielding to me.

This is terribly important to me. I've spent 6 years of my life on this bill, so bear with me if I get a little emotional.

Today, I urge my colleagues to defeat the previous question so that we can strengthen the STOCK Act bill that has been weakened by House Republican leadership behind closed doors and in the dark of night. When writing their own version of the STOCK Act, Majority Leader CANTOR and House Republican leadership did not consult the bipartisan coalition that has championed this bill and, over the week, neither I nor Mr. WALZ were asked to contribute to the final product, nor was our leader consulted in any way. Despite championing the bill for 6 years, I was left completely out.

As a matter of fact, the way the bill is structured, I won't even have an opportunity to offer an amendment to put back the political intelligence piece, which I think is really the heart of the bill. The bill was changed from a bill to a suspension, which means that the minority will have neither the right of a motion to recommit or an opportunity to amend this bill in any way. That contrasts completely with what happened over in the Senate when Members of the Senate were allowed to present amendments to this bill, and many of them did it successfully.

But what we got here was a flawed bill last night and a need to reintroduce revised legislation earlier today. As a matter of fact, the bill they put out last night has already been superceded by one about 45 minutes ago, which shows you that if you write something in the dark of night, you may not know what you wrote.

Despite their many changes, the bill is weaker, not stronger, than before. The simple truth is that the bill introduced by House Republicans waters down government reform, particularly when it comes to regulating the political intelligence industry.

Political intelligence is the latest scheme to profit from the Halls of Congress. The industry profits to the tune of $400 million annually, and that's all we know. That grew considerably this week from the information that we had previously. We don't even know where it is, but this is at least almost half a billion dollars a year. They glean valuable information and they sell that information to high-paying Wall Street clients.

None of my constituents are able to do anything like that. They have no prior information, and they expect their Congress to be more decent and with more integrity than to be doing that.

But like the lobbyists before them, political intelligence operatives use a proximity to power to serve high-paying clients. Unlike the lobbyists, they are nameless. Under the current law, they're not required to identify themselves as they go about their work. They're completely unregulated.

America knows all too well what happens when Congress and K Street meet in the dark. From Jack Abramoff to Tom DeLay, corruption can spread through the highest reaches of Congress without the proper controls, and we know it. But with the STOCK Act, we have a chance to be proactive and simply require—no big whoop—the operatives to register as a lobbyist so we know who they are.

This is not a radical idea, but over the last week the outcry from K Street has been deafening. Soon after they rang the alarm, the House Republican leadership locked themselves behind closed doors where they reworked my original legislation and removed the language that regulated the political intelligence community. We're now set to consider a bill that commissions a study on political intelligence, hardly the type of action that will restore America's faith in this institution.

Did House Republican leadership return to their Abramoff-era ways and put the needs of K Street before Main Street? We will never know, because we don't know who they are and what they're doing, but we know that they're doing something.

What we do know is that the regulation of the political intelligence community was supported by 285 Members of Congress who were cosponsors of our original bill, including 99 Republicans, to whom we are extremely grateful, and a bipartisan supermajority in the Senate. The bill, as you know, passed over there 96–3. What we do know is that after emerging from behind the closed doors, the bill introduced by Mr. CANTOR does nothing to regulate the political intelligence community.

The House leadership should have allowed this bill to be finalized in an open and transparent manner. It's that important. America is watching. I have never seen the editorial support or the outpouring of support like we have had on this measure. People want us to be doing this. It is really beyond my ken that we are doing this in such a hidden and weak way. But this has been allowed to come to the floor.

I'm confident that my 285 colleagues who supported the original STOCK Act would have passed the tough regulations for the political intelligence community.

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

Mr. POLIS. I would be happy to yield an additional minute to the gentlelady from New York.

Ms. SLAUGHTER. I thank the gentleman.

Instead, the majority continued their ''my way or the highway'' approach and shut out their colleagues and made partisan changes to a bipartisan bill. As a result, a bipartisan coalition in the House is left with one option: to reintroduce our political intelligence regulations by defeating the previous question. Putting Main Street before K Street starts here.

I urge my colleagues to defeat the previous question, reinsert language to regulate a growing K Street industry, and make the STOCK Act as strong as it was when I introduced it 6 years ago.

□ 1310

Mr. WOODALL. Madam Speaker, I yield myself such time as I may consume to say that I appreciate the gentlelady's work. I know that her effort on the STOCK Act comes from the heart. I disagree with a lot of the underlying crafting of that bill, but I know that the effort is to solve a very real problem and to solve it in a very genuine way, and I am grateful to her for that.

At this time, Madam Speaker, I would like to yield such time as he may consume to the gentleman from Florida, Sheriff NUGENT, one of my freshman colleagues, who also comes to this issue with a pure heart and who has an alternative proposal here in the House to prevent insider trading, of which I am a strong supporter. He is also my colleague and seatmate in the Rules Committee.

Mr. NUGENT. I want to thank my very good friend from the great State of Georgia (Mr. WOODALL) for the time. As he mentioned, we both sit on the Rules Committee.

Madam Speaker, today I rise in support of H. Res. 540, and the issue we are talking about is whether or not the American people can trust us.

Today, Congress has a job approval rating of—what?—10, 11, 12 percent.

The American people are pretty sick of us, and I don't blame them. Ms. SLAUGHTER has been working on the STOCK Act bill for over 6 years, which is commendable. Yet it's unfortunate that it never came to the Democratic Congress when it had control. That's very unfortunate that she was never able to move it forward. If anything, as we move forward here, I am amazed that 13 percent of folks actually approve of the work we're doing. I can't believe there is even 1 percent.

It was only about a year ago that I was one of those people who was disappointed in this body, but my parents always taught me that, if you're not part of the solution, then you're part of the problem. So, sure enough, I ran for Congress, and the people of Florida's Fifth Congressional District put their trust in me to represent them.

One thing I promised the folks back home is that I was never going to use my service in the House of Representatives to enrich myself, which is why I turned down the congressional health benefits. That's why I introduced my bill, H.R. 981, the Congress is Not a Career Act, so that I could turn down the congressional pension that I am legally required to take. That's why I think that trading on any kind of insider knowledge received through the virtue of working in this office is flat out, downright wrong. Anybody who uses his office to get rich and game the markets should go to jail. It's that simple. I've put people in jail for doing things that were illegal.

Madam Speaker, sometimes I wonder if folks right here in this very Chamber forget about what we're talking about. We're talking about the United States Congress. We're talking about the institution that makes up the first branch of government. We're talking about the people's branch. We're talking about the institution where men like Madison, Monroe, John Quincy Adams, JFK, and George H.W. Bush all served at one point or another in their careers.

This is an institution that ought to be held to the highest standards, an institution that I, at least, expect more from, and we're failing—we're failing our constituents; we're failing ourselves; and we're just outright failing.

What we need to do now is take deliberate steps towards making things better. We need to prove to the American people that we hear them and that they're right and that we're going to do better. One major step in the right direction would be in showing our commitment to ethics reform and in ensuring that we aren't using Congress as a way to line our own pockets.

As the Tampa Bay Times wrote in an editorial just this morning, the United States Congress needs to ''finally address the exploitation of public office for individual financial gain.'' H. Res. 540 lets us bring that discussion to the floor of the House of Representatives, which is where it belongs.

I've gotten up here, Madam Speaker, and have spent a lot of time talking about honesty and of doing better, so here is my opportunity to be honest with everyone here and with everybody watching us at home.

If it were up to me, we wouldn't be voting on this bill that we'll be voting on tomorrow. As I see it, the STOCK Act we'll be voting on tomorrow has some problems. Transparency and openness mean that we'll be able to look at all of these problems and really think about if the benefits outweigh the costs. It means that we will be able to have a full and knowledgeable discussion about the STOCK Act on the floor of this House tomorrow.

But I've got to tell you that the process that got us to where we are today and where we're going tomorrow is just wrong. Thirty-eight pages isn't a long bill in congressional speak, but it's 38 pages that never went through the normal legislative process, and it's 38 pages that we didn't get an opportunity to amend. Since I'm being honest, there are better alternatives out there than the STOCK Act, which is what we're going to be voting on tomorrow.

One of those options is my bill, H.R. 3639, the Prevent Insider Trading by Elected Officials Act. My bill is only 1½ pages long. It's quick; it's easy and to the point, and all elected officials both in the legislative branch and in the executive branch are required to put their stocks, bonds, securities—whatever you have—into a blind trust. It's just that simple. If you don't know what you have, you can't trade it based on insider knowledge. That's what a blind trust is all about. My bill is 1½ pages, and there is no room for loopholes. Legislation up here is written by attorneys that sometimes only attorneys can understand, and there are loopholes in all of this.

If I had my way, the discussion we'd be having on the floor tomorrow wouldn't be about honest services provisions, IPO sales, or registering searchable mortgages and disclosures and whatnot online, but that's not my call. So we're here today, and at least we've gotten this far. I wish we were doing more.

This is the United States Congress we're talking about. When I was growing up, it was supposed to mean something, and I'm hoping it still does. If it does, then we need to be holding ourselves to the highest of standards. The American people ought to know that they can have faith in the people who are serving them here in Washington.

Do I think this is the very best step? No, I do not. Do I think it's better than the bill the United States Senate sent to us through that rushed process—a bill that has conflicting provisions and at its core doesn't, in fact, address the problem that the American people want fixed? No doubt about it.

I wish the Senate hadn't rushed the STOCK Act. I suspect HARRY REID just really needed a shiny object he could wave and point to, hoping he could distract the American people long enough to forget that it has been over 1,000 days since the United States Senate passed a budget. He has already promised that they wouldn't even have one for this next year. If not for the rush, then we probably wouldn't be forced into acting on this at such breakneck speed.

Do I think that this is a discussion we must have and need to have? Absolutely. That's why I'm going to support this rule.

I'm being honest. I wish we'd done it differently, but we're here to work the will of the people, and that's the most important thing right now.

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

Madam Speaker, I have to say, after hearing my colleague from Florida, I'm a little bit confused about where he stands.

Certainly, his arguments were many of the same arguments that I and others have been making. In fact, Ranking Member SLAUGHTER proposed in committee yesterday to strike suspensions authority specifically so the gentleman from Florida could offer his bill as an amendment to the bill and so we could have a discussion about this blind trust issue. I think that would have been a better way to have brought it to the floor.

Yet the gentleman from Florida voted ''no'' yesterday to the provision that he is effectively trying to argue for on the floor today. He concluded his remarks by confirming that he plans to vote for a rule that fundamentally doesn't allow him to do what he thinks needs to be done to restore ethics and integrity to this body.

So I think that that is an example of the type of contradictions that we're hearing, but I would urge the gentleman to be convinced by his own arguments so that he might join me in opposing the previous question and in opposing the rule.

Madam Speaker, it is my honor to yield 2½ minutes to the gentleman from Minnesota, an original sponsor of the STOCK Act, Mr. WALZ.

Mr. WALZ of Minnesota. I thank the gentleman from Colorado for yielding.

As the American people watch us here, the previous gentleman from Florida was right in that the frustration levels are as high as they've been with this sacred institution, with this idea of self-governance. It would be a lot easier if we didn't have to go through all of this.

I hear some of my constituents sometimes say, We need to get rid of some of you Members of Congress. There are too many of you.

I say, Why think small? Get rid of all of us and name a king. Then we don't have to do a dang thing, do we? They can think for us.

□ 1320

The idea is coming here together to self-govern ourselves. And the gentleman and all the speakers were right: It's about the integrity of this institution. It will be here, and it will stand

when we are long gone and forgotten. Our children will inherit this place and the things that happen here. The integrity of this institution stands above all else. That's why when I walked through this door, coming out of a classroom in Mankato, Minnesota, after a career in the military and in teaching, I was approached by LOUISE SLAUGHTER who said, You were sent here to do things differently. It's about making this place work, and I've got a bill for you. And for 5 years, LOUISE and I and seven others have tried to make this case. So I am pleased today that it's here.

It's not perfect. As one of our former colleagues, Dave Obey, used to say, Of course it's not perfect. You'll get perfect in heaven. And this place is a lot closer than hell, so let's take a compromise. Let's get something done for the American public that restores their trust, and then lets move on to debate the important issues of employment, of caring for our veterans, of educating our children, of securing our Nation.

LOUISE SLAUGHTER has been there every step of the way. This was not a twelfth-hour comeback to the righteousness thing. LOUISE has lived this way. When she says this issue of political intelligence and gathering here is undermining our markets and our trust, she knows something about it.

We're going to make a compromise. We're going to move a piece of legislation forward that is a step on a journey, not a destination. It is a quest towards a more perfect union. This is one small step.

This is the only place in the world where doing something right lets us pat ourselves on the back. This is what Americans do every day. We need to assure them we're there.

But this offering of adding this piece is all part of the bigger puzzle. I am in full support. I am proud to serve with the gentlelady from New York. She has been a champion. And it's not about our political differences.

I thank all the Members here who spoke eloquently about restoring faith in this. The public wants us to come here and debate differences for the direction of our country. They don't want us to tear each other down, and they don't want us to game the system.

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

I thank my friend for his kind comments. I know that Mr. WALZ and Ms. SLAUGHTER have been working for years and years on this proposal. And again, I have some issues with this proposal. I do believe that there are some better options out there. But I must speak up on behalf of the leadership in this House.

For Congress after Congress after Congress, Ms. SLAUGHTER labored to bring this bill to the floor, labored to bring this bill to the floor to no avail, to no avail, through 4 years of democratically controlled Congresses—folks who have the deepest respect and admiration for the gentlelady and her legislation—failed to bring this legislation to the floor. And the rule we have here today does. It does. It's not the only way to bring this legislation to the floor. It's not even a requirement that the legislation come to the floor in this way. But what this rule does is it provides the first opportunity that this Congress has had to vote on the STOCK Act. Madam Speaker, that's not a topic for the gnashing of teeth. That's a topic for the clapping of hands.

If you believe in this bill, if you believe, as Mr. WALZ said, that this may not be the end-all/be-all, but it's a step in that direction, if we can move a little today and a little tomorrow and a little beyond that to ultimately get to where we need to be, this is a step in the right direction.

As a member of the Budget Committee, Madam Speaker, it just happens to be my privilege that that opportunity was attached to the bottom of a budget rule because the truth is, the reason we are here today is not to talk about the STOCK Act and not to talk about ethics reform but to talk about budget process reform, budget process reform that was reported out of the Budget Committee in a bipartisan way, budget process reform that was sponsored by both the Republican chairman of the Budget Committee and the Democratic ranking member of the Budget Committee—budget process reform that makes sure that every little piece of the United States budget, every topic in an appropriations bill, doesn't just get examined in committee, doesn't just get examined on the House floor, doesn't just get examined at the White House, but gets examined one more time for those things that just don't pass the smell test, by coming back to this body for an up-or-down vote on that rescission.

I would inquire of my friend from Colorado if he has any speakers remaining?

Mr. POLIS. Yes, I do. I have one further request for time.

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

Mr. POLIS. It's my honor to yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I'm always in awe at the gentleman from the Rules Committee who has just spoken so eloquently about consensus and coming together. I've seen him in action in the Rules Committee. And certainly we thank the members of the Rules Committee for their service. We know that his history brings him here after being a staffer, so he knows this institution. He knows where all the bathrooms are. He knows about how much good we can do. I'm grateful for him acknowledging our friends, Congresswoman SLAUGHTER and Mr. WALZ, who have been working and, of course, who wanted to have their bill come forward in a way that would be transparent and to have the opportunity for all facets of this bill to be understood. So I thank the gentleman from Colorado (Mr. POLIS) for his leadership. So it begs the question of how we have the cloak-and-dagger midnight legislation trick that really is not befitting of this carefully drawn initiative.

Let me share with my colleagues why I am so concerned about good work that should be presented as good work. At this moment, we are trying to make sure that no one has insider trading. And if we had a sledgehammer here, we would go around and make sure to stamp it out. But we are doing it through legislation, and you can't do it by legislation and half-fix it. We can't misrepresent to our colleagues and the American people.

Right now, the language that was in Ms. SLAUGHTER's bill dealing with political intelligence firms that have grown dramatically over the last few decades and are now a $100 million industry and are sharing moneys and resources and information, intel, with Wall Street every single day, and investors who are unfairly profiting at the benefit or the loss of the American people——

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

Mr. POLIS. I yield a total of 1 additional minute to the gentlewoman from Texas.

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

Some single mother, some hard-working parents are being taken advantage of because they—our friends on the other side—have taken language out that would deal with the transferring of political intelligence by political insiders.

We need to be able to vote ''no'' on the previous question to allow this language to come up. And it's a closed rule, and it's by suspension. For those of you who know that, nobody gets a chance to do anything. It's a super majority. Then to add insult to injury, they've got an expedited veto bill in here that would take away the powers of the three branches of government, slam the Congress that should be here doing its work—that's what you asked us to come here to do—and allow this expedited veto to go forward and to undermine the give-and-take of the three branches of government, which is what the Constitution asks us to do.

I would ask us to vote ''no'' on turning the lights out and using dagger politics to keep the American people from knowing what is going on. I ask for a ''no'' on this vote.

Mr. WOODALL. Madam Speaker, I would inquire of my friend if he has any further requests for time.

Mr. POLIS. I am prepared to close.

Mr. WOODALL. I'm prepared to close as well.

The SPEAKER pro tempore. The gentleman from Colorado has 3½ minutes remaining.

Mr. POLIS. Madam Speaker, I yield myself the remainder of my time.

The Expedited Line-Item Veto and Rescissions Act is a fiscally sound way for both Congress and the President to reduce wasteful government spending and ensure that American taxpayer dollars are spent wisely. This legislation will help in a small way to address

our budget crisis. Again, I want to be clear that the Expedited Line-Item Veto and Rescissions Act does not solve our deficit, does not restore fiscal discipline and fiscal integrity to our country, but is a step in the right direction that will produce savings that will all be applied to deficit reduction under this bill.

□ 1330

The bill is a balanced measure, and I know that there is some support and opposition from both sides of the aisle. I encourage my colleagues to seriously consider supporting this small, but important, step forward.

The country's budget situation is dire. The supercommittee's failure and the threat of sequestration underscores the need to address our fiscal policies head on. The worst possible outcome is that we pat ourselves on the back and say ''job well done'' while this country faces record deficits of trillions of dollars over the next 10 years.

We need a big and balanced budget compromise to reduce our Nation's debt. Passing the bipartisan Expedited Line-Item Veto and Rescissions Act will be a small step and keep us on track to help restore fiscal integrity to our country; but we need to remind ourselves that it is only a small first step toward addressing our budget problem.

I urge my colleagues on both sides of the aisle to extend the unemployment insurance and middle class tax cuts to reach a big, bold, and balanced solution to our Federal budget situation along the lines of the President's commission.

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

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

There was no objection.

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

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

It really is a source of pride for me as a Budget Committee member to be a part of this. This is an effort, much like the STOCK Act, that did not begin in this Congress. The Expedited Line-Item Veto is an effort that has been going on for almost two decades here in this body. And previous attempts, Madam Speaker, I would argue, were in fact an unconstitutional delegation of our responsibility here in the House to legislate delegating that responsibility to the President.

This underlying bill, however, looks less like a line-item veto and more like an expedited rescission, rescission authority that the President already has today, but ensures that when that rescission is presented, it actually gets a vote here on the House floor.

If these were wonderful economic times, Madam Speaker, I don't know if I would be as enthusiastic about this legislation, but these are dire economic times. Our budget challenges here have grown exponentially in my life time. And I think we must pull out every single stop that we can to make the situation better. Whether a little or whether a lot, every single opportunity we must seize. And this is one of those. I so appreciate, again, the work of Chairman RYAN and Ranking Member VAN HOLLEN in bringing this forward.

But I would be remiss, Madam Speaker, if given all of the talk about the STOCK Act today, I didn't speak up just a little on behalf of my colleagues. I have served now 13 months as a Member of Congress. I see good and decent, hardworking men and women trying to do the very best that they can for their Nation. I see men and women from different parts of the country whose constituencies have different hopes and dreams, and those Members coming here to advocate for those hopes and dreams as best as they can. And I see a population back home that has lost all faith in those good men and women here in this body. And I wonder what we do here in this body to perpetuate that stereotype.

You know, the STOCK Act, Madam Speaker, has been characterized colloquially as the prevent-insider-trading-by-Members-of-Congress as if, as if Members of Congress are allowed to participate in insider trading today. And they are not. Insider trading was against the law yesterday, it was against the law a week ago, it was against the law a year ago, and it will still be against the law tomorrow. Do not let your constituents, Madam Speaker, believe for a minute that you have a right to insider trade when they don't. The laws of the land apply to us as well, and we owe it to this institution and we owe it to our constituents back home to tell them they are not being represented by a bunch of thieves and scoundrels, but they are being represented by their neighbors. Can we do even more? Must we do even more? We must.

Thirty-eight pages in the STOCK Act of new criminal regulations, new sanctions. If you got bribed last week, you're going to go to prison for a number of years. If you get bribed next week, you're going to go to prison for more years. Folks, don't get bribed. It was wrong yesterday; it is wrong tomorrow. It's not more wrong because we're deciding this here today.

We have a responsibility to do the job we have been entrusted to do, and we must punish the bad actors in this body, but we cannot let our constituents back home believe that this body cannot be saved. We cannot let our constituents back home believe that this body is being operated by folks who breach the public trust. We do America a disservice, Madam Speaker, when we allow that contention to go unchallenged.

Are there bad apples here in this Congress? I don't know if they are here today. I know they have been here in years past. And we've sent those folks to prison. There are bad apples in my church; we've sent those folks to prison, too.

This body is only as good as the American voter back home. And I tell you, Madam Speaker, if your district is like my district, the American voter back home is spectacular. The American voter back home is a man or woman of integrity. The American voter back home is a person with hopes and dreams for a better America tomorrow than we have today. We can deliver that on their behalf. We are the voice of those hopes and dreams in this body.

The kind of bipartisan work that we've done on the Expedited Line-Item Veto and Rescissions Act, I say that is exemplary. My colleague who chuckles, Madam Speaker, has been here longer than I. He's been here longer than I. I don't believe he's beyond saving, though. I think we can convince him that it's not a laughable matter to work together, that it's actually something that folks do. And I'm optimistic to be the carrier of that message today and tomorrow.

With that, let me again urge strong support for the rule. The rule both allows the Expedited Line-Item Veto bill to come to the floor, as well as provides an opportunity for the very first time a vote on the STOCK Act here in this body. I rise in strong support of that rule and in strong support of the underlying provision.

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

AN AMENDMENT TO H. RES. 540 OFFERED BY MR. POLIS OF COLORADO

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

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, 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 a bill consisting of the text specified in section 5, which will bear the title ''to provide for disclosure of political intelligence activities under the Lobbying Disclosure Act''. 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 equally divided between the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. 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. 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. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House

shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 3 of this resolution.

SEC. 5. The text referred to in section 3 is as follows:

**SEC. 1. DISCLOSURE OF POLITICAL INTELLIGENCE ACTIVITIES UNDER LOBBYING DISCLOSURE ACT.**

(a) DEFINITIONS.—Section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602) is amended—

(1) in paragraph (2)—

(A) by inserting after ''lobbying activities'' each place that term appears the following: ''or political intelligence activities''; and

(B) by inserting after ''lobbyists'' the following: ''or political intelligence consultants''; and

(2) by adding at the end the following new paragraphs:

(17) POLITICAL INTELLIGENCE ACTIVITIES.—The term 'political intelligence activities' means political intelligence contacts and efforts in support of such contacts, including preparation and planning activities, research, and other background work that is intended, at the time it is performed, for use in contacts, and coordination with such contacts and efforts of others.

(18) POLITICAL INTELLIGENCE CONTACT.—

''(A) DEFINITION.—The term 'political intelligence contact' means any oral or written communication (including an electronic communication) to or from a covered executive branch official or a covered legislative branch official, the information derived from which is intended for use in analyzing securities or commodities markets, or in informing investment decisions, and which is made on behalf of a client with regard to—

''(i) the formulation, modification, or adoption of Federal legislation (including legislative proposals);

''(ii) the formulation, modification, or adoption of a Federal rule, regulation, Executive order, or any other program, policy, or position of the United States Government; or

''(iii) the administration or execution of a Federal program or policy (including the negotiation, award, or administration of a Federal contract, grant, loan, permit, or license).

''(B) EXCEPTION.—The term 'political intelligence contact' does not include a communication that is made by or to a representative of the media if the purpose of the communication is gathering and disseminating news and information to the public.

''(19) POLITICAL INTELLIGENCE FIRM.—The term 'political intelligence firm' means a person or entity that has 1 or more employees who are political intelligence consultants to a client other than that person or entity.

''(20) POLITICAL INTELLIGENCE CONSULTANT.—The term 'political intelligence consultant' means any individual who is employed or retained by a client for financial or other compensation for services that include one or more political intelligence contacts.''.

(b) REGISTRATION REQUIREMENT.—Section 4 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1603) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting after ''whichever is earlier,'' the following: ''or a political intelligence consultant first makes a political intelligence contact,''; and

(ii) by inserting after ''such lobbyist'' each place that term appears the following: ''or consultant'';

(B) in paragraph (2), by inserting after ''lobbyists'' each place that term appears the following: ''or political intelligence consultants''; and

(C) in paragraph (3)(A)—

(i) by inserting after ''lobbying activities'' each place that term appears the following: ''and political intelligence activities''; and

(ii) in clause (i), by inserting after ''lobbying firm'' the following: ''or political intelligence firm'';

(2) in subsection (b)—

(A) in paragraph (3), by inserting after ''lobbying activities'' each place that term appears the following: ''or political intelligence activities'';

(B) in paragraph (4)—

(i) in the matter preceding subparagraph (A), by inserting after ''lobbying activities'' the following: ''or political intelligence activities''; and

(ii) in subparagraph (C), by inserting after ''lobbying activity'' the following: ''or political intelligence activity'';

(C) in paragraph (5), by inserting after ''lobbying activities'' each place that term appears the following: ''or political intelligence activities'';

(D) in paragraph (6), by inserting after ''lobbyist'' each place that term appears the following: ''or political intelligence consultant''; and

(E) in the matter following paragraph (6), by inserting ''or political intelligence activities'' after ''such lobbying activities'';

(3) in subsection (c)—

(A) in paragraph (1), by inserting after ''lobbying contacts'' the following: ''or political intelligence contacts''; and

(B) in paragraph (2)—

(i) by inserting after ''lobbying contact'' the following: ''or political intelligence contact''; and

(ii) by inserting after ''lobbying contacts'' the following: ''and political intelligence contacts''; and

(4) in subsection (d), by inserting after ''lobbying activities'' each place that term appears the following: ''or political intelligence activities''.

(c) REPORTS BY REGISTERED POLITICAL INTELLIGENCE CONSULTANTS.—Section 5 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1604) is amended—

(1) in subsection (a), by inserting after ''lobbying activities'' the following: ''and political intelligence activities'';

(2) in subsection (b)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting after ''lobbying activities'' the following: ''or political intelligence activities'';

(ii) in subparagraph (A)—

(I) by inserting after ''lobbyist'' the following: ''or political intelligence consultant''; and

(II) by inserting after ''lobbying activities'' the following: ''or political intelligence activities'';

(iii) in subparagraph (B), by inserting after ''lobbyists'' the following: ''and political intelligence consultants''; and

(iv) in subparagraph (C), by inserting after ''lobbyists'' the following: ''or political intelligence consultants'';

(B) in paragraph (3)—

(i) by inserting after ''lobbying firm'' the following: ''or political intelligence firm''; and

(ii) by inserting after ''lobbying activities'' each place that term appears the following: ''or political intelligence activities''; and

(C) in paragraph (4), by inserting after ''lobbying activities'' each place that term appears the following: ''or political intelligence activities''; and

(3) in subsection (d)(1), in the matter preceding subparagraph (A), by inserting ''or a political intelligence consultant'' after ''a lobbyist''.

(d) DISCLOSURE AND ENFORCEMENT.—Section 6(a) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1605) is amended—

(1) in paragraph (3)(A), by inserting after ''lobbying firms'' the following: '', political intelligence consultants, political intelligence firms,'';

(2) in paragraph (7), by striking ''or lobbying firm'' and inserting ''lobbying firm, political intelligence consultant, or political intelligence firm''; and

(3) in paragraph (8), by striking ''or lobbying firm'' and inserting ''lobbying firm, political intelligence consultant, or political intelligence firm''.

(e) RULES OF CONSTRUCTION.—Section 8(b) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1607(b)) is amended by striking ''or lobbying contacts'' and inserting ''lobbying contacts, political intelligence activities, or political intelligence contacts''.

(f) IDENTIFICATION OF CLIENTS AND COVERED OFFICIALS.—Section 14 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1609) is amended—

(1) in subsection (a)—

(A) in the heading, by inserting ''or Political Intelligence'' after ''Lobbying'';

(B) by inserting ''or political intelligence contact'' after ''lobbying contact'' each place that term appears; and

(C) in paragraph (2), by inserting ''or political intelligence activity, as the case may be'' after ''lobbying activity'';

(2) in subsection (b)—

(A) in the heading, by inserting ''or Political Intelligence'' after ''Lobbying'';

(B) by inserting ''or political intelligence contact'' after ''lobbying contact'' each place that term appears; and

(C) in paragraph (2), by inserting ''or political intelligence activity, as the case may be'' after ''lobbying activity''; and

(3) in subsection (c), by inserting ''or political intelligence contact'' after ''lobbying contact''.

(g) ANNUAL AUDITS AND REPORTS BY COMPTROLLER GENERAL.—Section 26 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1614) is amended—

(1) in subsection (a)—

(A) by inserting ''political intelligence firms, political intelligence consultants,'' after ''lobbying firms''; and

(B) by striking ''lobbying registrations'' and inserting ''registrations'';

(2) in subsection (b)(1 )(A), by inserting ''political intelligence firms, political intelligence consultants,'' after ''lobbying firms''; and

(3) in subsection (c), by inserting ''or political intelligence consultant'' after ''a lobbyist''.

SEC. 2. EFFECTIVE DATE

This Act and the amendments made by this Act shall take effect at the end of the 90-day period beginning on the date of the enactment of this Act.

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House

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

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

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

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

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

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 240, nays 184, not voting 9, as follows:

[Roll No. 43]

YEAS—240

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

NAYS—184

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

NOT VOTING—9

Akin
Alexander
Blumenauer
Cassidy
Fattah
Paul
Payne
Pearce
Roby

□ 1402

Messrs. HOYER, LANGEVIN, BOSWELL, Ms. WATERS, and Mr. KUCINICH changed their vote from ''yea'' to ''nay.''

Mr. GRIMM changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 238, nays 175, not voting 20, as follows:

[Roll No. 44]

YEAS—238

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)

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

NAYS—175

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

NOT VOTING—20

Akin
Blumenauer
Butterfield
Cassidy
Chu
Cole
Franks (AZ)
Herrera Beutler
Meehan
Mica
Miller (MI)
Miller, George
Nunes
Paul
Payne
Polis
Roby
Ruppersberger
Sewell
Stutzman

□ 1408

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. COLE. Madam Speaker, on rollcall 44, the question of agreeing to the resolution (H. Res. 540) which provides for the consideration of H.R. 3521, the Expedited Legislative Line-Item Veto and Rescissions Act, had I been present I would have voted "yes."

Mrs. MILLER of Michigan. Madam Speaker, on rollcall No. 44, I was unavoidably detained. Had I been present, I would have voted "yea."

Stated against:

Ms. SEWELL. Madam Speaker, on rollcall No. 44, had I been present, I would have voted "no."

Ms. CHU. Madam Speaker, on rollcall No. 44, had I been present, I would have voted "no."

Stated for:

Mrs. ROBY. Madam Speaker, on rollcall No. 43, 44, I was unavoidably detained. Had I been present, I would have voted "yes," on both.

GENERAL LEAVE

Mr. RYAN of Wisconsin. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 3521, the Expedited Legislative Line-Item Veto and Rescissions Act.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 540 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3521.

□ 1409

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3521) to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for a legislative line-item veto to expedite consideration of rescissions, and for other purposes, with Mr. DENHAM in the chair.

The Clerk read the title of the bill.

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

General debate shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on the Budget, and the gentleman from Idaho (Mr. SIMPSON).

The gentleman from Wisconsin (Mr. RYAN), the gentleman from Maryland (Mr. VAN HOLLEN), and the gentleman from Idaho (Mr. SIMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself 2 minutes.

I want to begin by thanking my friend, CHRIS VAN HOLLEN, the ranking member of the Budget Committee. This is a collaborative effort. This is a bipartisan effort. It's not that often that we have a chance to do this. Mr. Chairman, I want to first thank the gentleman from Maryland for this collaborative effort. We believe whenever we can find the opportunity to reach across the aisle and work in a bipartisan fashion to go after wasteful spending we should do that, and that's what this effort is all about.

I also want to thank the staffers who put a lot of work in this: Paul Restuccia, Nicole Foltz, and Jon Romito on the majority side. I want to thank Tom Kahn, Gail Millar, and Ellen Balis, for their hard work on the minority side; Chairman DREIER at the Rules Committee; Congressman HENSARLING, who has been one of the forefathers of this effort.

What this does is it is the expedited line-item veto and enhanced rescissions. This bill is constitutional, and I want to explain to Members why.

The 1996 line-item veto was ruled unconstitutional because it delegated legislative power to the executive branch. This does not do that. This is quite the opposite. This simply says, after an appropriations bill has been passed, within a short period of time, the President can send up a new rescissions proposal to the House and the Senate to consider rescinding spending from that bill, and we have to simply have the vote. We can't hide from the vote. We can't duck from the vote. We have to have the vote.

Here's why we're doing this, Mr. Chairman. Lots of bills from both parties over the years have had so many

miscellaneous provisions stuffed into them without seeing the light of day, whether they even pass the House or Senate or not. The President has to sign the whole bill or nothing at all. This gives us the ability to pull those miscellaneous provisions out, send them back to Congress and have them vote on them on their individual merits.

We believe what this will do will make every Member of Congress think twice before trying to insert, sometimes we call them airdrops or earmarks or pork or whatever you want to call it. We ought to have Members of Congress think twice that they might have to justify this provision on the spending bill on the merits by a standalone vote by their own peers. We think that act of sunshine, that act of transparency, that act of accountability will help improve the integrity of the spending process here in Congress.

The CHAIR. The time of the gentleman has expired.

Mr. RYAN of Wisconsin. I yield myself 30 additional seconds to simply say this bill is bipartisan, it's constitutional, and it is yet one more tool in several that we are bringing to the floor to restore trust, accountability, and transparency to the way we spend hardworking taxpayer dollars.

With that, I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Chairman, I yield myself such time as I may consume.

Let me begin by thanking the chairman of the committee, PAUL RYAN, and our staffs for working together in a cooperative and bipartisan manner on what I think is a very important piece of legislation to bring before the House.

While we have deep disagreements in this House over many policy issues, I know that we all agree that we should be responsible and careful stewards of taxpayer dollars. That's what this bill before us is all about. It creates new mechanisms for greater transparency and greater accountability in spending taxpayer dollars. I believe that it will, over time, result in a better use of those taxpayer dollars, and savings identified through this process will go to deficit reduction.

For those of us who believe that government can play a positive role in people's lives by creating opportunities, like investing in education for our kids, like strengthening our economy through investments in infrastructure—our roads, our bridges, broadband—by making key investments in scientific research, for those of us who believe that, it is especially important that taxpayers have confidence that their tax dollars are being used wisely. To the extent they don't believe that, it makes it more difficult to invest in the common good. So we should take every opportunity in this body to make sure those taxpayer dollars are being well spent.

Let's be clear about what this bill does and what it does not do.

As the chairman indicated, it does not give the President unilateral line-item authority. The Supreme Court ruled in 1996 that the line-item veto law that was passed by an earlier Congress was unconstitutional because it handed over that unilateral authority to the President of the United States. I think that was the right Court decision. I also think it was the right policy decision.

This approach is entirely different. It's different because it expressly requires congressional action before any savings, sometimes called rescissions, proposed by the President can take place. It simply requires Congress to consider and vote on the President's proposed savings. Congress, by a majority vote in each House, can support the President's recommended savings or reject those savings. In the end, Congress has the final say.

Now, I think everybody here knows we can do a better job in this Congress of scrutinizing spending bills. This bill provides a strong incentive to do that. Let's consider how the process worked just last December with the Consolidated Appropriations Act of 2012.

That bill was over 1,200 pages long and included over a trillion dollars in spending. In fact, Mr. Chairman, I've got that bill right here. It was submitted to this House at 10:47 p.m. on December 15, 2011, and was voted on less than 15 hours later. No one can say they had an adequate opportunity to scrutinize that spending bill.

Let me mention a couple facts about that bill. It included in it nine separate appropriation bills rolled into one. Of those nine bills, four had not been reviewed or voted on by the full House. The House had never had a chance to look at them or vote on them. Two of them hadn't even had a vote in the Appropriations Committee. One of those two, the Labor-H bill, $160 billion in taxpayer money, not voted on even in Appropriations Committee. The Foreign Ops bill, not voted in Appropriations Committee. Only one of those nine was voted on in the United States Senate before that last-minute decision.

I want to make this clear. This is not a criticism of the Appropriations Committee. This is a criticism of the process that we've had in this Congress whether you have Democratic Houses in control or Republicans in control. What this bill does is try and provide a small fix to that process so that we have a little more scrutiny.

Under current law, the President can already propose savings, but under current law, the Appropriations Committee can totally ignore it. All this does is say let's take up those recommended savings in the light of day. Let's have an up-or-down vote in the United States Congress and, you know what, if we agree the President's identified additional savings, that will help reduce the deficit.

This is a good bill. It's a bipartisan bill, and I urge my colleagues to support it.

I reserve the balance of my time.

□ 1420

Mr. SIMPSON. Mr. Chairman, I yield 4 minutes to the gentleman from Kentucky (Mr. ROGERS), the chairman of the full Appropriations Committee, an individual who is trying to do more to reform the appropriations process by bringing individual bills to the floor.

Mr. ROGERS of Kentucky. I thank the gentleman for yielding.

Mr. Chairman, I rise in opposition to this bill.

In article I, section 9, clause 7, the U.S. Constitution bestows upon Congress what we now call the ''power of the purse''—that the representatives of the people should distribute taxpayer dollars as warranted and needed. The line-item veto would weaken that power, shifting budgetary authority to the executive branch and giving the President a power that our Founding Fathers did not see fit to give to him. In fact, a previous effort to provide the President a line-item veto, as has been noted, was ruled unconstitutional by the Supreme Court in 1998.

Two weeks ago, during his State of the Union address, we heard how the President would choose to spend our precious taxpayer dollars. The line-item veto would strengthen the President's ability to give preference to his spending priorities over those of the Congress and the constituents that you represent.

Our Founding Fathers had seen firsthand what an absolute authority could do when wielding too much influence, particularly over spending and taxation, and they drafted our Constitution accordingly, providing for checks and balances to prevent too much power from falling into the hands of one branch of government, the executive. The Framers would surely shake their heads at the idea of transferring this much authority to the executive branch.

So powerful was this defense of Congress' role that James Madison in Federalist Paper No. 58 stated:

> The power over the purse may, in fact, be regarded as the most complete and effectual weapon with which any constitution can arm the immediate representatives of the people for obtaining a redress of every grievance and for carrying into effect every just and salutary measure.

Not only does the line-item veto fly in the face of our Constitution and the Framers' protections, but budget experts also doubt its effectiveness as a spending reduction tool. Look back to Congress' experience with the line-item veto under President Clinton. He wielded this authority to little effect in saving taxpayer dollars. In fact, Congress declared that he ''misused'' that authority, and overturned nearly half of his cancellations. So, to summarize the line-item veto: It is a power likely to be abused and not likely to save money.

In an effort to better this flawed bill, to at least improve its chances at having a tangible effect on government spending, we offered an amendment in the Rules Committee that would have made the bill also apply to tax benefits and runaway entitlement spending. However, that amendment was ruled out of order. The amendment wouldn't have made this bill perfect nor would it have solved the constitutional problem, but it would have at least increased the potential for achieving actual budget savings.

Nearly 25 years ago, former CBO Director Rudolph G. Penner famously said in reference to our budget: ''The problem isn't the process. The problem is the problem.''

Mr. Chairman, today's problem isn't with whether or not the President can veto budget line items nor is it even with annual discretionary spending. On that front, we've saved more than $95 billion over the last 2 years, thanks to the support of this House.

The CHAIR. The time of the gentleman has expired.

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

Mr. ROGERS of Kentucky. The real problem today lies with exploding and unsustainable mandatory and entitlement spending, which the Budget Committee should be addressing forthwith. Mandatory spending comprises two-thirds of the Federal budget. We only deal with a third on discretionary—most of that military—and it continues to blow up the Nation's deficit and debt at these rapid rates, putting our economy and the stability of our Nation at risk.

I urge my colleagues to look beyond the opportunity for the easy press release in order to see that the line-item veto does more harm than good. We can't dismiss the fundamental tenets of the Constitution, and we can't pretend that it will have any positive effect on the Nation's financial predicament. We must put an end to these budgetary smoke screens to find more appropriate and effective ways to address our budget crisis and focus our efforts on mandatory entitlement spending, which is where the real problem is.

Mr. RYAN of Wisconsin. Mr. Chairman, I would simply say that 44 State governments have the line-item veto in their constitution, but we're not proposing that here. We're proposing to keep the power of the purse with the legislative branch and not grant that to the executive branch. This bill does that.

With that, I yield 1½ minutes to the gentleman from Arizona, a member of the Appropriations Committee, Mr. FLAKE.

Mr. FLAKE. I thank the gentleman for yielding, and I rise in strong support of this legislation. I appreciate that it's a bipartisan piece of legislation.

I lose no sleep at night over whether the President of my party or the other party can take action to send back some spending that we have done here and force Congress to reaffirm it. Had we had that over time, I think we would have saved considerable money. We've had the process here that the chairman of the Budget Committee has mentioned, the process of earmarking over the years. Tens of thousands of earmarks have been proposed by Members of this body unchecked. Oftentimes we would approve one bill with 6,300 earmarks in it. It would be wonderful to have somebody able to send one of those items back and at least force us to spend additional time on that item and to say, do we really want to spend that money or not? It provides some check on this process. We need more checks, not fewer.

Like I said, I think that this is constitutional. It doesn't cede our power of the purse. It simply reconfirms our commitment to control spending, something that we have not had much control of lately as evidenced by the massive deficits that we've run.

So I rise in support of that legislation.

Mr. VAN HOLLEN. Mr. Chairman, I yield 3 minutes to the gentlewoman from Florida, a member of the Budget Committee, Ms. CASTOR.

Ms. CASTOR of Florida. Mr. Chairman, I rise today in support of the bipartisan Expedited Legislative Line-Item Veto and Rescissions Act. As a member of the Budget Committee and a cosponsor, I would like to thank Chairman RYAN and Ranking Member VAN HOLLEN for their work and cooperation.

I support a line-item veto because congressional appropriations and spending oversight is broken. They're broken. Almost every year appropriation bills are rolled into one massive package at the end of the year with little opportunity to review, debate, or amend the provisions. That means Members have little ability to eliminate a wasteful expenditure or program.

This past year was a perfect example. Despite the expressed desire of Speaker BOEHNER that we would have open debate and open amendments on every appropriations bill, that did not happen. Instead, the bills were rolled into one huge package in the eleventh hour, released with, as I think Ranking Member VAN HOLLEN said, 15 hours to review, and then Members were asked to provide an up-or-down vote. We had little ability or no ability to amend the bill. That is not how it is supposed to work.

The Congress must endeavor to effectively exercise its responsibilities and scrutinize every appropriation and be able to debate and amend expenditures. The logrolling of appropriations bills that has become common practice undermines confidence in Government and permits wasteful spending to squeak through.

Under this bipartisan line-item veto bill, we will establish a new layer of accountability in the budget process. The President, whether it is a Republican or a Democrat, will have a new critical look at a spending provision, a potential veto or veto of that provision, but then it will come back to the Congress, and then we can debate it and vote on it in the light of day up or down.

Mr. Chairman, so far this congressional session has been described as a particularly difficult one, and it was highlighted by difficult debates of last year, and then we ended the year with a big appropriations package we were asked to vote on at the last minute with no review practically and no ability to amend it. So I have to say that it is refreshing that we can bring a bipartisan bill to the floor of the House that we agree on. Reform with a line-item veto bill today, hopefully the STOCK Act tomorrow.

I urge my colleagues to support the bipartisan line-item veto bill and demonstrate to the American public that the Congress can work again.

□ 1430

Mr. SIMPSON. I yield 2 minutes to the gentleman from California (Mr. LEWIS), the former chairman of the Appropriations Committee.

Mr. LEWIS of California. I very much appreciate my chairman yielding.

Mr. Chairman, while I am very hesitant to oppose my friend from the Budget Committee, he has been wrong in this subject area before. The line-item veto that the Supreme Court essentially set aside was an illustration that we are on dangerous ground when we presume, as the legislative branch, the people's House, that we are going to do something worthwhile but, in the process, exceed our authority and constitutional responsibility to the administration, any administration, whether it be Democrat or Republican.

In the last go-around preceding the Court setting it aside, the administration had vetoed a number of items but, indeed, about 80 percent of them were sponsored on one side of the aisle versus the other, essentially partisanizing that piece of the appropriations process. One way or another, this body has got to get away from those partisan extremes. In this case, you are going to have a bureaucrat at a third level within the administration deciding, ah-ha, there's an item there that we don't agree with in our bureaucracy, so let's send it back for very special attention, taking up the time of the Congress and essentially undermining the work of the Congress.

Our responsibility within our subcommittees on the Appropriations Committee and in the full House is to legislate. Theirs is to review that which we direct them to do, not to either set aside or to veto that work. So for that reason, I strongly oppose the proposal by the Budget Committee chairman.

Mr. RYAN of Wisconsin. I would simply say that the same majority that produces the appropriations bill can reject any rescission requests by the President in the same majority.

With that, I yield 1 minute to the gentleman from Wisconsin (Mr. RIBBLE), a member of the Budget Committee.

Mr. RIBBLE. Mr. Chairman, I thank Chairman RYAN and Ranking Member VAN HOLLEN for bringing this very important piece of legislation.

Spending has run rampant in Washington, and it's because ''no'' is not a word that Congress is used to when it comes to spending. For too long, Members have been able to take advantage of the system and spend taxpayer money on projects that have proved to be unnecessary and frivolous. There are far too many examples of spending absurdity to share today; but the fact is that needless projects are squandering away millions of dollars at a time when our country is facing a record-breaking $15 trillion debt.

It's time to start changing the way Congress budgets and spends taxpayer money, and the line-item veto is a positive step. I would contend to you it's not that we have too much oversight. It may be that we have too little oversight. By allowing the President to target unjustified spending and send it back to Congress for a vote, we'll increase accountability and make Members think twice before they commit hardworking taxpayer dollars on some special interest project.

I am proud to be a cosponsor of this bipartisan legislation and the sponsor of my own biennial budgeting bill which will help fix Washington's broken budget process. The time for change is now because if we don't strive to fundamentally fix this problem—not just some pretend fix—then it will be our children and grandchildren who will pay the price. Mr. Chairman, I urge my friends and colleagues to support this legislation.

Mr. VAN HOLLEN. Mr. Chairman, I yield 3 minutes to the gentleman from Vermont (Mr. WELCH), who has spent a lot of time focusing on budget issues.

Mr. WELCH. I thank the gentleman from Maryland.

There are two constitutional principles; there is one practical problem; and there is one democratic ideal. The most important constitutional principle is the power of the purse that must be retained by Congress. No one could give a better affirmation of why that's important than the chairman of the Appropriations Committee, except for the author of the Federalist Papers who the gentleman quoted.

Does this violate Congress' power of the purse? It reserves to the Congress the right to overturn by majority vote a recommendation by the executive that focuses on a single item of spending. Now, that may make life somewhat more difficult for those of us in Congress. It may make it particularly more difficult for the appropriators who have to deal with the incredible complexities of the large and multifaceted Federal budget; but in my view, it does not in any way violate the constitutional right that this House has over the power of the purse.

The second constitutional provision is the right of the executive to exercise a veto. And that is part of the checks and balances where the executive, a Republican or Democratic President, is given the power to say ''no.'' And then it imposes on us a burden of coming up with two-thirds votes in order to overcome it. A veto is not a practical tool. If the effect of that veto is a budget that keeps government going, that pays for our troops, that pays doctors who are providing Medicare services, that everything goes down with the ship, we're forcing the President to make what, in fact, is a radical decision to tear the whole thing down or to let some things go.

The practical problem we have is the budget. And again, Mr. ROGERS is right: process reform is not going to get us from where we are to where we need to be. The problem is the problem. But this is one budget reform that can't help because what it does ultimately lead to is the application of that great democratic principle of transparency. What this means is that if you or I voted for a budget and the President highlighted a few items where the President said, Hey, what's going on, we would have to stand up here—you and I—and vote ''yes'' or ''no,'' and then be able to defend that vote to the people who elected us.

One of the challenges that I think we all know we have is that the confidence that people have in this institution is very low. So anything we can do—and transparency is the way to do something quite effective—we should do.

So this simply means that at the end of the day, these budget bills that are complicated, that are big, that few Members really have an opportunity to review, when the President reviews them and identifies a few things that he wants to send back, we have to say ''yes'' or ''no'' in the full light of day.

Mr. SIMPSON. I yield 2 minutes to the gentlelady from Minnesota (Ms. MCCOLLUM), a member of the Appropriations Committee and the Budget Committee.

Ms. MCCOLLUM. I thank the chairman.

I respect the bipartisan efforts of my colleagues on the Budget Committee, but I oppose passage of H.R. 3521. This bill grants the executive branch more power, and it will do little to reduce our deficit. Make no mistake, this bill sacrifices congressional authority. If H.R. 3521 were a serious effort to reduce our deficit, it would address the hundreds of billions of dollars we currently spend through our Tax Code.

In fiscal year 2010, tax expenditures constituted a bigger part of our budget than Social Security, Medicare, Medicaid, and national defense. Tax expenditures were twice as large as all nondiscretionary spending combined. With the Federal budget on an unsustainable path, our country's fiscal problems need to be addressed in a way that is both effective and equitable. Scaling back and reforming tax expenditures must be an important part of the effort.

The bipartisan Simpson-Bowles report explained that the spending in the Tax Code costs over $1 trillion every year. They call these tax earmarks. Why? Because they are special tax breaks granted to special taxpayers.

Tax expenditures are not periodically reviewed; and unlike the budgets of individual Federal Government Departments and agencies, which are set by Congress and annually reviewed through the appropriations process, special interest earmarks in law today contribute directly to deficit spending. A report by the Joint Committee on Taxation says tax expenditures ''may be considered to be analogous to direct outlay programs, and the two can be considered as alternative means of accomplishing similar budget policy objectives.''

Very few Members know what's hidden in our Tax Code because it's not subject to annual scrutiny like the budget. Special interest spending in our Tax Code does not deserve more protection in the budget process than public interest appropriations that support our local communities, our police and fire departments, and our schools.

The CHAIR. The time of the gentlewoman has expired.

Ms. MCCOLLUM. With that, I would urge colleagues to vote this bill down.

FEBRUARY 8TH, 2012, REMARKS BY BETTY MCCOLLUM—TAX EXPENDITURES AND BUDGET RESCISSION AUTHORITY

I respect the bipartisan efforts of my colleagues on the Budget Committee; I oppose passage of this H.R. 3521. This bill grants the Executive Branch more power and will do little to reduce our deficit.

Make no mistake; this bill sacrifices Congressional authority, because we have failed to do our jobs by taking a balanced approach to deficit reduction.

If H.R. 3521 was a serious effort to reduce our deficit, it would address the hundreds of billions of dollars we currently spend through our tax code.

In fiscal year 2010, tax expenditures constituted a bigger part of our budget than Social Security, Medicare, Medicaid, or national defense. Tax expenditures were twice as large as all non-security discretionary spending combined.

With the federal budget on an unsustainable path, our country's fiscal problems need to be addressed in a way that is both effective and equitable. Scaling back and reforming ''tax expenditures'' must be an important part of that effort.

The bipartisan Simpson-Bowles report explained that spending in the tax code cost over $1 trillion every year. They called these ''tax earmarks.'' Why? Because they are special tax breaks granted to special taxpayers.

Tax expenditures are not periodically reviewed, unlike the budgets of individual federal government departments and agencies, which are set by Congress annually through the appropriations process.

A report by the Joint Committee on Taxation says: ''Tax expenditures . . . may be considered to be analogous to direct outlay programs, and the two can be considered as alternative means of accomplishing similar budget policy objectives.''

Very few Members know what is hidden in our tax code, because it is not subject to annual scrutiny like the budget.

The hundreds of billions of dollars we spend on these "tax earmarks" must be addressed if we are serious about putting our country on a sustainable fiscal path.

And without the opportunity to include tax expenditures, which are a larger part of our budget than Social Security, Medicare, Medicaid, or national defense, we will not get our fiscal house in order. Therefore, I will vote no on H.R. 3521.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself 30 seconds to simply say that what we are trying to do here is add another layer of transparency and accountability. When an appropriation bill comes to the floor—at least under this majority—it comes under an open rule, which means that any Member can open it up to amendment, and we can have those up-or-down votes on individual items under consideration in this bill.

□ 1440

But what happens after that moment, after a bill has passed the House, after a bill has passed the Senate and then it's conferenced, a bill comes to the floor, up or down, take it or leave it. Lots of things go into those bills in those moments between House and Senate passage and final conference report passage.

The CHAIR. The time of the gentleman has expired.

Mr. RYAN of Wisconsin. I yield myself an additional 10 seconds to say that this simply gives us that extra layer of accountability so that we can still consider individual items. And all we have to do if we don't approve of them is not pass them. We decide.

With that, I yield 1 minute to the gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. Mr. Chairman, I had the honor to be part of the Republican Congress that produced the first balanced budget in nearly 30 years. Part of that effort included providing the President line-item veto authority. Unfortunately, the Supreme Court ruled the line-item veto unconstitutional. After the dot-com and 9/11 recessions, the deficit reemerged. Again, Republicans were making progress towards eliminating the annual budget deficit, reducing it down to $161 billion in 2007. But when the Democrats took over control of Congress, we now have a monthly deficit of over $90 billion.

Since 2007, I've voted more than 700 times to cut over $2.6 trillion in spending, over 150 times in 2011 alone. This bill represents another effort to rein in spending and get our fiscal house in order. It will withstand constitutional scrutiny, and I urge my colleagues to support this legislation.

Mr. VAN HOLLEN. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY), a former member of the Budget Committee.

Mr. CONNOLLY of Virginia. Mr. Chairman, I thank my colleague from Maryland and I thank my colleague from Wisconsin for their bipartisan effort today.

I'm pleased to be an original cosponsor of the Expedited Legislative Line-Item Veto and Rescissions Act, and I urge my colleagues to support it.

I'm listening to the concerns from our friends on both sides of the aisle, especially those on the Appropriations Committee, and I'm not unsympathetic to the constitutional concerns raised about what does this do to the balance of power. I believe our friend from Wisconsin, the chairman of the Budget Committee, very ably just explained how this framework takes cognizance of those concerns and guarantees that while we give the President an opportunity to take another look at the whole bill and make some excisions, it also gives us another crack, an up-or-down on whether we agree or we don't. I believe that we as an institution cannot have it both ways. We can't say that we are obsessed with the national debt, but when a statutory remedy is at hand to try to address it, we say "no" because of an argument about prerogatives.

The debt is so large and it isn't, I say to my friend from Illinois, a matter of Democrats or Republicans. No hands are clean when it comes to the national debt. But we have in front of us one more tool to add to PAYGO, to add to the sequestration process, and hopefully other debt-relief measures.

Here is a tool right in front of us, a statutory tool, not a constitutional amendment, that actually can make an efficacious difference. I believe we should do that. I believe it will make a difference, and I believe that it doesn't compromise the balance of power between the executive and the congressional used the way it's designed.

So I'm happy to rise in support of this legislation, and I urge my colleagues to think carefully before they vote about whether we say "yea" or "nay" to this tool in a kit bag.

Mr. Speaker, I am pleased to be an original cosponsor of the Expedited Rescission Act, and I urge my colleagues to join us in supporting it.

It is no secret that if left unchecked, our federal deficit will cause lasting damage to our economy and to American families. No one action, and no one party caused the fiscal challenges we face, but it will take bipartisan efforts like this bill to put us back on the right path.

Just as you cannot build a house with just a saw, there is no one panacea to correct the debt imbalance. The Expedited Rescission Act, however, is another tool in our toolbox for fixing the Nation's financial problems, and it builds upon our previous actions.

As my colleagues will recall, we re-instituted the Statutory Pay As You Go Act in the last Congress. PAYGO is a simple concept that some here in Washington often forget—if you have a nifty idea, you have to find a way to pay for it first. The original PAYGO was a bipartisan bill enacted under a Democratic Congress and a Republican President in 1990. A Republican Congress and a Democratic President then adhered to it throughout the 1990s, culminating in four straight surpluses starting in FY1998. Unfortunately, PAYGO was allowed to lapse in 2002 until we revived it in 2010.

More recently, we took another critical step in addressing our financial challenges when the bipartisan debt ceiling agreement was enacted into law last August, cutting $2.1 trillion of debt over the next decade. Although a number of my colleagues recently have suggested we retrench on that agreement, it represents the largest debt reduction in our Nation's history. While more must be done, this was a significant step.

Today, Expedited Rescission presents us with another tool we can use. It gives the President and then Congress a second chance to review federal spending proposals and eliminate unneeded expenditures. Encouraging fiscal discipline and creating one more opportunity to cut unnecessary spending will help strengthen our Nation's financial foundation.

The Expedited Rescission Act is a bipartisan effort that will move us closer to reducing the federal debt and building a stronger and sustainable fiscal future, and I urge my colleagues to support it.

Mr. SIMPSON. I yield 2 minutes to the gentleman from California (Mr. CALVERT), a member of the Appropriations Committee and, more importantly, the Budget Committee.

Mr. CALVERT. Mr. Chairman, I rise in opposition to the Expedited Legislative Line-Item Veto and Rescissions Act. While I think today's debate is valid and relevant, I have serious concerns about ceding more legislative authority to the executive branch.

While I understand what my colleagues on the Budget Committee are trying to do, I fear we are tilting the constitutional separation of powers and giving even more authority to the executive branch that it will soon resemble a monarchy.

Every budget reform exercise we go through, going back to the Congressional Budget and Impoundment Control Act of 1974, seems to strengthen the executive branch and weaken the legislative branch.

This process has morphed into a yearly exercise in which Congress receives a 10-pound, five-volume, shrink-wrapped budget that is simply the executive branch's earmarks. Congress rarely challenges the bulk of the President's budget and is left fighting over the margins—a very small percentage of the total budget. When we do question the President's budget, we get push back from the executive branch agencies on any changes we want to make. Now we want to let ourselves off the hook from writing good legislation and forcing the President to either accept what Congress passes or veto it.

If the point of this legislation is to reduce our overall spending by giving the President this power, then we are ignoring one of the biggest drivers of our debt, which is the Tax Code, which was mentioned earlier. Why leave out the loopholes and giveaways from Ways and Means which is permanent spending via the Tax Code?

It was mentioned by the chairman that the appropriations bills are brought up under an open rule. I wonder why this bill wasn't brought up under an open rule. Again, the point here is that Congress should be doing its duty, addressing Tax Code loopholes and writing thoughtful spending bills, not simply turning over the hard choices to the President.

We are inserting the President in the legislative process. Congress giving up its authority under the Constitution, this will not resolve our budget problem.

I urge my colleagues to preserve the constitutional right of Congress to appropriate and vote against this bill.

Mr. RYAN of Wisconsin. At this time, Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. MCCLINTOCK), a member of the Budget Committee.

Mr. MCCLINTOCK. I thank the gentleman for yielding.

Mr. Chairman, this bill presents us with a very simple question: Is it just conceivably possible that the Congress has, from time to time, passed a spending bill or two that ought to have had greater scrutiny?

Now, the answer to that question may elude certain Members of this House, but I can assure them it is self-evident to everybody else. A country whose finances are as far out of control as ours suffers from not too many checks and balances on spending but from too few.

Now the opponents discuss this bill as if it were some new and radical idea. The fact is many States operate with a genuine line-item veto and have for generations. For those States, it's been a vital tool to control their spending, and those provisions are far more stringent than what is proposed here.

In conformance with our Constitution, this bill simply invites the President to call to Congress' attention those spending items that he recommends that we give additional thought to and puts a 6-week hold on those funds while we do so. In fact, from 1801 until 1974, the President had the recognized authority to impound excess spending indefinitely, a legitimate executive function first asserted by President Thomas Jefferson. The Budget Act of 1974 stripped the Executive of this vital check on congressional excess. I'd prefer to see us restore that fiscal safeguard; or, better still, amend the Constitution to provide the President with an actual line-item veto.

But let's at least set up a process so the President can warn us when he believes that we have appropriated more money than he needs to execute the laws that we have passed. This bill is, frankly, a mouse when we need a lion. The fact that it has produced shrieks of horror from some quarters of the House is an exact measure of the extent and nature of our problem.

Mr. VAN HOLLEN. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. BARROW).

Mr. BARROW. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in support of H.R. 3521, the Expedited Line-Item Veto and Rescissions Act of 2011. This bipartisan legislation will cut wasteful spending and reduce the deficit by reestablishing the principal of a line-item veto.

It should come as no surprise to anyone that occasionally an unnecessary or wasteful expenditure makes its way into a spending bill. This bill increases accountability over those expenditures by giving the President the authority to identify specific wasteful spending and make Congress take an up-or-down vote on its merits.

□ 1450

This legislation requires that all savings go directly toward deficit reduction. This legislation is a commonsense solution to cut wasteful spending and reduce our unsustainable deficit. I urge my colleagues to support this bill. It's a step toward getting our economy back on track and getting people back to work.

Mr. SIMPSON. I yield 2 minutes to the gentleman from Oklahoma (Mr. COLE), a member of the Appropriations Committee and the Budget Committee that marked this bill up.

Mr. COLE. I thank the gentleman for yielding.

Mr. Chairman, a lot of people have asked whether or not this bill is constitutional. Frankly, I think it is. I don't think there's much doubt about it. A lot of people have raised the point that it enhances the power of the Presidency. I don't think there is much question that it does do that.

A lot of people have argued it's substantive, and there I have to respectfully disagree. There's nothing substantive about this legislation at all. We already have gotten rid of earmarks, don't use them anymore, and the Appropriations Committee has already shown that on its own it can cut spending. It's done it in 2 budget years in a single calendar year.

The sad thing here is we had a chance to do something substantive. We had amendments offered by Ms. MCCOLLUM and myself that actually would have made tax expenditures in order to be reviewed, that actually would have looked at direct spending. Those amendments, unfortunately, were ruled out of order.

Pursuing bipartisanship and providing Members with political cover at the expense of substantive policy, frankly, is unworthy of the Congress, in my view, and certainly of this majority. Our budget problems are serious. They deserve serious solutions. The Ryan budget is a serious solution. The 2006 legislative line-item veto bill, which included provisions to cover the very items that this bill does not, was a serious solution. This legislation, sadly, is not serious and ought to be rejected. We ought to be serious about the budget deficit we face.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself 10 seconds to simply say I agree with a lot of what the gentleman said. He's a good friend. We don't have all spending in this bill, but that doesn't mean don't go after some of the spending that's passed by Congress. This is the kind of spending Congress passes annually every year. I think it's a good step in the right direction.

With that, Mr. Chairman, I yield 3 minutes to the chairman of the House Republican Conference, the gentleman from Texas (Mr. HENSARLING), who is one of the fathers of this idea and of budget process reform.

Mr. HENSARLING. I thank the distinguished chairman of the Budget Committee for yielding and particularly for his leadership in being the number one budget hawk in the House.

Mr. Chairman, hopefully by now, all Americans know we have a spending-driven debt crisis. We are now looking at the fourth—fourth—trillion-dollar deficit in a row. Our debt-to-GDP ratio now exceeds the entire size of our economy for the first time since World War II. Again, we are in the midst of a crisis. We are mortgaging our children's future, we are bankrupting a great nation, and we are hindering jobs and economic growth in this country.

I've listened very carefully to friends—close friends—come to the House floor to argue against this bill, and I agree with much of what they say. This is one individual tool in a toolbox. They point out the absence of many more, and they are correct. And it is my hope and my aspiration that this House would take them up.

I want to also congratulate the gentleman from Maryland, the ranking member of the House Budget Committee. It's not always easy in these times to work on a bipartisan basis. We had an opportunity to work on the Joint Select Committee, to which he was a positive force. We often disagreed, but he has commanded my respect, and he commands my respect today for his bipartisan work.

I do want to congratulate the chairman of the Appropriations Committee and the entirety of his committee. For the first time in my lifetime, under his leadership, discretionary spending will decline 2 years in a row—an incredible achievement.

I also want to thank our Speaker, Speaker BOEHNER, for his leadership on the entire subject of earmarks. Earmarks are not necessarily inherently bad. But, Mr. Chairman, we all know that too often they represented the triumph of seniority over merit and the triumph of local and special interest over national interest.

Under the leadership of our Speaker, with a little help from the gentleman from Arizona (Mr. FLAKE), they are no more. But in a different time, a different era, they may return. This is at least an insurance policy that the one individual who is elected to represent the entirety of the Nation, the President of the United States, can at least

put a spotlight on that type of spending and just ask the United States Congress to take that up-or-down vote.

It's about transparency, it's about accountability, and it's about a modest tool in a time of debt crisis to help with jobs, economic growth, and the survival of a great nation.

Mr. VAN HOLLEN. Mr. Chairman, I yield myself such time as I may consume.

I thank the gentleman from Texas for his words. I just want to hark back to what the gentleman from Oklahoma (Mr. COLE) said, who's in opposition to the bill, but he did make clear that in his opinion this bill is constitutional. I really think we should put that question aside.

As the chairman of the committee has pointed out on several occasions, Congress gets the last word on this issue. Congress gets an up-or-down majority vote. We're simply requiring that Congress take a vote on savings that the President recommends for the taxpayer. We believe we should do that in the light of day. It's a small step.

It's a little curious to hear one of the solutions offered from some of the folks opposed to this bill is to give the President even more authority. On the one hand they say, well, we shouldn't do this because you're giving the President too much leverage. The amendment they mention, of course, would give the President even more leverage over tax expenditures and mandatory spending, so I'm a little puzzled there.

Where I do agree with them is that if we're going to get a hold on this deficit situation, we've got to deal with mandatory spending as well, and we've got to deal with the revenue side of the equation—tax expenditures. And the bipartisan commissions, Simpson-Bowles, Rivlin-Domenici, all of them presented a more bipartisan framework for doing that. While I don't agree with every one of their recommendations, I think the framework they presented was the right one.

I would agree with the chairman of the committee, Mr. RYAN, here: just because we're not able to tackle the whole thing as part of this reform effort doesn't mean we shouldn't try and tackle a piece of it. And I think this is a small piece, but I think it's an important piece. I think it will have a positive impact on how this body approaches the appropriations bills.

Again, the way this process is driven now, it's not a criticism of the Appropriations Committee. They do the best they can under the rules as they exist now. What this bill does is just say let's have one more opportunity, an opportunity to take an up-or-down vote on savings that the President believes we can make toward deficit reduction. And it seems to me that's a positive step to take.

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

Mr. SIMPSON. I yield 2 minutes to the gentleman from Washington, the ranking member of the Appropriations Committee, Mr. DICKS.

Mr. DICKS. I rise in strong opposition to this bill. It is my judgment that—and I listened to the statement made by the distinguished chairman of the Appropriations Committee, Mr. ROGERS from Kentucky, that this is unwarranted, especially now that Congress has decided, at least for the time being, that we're not going to do earmarks. This would get down to a situation where if, on the Defense Appropriations Subcommittee, we added money for additional predator ISR vehicles, the President can as I understand it, take it right back down to his budget request.

We've had a lot of experience, many Members of the Appropriations Committee, Mr. YOUNG and I, have been here over 30 years and served on this committee over 30 years, and a lot of positive things have happened where Congress makes increases or decreases. Now, if you're going to give the President the authority to send up a bill undoing our work, especially after it's been voted on, the Appropriations Committee has gone through all these things. I just think it's wrong.

In fact, on the earmark issue, I frankly think the solution that the Democrats had when we were in the majority was appropriate where we said you can't have earmarks for private companies unless it's competitively awarded, and then we took that away, but you still can help your schools.

□ 1500

You can still help your local governments. You can still help your universities, your NGOs that are doing work on meth for example—rather important issues. That would have been a better compromise, I think, than saying no earmarks under any circumstance.

It is clear to me that over the years there were too many earmarks, and that became a problem. But to go beyond that now and say that we're going to have a line-item veto and Congress has to vote on this, I think, is a serious mistake; and I join my colleagues on the Appropriations Committee in opposition.

I'll just say one final thing. I also think if you're going to do it, then you ought to do it for Ways and Means as well—that's where all the spending is—and not just pick on the Appropriations Committee. We've done our job. Ways and Means hasn't done their job.

Mr. RYAN of Wisconsin. Mr. Chairman, with that, I yield 2 minutes to the gentleman from Virginia (Mr. HURT).

Mr. HURT. I thank the gentleman for yielding.

I rise today in support of the Expedited Legislative Line-Item Veto and Rescissions Act, and I thank Chairman RYAN and Ranking Member VAN HOLLEN for their work on this important bipartisan legislation.

At a time when we are borrowing 40 cents on every dollar we spend, there's no more important time for Congress to have an honest conversation about balancing our Federal budget and cutting wasteful government spending.

It is clear that real reform is needed in our flawed Federal budget process. The real reforms that we have considered over the last 2 weeks seek to improve this flawed process by getting at the root of the Washington accounting gimmicks that have plagued Congress for years. These reforms will provide more Federal Government transparency and accountability and put an end to business as usual when it comes to out-of-control spending in Washington. That is why I support this line-item veto legislation. This bill would give the President the ability to veto wasteful spending provisions as a part of the appropriations process.

This bill and the remaining budget-reform bills will give the American people an honest picture of how their hard-earned tax dollars are being spent and will move us one step closer to addressing the debt crisis that threatens the very future of this great Nation.

Mr. Chairman, we know that both sides of the aisle have been a part of the problem when it comes to Washington's reckless spending habit. What we have failed to recognize is that both sides must be a part of the solution.

I urge all of my colleagues to support this line-item veto bill and the rest of our budget-reform proposals, proposals that hold a promise of a balanced and honest Federal budget and a brighter future for our children and our grandchildren.

Mr. VAN HOLLEN. Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. I yield 1 minute to the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Chairman, fellow colleagues, when you first took this office, you held up your hand and swore to uphold the Constitution of America. I hope you read the Constitution. You say it's not relevant. It is. What we're doing here is transferring the power—and I've watched this for 40 years slowly creep into this body—transferring the power to the President's regulatory law. Now we're going to give him the power to line-item veto. Shame on you. Shame on you. This is a Congress of the people. It's up to us to do the job, and the chairman has done the job this time.

I'm looking down the road. The idea that we're going to let this House give this power to this President or any other President in the future, you've lost the Constitution in America as we have today. Let's think about this, ladies and gentlemen. That's what you're doing. You're transferring it to a monarchy to control it by executive orders, and now control the purse strings of this great Nation to the Congress, saying you can't do it when we're the representative of the people.

You talk about the debt. The debt is terrible; it's awful. But it would be worse to have our body, in fact, transfer the power of this House, under the

Constitution, to the President of the United States.

Mr. RYAN of Wisconsin. Mr. Chairman, after that, I'd like to yield 3 minutes to the distinguished gentleman from Oklahoma (Mr. LANKFORD), a member of the Budget Committee.

Mr. LANKFORD. Mr. Chairman, you know, this bill is called the Expedited Legislative Line-Item Veto and Rescissions Act. I think it may be inappropriately named because it gives an illusion that this is a veto power as we're used to seeing a veto power in the Congress.

This is not handing over to the President and saying, cut wherever you want and we have to override you. Instead, this is a Presidential handing to him and just saying, okay, check this. If he sees anything he doesn't like, he sends it back and we have to agree with it. If either the House or the Senate says, no, that should be there, it stays. It's not an override. It's actually an agreement with the President on one thing or another.

Maybe this bill should have been called the ''second opinion'' bill, to be able to have what we put out of the House and out of the Senate and what we pass, pass onto the President. He takes a look at it and says, That all looks great, I'm signing off on it; or say, You know what, maybe we should take a look at this area.

Currently, our appropriations team that we have in the House is doing a fantastic job of holding the line on spending. I am not as confident 10 years from now that that may still exist. This is a check to that.

Currently, this body has banned earmarks. It's not a permanent ban; it's in the rules for us for this current session. Will that still exist years from now? I don't know. This is a way to be able to deal with that issue to say if that were ever to slip back in, we can get that in. Maybe this bill should be called the ''trust but verify'' bill.

I can tell you, even as a freshman House Member, there have been moments that I voted for something and then picked up the newspaper the next day only to read something that none of us were aware had slipped in. This provides that moment, that when we pick up the newspaper the next day after something has passed, to have another moment, to have that trust-but-verify moment to be able to look at it and say, Why don't we see if we can take another look at that. And if that came back to us in an individual form, I bet we would vote that down. This is one more tool in the toolbox of reducing spending.

In a moment with $15.3 trillion in debt, in a moment with a deficit all of us have great disdain for, let's take every opportunity we can possibly take to find moments and places where we can reduce spending, to allow the President to take a look at it and say, Take a second look at this, and allow this body and the body on the other side of the rotunda to say we agree or disagree. If we disagree, fine. We voted for it the first time; let's vote it the second time. We may come back at it and say, You know what, when that comes back out in the light of day, I agree with you. Let's pull that out and let's find one more spot to do deficit reduction.

Mr. VAN HOLLEN. Mr. Chairman, I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I would inquire—we're ready to close—how much time do I have remaining, Mr. Chairman?

The CHAIR. The gentleman from Idaho has 5 minutes remaining.

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

I appreciate the fact that some of my good friends have a different opinion about this than I do, particularly Chairman RYAN and Mr. VAN HOLLEN. I appreciate the bipartisanship with which they have worked on this issue; but I will tell you, bipartisanship does not make something right which is fundamentally wrong, and this is fundamentally wrong.

I also feel a little bit like Custer at the Little Big Horn. I know this is probably going to pass without much doubt, but it's still wrong.

For 200 years, as the gentleman from Alaska said, Congress has been shifting more and more authority to the administrative branch of government. We are doing it again with this legislation.

I keep hearing people talk about earmarks and airdropped provisions in appropriation bills. I would remind the Members, in the 2011 appropriation bill there were no earmarks, there were no airdrops. In the 2012 appropriation bills there were no earmarks, there were no airdrops. We have changed the way we do business around here.

Now, you might have had an argument several years ago when there were thousands of earmarks in the appropriation bill. That doesn't happen anymore. For the first time, we're trying to bring appropriation bills—for the first time in 5 years—bring appropriation bills to the floor under an open rule. We didn't get it all done last year. We ended up with an omnibus, as Mr. VAN HOLLEN shows on his table. This year we are committed, given the floor time, we're going to bring every appropriation bill to the floor under an open rule so that every Member that has a problem with any provision can offer an amendment to have that removed.

It's been said that this is constitutional, Mr. VAN HOLLEN said, so let's take that argument away. Not necessarily and not so quickly. In conversations with members of the third branch of government, the judiciary, they have concerns that this may be unconstitutional, because what's required now is that the President presents the judicial request for appropriations, but he can't change it. He just passes it on to Congress. This gives the President a say in line-iteming specific provisions in the judicial request, which may violate both U.S. Code and be unconstitutional.

□ 1510

So that question is still out there about the constitutionality of this. But I will tell you, in times of extraordinary circumstances, as we currently have, with a $15 trillion debt, and everyone wants to reduce that debt, nobody more than the members of the Appropriations Committee have reduced spending in the last 2 years. But in times of extraordinary circumstances, we often do unwise things in the name of trying to address that problem. Such is this bill.

Most Members have never negotiated an appropriation bill with the Senate. Let me tell you how it works. We would think that the President has no say in the appropriation process until we present him with a bill. When I was negotiating the Interior bill with the Senate, I was not negotiating with the Senate. I was negotiating with the White House. They did not approve anything that was not pre-approved by the administration.

And we made some deals, and we got some priorities of things that we, on the Republican side, think are important, and the President got some priorities that he thinks are important on his side. That's called legislating.

But now, what you are going to do is say, okay, you make those deals. You get an appropriation bill. There's going to be things in it I don't like. There's going to be things in it the administration doesn't like. There's going to be things in it that nobody in here likes.

But now you're going to give the President a second bite at the apple to break that deal. And do you think he's going to take those things that Democrats think are not their priorities and take them out of the bill? Of course not. He's going to take out Republican priorities and put them for a second vote. And a Republican President would do the same thing to the Democrats.

This is going to be partisan politics. And when you say it comes back for Congress to have a final say, once it comes back to overriding a veto or overriding a rescission, it then becomes political. You, on your side of the aisle, in this case, are going to say we have to support our President. That's what happens. That's the reality. We, on our side of the aisle, would say the same thing if it were a Republican President. That's just reality.

So what you're breaking down is that balance of power between the administrative branch of government and the legislative branch of government. This is, without a doubt, a step in the wrong direction.

Voting for this bill will not make you a budget hawk. And frankly, I don't think it will save any money. But it will make for some good press releases.

But don't go out and say that you've reduced Federal spending, and you've taken wasteful spending out of the

Federal budget by passing this bill. You haven't. What you've done is said, I'm willing to sacrifice the legislative authority that was given to us in the Constitution and shift more power to the administrative branch of government.

Do you honestly believe that the Founding Fathers would recognize what they built in the Constitution? Do you really think that they would look at the administrative branch of government and say we wanted this kind of Presidency and a weak legislative branch? I don't think so.

This is a bad bill. I would vote it down if I were you.

I yield back the balance of my time.

Mr. VAN HOLLEN. I yield myself such time as I may consume.

Mr. Chairman, this bill is an important, bipartisan measure. It has bipartisan support here in the House. It has strong bipartisan support in the Senate where it's introduced by Senator CARPER and Senator MCCAIN and has strong bipartisan co-sponsorship. It's supported by the Obama administration.

But Mr. SIMPSON is absolutely right: it's not the bipartisanship that makes this bill the right thing to do. It's the fact that it calls for greater transparency and greater accountability in our process. Everybody in this body has to concede that we can improve our budget process. Yes, we should work on the tax expenditure component. Yes, we should work on mandatory spending. Of course we should. But this is a simple bipartisan measure we can take to provide more transparency when it comes to over $1 trillion in discretionary spending.

And I go back to where I started. Just look at this bill, 1,200-plus pages. This House took less than 15 hours, less than 15 hours to review this bill. Now, given the fact that we didn't have adequate time to scrutinize this, I don't see anything wrong with saying that if the President of the United States, Republican or Democrat, identifies some savings we can make for the taxpayer that go to deficit reduction, that this Congress should have to vote on that. You don't have to say yes. You just have to vote, up or down.

And for those who argue otherwise, I have to say that I don't think putting turf over the taxpayer is a winning argument when it comes to dealing with our budget issues because, make no mistake, this is constitutional. It's been designed to be constitutional.

Mr. YOUNG said I said it wasn't relevant that it's constitutional. That's not what I said. It's totally relevant that it's constitutional. And it's designed that way; Congress has the final say. That's what makes this constitutional.

Are we giving the President a little more power? Well, only if you say that it's more power to recommend to Congress some savings for the taxpayer and that we will then vote on them. It seems to me that's just basic responsibility. Well over a majority of Governors have total line-item authority. This is not line-item authority because it requires congressional vote and oversight.

So I would say that the process is broken. It's not broken because of the Appropriations Committee. They do incredible, hard work and put in lots of hours. But at the end of the day, we just saw last December, less than 15 hours to review 1,200 pages of appropriations bills. Who, in this body, can say that they looked at everything, they scrutinized everything, that we can't find any additional savings for the taxpayer for the purpose of deficit reduction?

So I ask my colleagues to support this bill, not because it's bipartisan, but it is; and I think that's an important reflection on the fact that people on both sides of the aisle, bringing their own independent judgment to bear on this, have concluded this would be in the best interest of the country.

But, in addition to that, because it does take one measured, responsible step toward improving a broken budget process, and my goodness, at the end of the day, that would be a good day's work in a bipartisan Congress if we could get that done.

I thank, again, the chairman of the committee, Mr. RYAN. I thank his staff and our staff, the Democratic staff on the committee, for working together.

And with that, Mr. Chairman, I yield back the balance of my time.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself the remainder of our time.

Let me, first of all, say the gentleman left the floor, I believe, but Mr. SIMPSON, I want to thank him for a civil and spirited debate. This is not an attempt to go after one committee, the Appropriations Committee. And I understand that this committee might feel that way. This is an attempt to take one more step on behalf of the taxpayer to clean up the system on how we spend hardworking taxpayers' dollars.

Here's the issue, Mr. Chairman. When we pass large spending bills, we vote on things we're not even necessarily sure we're voting on. And I think the measure of success of this reform will not be measured by how many individual spending line items get voted out of spending by Congress, but how many items don't get put in these bills in the first place because this brings through to the final part of the process that extra level of transparency and accountability that has been lacking.

I'll take a provision authored by a Republican a few years ago as an example: $40 million, I think that's the number, for a rainforest museum in Iowa in a spending bill for Labor and Health that didn't go through the House, didn't go through the Senate, but came at the last minute.

And, yes, this Congress, through the rules of this House, is banning earmarks and airdrops, but who's to say they won't return under our new management some day?

I think it would be helpful to the process to say, you know what, if we're going to put $40 million for a rainforest museum without real consideration before the House and the Senate, we ought to think about that individually. Or, more importantly, if I'm a Member of Congress and I want to put something like this in a spending bill, I ought to think twice about whether or not I'm willing to defend this kind of spending in the light of day on an individual vote among my peers, because that could happen under this reform.

This is constitutional because the President signs this spending bill. He doesn't sign part of it. He doesn't rescind part of it. He signs it, and then this gives him the ability to create a new bill saying, vote on this piece of spending.

□ 1520

We have expedited procedures so we have to take a vote. It's no different than how Presidents send us trade agreements to vote on under expedited procedures.

We're not saying the President can take a part of a bill and not sign it and then send us this. No. We're saying the President signs a big spending bill and then, if he wants, he can write a new bill within a tight time window saying cancel that spending. Then Congress makes the decision, the House and the Senate, by a simple majority vote, both Houses. They get to decide whether or not to reaffirm or to spend that money.

All this does is it puts the taxpayer in front of turf, as my friend from Maryland says, and it gives Members of Congress the ability to have that extra layer of accountability and transparency so that at the end of the day we are always thinking of the taxpayer first and special interests second in the way we spend taxpayer dollars.

Will this fix all of our problems? No. But this, along with many other reforms we seek to bring to the floor, will hopefully turn the process by which we spend taxpayer dollars into one that is more accountable, more transparent, and more responsible.

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

Mr. BLUMENAUER. Mr. Chair, I support H.R. 3521, the Expedited Line-Item Veto and Rescissions Act, which creates a process enabling the President to propose the elimination of certain individual spending items that he deems unnecessary and to submit those eliminations to Congress for an expedited vote. This may prove to be a useful tool to ensure that our government closely stewards important taxpayer dollars. It is disappointing, however, that such a tool should be necessary.

Our constitution vests Members of Congress with the responsibility to raise and spend revenue to provide for the general welfare of the United States. In other words, we are obligated to invest taxpayer dollars in ways that grow our economy, protect our environment and public health, defend our nation, educate

our children, and build a strong infrastructure. In sum, Congress has the responsibility to keep America competitive in the 21st century.

It is my hope that the President will not need to use this new power. Unfortunately, Congress has too often shown that it is unable to make the hard choices necessary—on unnecessary weapons systems, on subsidizing big agribusiness, on the provision of expensive tax benefits to the oil industry—to eliminate wasteful spending.

I support H.R. 3521, but I remain hopeful that Congress finds the will to act responsibly and avoids use by the President of a line item veto.

Mr. HOLT. Mr. Chair, when this body last considered legislation to institute a "line-item veto" during the 109th Congress, I joined 171 of my colleagues in voting against it. Today, we again find ourselves considering a similar measure, and, once again, I rise in opposition to this latest attempt to abdicate our responsibilities, H.R. 3521, the Expedited Legislative Line-Item Veto and Rescissions Act of 2011.

This legislation alters dramatically the balance of power that the framers so delicately established. It is an abdication of our responsibilities as Members of Congress. The separation and balance of governmental powers must be kept. We have heard proponents of this measure come to the floor and speak about how this bill provides us with another tool to ensure that we are spending taxpayer funds sensibly. Why do we need another tool in our toolkit, Mr. Chair? I would argue that if we are seeking ways to cut the deficit, let's do it by sending appropriate spending bills to the President's desk. We are not missing a tool in our toolkit; we are missing the political will to come together as members of this body to produce spending bills that accomplish this goal without prompting from The White House. If indeed political will is missing, this "line item veto" will not be the way to find it.

Furthermore, this measure puts us in danger of losing funding for good programs in the midst of partisan bickering. Funding for International Family Planning, funding for public transportation's funding for the arts or any of countless valuable items in our country, could be jeopardized if this legislation is enacted and the political climate is such that the President has other ideological views.

There is no evidence and no good reason to believe that this will actually succeed in reducing wasteful spending. Again, I would urge my colleagues to work together and produce common sense legislation that terminates wasteful programs and evaluate both our revenues and our spending to put our budget back on the right track. We have done it in the past and I believe that it is possible for us to do it again. I urge my colleagues to oppose this measure.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendments recommended by the Committees on the Budget and Rules, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee print 112–12. That amendment in the nature of a substitute shall be considered read.

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

H.R. 3521

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

***SECTION 1. SHORT TITLE.***

*This Act may be cited as the "Expedited Legislative Line-Item Veto and Rescissions Act of 2012".*

***SEC. 2. CONGRESSIONAL CONSIDERATION OF PROPOSED RESCISSIONS AND DEFERRALS OF BUDGET AUTHORITY AND OBLIGATION LIMITATIONS.***

*Title X of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 621 et seq.) is amended by striking all of part B (except for sections 1015, 1016, and 1013, which are transferred and redesignated as sections 1017, 1018, and 1019, respectively) and part C and by inserting after part A the following:*

*"PART B—CONGRESSIONAL CONSIDERATION OF PROPOSED RESCISSIONS AND DEFERRALS OF BUDGET AUTHORITY AND OBLIGATION LIMITATIONS*

*"CONGRESSIONAL CONSIDERATION OF PROPOSED RESCISSIONS AND DEFERRALS OF BUDGET AUTHORITY AND OBLIGATION LIMITATIONS*

*"SEC. 1011. (a) PROPOSED RESCISSIONS.—Within 45 days after the enactment of any bill or joint resolution providing any funding, the President may propose, in the manner provided in subsection (b), the rescission of all or part of any dollar amount of such funding.*

*"(b) SPECIAL MESSAGE.—If the President proposes that Congress rescind funding, the President shall transmit a special message to Congress containing the information specified in this subsection.*

*"(1) PACKAGING OF REQUESTED RESCISSIONS.—For each piece of legislation that provides funding, the President shall request at most 2 packages of rescissions and the rescissions in each package shall apply only to funding contained in that legislation. The President shall not include the same rescission in both packages.*

*"(2) TRANSMITTAL.—The President shall deliver each message requesting a package of rescissions to the Secretary of the Senate if the Senate is not in session and to the Clerk of the House of Representatives if the House is not in session. The President shall make a copy of the transmittal message publicly available, and shall publish in the Federal Register a notice of the message and information on how it can be obtained.*

*"(3) CONTENTS OF SPECIAL MESSAGE.—For each request to rescind funding under this part, the transmittal message shall—*

*"(A) specify—*

*"(i) the dollar amount to be rescinded;*

*"(ii) the agency, bureau, and account from which the rescission shall occur;*

*"(iii) the program, project, or activity within the account (if applicable) from which the rescission shall occur;*

*"(iv) the amount of funding, if any, that would remain for the account, program, project, or activity if the rescission request is enacted;*

*"(v) the reasons the President requests the rescission;*

*"(vi) to the maximum extent practicable, the estimated fiscal, economic, and budgetary effect (including the effect on outlays and receipts in each fiscal year) of the proposed rescission;*

*"(vii) to the maximum extent practicable, all facts, circumstances, and considerations relating to or bearing upon the proposed rescission and the decision to propose the rescission, and the estimated effect of the proposed rescission upon the objects, purposes, or programs; and*

*"(viii) if a second special message is transmitted pursuant to paragraph (2), a detailed explanation of why the proposed rescissions are not substantially similar to any other proposed rescission in such other message; and*

*"(B) designate each separate rescission request by number; and include proposed legislative text of an approval bill to accomplish the requested rescissions which may not include—*

*"(i) any changes in existing law, other than the rescission of funding; or*

*"(ii) any supplemental appropriations, transfers, or reprogrammings.*

*"GRANTS OF AND LIMITATIONS ON PRESIDENTIAL AUTHORITY*

*"SEC. 1012. (a) PRESIDENTIAL AUTHORITY TO WITHHOLD FUNDING.—Notwithstanding any other provision of law and if the President proposes a rescission of funding under this part, the President may, subject to the time limits provided in subsection (c), temporarily withhold that funding from obligation.*

*"(b) WITHHOLDING AVAILABLE ONLY ONCE PER PROPOSED RESCISSION.—Except as provided in section 1019, the President may not invoke the authority to withhold funding granted by subsection (a) for any other purpose.*

*"(c) TIME LIMITS.—The President shall make available for obligation any funding withheld under subsection (a) on the earliest of—*

*"(1) the day on which the President determines that the continued withholding or reduction no longer advances the purpose of legislative consideration of the approval bill;*

*"(2) the 45th day following the date of enactment of the appropriations measure to which the approval bill relates; or*

*"(3) the last day that the President determines the obligation of the funding in question can no longer be fully accomplished in a prudent manner before its expiration.*

*"(d) DEFICIT REDUCTION.—*

*"(1) IN GENERAL.—Funds that are rescinded under this part shall be dedicated only to reducing the deficit or increasing the surplus.*

*"(2) ADJUSTMENT OF LEVELS IN THE CONCURRENT RESOLUTION ON THE BUDGET.—Not later than 5 days after the date of enactment of an approval bill as provided under this part, the chairs of the Committees on the Budget of the Senate and the House of Representatives shall revise allocations and aggregates and other appropriate levels under the appropriate concurrent resolution on the budget to reflect the rescissions, and the Committees on Appropriations of the House of Representatives and the Senate shall report revised suballocations pursuant to section 302(b) of title III, as appropriate.*

*"(3) ADJUSTMENTS TO STATUTORY LIMITS.—After enactment of an approval bill provided under this section, the President shall revise downward by the amount of the rescissions applicable limits under the Balanced Budget and Emergency Deficit Control Act of 1985.*

*"PROCEDURES FOR EXPEDITED CONSIDERATION*

*"SEC. 1013. (a) EXPEDITED CONSIDERATION.—*

*"(1) INTRODUCTION OF APPROVAL BILL.—The majority leader of each House or a designee shall (by request) introduce an approval bill as defined in section 1015 not later than the fifth day of session of that House after the date of receipt of a special message transmitted to the Congress under section 1011(b).*

*"(2) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—*

*"(A) REFERRAL AND REPORTING.—Any committee of the House of Representatives to which an approval bill is referred shall report it to the House without amendment not later than the fifth legislative day after the date of its introduction. If a committee fails to report the bill within that period or the House has adopted a concurrent resolution providing for adjournment sine die at the end of a Congress, such committee shall be automatically discharged from further consideration of the bill and it shall be placed on the appropriate calendar.*

*"(B) PROCEEDING TO CONSIDERATION.—Not later than 5 legislative days after the approval bill is reported or a committee has been discharged from further consideration thereof, it shall be in order to move to proceed to consider*

*the approval bill in the House. Such a motion shall be in order only at a time designated by the Speaker in the legislative schedule within two legislative days after the day on which the proponent announces an intention to the House to offer the motion provided that such notice may not be given until the approval bill is reported or a committee has been discharged from further consideration thereof. Such a motion shall not be in order after the House has disposed of a motion to proceed with respect to that special message. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. A motion to reconsider the vote by which the motion is disposed of shall not be in order.*

*''(C) CONSIDERATION.—If the motion to proceed is agreed to, the House shall immediately proceed to consider the approval bill in the House without intervening motion. The approval bill shall be considered as read. All points of order against the approval bill and against its consideration are waived. The previous question shall be considered as ordered on the approval bill to its passage without intervening motion except 2 hours of debate equally divided and controlled by the proponent and an opponent and one motion to limit debate on the bill. A motion to reconsider the vote on passage of the approval bill shall not be in order.*

*''(3) CONSIDERATION IN THE SENATE.—*

*''(A) REFERRAL.—The approval bill introduced in the Senate shall be referred to the committees having jurisdiction over the provisions of law contained in the approval bill.*

*''(B) COMMITTEE ACTION.—Each committee of referral of the Senate shall report without amendment the approval bill referred to it under this subsection not later than the fifth session day after introduction. If a committee fails to report the approval bill within that period or the Senate has adopted a concurrent resolution providing for adjournment sine die at the end of a Congress, the Committee shall be automatically discharged from further consideration of the approval bill and it shall be placed on the appropriate calendar.*

*''(C) MOTION TO PROCEED.—Not later than 5 session days after the approval bill is reported in the Senate or committees have been discharged thereof, it shall be in order for any Senator to move to proceed to consider the approval bill in the Senate. The motion shall be decided without debate and the motion to reconsider shall be deemed to have been laid on the table. Such a motion shall not be in order after the Senate has disposed of a prior motion to proceed with respect to the approval bill.*

*''(D) CONSIDERATION.—If a motion to proceed to the consideration of the approval bill is agreed to, the Senate shall immediately proceed to consideration of the approval bill without intervening motion, order, or other business, and the approval bill shall remain the unfinished business of the Senate until disposed of. Consideration on the bill in the Senate under this subsection, and all debatable motions and appeals in connection therewith, shall not exceed 10 hours. All points of order against the approval bill or its consideration are waived. Consideration in the Senate on any debatable motion or appeal in connection with the approval bill shall be limited to not more than 1 hour. A motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the approval bill is not in order. A motion to reconsider the vote by which the approval bill is agreed to or disagreed to is not in order.*

*''(4) AMENDMENTS PROHIBITED.—No amendment to, or motion to strike a provision from, an approval bill considered under this section shall be in order in either the Senate or the House of Representatives.*

*''(5) COORDINATION WITH ACTION BY OTHER HOUSE.—*

*''(A) IN GENERAL.—If, before passing the approval bill, one House receives from the other a bill—*

*''(i) the approval bill of the other House shall not be referred to a committee; and*

*''(ii) the procedure in the receiving House shall be the same as if no approval bill had been received from the other House until the vote on passage, when the bill received from the other House shall supplant the approval bill of the receiving House.*

*''(B) This paragraph shall not apply to the House of Representatives if the approval bill received from the Senate is a revenue measure or an appropriation measure.*

*''(b) LIMITATION.—Subsection (a) shall apply only to an approval bill introduced pursuant to subsection (a)(1).*

*''(c) CBO ESTIMATE.—Upon receipt of a special message under section 1101 proposing to rescind all or part of any dollar amount, CBO shall prepare and submit to the appropriate committees of the House of Representatives and the Senate an estimate of the reduction in budget authority which would result from the enactment of the proposed recisions.*

*''TREATMENT OF RESCISSIONS*

*''SEC. 1014. Rescissions proposed by the President under this part shall take effect only upon enactment of the applicable approval bill. If an approval bill is not enacted into law within 45 days from the enactment of the appropriation measure to which the approval bill relates, then the approval bill shall not be eligible for expedited consideration under the provisions of this Act.*

*''DEFINITIONS*

*''SEC. 1015. As used in this part:*

*''(1) APPROPRIATION MEASURE.—The term 'appropriation measure' means an Act referred to in section 105 of title 1, United States Code, including any general or special appropriation Act, or any Act making supplemental, deficiency, or continuing appropriations, that has been enacted into law pursuant to article I, section 7, of the Constitution of the United States.*

*''(2) APPROVAL BILL.—The term 'approval bill' means a bill which only approves rescissions of funding in a special message transmitted by the President under this part and—*

*''(A) the title of which is as follows: 'A bill approving the proposed rescissions transmitted by the President on _____', the blank space being filled in with the date of transmission of the relevant special message and the public law number to which the message relates; and*

*''(B) which provides only the following after the enacting clause: 'That the Congress approves the proposed rescissions _____', the blank space being filled in with the list of the rescissions contained in the President's special message, 'as transmitted by the President in a special message on _____', the blank space being filled in with the appropriate date, 'regarding _____.', the blank space being filled in with the public law number to which the special message relates.*

*''(3) DAY.—Except as used in section 1013, the term 'day' means a standard 24-hour period beginning at midnight and a number of days shall be calculated by excluding Sundays, legal holidays, and any day during which neither chamber of Congress is in session.*

*''(4) RESCIND OR RESCISSION.—The terms 'rescind' or 'rescission' mean to permanently cancel or prevent budget authority or outlays available under an obligation limit from having legal force or effect.*

*''(5) CONGRESSIONAL BUDGET OFFICE.—The term 'CBO' means the Director of the Congressional Budget Office.*

*''(6) COMPTROLLER GENERAL.—The term 'Comptroller General' means the Comptroller General of the United States.*

*''(7) DEFERRAL OF BUDGET AUTHORITY.—The term 'deferral of budget authority' includes—*

*''(A) withholding or delaying the obligations or expenditure of budget authority (whether by establishing reserves or otherwise) provided for projects or activities; or*

*''(B) any other type of Executive action or inaction which effectively precludes the obligation or expenditure of budget authority, including authority to obligate by contract in advance of appropriations as specifically authorized by law.*

*''(8) FUNDING.—(A) Except as provided in subparagraph (B), the term 'funding' means all or part of the dollar amount of budget authority or obligation limit—*

*''(i) specified in an appropriation measure, or the dollar amount of budget authority or obligation limit required to be allocated by a specific proviso in an appropriation measure for which a specific dollar figure was not included;*

*''(ii) represented separately in any table, chart, or explanatory text included in the statement of managers or the governing committee report accompanying such law; or*

*''(iii) represented by the product of the estimated procurement cost and the total quantity of items specified in an appropriation measure or included in the statement of managers or the governing committee report accompanying such law.*

*''(B) The term 'funding' does not include—*

*''(i) direct spending;*

*''(ii) budget authority in an appropriation measure which funds direct spending provided for in other law;*

*''(iii) any existing budget authority canceled in an appropriation measure; or*

*''(iv) any restriction or condition in an appropriation measure or the accompanying statement of managers or committee reports on the expenditure of budget authority for an account, program, project, or activity, or on activities involving such expenditure.*

*''(9) WITHHOLD.—The terms 'withhold' and 'withholding' apply to any executive action or inaction that precludes the obligation of funding at a time when it would otherwise have been available to an agency for obligation. The terms do not include administrative or preparatory actions undertaken prior to obligation in the normal course of implementing budget laws.*

*''EXPIRATION*

*''SEC. 1016. On December 15, 2015, the amendments made by the Expedited Legislative Line-Item Veto and Rescissions Act of 2012 shall be replaced by the provisions of part B of the Impoundment Control Act of 1974 as in effect immediately before the date of enactment of the Expedited Legislative Line-Item Veto and Rescissions Act of 2012.''.*

***SEC. 3. TECHNICAL AND CONFORMING AMENDMENTS.***

*(a) EXERCISE OF RULEMAKING POWERS.—Section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—*

*(1) in subsection (a), by striking ''1017'' and inserting ''1013''; and*

*(2) in subsection (d), by striking ''section 1017'' and inserting ''section 1013''.*

*(b) CLERICAL AMENDMENTS.—(1) The last sentence of section 1(a) of the Congressional Budget and Impoundment Control Act of 1974 is amended to read as follows: ''Sections 1011 through 1016 of part B of title X may be cited as the 'Expedited Legislative Line-Item Veto and Rescissions Act of 2012'.''.*

*(2) Section 1017 of such Act (as redesignated) is amended by striking ''section 1012 or 1013'' each place it appears and inserting ''section 1011 or 1019'' and section 1018 (as redesignated) is amended by striking ''calendar'' and ''of continuous session''.*

*(3) Section 1019(c) of such Act (as redesignated) is amended by striking ''1012'' and inserting ''1011''.*

*(4) TABLE OF CONTENTS.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by striking the items relating to parts B and C (including all of the items relating to the sections therein) of title X and inserting the following:*

*''PART B—CONGRESSIONAL CONSIDERATION OF PROPOSED RESCISSIONS AND DEFERRALS OF BUDGET AUTHORITY AND OBLIGATION LIMITATIONS*

*''Sec. 1011. Congressional consideration of proposed rescissions and deferrals of budget authority and obligation limitations.*

*''Sec. 1012. Grants of and limitations on presidential authority.*

*''Sec. 1013. Procedures for Expedited Consideration.*

*''Sec. 1014. Treatment of rescissions.*

*''Sec. 1015. Definitions.*

*''Sec. 1016. Expiration.''.*

*(c) EFFECTIVE DATE.—The amendments made by this Act shall apply to funding as defined in section 1015(8) of the Congressional Budget Act and Impoundment Control of 1974 in any Act enacted after the date of enactment of this Act.*

***SEC. 4. APPROVAL MEASURES CONSIDERED.***

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

*(1) by redesignating subsections (b) through (e) as subsections (c) through (f) and by inserting after subsection (a) the following new subsection:*

*''(b) ADJUSTMENTS FOR RESCISSIONS.—(1) Whenever an approval bill passes the House of Representatives, the Committee on the Budget shall immediately reduce the applicable allocations under section 302(a) by the total amount of reductions in budget authority and in outlays resulting from such approval bill.*

*''(2) As used in this subsection, the term 'approval bill' has the meaning given to such term in section 1015.''; and*

*(2) in subsection (d) (as redesignated), by inserting ''or (b)'' after ''subsection (a)''.*

The CHAIR. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 112–389. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. RYAN OF WISCONSIN

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112–389.

Mr. RYAN of Wisconsin. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 8, strike ''45'' and insert ''10''.

Page 3, line 21, insert ''and'' after the semicolon.

Page 3, line 23, strike the semicolon and insert a period.

Page 3, strike line 24 and all that follows thereafter through page 4, line 16.

Page 5, line 21, strike ''45th'' and insert ''60th''.

Page 6, line 9, strike ''5 days'' and insert ''3 days of session''.

Page 6, line 20, strike ''After'' and insert ''Not later than 3 days after''.

Page 7, line 4, strike ''fifth'' and insert ''third''.

Page 7, line 14, strike ''fifth'' and insert ''third''.

Page 7, line 24, strike ''5'' and insert ''3''.

Page 9, strike lines 9 through 12.

Page 9, line 13, strike ''(B)'' and insert ''(A)''.

Page 9, lines 13 and 14, strike ''Each committee of referral'' and insert ''The appropriate committee''.

Page 9, lines 15 and 16, strike ''referred to it under this subsection'' and insert ''as defined in section 1015(2)''.

Page 9, lines 16 and 17, strike ''fifth session day'' and insert ''third session day''.

Page 10, line 1, strike ''(C)'' and insert ''(B)''.

Page 10, line 2, strike ''5'' and insert ''3''.

Page 10, line 3, strike ''committees have'' and insert ''the committee has''.

Page 10, line 12, strike ''(D)'' and insert ''(C)''.

Page 10, line 22, insert ''equally divided in the usual form'' before the period.

Page 12, line 4, strike ''if'' and all that follows thereafter through ''measure'' on line 6.

Page 12, line 8, insert '', as such term is defined in section 1015(2),'' after ''approval bill''.

Page 12, after line 8, insert the following:

''(c) EXTENDED TIME PERIOD.—If Congress adjourns at the end of a Congress prior to the expiration of the periods described in sections 1012(c)(2) and 1014 and an approval bill was then pending in either House of Congress or a committee thereof, or an approval bill had not yet been introduced with respect to a special message, or before the applicable 10-day period specified in section 1011(a) has expired, then within the first 3 days of session, the President shall transmit to Congress an additional special message containing all of the information in the previous, pending special message and an approval bill may be introduced within the first five days of session of the next Congress and shall be treated as an approval bill under this part, and the time periods described in sections 1012(c)(2) and 1014 shall commence on the day of introduction of that approval bill.

''(d) APPROVAL BILL PROCEDURE.—In order for an approval bill to be considered under the procedures set forth in this part, the bill must meet the definition of an approval bill and must be introduced no later than the third day of session following the beginning of the period described in section 1013(a)(1) or the fifth day in the case of paragraph (1).''.

Page 12, line 9, strike ''(c)'' and insert ''(e)''.

Page 12, line 11, strike ''dollar amount'' and insert ''funding''.

Page 12, line 20, strike ''45'' and insert ''60''.

Page 12, line 23, strike ''Act'' and insert ''part''.

Page 14, strike lines 5 through 10.

Page 14, line 11, strike ''(4)'' and insert ''(3)''.

Page 14, line 15, strike ''(5)'' and insert ''(4)''.

Page 14, line 18, strike ''(6)'' and insert ''(5)''.

Page 14, line 21, strike ''(7)'' and insert ''(6)''.

Page 15, line 9, strike ''(8)'' and insert ''(7)''.

Page 16, line 16, strike ''(9)'' and insert ''(8)''.

The CHAIR. Pursuant to House Resolution 540, the gentleman from Wisconsin (Mr. RYAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. Mr. Chairman, I don't think we need to spend a lot of time on this.

This amendment makes technical revisions to certain procedures and definitions. The time period was reduced from 5 legislative days to 3 legislative days for the introduction of an approval bill in the motion to proceed. The amendment clarifies that approval bills are described as discretionary bills only. Additionally, it includes a procedure that provides for the consideration of an approval bill should the previous Congress end before an up-or-down vote.

All this simply does, Mr. Chairman, is clarify concerns raised by the Rules Committee so that we have consistent procedures and concerns by the minority that this bill simply does what it says it does and that it circumscribe to discretionary spending.

With that, I really have no other things to say other than I'd be happy to yield such time as he may consume to the gentleman from Maryland.

Mr. VAN HOLLEN. Mr. Chairman, I have nothing to add to that and would urge adoption of the amendment.

Mr. RYAN of Wisconsin. I yield back the balance of my time.

Mr. DREIER. Mr. Chair, since 1999, the Committee on Rules has worked to standardize the practices related to expedited consideration of legislation. In general, the Committee believes that expedited procedures are unnecessary, particularly in the House. However, when necessary, the Committee strives to ensure that these procedures are uniform in application and agnostic toward the content of any measure considered thereunder.

The circumstances surrounding consideration of H.R. 3521 are unique, and several changes are included in the manager's amendment that represent the uniqueness of this legislation. The procedures contained in the House-passed version of H.R. 3521 should not be viewed as a new standard for future expedited procedures the House may consider.

The CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. RYAN).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. ALEXANDER

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112–389.

Mr. ALEXANDER. Mr. Chairman, I have an amendment.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, after line 24, add the following new subsection:

''(c) EXEMPTION FOR THE CORPS OF ENGINEERS.—The President may not propose the rescission under this part of all or part of any dollar amount of funding for the Corps of Engineers.''.

The CHAIR. Pursuant to House Resolution 540, the gentleman from Louisiana (Mr. ALEXANDER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. ALEXANDER. Mr. Chairman, as we decide whether or not the President of the United States should have the

authority to propose cuts to funding that Congress appropriates money to, I cannot help but be gravely concerned about how he may use those powers.

While I, as much as anyone here, agrees that our government must constrain and cut the unnecessary expenditures, I fear that giving the President certain powers to take away that which Congress has given would severely harm certain States and regions whose needs the President may not fully understand.

Of particular concern to me, Mr. Chairman, is the importance of the water resources, the projects across this country that are vitally important to our national security and economy. With this in mind, I believe that a line must be drawn when it comes to the President's authority to propose a rescission to the budget of the Army Corps of Engineers, an agency that's older than our Nation itself.

The Corps of Engineers helped General Washington win the Revolutionary War. The Corps of Engineers carries out water resource projects throughout the United States, including projects that protect citizens from flood hazards and keep commercial waterways navigable.

These projects are important. They are important to lawmakers on both sides of the aisle. The congressional appropriations for the Corps typically exceed what the President's requests have been. I believe that we must prevent any President, Republican or Democrat, from having the authority to reduce funding for critical water resource projects. It is just too important to this Nation.

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

Mr. RYAN of Wisconsin. Mr. Chairman, I claim time in opposition.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. RYAN of Wisconsin. Mr. Chairman, I won't take all of my time.

The gentleman says the Army Corps clearly provides an extremely important function, a very valid Federal function to our government, to our country. I rise in opposition only that we shouldn't be carving out exceptions.

The idea that we'll carve out an exception from appropriation bills for expedited rescission consideration to one government agency versus all of the other government agencies out there, I don't think that's a good precedent to set. What's to say that other agencies shouldn't be exempt in consideration? If Congress feels that these are important projects, which they clearly do when they pass these bills, then clearly they will affirm that if another vote ever does arise.

For the sake of consistency, for the sake of treating all agencies equal, I would urge a rejection of this amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. ALEXANDER).

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

RECORDED VOTE

Mr. ALEXANDER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 128, noes 300, not voting 5, as follows:

[Roll No. 45]

AYES—128

Alexander
Altmire
Austria
Bachus
Barletta
Barrow
Bishop (GA)
Bishop (NY)
Boswell
Boustany
Brady (PA)
Brown (FL)
Butterfield
Calvert
Capps
Capuano
Cardoza
Castor (FL)
Chu
Clyburn
Coble
Cole
Costa
Costello
Courtney
Crawford
Critz
Culberson
Cummings
Davis (CA)
DeFazio
DeLauro
Dicks
Doyle
Emerson
Fattah
Fitzpatrick
Fortenberry
Garamendi
Gingrey (GA)
Gonzalez
Granger
Green, Al
Green, Gene
Grimm
Gutierrez
Hanabusa
Harper
Harris
Herrera Beutler
Hinchey
Holden
Jackson (IL)
Jackson Lee (TX)
Johnson, E. B.
Jones
Keating
King (IA)
King (NY)
Kingston
Kucinich
Landry
Larson (CT)
Latham
LaTourette
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Luján
Maloney
Markey
Matsui
McCarthy (NY)
McGovern
McNerney
Meehan
Miller, Gary
Moore
Nadler
Napolitano
Nunnelee
Palazzo
Pallone
Pascrell
Pastor (AZ)
Perlmutter
Peters
Peterson
Price (NC)
Rahall
Rehberg
Reyes
Richardson
Richmond
Rogers (AL)
Rogers (KY)
Rooney
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sarbanes
Scalise
Schilling
Schwartz
Sewell
Shimkus
Shuster
Sires
Sutton
Terry
Thompson (CA)
Tierney
Tonko
Turner (NY)
Walz (MN)
Wasserman Schultz
Waters
Watt
West
Wilson (FL)
Womack
Woolsey
Young (AK)

NOES—300

Ackerman
Adams
Aderholt
Akin
Amash
Amodei
Andrews
Baca
Bachmann
Baldwin
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonamici
Bonner
Bono Mack
Boren
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Camp
Campbell
Canseco
Cantor
Capito
Carnahan
Carney
Carson (IN)
Carter
Chabot
Chaffetz
Chandler
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Coffman (CO)
Cohen
Conaway
Connolly (VA)
Conyers
Cooper
Cravaack
Crenshaw
Crowley
Cuellar
Davis (IL)
Davis (KY)
DeGette
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Eshoo
Farenthold
Farr
Filner
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grijalva
Guinta
Guthrie
Hahn
Hall
Hanna
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Higgins
Himes
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Israel
Issa
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kaptur
Kelly
Kildee
Kind
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Latta
Lee (CA)
Levin
Lewis (GA)
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCollum
McCotter
McDermott
McHenry
McKeon
McKinley
McMorris Rodgers
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neal
Neugebauer
Noem
Nugent
Nunes
Olson
Olver
Owens
Paulsen
Pearce
Pelosi
Pence
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (MI)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sherman
Shuler
Simpson
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Towns
Tsongas
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Waxman
Webster
Welch
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Woodall
Yarmuth
Yoder
Young (FL)
Young (IN)

NOT VOTING—5

Blumenauer
Cassidy
McIntyre
Paul
Payne

□ 1559

Messrs. GALLEGLY, MCCOTTER, AMODEI, Mrs. NOEM, Messrs. OLSON, GRIFFIN of Arkansas, JORDAN, Mrs. MYRICK, Mr. CROWLEY, Ms. LEE of California, Messrs. LATTA, WOODALL, HIGGINS, BACA, BURGESS, GEORGE MILLER of California, LEWIS of Georgia, and KISSELL changed their vote from ''aye'' to ''no.''

Messrs. ROONEY, COLE, ALTMIRE, BRADY of Pennsylvania, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. SCHWARTZ, Messrs. CALVERT, LEWIS of California, TIERNEY, HOLDEN, Ms. DELAURO, Messrs. REYES, GONZALEZ, Ms. MOORE, Ms. SEWELL, Messrs. LARSON of Connecticut, BUTTERFIELD, Ms. BROWN of Florida, Ms. WATERS, Mr. HARRIS, Ms. CASTOR of Florida, Mrs. NAPOLITANO, and Mrs. MCCARTHY of New York changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. FLEISCHMANN). The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DENHAM) having assumed the chair, Mr. FLEISCHMANN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3521) to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for a legislative line-item veto to expedite consideration of rescissions, and for other purposes, and, pursuant to House Resolution 540, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. LEVIN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 254, noes 173, not voting 6, as follows:

[Roll No. 46]

AYES—254

Adams
Akin
Altmire
Amodei
Andrews
Bachmann
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonamici
Bono Mack
Boren
Boswell
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Burgess
Camp
Campbell
Canseco
Cantor
Capito
Capps
Cardoza
Carnahan
Carney
Castor (FL)
Chabot
Chaffetz
Chandler
Cicilline
Coble
Coffman (CO)
Conaway
Connolly (VA)
Cooper
Costa
Costello
Cravaack
Crawford
Cuellar
Culberson
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Doggett
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (TN)
Ellmers
Eshoo
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
Graves (GA)
Graves (MO)
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Higgins
Himes
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Inslee
Israel
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
Kind
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Latham
Latta
LoBiondo
Loebsack
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Olson
Owens
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Quigley
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roe (TN)
Rogers (MI)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Sensenbrenner
Sessions
Sherman
Shimkus
Shuler
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thornberry
Tiberi
Tipton
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Walberg
Walden
Webster
Welch
West
Westmoreland
Wilson (FL)
Wilson (SC)
Wittman
Woodall
Yoder
Young (IN)

NOES—173

Ackerman
Aderholt
Alexander
Amash
Austria
Baca
Bachus
Baldwin
Becerra
Berkley
Berman
Bishop (GA)
Bonner
Boustany
Brady (PA)
Braley (IA)
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Brown (FL)
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Clarke (NY)
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Cleaver
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Cohen
Cole
Conyers
Courtney
Crenshaw
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Crowley
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Deutch
Dicks
Dingell
Doyle
Duncan (SC)
Edwards
Ellison
Emerson
Engel
Farr
Fattah
Filner
Frank (MA)
Fudge
Gonzalez
Granger
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Herrera Beutler
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Hunter
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
King (IA)
Kucinich
Labrador
Landry
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Miller (NC)
Moore
Moran
Murphy (CT)
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Pascrell
Pastor (AZ)
Peterson
Pingree (ME)
Price (NC)
Rahall
Rangel
Reyes
Richardson
Richmond
Roby
Rogers (AL)
Rogers (KY)
Rooney
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell
Shuster
Simpson
Sires
Slaughter
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tonko
Towns
Velázquez
Visclosky
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Whitfield
Wolf
Womack
Woolsey
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—6

Blumenauer
Cassidy
Long
McIntyre
Paul
Payne

□ 1617

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that, in the engrossment of H.R. 3521, the Clerk be authorized to correct section numbers, punctuation, and cross-references and to make such other technical and conforming changes as may be necessary to reflect the actions of the House.

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

There was no objection.

## HOUR OF MEETING ON TOMORROW

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

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

Mr. BISHOP of New York. Mr. Speaker, I offer a motion to instruct on H.R. 3630.

The SPEAKER pro tempore (Mr. RIVERA). The Clerk will report the motion.

The Clerk read as follows:

Mr. Bishop of New York 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 file a conference report not later than February 17, 2012.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from New York (Mr. BISHOP) and the gentleman from Oregon (Mr. WALDEN) each will control 30 minutes.

The Chair recognizes the gentleman from New York.

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

Mr. Speaker, this motion to instruct conferees is very simple and straightforward. It directs conferees negotiating extensions of the payroll tax cut, unemployment insurance, and the SGR to file their conference report by February 17, 2012.

Day in and day out, Members of this body come to the floor to speak about the level of uncertainty that is hindering the U.S. economy and stifling job growth. We have heard Speaker BOEHNER argue that the Bush tax cuts must be extended in perpetuity to relieve corporations of uncertainty. We have heard our Tea Party friends rally against the deficit in order to reduce uncertainty for job creators.

Time and time again, we've heard our Republican colleagues speak of the uncertainty that EPA regulations have created for expanding jobs. Yet, when we contemplate the uncertainty created for consumers, small businesses, doctors, and the unemployed driven by Congress' inability to address the payroll tax extension, the SGR fix, and unemployment benefits, our Republican friends are suddenly silent.

□ 1620

We all remember the debate in December when, after years of touting the benefits of tax cuts, our Republican colleagues suddenly changed their minds when a payroll tax cut was considered, a tax cut that will provide immediate relief for millions of Americans and will immediately benefit the economy.

As we've debated these issues for several months, we've seen the data and heard from economists who say extending the payroll tax cut and unemployment insurance is good for American families, businesses and economic growth. It isn't the silver bullet to solving all of our Nation's problems, but it's a step in the right direction, a step that can provide some relief to the unemployed and stimulate consumer spending, which is fundamental to improving the overall economy.

By extending the payroll tax cut through the end of the year, 160 million Americans would continue to take home more money in their paycheck. For a family earning $50,000 a year, that's about $80 a month, or about $1,000 for the year.

Without the extension, that $1,000 is unavailable to families for buying groceries or putting gas in their vehicles or buying their children new clothes for school which, when spent at local businesses, sparks economic activity. These facts are indisputable.

Moody's Analytics estimates that for every dollar spent on the payroll tax cut it produces $1.27 in economic activity. JP Morgan Chase economists also estimated that ending the payroll tax cut and halting an extension of unemployment would shave .75 percent off the GDP next year. Macroeconomic Advisers provided a similar analysis last year, stating that allowing the pay roll tax cut to lapse would reduce GDP growth by .5 percent and cost the economy 400,000 jobs. A job loss of that magnitude would destroy the improvements in employment we've seen since President Obama took office.

Last week, the Labor Department reported that 243,000 jobs were added to the economy in January, marking the 23rd consecutive month of private sector job growth. The unemployment rate also fell to 8.3 percent, the lowest point since February of '09. Now, we clearly still have a long, long way to go, but failure to extend these critical programs would stifle the progress we have seen thus far and thwart future growth.

But Americans don't know if they'll have that extra $80 a month to spend come March 1, and businesses are equally uncertainly about whether or not their customers will have that extra income to spend.

Yesterday, Mark Zandi, the chief economist at Moody's Analytics, told the Joint Economic Committee that it is vital, vital to extend both the payroll tax cut and unemployment insurance, which together could add .9 percent to GDP if done for the whole year. He also said the failure to do so would deal ''a significant blow to the economy, cutting growth by almost one full percentage point.''

We must extend both the payroll tax cut and unemployment insurance. Unemployment insurance provides temporary relief to Americans who lose their jobs through no fault of their own. In a sense, it's a bridge to reemployment. The average weekly benefit in 2011 was $300 a week. That's $1,200 a month. Take that away and millions of unemployed Americans lose a lifeline to put gas in their tank to get to that job interview, or to hire a babysitter while they go out to look for a job. Every little bit helps to get them back on their feet, and that's all Americans want to do, get back to work.

In every recession since 1957, the Federal Government has stepped in to provide additional support for unemployed workers. Without an extension, 5 million people will exhaust their benefits by the end of 2012.

Furthermore, under the GOP proposal in December to adjust the unemployment program, 3.3 million people would lose their unemployment benefits.

The Council of Economic Advisers estimates that if unemployment benefits are not extended, the economy can be expected to generate 478,000 fewer jobs. That's fewer jobs by the end of 2014, an estimate that is consistent with CBO projections. CBO also estimates that $36 billion spent on unemployment insurance would raise GDP between $14 billion and $54 billion, or about .22 percent.

The Economic Policy Institute has also estimated that extending unemployment through next year would create $70 billion in economic activity and a .4 percent increase in GDP. While these estimates differ somewhat, they all point to one thing, increased economic activity.

Yet, here we are, debating whether or not this vital lifeline should be extended for an additional 10 months. For struggling families, this is a frightening time to find our elected leaders squabbling about the Keystone pipeline and requiring drug testing for unemployment benefits.

As American families continue to struggle, so too do American businesses. A survey done in 2011 by the National Federation of Independent Businesses found that 53 percent of small businesses said lack of demand is an impediment to growth. Extending the payroll tax cut and unemployment will put additional money in the hands of Americans who will, in turn, spend that money on necessities like food, clothing, and travel.

When consumer spending represents roughly 70 percent of our economy, the policies that create the environment for growth will be the ones that get Americans spending again, and we can do that by putting more money back into the pockets of Americans struggling to make ends meet.

It's not just American workers and the unemployed facing uncertainty. Medicare doctors and patients are too. If we don't act, the SGR formula responsible for Medicare physician payments will cut reimbursement by 27.4 percent starting on March 1. A cut this large will force more doctors out of Medicare at a time when doctors find it difficult to treat Medicare patients, pay employees and keep their practices open.

A 2011 MEDPAC survey found that 2 percent of Medicare patients reported having big problems finding a physician. That may not sound like a lot, but previous surveys showed patients having relatively few, if any, problems.

In addition, a 2008 survey done by the Center for Studying Health System Change found that about 14 percent of physicians accepted no new Medicare patients, and a 2010 survey by the American Medical Association found that 17 percent of physicians were restricting the number of Medicare patients in their practice. If we fail to find a permanent solution to the SGR, these numbers will only rise, and Medicare patients will not receive the care they need or deserve.

Mr. Speaker, the Congress must act to end this uncertainty. I urge my colleagues to support this simple motion to instruct, and I reserve the balance of my time.

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

Mr. Speaker, we've seen this motion to instruct before; and it calls on the conferees, of which I'm a member, to act, and to do so by February 17, I believe is the date that's been suggested. We would like to act. In fact, we await

an alternative from the Senate. The conference committee has met and, led by our very capable chairman, DAVE CAMP of Michigan, we've held, I believe, three or four open joint House-Senate Republican-Democrat conference discussions, meetings which hadn't happened around here. Certainly in the last Congress I don't think it ever happened. And we're doing it in the broad daylight, and we've had four of those, and our staffs are having some discussions.

But you've got to go back and understand that the House, under Republican leadership, actually passed a 1-year extension of the unemployment benefits. The House, Republican led, passed a 2-year doc fix, which meant for seniors who are on Medicare that the physicians they rely so much on for their health care, those physicians would continue to be able to afford to see them and not face a 27.4 percent cut in the reimbursement rates.

Now, here's the deal. We passed that, and we funded it, and we did it for 2 years, not 2 months—2 years. We did the payroll tax, as it's called by my friends on the other side of the aisle, payroll tax, middle class tax, working-American tax cut for a full year.

Now, there's a debate about whether that should be offset or not, because our party has said, you know, when we reduce the tax burden on hardworking middle class Americans, families and job creators, we shouldn't have to go raise somebody else's taxes to do that.

Now, the difference on this, if we're talking about Social Security taxes, this is about reducing the amount of money that you and I, Mr. Speaker, you and I pay into Social Security and every working American that pays into Social Security. We're saying, you get to reduce how much you pay into Social Security by this 2 percent.

Now, those of us on this side of the aisle believe that the Social Security trust fund has been raided once too many times by both parties over time, but that should stop. And so if we're going to reduce how much goes into Social Security, we should offset that somehow so that the fund is not drained, and that can be done in a multitude of ways.

But it should be done because otherwise it's less money going into the Social Security trust fund. And I think we'd all have to admit, as the actuaries do, that at the end of the day, the Social Security trust fund is not the best funded trust fund on the planet, and we are going to need to do some work to secure the retirement of future generations in Social Security.

□ 1630

So back to the point here, the House passed all of that. We did a 1-year payroll tax reduction so that hardworking middle class Americans would have tax relief. They'd have that extra money in the pocket, and Lord knows they need it, especially when you see what's happened under this President with energy costs.

I think gasoline was $1.86 a gallon when President Obama took office, and we now go to the pump and it's somewhere between $3-something or $4 and pushing over $4 depending on where you are in America. You've got to have a little extra money just to try and keep up and take your kids to soccer and go to school and go to work. It's hard out there.

So we passed that, a year extension of that, and a full year extension of unemployment for those who have struggled in this horrible economy. There have been 11 recessions since World War II. This is the worst in terms of a recovery from a recession.

When Ronald Reagan was President, we had a horrible recession in the early eighties. We came out of that recession, and if it were at the same pace now as then, you'd create something like 15 million, 16 million new jobs, which means virtually everybody who's unemployed and still uncounted, because a lot of people who have fallen off the unemployment rolls aren't counted, all of them would have jobs if we were growing at the same pace we did when President Reagan was in office and we came out of that recession.

But we're not. The policies really haven't worked. The so-called stimulus that the American taxpayers were told if it would just pass, somehow unemployment would never get above 8 percent. Now, a trillion-plus dollars later with interest, payments that the next generation will get to pay back, we're somehow supposed to celebrate unemployment that's dropped to 8.3.

I'm glad to see the improvement. I'm glad to see the job gains in the private sector. For goodness sakes, my wife and I have been small business owners since 1986 in Oregon. I understand what it's like to sign the front of a payroll check and the back and to grow a business and to deal in good times and in bad.

But the long and short of this is this is a horrible recession, so coming out of this we need that bridge. We put some reforms in unemployment to help people, to lift them up, to give them incentive when they're out there for a year, year and a half, 2 years that maybe we could help them get a better education, encourage that, allow States to encourage that, to help them get a GED, because all of the data shows that if you have a high school diploma, if you have a GED, the odds of you getting hired are much higher.

Then we gave the States the opportunity to do drug screening.

I've heard from a lot of employers in my district out in rural Oregon that say, We do drug tests, and Congressman, you'd be shocked at how many people apply for the job and can't pass the drug test. Well, if you can't pass the drug test, then maybe you really aren't actively seeking work in a way that's legitimate because you can't get hired and yet you're on unemployment, so why don't we do some sort of screen, figure out that problem that you have, and help you then get treatment.

So we said to States, we're going to do away with a Federal decision that's, I don't know, 20, 30, 40 years old that said States don't have this authority. I think States could actually manage this pretty well. That was in the bill the House passed.

So we did all of these things: A 1-year reduction in the taxes people pay into Social Security, the payroll tax deduction, a 2-year fix for your physicians who treat our families on Medicare. Both of my parents, they're gone now, they were on Medicare. My wife's parents, who've also passed away, they were on Medicare. This is an incredibly valuable program. But we passed a 2-year fix for them.

The 1-year for unemployment and the 1-year for the middle class tax cut. All of that went over to the Senate. And this is probably something maybe we can agree on here. What we got back from the other Chamber was a 2-month extension of those things.

Now, some of us stayed around here when the House said, Really? A 2-month, when this is a 1-year and 2-year problem? Why don't you appoint some negotiators? So the Speaker of the House, Mr. BOEHNER, appointed the negotiators through the House side. We hoped that the Senate would appoint negotiators. They didn't. They didn't appoint anybody. In fact, they left town.

Eventually, when nobody showed up after we'd been here for a week, trying to see if we couldn't bring both sides, the House and the Senate together, Republicans and Democrats, work out something more than a 2-month deal, they wouldn't show. And we ended up passing a 2-month extension. Which by the way, Mr. Speaker, puts us right back where we are right now. Which is why we have this motion to instruct from my friends on the other side of the aisle calling on the conference committee to get its work done by the 17th.

So we have worked for that. In fact, the last time this was voted on here it was overwhelming. I think there were only 16 ''no'' votes in the House. So we want to get this done, too.

Now, the Republican conferees have met today, as we've done over the last week or two. The Democrat Senate conferees, by the way, they had a retreat today down at the Nationals ballpark in some meeting room. There was a planning retreat. Both parties have had these in the House. But it just sort of caused a pause in the effort because the Democrats were all off at a policy retreat today from the Senate, so we weren't able to accomplish much today.

But we hope to get something from the Senate because, you see, they go into the conference and they had this 2-month effort against our 1-year. So we can't negotiate against ourselves. So we're waiting for a proposal back from the Senate, which we hope to get soon. If we do, tomorrow we'll meet at 10 o'clock. Republicans, Democrats,

House and Senate to try and work this through. We want to get this done. The American people deserve to have us get this done. We're working on a way to do that.

I reserve the balance of my time.

Mr. BISHOP of New York. Mr. Speaker, I yield myself 1 minute for a couple of quick comments.

We all have the same set of facts. The Senate conferees were appointed on December 23, the very same day that the provision that we're talking about passed the House by unanimous consent. The conference committee did not meet until the 27th of January for the first time. That's one.

Two, we talk about the Reagan recession. The Reagan recession was nowhere near as severe as the, let's call it the Bush recession. The GDP fourth quarter of 2008 declined at an annual decline of over 8 percent. Most severe recession we have had since the Great Depression. Jobs lost.

Last 14 months of the Bush administration, we lost jobs every single month, culminating in his last month in office, a job loss of 735,000 jobs. President Obama has been President for 36 months. We've had job growth, private sector job growth, in 23 of those months.

Drug testing, one comment: Over 400,000 Americans have lost their jobs in the last 3 years as a result of corporations outsourcing to other countries.

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

Mr. BISHOP of New York. I yield myself another 30 seconds.

So these are people who lost their jobs, ready, willing, and able to do them, lost their jobs as a result of, really, corporations unrelentingly pursuing profits at the expense of middle class Americans. Do we really want to add insult to injury and tell them if they need unemployment, they're going to have to be drug tested?

I yield 3 minutes to my friend from Vermont (Mr. WELCH).

Mr. WELCH. The major reason why this motion to instruct is timely is the answer to this question. What will we know after February 17 that we don't know now? There is going to be no new information. So what would justify the delay?

What we know now, number one, is that Republican economists and Democratic economists say that this is a very fragile recovery, that we're all happy that the unemployment rate is going down, but we're all concerned that it's unacceptably too high. And when you have Republican and Democratic-aligned economists saying unanimously to take this money out of the economy at this time would stall the recovery, we all agree that we can't do that. So that's not going to change between now and February 17.

Secondly, we know that on the pay-for, we have clear lines of division on this. If you have a pay-for that basically takes with one hand what was given in the other, in other words you cut spending on things that help middle class families in order to pay for a 2 percent reduction in their payroll tax, that zeroes out the stimulative effect.

So from a macroeconomic point of view, it does no good for the economy, when all of us assert that our goal is to help the economy.

The second question is political tactics, and the political tactic of this Congress has been brinksmanship. On December 10, when we just about turned the lights out on government, it was a last-minute agreement that finally kept them on. It included a tax provision that extended the high-income tax cuts, added $800 billion to the deficit, and created some significant anxiety in the markets as to whether this institution could do its job.

□ 1640

Fast-forward to August of 2011 and to the fiasco—that's the only word that can be used—of this House of Representatives actually having a debate about whether it was legitimate for the people of this country to not pay their bills. That caused enormous anxiety in the markets. By the way, that hurts the economy.

In December of last year, we were in the payroll tax fight, and this is where I think we get to the heart of the matter. There is a difference of opinion on the payroll tax. The Democratic side is essentially for it, and it was very clear the Republicans were against it, and there was kicking and dragging when the Speaker came back with the unanimous consent and overrode the action that had previously been taken.

So the reality of the situation we're in now is that the other side is saying, yes, yes, yes, they're for a payroll tax reduction; but their actions say, no way, no way, no way.

It's time to act.

Mr. WALDEN. Mr. Speaker, may I ask how much time remains on both sides.

The SPEAKER pro tempore. The gentleman from Oregon has 21 minutes remaining. The gentleman from New York has 17½ minutes remaining.

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

Mr. BISHOP of New York. Mr. Speaker, I now yield 3 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. I thank the gentleman for yielding.

Mr. Speaker, thankfully we're in a leap year, because we have 2 weeks to the day to come to an agreement to extend the payroll tax cut, the doc fix, and the important unemployment benefits.

We can't let taxes go up for the American people by $100 billion. Let's get this clear what this costs. Yet the majority is willing to bail out certain banks, to protect billionaires from having their taxes go up by one dime, and the majority has to be dragged kicking and screaming to provide the middle class a little help.

The gentleman from New York was absolutely correct to compare what the Reagan administration faced—and I thought they did a good job in responding to the problem—to this almost catastrophe off the cliff, which is a stretch beyond one's imagination. It doesn't stand up to logic. So far this year, the economic indicators have shown some improvements, not what you would like, not what I would like, not what the gentleman from Long Island would like. Well, we're going in the right direction. I'm sorry if some folks on the other side don't like that, but that's what's happening.

We've had 23 months of private sector job growth and increases not since the mid-nineties in manufacturing. When the President raised his hand in January of 2009, we were losing 750,000 jobs a month. Now the unemployment rate dropped to 8.3 percent, which is nowhere either side wants it to be. However, the failure to pass a payroll tax cut would put the brakes on our economic growth by reducing our gross domestic product by $28 billion off the bat. The recovery is still fragile. The States, including my home State of New Jersey, have an above average unemployment rate. Unfortunately, the failure to pass an extension would also hurt New Jersey more than almost every other State.

First, folks living in Bergen County, they lose $1,400. Now, that may not seem like a lot if you're paying a tax rate of 13.9 percent—hint, hint—but it is a significant amount of money directly in the pockets of the middle class families in northern New Jersey. Nationwide, the failure to pass an extension would reduce employment by $350,000.

We all agree, Mr. Speaker, that this payroll tax cut is a good thing, but we disagree profoundly as to how we're going to pay for this. I know it's tough for you to come to the well to find places to pay for it since you didn't pay for anything.

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

Mr. BISHOP of New York. I yield the gentleman an additional 30 seconds.

Mr. PASCRELL. In New Jersey, this means the construction industry would lose over $100 billion in sales; manufacturing would lose $285 million in sales; and real estate professionals would lose $159 million in sales. Overall, there would be a reduction of over 11,000 jobs.

This is totally unacceptable. The answer to job creation and economic growth is in front of our faces. Help the middle class grow with tax relief and smart investments now. Put it in context.

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

I want to just address a couple of points.

First of all, my dear friend from New Jersey, when he talks about the Congress bailing out the banks, may want

to talk to his colleague from New York since, I think, he voted for TARP in that process. Anyway, he may want to have that discussion right there.

You two are pretty close together. You can kind of work that deal out.

Mr. PASCRELL. Will the gentleman yield?

Mr. WALDEN. I yield to the gentleman from New Jersey.

Mr. PASCRELL. We were all in on this for good or for bad, and we could level the same criticisms about bailing out the auto industry. Some banks took advantage of it and played it straight; some did not.

Mr. WALDEN. In reclaiming my time, I don't disagree with that. I didn't support some of those bailouts either, although I did vote to make sure their financial system didn't collapse. My point is we faced some tough problems. We actually got over the hump in a bipartisan way, and we can do that here.

The interesting thing is that my colleagues on the other side of the aisle are the ones who, I believe, in most cases voted against the long-term payroll tax reduction the Republicans put forward; they voted against the 1-year extension of unemployment and the 2-year doc fix.

Mr. PASCRELL. May I respond?

Mr. WALDEN. Wait a minute. I've got a couple of other things I was going to share with you first.

So that's what the House passed; right?

What we got back from the Senate was the 2-month short-term that we're all upset about. Because I agree with you. Having been a small business owner, there were a couple of things that were bad about that 2-month extension, which we actually, in the end, tweaked and fixed. One is just doing the payroll—trying to get the formulas, the calculations, the software in your payroll system. All that had to be changed for employers, and we actually got that fixed at the end, which is a good thing.

Going forward, we need long-term predictability and certainty, and that's what Republicans thought and Speaker BOEHNER thought in the beginning, which was, why don't we stop kicking these cans down the road on short-terms and get away from these problems that were such an issue last year that riled the markets, as one of our colleagues said earlier. Why were we forced into this mess with short-term continuing resolutions that time and again we came right up to the brink on? Why? Because, under Speaker PELOSI, my friends on the other side of the aisle did not produce a budget nor did they fund the agencies for the full fiscal year.

Mr. PASCRELL. Will the gentleman yield?

Mr. WALDEN. No, I won't, not at this moment. Don't leave. I'll get to you.

I've got to finish this because this is the problem with the dysfunctional nature of what happened here in Congress 2 years ago, which then, when we took the majority in January of last year, we inherited—no budget—just like our colleagues on other side have not produced a budget in more than 1,000 days. They still haven't produced a budget. If you and I were on a board of directors of some nonprofit and if we didn't do a budget every year, they'd rightfully say that you're being malfeasant, that you're not doing your job.

So the House passed a budget. The House, under Speaker BOEHNER, also funded the government. That wasn't easy, but we only have a majority on a good day in a third of the process, so we had to work with our friends on the other side and with the President downtown. At the end of the day, though, we funded the government for the rest of the fiscal year.

You talk about anxiety in the markets and all that. By the way, in having brought some stability back to government, in having seriously said we have to pay for spending and cuts by cutting spending, the market now is at the highest level it has been since the crash in '08 or thereabouts. So it is coming back. Now, that doesn't help the average Joe out there on the street necessarily or people trying to find work, and there has been a lot of effort to try and deal with that, but we have a long way to go. I agree with my colleague that none of us is happy at 8.3. None of us was really happy at 10 or, in parts of my district, at 16 percent unemployment, so we have a long way to go.

I would yield just briefly.

□ 1650

Mr. PASCRELL. I would agree with much of what the gentleman is saying, and we need a bipartisan solution.

Mr. WALDEN. Yes, sir.

Mr. PASCRELL. The problem is, you've failed to mention that how you paid for this is what really caused the disagreement, whether it was August or even December. Even December, go back to December when we had another opportunity, and we did not rise to that occasion. If you are not willing to at least come together and compromise on how you pay for these things—I know it's a difficult thing, and I respect the integrity of your words and yourself when I say this through the Speaker. I say this wholeheartedly and full-heartedly. If we can't agree on how we're going to pay for the payroll tax cut because if you look at what you've suggested—you're suggesting that we go deeper into the general budget and cut things that are near and dear to not only yourself—

Mr. WALDEN. I'm going to reclaim my time because you actually have time, and you might want to get some yielded on that.

The point is, the discussion we are having right now is on how to pay for it. That is the discussion we are having with the Senate, and there is disagreement. But there should be no misunderstanding that it was the Republican House that put forward the 1-year extension of the payroll tax cut for these same working-class folks. It was the Republican House that put forward a 2-year fix for the docs so they had certainty in their medical practices and could continue to see seniors on Medicare. And it was the House that passed the 1-year extension on unemployment. We just think the ''spend it even when you don't have it'' days are over.

This country's job outlook is affected because of this country's government's failure to cut spending. We don't have a revenue problem; we have a spending problem. There is nothing that has a longer chance of living in America than a government program created in Washington. We have got to do a better job. It's not easy. The hardest thing you can do in this job is to tell somebody ''no.'' But you know what, for too many times, too many people in this Chamber over the years have only said ''yes'' to spending and creating new programs. That has to change.

So we did have a debate about increasing the debt ceiling. And for the first time we said, It's not going to be that automatic Democratic Dick Gephardt rule that said, when you pass a budget, you raise the debt ceiling automatically. We thought it was time to have the debate. As painful as it was, as difficult as it was to say, We have to offset this increase in deficit by cutting spending, I know, as a small business owner, our small business would have been broke if it had been run as this government runs.

Now there are good times and bad times in government, and you can work around some level of borrowing and some level of deficit. But it isn't far from this porch out here to the debt crisis Greece has and Portugal has and the European countries have and are facing right now. We have time to fix that; and that's why we're saying rather than cut the funding going into Social Security and not replace it with something else is a mistake. That is what we're saying.

I reserve the balance of my time.

Mr. BISHOP of New York. I yield myself 30 seconds.

The gentleman referenced my vote on TARP. I did, indeed, vote for TARP. I found myself in pretty good company. Mr. CANTOR voted for TARP. Mr. BOEHNER voted for TARP.

With that, I yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Speaker, I thank my friend from New York for this opportunity.

We got some welcome economic news last Friday that companies added about 250,000 private sector jobs. It's long overdue, and we hope and pray that it continues for many, many

months to come. The country is coming back, but we have a very long way to go.

I think one of the reasons why the country is coming back is because at the beginning of 2011, everybody who earned a wage in this country got a fairly substantial tax cut so that they would buy more in the stores and maybe eat a little bit in the restaurants and buy more goods and services. And I think that and some other things started to work.

The worst thing that we could do would be to interrupt that recovery by failing to extend this tax relief for middle class Americans. I'm willing to take at face value that I think almost everyone in this House agrees with that proposition. And I think everyone agrees with the proposition that it would do great harm to our economy not to make this happen.

Here is what I think stands in the way of where we are and where we need to get to: in any negotiation, you can't succeed by negotiation through ultimatum. There are some things that I really think ought to happen. I, frankly, think the way to pay for this is a very small tax surcharge on the very wealthiest Americans. I think that those who make more than $1 million a year, who have gotten, by the way, 90 percent of the pay increases in this country over the last decade, I think asking them to contribute to deficit reduction is a fair and reasonable thing to do. I think it's what we should do. But I don't think we should make it an ultimatum. And I don't think our party is making it an ultimatum.

The problem here, as I see it, is that the last time we went around in this 1-year extension, we heard from the other side two very important matters that I think are rather extraneous to solving this problem. The first had the functional effect of a cut in unemployment benefits. Now, at a time when there are four unemployed Americans for every one open job, I think to presume that the unemployed are lazy or are not working hard to find a job is really just factually incorrect and, frankly, indefensible. So we don't agree with extending this recovery by cutting the unemployment benefits of people out there looking for work. We just don't think that's a good idea. Then the other ultimatum came on the issue of the pipeline. And there are all different views on the pipeline—some pro, some con—within both parties.

I hope that what we're able to do is to stop the negotiation by ultimatum and extend this for the rest of the year. And the purpose of Mr. BISHOP's amendment needs to be looked at. There is no good reason why this can't be done by the 17th of February. Frankly, it should have been done by the 17th of January. And we all made this decision at the end of December. There was no reason why this couldn't have been done in the month of January, but here we are.

When the American people have a dispute in their family, in their business, at the labor negotiations table, at their school board, no matter where they are, they do not negotiate by ultimatum. Neither should the Congress. And, frankly, when I heard from the other side in December that we must do the pipeline or no extension of the tax cut, you know, we must cut unemployment benefits or no extension of the tax cut, that's no way to run the country. And that's not what we ought to do.

Mr. WALDEN. How much time remains on each side, Mr. Speaker?

The SPEAKER pro tempore. The gentleman from Oregon has 13½ minutes. The gentleman from New York has 10½ minutes.

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

I would like to just point out a couple of things so we get on the same terms here. I was actually here until the 23rd day of December, as were the Republicans appointed to be conferees. I don't know that Leader PELOSI had appointed Democrat conferees at that point. I don't think in that process she had yet, although she did somewhere thereafter. Maybe on the 23rd, but not in between. The Senate wasn't here. And even though we tried to get them to appoint conferees prior to that, they did not. So on the 23rd is when we finally said, It's over. They weren't coming back, and we ended up agreeing to the 2-month extension, which leaves us here.

Now, my friend from New Jersey talked about this should have been done by January 17. Well, there's only one problem with that: the Senate didn't come back into session until the 24th of January. The conferees could have met during that period. In fact, we would have met during that period; but, frankly, there were Members—probably from both parties and both Houses—who were not available to meet. And I know for sure in the Senate, some of the conferees were not available to meet because they weren't exactly in the country. So that wasn't going to happened until we were both in session.

I believe the State of the Union was Tuesday night, the 24th. I believe that's the day the Senate came back. I may be off by a day. But that's why this thing didn't start up. Which, by the way, is why in December we begged the Senate, Why don't we work this out December 23? Why don't we work this out December 22, 21, 19, 18, go on back. We were ready and we stayed, and they chose not to. They had a big vote and said, We're going to do 2 months. We'll see you at the end of January. So that is where we are.

□ 1700

Mr. ANDREWS. Will the gentleman yield?

Mr. WALDEN. I yield to the gentleman from New Jersey.

Mr. ANDREWS. Is the gentleman asserting that the Senate was in recess until January 24?

Mr. WALDEN. I believe it was.

Mr. ANDREWS. That means that the gentleman must support President Obama's appointments to the Labor Board?

Mr. WALDEN. Reclaiming my time, that's cute and clever. You and I know that's not exactly the same issue. And I would assert that if a different President, a different party had done that, you might share the same concerns that some of us have. We were not officially in recess, but they were not in town, either. Both Chambers open and close every 3 days. That's how it's been done in the recent past.

Mr. BISHOP of New York. I yield myself 30 seconds so we all have the same set of facts.

It's my understanding that the chairman of the conference committee, Mr. CAMP, was on a codel to South America during the period of time that the gentleman from Oregon cites, and it is up to the chairman of the conference committee to call the conference.

I yield 3 minutes to the gentleman from New Jersey (Mr. ROTHMAN).

Mr. ROTHMAN of New Jersey. I thank the gentleman from New York for the time.

Mr. Speaker, this matter of whether to extend the payroll tax for middle class Americans for 160 million Americans is a no-brainer for most Americans. It has to be done. 160 million Americans should get a tax increase because the Republicans don't want to share the sacrifice of cutting spending and balancing our budget? We have to pay for the sins of the Republican majority who want to balance the American budget on the backs of working class Americans, seniors, veterans, and the middle class? That makes no sense. It's not right.

Now, my colleague from the other side of the aisle says that the Democrats want to take money from Social Security to pay for this. That's not true, Mr. Speaker. In my opinion, that is obviously not true. This is from the party, Mr. Speaker, that wanted to privatize Social Security. The Republicans wanted to privatize Social Security, and everyone knows it.

I'm not going to yield.

The Republicans just voted last year to end Medicare.

So the American people are not fooled about whose side the Republicans are on and whose side the Democrats are on, Mr. Speaker. The Democrats are for working people, for the American middle class, for seniors, for veterans, for labor. So the Republicans say, Mr. Speaker, that they want 160 million Americans to have their payroll taxes go up. They want 50 million senior citizens in America to be threatened with the loss of health care because they are going to deny the doctors who treat the seniors full reimbursement for their treatments. And they want to cut unemployment benefits that put food on the table for tens of millions of Americans who are out there looking for work because the Republicans do not want to share the sacrifice. They want to cut spending on

the backs of the middle class working Americans and seniors.

They voted to privatize Social Security. They voted to end Medicare. Who is anybody kidding when they say that this bill to extend unemployment benefits, to keep the payroll tax cut for 160 million Americans, and to keep seniors having doctors care for them because the doctors will still get full Medicare reimbursement has anything to do with seniors? The Democrats are for Social Security, Medicare, and seniors, and everyone knows it.

It's time for our Republican colleagues—I'm a Democrat who voted against TARP and for the car company bailout—to get their priorities straight.

Vote for this continuation of unemployment benefits, for unemployment insurance, and full payment to doctors who take care of our Nation's seniors.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume to set the record straight.

First of all, my colleague who just spoke, it was his party that raided Medicare as part of the President's health care legislation by $500 billion. That's a fact.

Now, when he says that my party ended Medicare, that is not a fact. And, in fact, PolitiFact, the independent arbiter of what we all say here to see if it's truthful, said that the notion that that is true is the biggest untruth of the year. They gave it that award because they knew that it wasn't true. And I know it's not true.

Now, I'm trying to figure out what my friend, and he is my friend, means when he said that this isn't somehow raiding Social Security's trust fund because the payroll tax that is at issue here that is being reduced by 2 percent is the payment that, if it were made, would go into Social Security. That's the payroll tax.

I won't yield at this moment. You wouldn't yield to me. I'll let you use your folks' time.

Now that is being offset. And by the way, the offsets that we are talking about as part of this legislation almost in every case received bipartisan support in this House, and sometimes overwhelming bipartisan support. And many of those offsets were actually recommended by the President of the United States, Mr. Obama, as part of a different package as things that he thought made sense.

And so we said, you know what? Maybe there's some common ground here. The President recommended some of these offsets as ways to reduce government spending and pay for other things as part of the supercommittee process. And so if he thought it was okay there, maybe we can finally find some common ground, and we'll say you like that there, and so we'll use that here so we don't increase the deficit, don't hurt jobs, and don't leave our kids with an unimaginable debt.

So Republicans are the ones who've said, We're not going to let you raid Social Security. We'll reduce the payroll tax payment, the Social Security tax payment, but we're going to offset it so that the fund is not any further reduced. I think that's an important principle that I would hope we would all share.

And so I just say that it was the President's health care plan that took $500 billion out of Medicare. I don't know, I'm a fan of Medicare. I've seen what it does for seniors. I saw what it did for my parents and my wife's parents. I want to make sure it's preserved for the future, just like I want to make sure Social Security is as well. That's why we shouldn't rob the fund.

I reserve the balance of my time.

Mr. BISHOP of New York. Mr. Speaker, I yield myself 30 seconds for two quick comments.

I don't know a single Democrat, not a single one, who believes that we should diminish the Social Security trust fund to handle this Social Security payroll tax reduction. We all believe that the Social Security trust fund should be held harmless.

Second, with respect to Medicare, the Affordable Care Act does indeed reduce the rate of growth of Medicare going forward by $500 billion. I will point out that every single Republican in this Chamber voted for that very same reduction in the rate of growth when they voted for the Ryan budget.

I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I thank my friend.

We are here as stewards of our Nation, and we must be here to care for the people of our Nation, to care for those who are working hard every day trying to survive, trying to pay their mortgages, trying to pay their car payments, get their kids in school. And all they're looking for, 160 million Americans, is a continuation of a tax cut. We should be for that.

Those millions who are unemployed are also looking for help. They're looking for recognition that they've earned these unemployment benefits. This isn't welfare. It is an earned benefit, unemployment insurance. We should make sure they get that benefit.

Now, why do they need it? It's pretty obvious. People have to pay their mortgages or their rent. They have to feed their family, and they have to put clothes on their kids' backs. They need this unemployment insurance.

I have trouble understanding, Mr. Speaker, this proposal that's before the Congress in this bill, H.R. 3630, that would discriminate against Americans who aren't employed, who don't have a high school diploma, by saying if you're going to get unemployment benefits, you have to go to school. Well, that sounds good, but then it doesn't give them any resources to do so. This sounds too much like urging people to pick themselves up by their bootstraps and then stealing their boots.

We should give people unemployment benefits, and if they have time to go to school because they don't have a job, we should be paying for that as well. That helps to uplift the knowledge level in America, and then when our economy comes back, we'll have a better-trained workforce.

Now, this other proposal which would allow States to subject all of those who apply for unemployment insurance to drug test needs to be looked at.

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

Mr. BISHOP of New York. I yield the gentleman an additional 30 seconds.

Mr. KUCINICH. Has anybody in this Congress suggested that those who are getting a bailout should take a drug test? That those who have oil depletion allowances should take a drug test? That those who were the recipients of the Bush tax cuts in the top bracket should take a drug test? No. We say the poorest of the poor should be subject to drug tests. I mean, come on. Get real.

□ 1710

We need to create jobs in this economy, and there's one way to do it. We could create 7 million jobs debt-free with what's called the NEED Act, the National Employment Emergency Defense Act. Government needs to create these jobs debt free. We don't have to have the unemployment level we have. We shouldn't be having this debate.

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

Mr. Speaker, what Americans really want is a job. I don't think there's any disagreement between us that that should be our goal. That's why as part of what the Republicans put in the bill that went to the Senate is a plan to auction off spectrum that would generate upwards of 700,000 jobs, according to some studies—700,000 jobs. It will spur innovation and spur technology. That's in this bill that we're fighting for because this is a sector that can grow good-paying, family jobs that can keep America in the lead on innovation and technology.

So the legislation, the American Jobs Act, which I authored, is in this legislation. It's a part of this bill. It would generate net $16.7 billion to help pay for extending unemployment or to help pay the Social Security trust fund so that it doesn't have to be depleted.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. REED).

Mr. REED. I thank my good friend from Oregon for yielding me this time.

Mr. Speaker, I have sat on this conference committee now for a bunch of months, and there's been a lot of money spent in Washington, DC, and elsewhere around this Nation saying that the Republican Party is the Party of No. Well, let me tell you as I sat in this conference committee what I heard, and yesterday was the best example of it.

I heard commonsense proposals in the House bill brought to the conference committee, brought to the Senate Democrats and said, Look, we have all supported this. Ninety percent of

these pay-fors for the policy that we're trying to enact, the President—the Democratic President—supports. And what I heard repeatedly yesterday was, No, no, no. We are not going to accept these pay-fors. Even though our President said we'll accept them, even though we've supported them in the past, what I heard yesterday was, No, we're not going to pay for it.

So I think to the American people there is a clear division here. What we stand for in the House Republican side and in this Chamber is that we are going to pay for the decisions coming out of Washington, DC, going forward.

And I will have to say that my colleagues on the other side of the aisle, and my particular colleagues in the Senate on the Democratic side of the aisle, have tried to go back to the old politics of do you know what? Let's just call everything emergency spending and we don't have to pay for it. That's old-school politics. That philosophy is done and over with because the hardworking American taxpayers back at home, Mr. Speaker, deserve for us to pay our bills, and that is what we're doing.

I am all for true dialogue. If the Senate is not going to accept the pay-fors that are in the House bill, then send over whatever proposals you have to cover this bill, especially when we're talking about Social Security taxes and when we're talking about payroll taxes that are the sole revenue to fund Social Security.

I've met so many constituents back at home, Mr. Speaker, that have repeatedly told me, Why are you cutting these taxes? Why are you jeopardizing Social Security? And what I have said to them is, I believe that you need to keep your money, not give it to Washington and let them waste it and spend it on policies that are out of here. But what we will do is I will stand and make sure that Social Security is made whole.

That's what I'm looking for in this dialogue is that we come together, recognize that the politics of old is done and we will pay for our decisions. And once that happens, I am confident we can come together and do what hardworking taxpayers in America want us to do, and that is extend the payroll, take care of the unemployment, and take care of our doctors so that physicians can see our seniors in America and that Medicare is preserved.

Mr. BISHOP of New York. I yield 2 minutes to my friend from Michigan (Mr. PETERS).

Mr. PETERS. I thank the gentleman for yielding.

I rise today in support of Representative BISHOP's Democratic motion to instruct conferees.

If Congress doesn't act by the end of the month, Americans that have lost their jobs through no fault of their own will begin losing the unemployment benefits keeping their family afloat in these very difficult times. This is why I'm leading my colleagues in sending a letter to the conference committee urging them to preserve current levels of unemployment benefits. Families receiving unemployment benefits are already facing significant challenges, and pulling the rug out from underneath them would damage our economy and force these Americans into poverty.

Mr. Speaker, my Republican colleagues like to talk about uncertainty. When they're not pushing tax cuts for the rich as a cure-all for the economy, they're blaming uncertainty supposedly created by Wall Street reform or environmental protections for slow economic growth.

If my Republican colleagues want to know what real uncertainty is, I suggest they pick up the phone the next time one of their constituents who is staring down the expiration of their unemployment benefits calls. Real uncertainty is not knowing if you're able to pay for heat. Real uncertainty is not knowing if you're able to pay for groceries. Real uncertainty means spending a year or more looking for a job and barely scraping by with unemployment benefits while some in Washington want to play politics with the livelihood of these Americans. Uncertainty is exactly what Republicans are creating by their refusal to come to the table and pass a full extension of unemployment benefits and the payroll tax cut.

I support Representative BISHOP's motion to instruct conferees because it will direct conference committee members to stop the delay and issue their report next week. American families cannot afford to wait any longer.

Mr. WALDEN. How much time does each side have remaining, Mr. Speaker?

The SPEAKER pro tempore. The gentleman from Oregon has 4½ minutes remaining. The gentleman from New York has 2 minutes remaining.

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

I think this has been a good, thoughtful, and lively debate because I think we've been able to show each other, through you, Mr. Speaker, the fact that the House did its work.

House Republicans put forward a proposal to extend unemployment benefits for a full year, and we paid for it. We put forward a proposal to give working middle class taxpayers a reduction in the amount they pay into Social Security, but we backfilled that money so that Social Security's trust fund was not depleted. And we said to our physicians out there who take care of our seniors that they would have certainty and not face a 27.4 percent cut in their reimbursement rates under Medicare and that they would have that certainty for 2 full years. So the facts are clear what the House passed.

We also included in this legislation to try and drive new job creation in the high-tech sector by auctioning off spectrum that would generate $16.7 billion and upwards of 700,000 jobs. That's a high-end number, but let's say it's half that. There are estimates all over the place. But a few hundred thousand jobs would be a really great thing, especially in technology and innovation and everything that would come from that. That's in this bill.

What we got back from the Senate was 2 months—2 months—2 months—and a failure to even come to the table. So the Republican conferees from the House have been willing to meet anytime, anywhere. And, in fact, under Chairman CAMP's leadership, we have met in public with our counterparts.

Frankly, we've had some good discussions across the table. I want to make that clear, as well. Between the Republicans and Democrats, House and Senate, those of us on the conference committee I think you would say, even though we may have disagreements, we've had good discussions. And now we need to get the work done.

In order to get the work done, we have to have some alternative proposals from the Senate, which hopefully we're going to get, maybe even tonight. I think that would be helpful because then we would know what their position is, because this is kind of a different sort of conference. We had a year bill; they had a 2-month bill, and most of that 2-month bill became law. So it's been kind of an awkward conference for the Senate to try and figure out how to do this, and the House has a full year or 2-year extension, depending upon the items at issue here.

So we'll meet again tomorrow at 10 o'clock, is my understanding, in conference, either in private or in public. I don't know. That will be up to the chairman. But in any case, I don't care when or where. I'm ready. Mr. REED from New York who spoke earlier is ready, and my other conferees are ready. We were ready in December to get this done, we really were, and we still are. And we're committed to the working American people and those who are trying and struggling to find jobs to make sure they have that unemployment insurance. They deserve that, they need that, and we're committed to providing that.

□ 1720

So, Mr. Speaker, on that note, I don't think there will be any objection on this floor to approving the motion to instruct conferees to get their work done by the 17th. I'll certainly support it, as I have and nearly everyone in the House has.

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

Mr. BISHOP of New York. In closing, let me just make it unmistakably clear: there is not a single Democrat that is advocating diminishing the Social Security trust fund. We all agree that the Social Security trust fund must be made whole. That is why we are fully accepting of the fact that this tax cut—unlike every other tax cut that's been passed in this Chamber in the last 10 years—should be fully paid

for so that the Social Security trust fund is not diminished.

Secondly, I want to thank Mr. WALDEN and Mr. REED for their service on the conference committee; it cannot be an easy conference. I would just ask that as you go forward, you be guided by what Leader CANTOR has said. What Leader CANTOR has said is that we should pass what we can agree on, and we should leave the issues on which we can't agree to another day. It certainly appears as if we agree that we need to extend the payroll tax deduction, we need to fix the SGR, and we need to pass unemployment insurance.

So, let's pass it. Let's leave to another day contentious issues like mercury emissions, like the Keystone pipeline, like drug testing. Let's pass what we can agree on. Let's debate those other issues—they're important, they deserve a full debate—but let's not let them stand in the way of a tax cut for 160 million Americans, access to Medicare physicians for 50 million Americans, and keeping millions of Americans at least with some lifeline with respect to unemployment insurance.

I urge my colleagues to support this motion to recommit, and I thank the gentleman from Oregon for a spirited debate.

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

The SPEAKER pro tempore. All time for debate has expired.

Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

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

Mr. BISHOP of New York. 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.

## FRANK CUSHING

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

Mr. LEWIS of California. Mr. Speaker, our Capitol Hill community has endured a great loss this week with the passing of our dear friend, Frank Cushing. Frank passed away early Monday morning after a year-long battle with cancer. He was 59 years old.

Frank Cushing left his mark on public policy through more than 30 years of public service in the House and the Senate.

For those people who understand just how important fine staff are to our ability in the House and the Senate to more effectively serve our public, I know of no public servant who has greater respect in this community, indeed, around the country, than Frank Cushing.

We will be holding a memorial service commemorating Frank's work on our behalf next Monday at 3 p.m. The details regarding that service will be in the CONGRESSIONAL RECORD. I urge all Members who know and love Frank Cushing to come together and focus upon his service.

## PRO-CHOICE CAUCUS

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

Ms. WOOLSEY. Mr. Speaker, there are few things more universal to the health and lives of women than birth control. It is basic health care. It's essential to women's economic independence and professional fulfillment. In fact, with the swearing-in of our new colleague from Oregon, we now have 94 women in Congress. My guess is there would be about half that number without the benefit of contraceptives. That all began 40 or 50 years ago.

So, when the Speaker said this morning that Congress must overturn the President's policy ''acting on behalf of the American people,'' I'm not really sure what he's talking about because the President's decision is on the right side of common sense, sound science, and public opinion. It enjoys support from a majority of Americans and a majority of Catholics.

Let me add that many of my House colleagues who want to deny access to contraception are the same ones who want to cut programs that help women and families facing unwanted pregnancies.

I applaud the President for standing up to reactionary forces and standing up for women's health care and women's freedom.

## STOCK ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from New York (Ms. SLAUGHTER) is recognized for 60 minutes as the designee of the minority leader.

Ms. SLAUGHTER. Mr. Speaker, from Main Street to Wall Street, it is common knowledge that insider trading of stocks is a crime. In 2004, celebrity homemaker Martha Stewart was sentenced to 5 months in prison. In 2011, Wall Street titan Raj Rajaratnam was sentenced to 11 years in prison for profiting from stocks bought and sold on insider information.

Despite these headline-grabbing convictions, when it comes to Members of Congress, the law of the land clearly does not apply. In the Halls of Congress, there are no clear laws preventing Members of Congress from using their public office to obtain insider information and trade stocks for private enrichment. We thought last week when the Senate passed the STOCK Act 96–3 that the House would have a chance to follow and that we would be moving forward to remedy that wrong. We were unfortunately very much wrong. We had had a markup 2 months ago in December on the STOCK Act; and at the last moment, the bill was snatched away, the meeting was adjourned, and we heard no more.

After the Senate passed the bill, the House decided that they indeed would pass one, any kind that was going to be strengthened and made better. We discovered yesterday that what was going to happen was that we would no longer have a freestanding bill, but instead we would have a suspension bill.

Let me take just a second to explain the difference between those two bills. We would have had an opportunity under a regular bill to be able to amend it, and we would have been given the right to recommit. Under suspension, we can do nothing but vote it up or down. This bill, which has the most support that I've seen in my 20 years in Congress, more editorial support all over this country and support in parts of Europe, is more than you can even imagine, and it was simply taken away. Was it made stronger? Absolutely not. We said yesterday that we were afraid the euphemism for making stronger meant that the bill would be gutted, and indeed it was.

The part called ''political intelligence,'' which is an investment that people make in getting political intelligence from Members of Congress and their staff, yields $402 million a year just simply from information traded from Members of Congress and sold to the clients of hedge fund dealers. We're pretty disappointed about that. It happened in the dark of night. We didn't even know it was going to be in the bill until 10:30.

I was really pleased today to hear from both Senator GRASSLEY and Senator LEAHY of their great disappointment regarding what the House had done, and we are demanding that we have a conference on these two bills so that we can have an opportunity to keep political intelligence in that bill because of its major importance. In fact, if we do nothing, this totally unregulated industry will simply continue to prosper in the shadows with no one watching.

In a way, the STOCK Act is a statement of how we view ourselves, and it certainly is the relationship to those that we serve. It's a reflection of our role as public citizens and knowledge that while we may receive the honors and power conferred by our service, we ourselves are equal in our rights and responsibilities just as every other single American citizen. No matter how powerful our position, no matter how hallowed the Halls we walk, no one here is above the law.

□ 1730

With the passage of the STOCK Act, Congress could have moved one step closer to living up to the faith and trust bestowed upon us by the American people, citizens for whom we

serve. Unfortunately, that has been snatched away from us at the 13th hour.

We are hoping either for a reconsideration by the leadership of this House or that we can, with the help of the Senators that I've mentioned, be able to demand a conference between the two Houses on the bill they passed and the travesty that we will be passing here.

I yield to the gentleman from Minnesota.

Mr. WALZ of Minnesota. I thank the gentlelady.

Mr. Speaker, the gentlelady from New York has a long history of service and was concerned about ethics before ethics were in vogue, and certainly before ''60 Minutes'' came on.

All of us here enjoying in this people's House the incredible honor and responsibility and privilege that we have been given by our neighbors, we gather in here as teachers and soldiers, as microbiologists, as new Members, attorneys who join us here, and were sent here from across this Nation, from the plains of Minnesota to the high rises of New York City to the beautiful areas of Oregon. Our newest Member is joining us tonight. And the responsibility of standing here and self-governing calls the responsibility of us to conduct ourselves in a manner not just equal to every other Member, every other citizen, but to a higher level.

And the absolute perception, whether real or not, the perception that Members of Congress or elected officials are somehow using their office to profit, or somehow tipping people to profit for themselves, is not only an affront to our neighbors who sent us here, it's a cancer on the democracy.

This institution and deliberative self-government will survive long before us. The giants who came before us and the words that we stand in front of, they will last into the future. This institution requires us to conduct ourselves in this manner.

So that's why, coming from the high school classroom as a teacher, one of the first people I met in this Chamber was the gentlewoman from New York, and she knew that I was sent here to try and do things differently; yes, to be passionate about how we see our political differences, to be passionate about how we educate our children, how we care for our veterans, how we build our highways, how we bring about a system of health care that's fair, and to respect our neighbors and to respect our colleagues on the other side of the aisle for their differences, but what's happened and what the American people have lost faith in is not the idea of democracy, but the idea that we all play by the rules.

So I think it's important, when the gentlelady from New York speaks and speaks about this idea of tightening the rules on insider trading, she's talking about protecting the democracy. She's talking about making sure no one gains access, so that when the teacher walks through the door, when the microbiologist walks through the door, when the attorney walks through the door and they're representing 650,000 people in their district, that those constituents know the decisions we make are based on what's best for the Nation, the things we talk about are not being used to enrich someone personally, because it's not only wrong—and now, after tomorrow, we're going to, hopefully, say illegal—it also is so undermining to the system.

So I think this debate, and this decision we have, the gentlewoman's point goes much deeper than what's possible politically; it's what's required of us. And what we're asking for, and what the gentlelady has so eloquently talked about, is just give us the opportunity to talk this through.

The genius of this system put us here. It put the Senators on the other side of this great Capitol, and it told us to get together. They passed a piece of legislation. We compromised over here with something. Let's bring them together.

And the argument being made on political intelligence and supporting the system is absolutely correct. I think today, and I want to be very clear, Mr. Speaker, none of us here are patting ourselves on the back and saying, Look, we passed the STOCK Act. The gentlelady's worked at it for 6 years. It feels like a sense of accomplishment not for her, for me, or our colleagues who have been stalwart supporters. It's an affirmation to the American public that the system works, and they owe us to do the best job we can before we move that forward.

So this isn't, Good job, we passed a bill to do the right thing. Americans live by this rule every day. What we did was we closed a loophole that existed, and we went further and talked about how could this be construed to enrich others and corrupt the democracy.

So you're hearing terms like ''political intelligence.'' What we're saying is, do it in the light of day. Sunshine cures many ills.

And so I support the gentlelady's point. I support it because I know it didn't come about by a born-again ethics. It came about by years and a lifetime of not giving the sermon but living the sermon.

So I ask my colleagues, listen to what's being said here. Take this into consideration. Compromise. Get this to the Senate, and then let's give the American public a real unique gift in this political environment, a win on something important that makes them believe that things can be better. We owe that to them.

Ms. SLAUGHTER. I am pleased now to yield time to my good friend and fellow New Yorker, Mrs. MALONEY.

Mrs. MALONEY. I thank the gentlelady for yielding and for her hard work on this issue and many others.

Mr. Speaker, I am really very pleased that we are finally working to address the insider trading issue in this body and that it will finally be on the floor tomorrow. We should not have had to wait so long for a bill that has 270 cosponsors; and I am proud to be one of them, and I have been in past Congresses.

I want to thank my colleague from New York, LOUISE SLAUGHTER, who has worked on this legislation for 6 long years, and my colleague from Minnesota, Mr. WALZ, for their excellent leadership, perseverance on this issue.

Mr. Speaker, I have said it before: Elected officials must be like Caesar's wife in avoiding the appearance of impropriety. The need to expressly prohibit this activity in statute cannot be overstated. Insider trading is illegal on Wall Street and it should be illegal on Capitol Hill.

The STOCK Act is bipartisan, commonsense legislation to prohibit federally elected officials from profiting on nonpublic information they receive through their legislative duties. This is long-overdue reform of how Washington does business, and the American people deserve and expect us to pass it swiftly.

Regretfully, the bill introduced by the Republican majority does nothing to regulate the political intelligence community. In fact, when they wrote their version of the STOCK Act—and they did not go through regular order; it should have gone through the Financial Services Committee, on which I serve, and others—the Republican leadership did not consult with the bipartisan coalition that has championed this bill for years. They did not mention anything to Mr. WALZ or Ms. SLAUGHTER and, as a result, they introduced a flawed bill. This bill is weaker, not stronger, and it has been denounced by Senator GRASSLEY and Senator LEAHY.

Like the lobbyists before them, political intelligence operatives use a proximity to power to serve high-paying clients. Unlike lobbyists, these operatives are nameless. Under current law, they are not required to identify themselves as they go about their work. And we know all too well what happens when Congress and K Street work in the dark.

I join my colleagues, Congresswoman SLAUGHTER and Congressman WALZ, in calling for a conference committee where Senators LEAHY and GRASSLEY, and also a bipartisan coalition here in the House, can work together to make sure that the political intelligence community is covered by this bill.

I thank my colleagues for their hard work, and I will join them in working to make this stronger, to really return it to the strong form that my colleagues drafted.

Ms. SLAUGHTER. Mr. Speaker, it is with great pleasure and absolute delight that I'm able to yield to the next speaker, who is a newly minted Member of Congress for just a little more than 24 hours, SUZANNE BONAMICI from Oregon.

□ 1740

Ms. BONAMICI. Mr. Speaker, thank you for this opportunity. I want to thank the Congresswoman for yielding to me this evening about this important bill. Congressman WALZ' and Congresswoman SLAUGHTER's leadership on this issue has been remarkable. Thank you so much for your tireless efforts.

The idea behind the STOCK Act is simple. Members of Congress, their staff, and other government officials should not be using their access in Washington to enrich themselves on Wall Street.

I am already a proud cosponsor of H.R. 1148, a bill that rightfully enjoys broad, bipartisan support. The protection of the integrity of our government institutions is not a partisan issue. The STOCK Act is one critical act we can take to make it clear to our constituents back home that we, like them, will not tolerate the types of activities that we were all shocked to read about in the press.

The trust that my constituents have placed in me is something that I take very seriously. As public servants, we are here to work for the people, not outside firms looking to profit, and certainly not to make a quick buck for ourselves. When you hear about scandals like this, it's no wonder the public has so little confidence in our institutions of government.

If we want to restore citizens' faith and earn back their trust, we must make sure that everyone is playing by the rules.

As I mentioned yesterday in my remarks to this House during the incredibly warm welcome I received as its newest Member, we have a fundamental belief in this country that if you work hard and play by the rules, you can succeed.

The reports of past insider trading make clear that the rules, as they apply to Members of Congress and others in the public sphere with respect to their Wall Street dealings, are not sufficient.

The STOCK Act improves the rules to ensure not only that they are sufficient, but there are consequences for breaking those rules. I'm proud to join with my colleagues, both in support of the STOCK Act and in the recent effort to bring the bill forward for consideration by the House.

Now, it's my understanding that we're going to see an altered version on the floor before we conclude this week's business. Now, I'm surprised to learn as a new Member that no amendments will be allowed on such an important bill. Although the weakening or elimination of certain key provisions, such as the political intelligence language, is deeply disappointing, I remain committed to the effort of ensuring that all of us in public office play by the same rules as the people who have entrusted us with the privilege of being their voice in Washington.

I look forward to continuing to work with my colleagues to restore our constituents' confidence in their representatives and in their government institutions.

Ms. SLAUGHTER. I am now pleased to yield to the gentleman from Iowa (Mr. LOEBSACK).

Mr. LOEBSACK. I thank the gentlelady, Ms. SLAUGHTER, and I thank her effort and the effort of Congressman WALZ as well for initially bringing this bill forward at a time when we had not heard about some things we heard on ''60 Minutes,'' at a time when really nobody was paying attention to this issue. These two folks had the courage to bring this forward, and I want to thank them for that.

I was really proud to be the fourth cosponsor of this legislation back in May, at least the version we're talking about tonight, not the current version that's on the floor. I really think that it's absolutely urgent that we fix the current loophole that was already mentioned by so many of my colleagues, that allows Members of Congress to use information that they obtain in a nonpublic fashion for their own financial benefit.

This is something that on the face of it simply makes no sense that we should allow it to happen. Not in a democracy, not certainly in Congress, in this institution. It was mentioned that this institution is not much respected right now. In fact, the latest Gallup poll today showed Congress at 10 percent. It's not surprising given the stories that we've heard, given the problems that we've seen in this country, and especially when we have something like the STOCK Act in front of us, and there's bickering going on that this thing is not being passed as quickly as it should have been passed.

Now we find that my good friend and my colleague Senator GRASSLEY from Iowa is upset as well because as was mentioned, the political intelligence loophole is there at the moment as well. That's got to stop.

We've got to pass the bill here in the House. We've got to do what we can to have a conference committee that's going to have real teeth, that's going to take care of that loophole. Senator GRASSLEY is exactly right about that. We need to show the American people that we in Congress play by the same rules that they do, that we're not above the American people. So when we go home to our districts, as I do every week—every weekend I'm home, people have faith in us. They have confidence in the institution of Congress, and that they know, as we should, that we play by the same rules as they do.

I want to thank Congresswoman SLAUGHTER and Congressman WALZ for organizing this Special Order tonight. I'm very, very proud. This is only the second time that I've done this since I've been in Congress. This is my sixth year. But I couldn't be more proud than to come up here and speak on this very important issue, and as I said, I do it because the people in Iowa, the people in my district, tell me this is the right thing to do.

Ms. SLAUGHTER. I yield back the balance of my time.

## CONTRACEPTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from New York (Mrs. LOWEY) will control the remainder of the hour.

Mrs. LOWEY. Mr. Speaker, some decisions are just too important to be based on fear of political repercussions. That is why it is gratifying that President Obama heeded the advice of the Institute of Medicine and concluded that given its importance to women's health, contraception should be covered by health insurance as a free, preventative service for all American women.

To accommodate religious institutions, the administration appropriately exempted places of worship from requirements to cover contraceptives in their health plans. The rule strikes a delicate balance respecting the rights of both religions ideologically opposed to birth control and American women.

Let me be clear: No one will be required to use contraceptives. The rule simply allows women to exercise their own conscience when it comes to their health, and the vast majority of American women already do.

It would be a grave mistake to make it more difficult to access medically recommended services for the 99 percent of all women who have used contraception in their lifetime.

The administration was absolutely right to stand up for women's health by protecting access to contraception.

I yield to Congresswoman SLAUGHTER from New York.

Ms. SLAUGHTER. I thank the gentlelady for yielding.

Mr. Speaker, I want to commend President Obama and Health and Human Secretary Sebelius for including contraception as a preventive service that health insurance plans are required to cover at no cost.

This decision, based on the recommendation of the Institute of Medicine, is the right decision for women. It affirms the individual freedom of women to make choices about their health and their future.

Following the administration's decision, there has been an uproar from the religious community. While some claim it is in violation of First Amendment rights, the simple truth is that this decision upholds the First Amendment rights of millions of women to not have their reproductive health managed by religiously affiliated organizations who may not share their own beliefs.

This decision stands up for women's freedom, as it is a woman's right to decide when and how she wants to have a family, whether or not she chooses to use birth control, as 98 percent of Catholics do. If she subscribes to a religion that teaches against the use of birth control, then she is free to choose not to use it either.

If she would rather use birth control for the many health protections and benefits that it provides, such as the fibroid tumors, migraine headaches, and bleeding that cannot be controlled, she should also be free to do so. Either way, the choice should belong to her and to her alone.

It is also important to note the details of the administration's decision.

We're not talking about churches or organizations that exist for the sole purpose of teaching their religion.

□ 1750

These organizations are totally exempt from providing coverage for contraception.

What we are talking about is religiously affiliated organizations, such as hospitals, schools and universities. Millions of women are employed by these types of organizations, and those women do not necessarily share the beliefs of their employers. In fact, I think one of the most egregious things felt by many women is that whatever their own religions teach, they are not going to be allowed to go by that.

Catholic hospitals can and do—and we want them to—employ Baptists, Methodists, Protestants, Muslims, Jews, Buddhists, agnostics, and atheists. Teachers, cafeteria workers, administrative staff members at religious schools and universities are not necessarily members of that religion. Those employers should not have the right to decide whether or not the women on their insurance plans can access birth control. They still have separation of church and state.

Many religions that teach against the use of birth control also teach against divorce, but institutions affiliated with those religions are not allowed to discriminate against employees based on their marital status. They do not have an exemption from labor laws because of their religious beliefs. This is no different.

A recent decision by the administration shows that they are standing with women and supporting their freedom to make the choices that impact themselves and their families. Surveys have repeatedly shown that women and men across this country support providing access to contraception at no cost and that that support is equally strong among members of the very religious who are fighting this decision.

I applaud the President and Secretary Sebelius for supporting the health and freedom of women, and I support their decision to put women's personal health and freedom first.

I yield to the gentleman from Illinois.

Mr. QUIGLEY. Mr. Speaker, when it comes to religious exemptions, a balance must be struck. The rights of religious followers must be protected while also respecting the beliefs of others who may be impacted by a religious exemption.

Take, for example, a Catholic university where Jews, Hindus, Muslims, and non-religious followers work. Should these individuals be denied access to contraception even though their faiths do not oppose it?

If we expand the religious exemption too far and allow religiously affiliated institutions to deny contraception to their employees regardless of their religious beliefs, we begin to see the beliefs and rights of those who support and require contraception infringed upon.

As policymakers, we have to stand up for the rights of all of our constituents regardless of their faiths. This means making policies that walk the line between protecting the rights of primarily religious institutions while also protecting the rights of individuals employed by religiously affiliated institutions. The administration's exemption strikes that balance.

I yield to the gentlewoman from California.

Mrs. DAVIS of California. Mr. Speaker, I rise to applaud the final ruling issued by the Department of Health and Human Services to include birth control at no cost.

The pill changed the world. As some have said, it was one small pill, but one giant leap for womankind. It improved women's health. It reduced infant mortality. It increased a woman's earning potential. It empowered families to chart their own courses. Yet, currently, one in three American women struggles to afford birth control. A woman's right to decide when to start a family is meaningless if she does not have the means to make a choice. All of these benefits could be denied because of a relatively small amount of money, and that is simply unacceptable.

I am pleased that we are living up to the promises made in the Affordable Care Act, and I urge my colleagues to join me in protecting and increasing access to health care for every woman in America.

I yield to the gentlewoman from New York.

Mrs. MALONEY. Thank you.

I rise in support of the President's action and Secretary Sebelius' action in the Department of Health and Human Services to allow the birth control benefit for working women across this country.

This birth control benefit increases access to preventative health care while respecting religious freedom. This is accepted practice in 28 States—28 States that require insurers that cover prescription drugs to provide coverage of the full range of FDA-approved contraception drugs.

Taking this benefit away would be devastating for millions of workers. Women's access to care is absolutely on the line, and they have turned it into a religious versus reproductive freedom debate. Birth control is medication prescribed for women's health, plain and simple. It is not radical. As I said, 28 States already supply it, and roughly 99 percent of women use birth control at some point in their lives; but the only way they can use it is if they can get it, so the right to choose is absolutely meaningless without the means and access to choice.

The President's thoughtful decision allows insurance companies to cover contraceptives. It does not in any way interfere with one's religious beliefs or the beliefs of the church. It does not force anyone to use them, and it certainly does not require anyone—churches or anyone else—to cover them. Yet, if it is a university, if it is a major employer that is employing many people and not people of one faith but of many different faiths, then it is required to follow the law of this country.

So let's end this assault on women's health, and let's listen to the millions of Americans who rely on birth control each and every day. It's important for their health, and I applaud the President and Secretary Sebelius.

I yield to the great Congresswoman from the great State of California.

Ms. LEE of California. I want to thank the gentlelady for yielding and also for standing up for women's health, not only today and during these very difficult times, but each and every day of her life.

As a former devout practicing Catholic, I fully understand and respect the Church's doctrine on contraceptives. Even though I disagree with it, I fully respect it and I understand it. Also, I know that the separation of church and state is a fundamental principle that we must maintain.

Mr. Speaker, the administration's decision to provide choices to access quality, affordable health care, family planning services, including contraceptives, are vital for women's health and well-being. This is really not about a mandate. The rule would not force anyone with a religious objection to use or prescribe FDA-approved contraception. The fact is that Catholic bishops know that the 335,000 religious institutions and organizations and churches and places of worship are exempt. In fact, no woman will be required to use contraceptives or to even access contraceptives if she does not want to do that. This ruling is about women making their own decisions as to whether to use contraceptives or not. It's about access.

Religion must not force discrimination and discriminatory policies against, for example, an employee who works in the cafeteria of a hospital who chooses to plan her family. She should not be denied this coverage because of where she works. Low-income women finally—finally—will have equal access to contraceptive services if they choose.

So we want to make sure tonight that the facts are presented appropriately. Yes, we've witnessed this war against women systematically come against women's health for the last year now, and it's about time we start really being truthful to the public and

get the facts out there and not allow the misinformation to really put women, once again, in a position of not having access to contraceptive care.

□ 1800

So I believe that this decision was right. I know that it allows for religious exemptions. And this rule should now allow for employees, for nurses, for health care workers to access contraception when they want to, and if they choose not to. They don't have to. But we should not allow discrimination to take place anymore.

I yield now to the gentlelady from California, Congresswoman LOIS CAPPS.

Mrs. CAPPS. I thank my colleague, BARBARA LEE from California, for yielding to me. And I also want to thank our colleague from New York, NITA LOWEY, for her leadership in organizing this opportunity for us to speak, to speak with one voice, we who are Members of Congress, women Members of Congress. And speaking for myself, some of us are mothers, are grandmothers. And my career in public health greatly informs what I'm about to say.

Mr. Speaker, I rise today in support of the Obama administration's decision to include contraception in their very, very important list of preventive services which will make women's health care more affordable. Let us be clear: This was not a political decision on the part of the administration, on the part of our President, nor was it intended to attack any religious institution. It was a decision based on extensive science and the expert recommendations made by these scientists with the goal in mind of keeping women and their children healthy.

However, a great deal of misinformation has been spread about this rule, and some have decided to, again, use women's health as a political football. But the truth is that this issue is not as divisive as many would like it to be. Almost all women use a form of an FDA-approved birth control at one point or another in their lifetime. This includes 98 percent of Catholic women as well. And most Americans, men and women, believe that women—not their bosses—that women should have the choice of which health care services they can and want to access.

But, you know, some would have us believe that the administration's rule is in some way radical. It is not. Twenty-eight States already require the coverage of contraception in their insurance plans, and the new Federal standard is based on the one that has worked in my home State of California for many years. It has done so without any religious hospitals dropping coverage or firing employees. It's worked perfectly well. The administration now has made the right call, and I speak on behalf of women in this country urging the administration to stay the course.

Now it is my honor and pleasure to yield to our colleague from Maryland, DONNA EDWARDS, a very appropriate person to speak on this topic.

Ms. EDWARDS. I thank the gentlelady for yielding.

Mr. Speaker, I just want to express my support for the administration's ruling that provides women and families across this country, no matter their faith, the opportunity to take control of their own reproductive health and to gain access to contraceptive services.

The opposition we are hearing—although very vocal, from very few voices—does not adequately reflect the voices of the millions of women across this country who rely on contraception.

Mr. Speaker, 99 percent of women in the United States and 98 percent of Catholic women already use birth control; and it's estimated that, on average, women use birth control for 30 years. Polls conducted across the country over the last week also have found that more than half of the United States population believes that employers should provide health care plans that cover contraception and birth control at no cost.

Unfortunately, over the last week, since the administration's ruling, I believe religious leaders have misinterpreted and misled the American people on the rule's implications. The exemption in the ruling actually very carefully protects the rights of churches and church associations. The administration justly limits the exemption of institutions whose main purpose is for spreading religion and employ and serve people of the same faith. Clearly, the opposition doesn't express this. Extending this exemption beyond these churches to other religious institutions would directly undermine the intent of the health care reform law for the more than 640,000 individuals employed, in particular, by Catholic hospitals.

And let's be clear: Contrary to what some have said, this ruling has absolutely nothing to do with abortion. In fact, the ruling will save women up to $600 per year and keep their employers from absorbing a 15 to 17 percent increase in health care costs simply not to provide women with contraceptive coverage.

Women and families across the country deserve the option to receive comprehensive contraception coverage if they desire. The rule doesn't prescribe contraception to women. If a woman chooses to exercise her faith and not use contraception, she's free to do so under this ruling. However, limiting access to contraception to any subset of the population would be a direct affront to the scientific and medical recommendations of the Institute of Medicine.

Catholic institutions are in an untenable position. After all, where is it that we would draw the line? Should those institutions exercise their role as employers rather than their role in their faith tradition? I would argue that of course this is about their role as an employer.

What, for example, would the government do if these institutions also believed that they should exempt themselves from paying payroll taxes because they believe that under their faith tradition people's responsibility is to tithe instead? Would we allow them to self-exempt from payroll taxes? I don't think so.

Contraception and maternal health is all a part of a woman's comprehensive health care, just like breast exams, screenings, and well-woman visits. Fifty percent of pregnancies in this country are unplanned, and it's widely understood that these unplanned pregnancies are not as healthy as planned pregnancies. This can cost taxpayers up to $11 billion a year. And at a time when the other side is slashing budgets and proposing reforms to shift costs to States, this ruling is about as smart as we get for our health care system, for women and families, for babies, and for American taxpayers.

Making certain women and families have the opportunity to plan pregnancy is critical for our society. The administration's ruling protects women, families, and babies, eliminates discrimination of one group of women over another, and it's important for us. The ruling respects the religious beliefs and freedoms of all Americans and health care providers while it ensures that women have the full option to pursue contraception.

I stand with my colleagues in support of the administration's rule and look forward to working to expand health care coverage and women's health care coverage.

At this time, I would like to yield to my colleague from Connecticut, the Honorable ROSA DELAURO, who is a true leader for women's health care, and I appreciate her leadership.

Ms. DELAURO. As both a Catholic and an advocate of women's health, I believe that these guidelines strike the necessary balance between increasing access to health care services for women while respecting the religious beliefs of all Americans.

These guidelines are based on recommendations from the Institute of Medicine, a nonprofit, independent organization that is grounded and rooted in science. They have recommended that women have access to a wide range of services, such as screening and counseling for domestic violence, that pregnant women have access to services such as a screening for gestational diabetes, that women have access to at least one well-woman preventive care visit a year, and that all women have access to a range of contraceptive services, counseling, and methods.

Let me be clear: The Catholic Church and its employees are exempt from these guidelines. They apply only to church institutions that serve the larger community, employ people of different faiths on a nonreligious basis, and do not meet the clear requirements for a religious exemption. There are thousands of non-Catholics who work

in Catholic hospitals and in Catholic universities.

Improved access to birth control is directly linked to declines in maternal and infant mortality and helps to reduce unintended pregnancies.

□ 1810

That is why 28 States, including Connecticut, already mandate the coverage of contraceptive service and why many private employers already cover these services.

I'm proud to support what I believe to be a moral decision by the administration and a well-drafted compromise that maintains the existing Federal conscience protections and at the same time allows women access to contraceptive service and other preventive health care services without mandating in terms of contraceptive services that one use it or be required to dispense it.

I would like now to yield to my colleague from Washington, DC, the Honorable ELEANOR HOLMES NORTON.

Ms. NORTON. I thank the gentlelady for yielding. And I think, Mr. Speaker, in the next several days and weeks you're going to see people come forward to speak up for the silent majority in this controversy about contraception and what institutions should and should not provide. Whoever has been a silent majority, today it is the women of America, particularly women who may happen to work for Catholic hospitals, for a Catholic university as I did, for example, when as a Protestant I worked as a tenured professor of law at Georgetown University here in Washington, DC.

The Catholic Church has long accepted the laws against discrimination except as to the Church itself and the Church's own activities. And so you'll find in a Catholic hospital or Catholic university you must hire people regardless of their race or religion and the like.

Now, the Church seems to be seeking a different rule on how you accommodate religion. We have accommodated the Catholic Church when it comes to hiring its own employees, for example. And the administration has accommodated the Catholic Church when it comes to the provision of contraceptives for its own church employees.

However, there are hundreds of thousands of women and men who work for hospitals, for universities, and other institutions that hold themselves out as nondiscriminatory and as accepting all people. For that reason the Church, of course, qualifies for Federal funds because it is accepted, as acting as a public institution in the place of a public institution.

We have a long and treasured history, Mr. Speaker, of religious accommodation. When I chaired the Equal Employment Opportunity Commission, I recall the many cases in which we tried to err on the side of religious accommodation, but the accommodation must never be so broad as to trample on the rights of others. To accommodate the institution and not accommodate the people whose conscience is being trampled, of course, is precisely what the Constitution does not allow.

A broad accommodation to the Church that would relieve it of offering a health care service that is essential would penalize the rights of thousands of non-Catholics. So whatever the right of the Church is, it does not have the right to trample on the rights of others. That's how accommodation works.

The administration's own exemption is patterned on identical religious exemptions that have been tested in the courts and found to be constitutional.

I think the administration was looking at two things when it fashioned a very, very generous exemption for the Church in the health care law. First, it was looking for what was necessary to do as vital to the health care of women, but it was also looking to what was constitutional.

Mr. Speaker, if I may say so, I believe the broad exemption which the Catholic Church seeks which would penalize the rights of thousands of women who work for catholic-affiliated institutions who are not Catholic who do not share their views, whether or not they are Catholic, on this issue, if such an exemption were to be granted, then the administration, it seems to me, would find itself engaging in an unconstitutional exemption.

The administration has accommodated the Church. It has fulfilled its obligation to see to it that women have a vital health care service, and it has prevented an unconstitutional violation.

I am pleased to yield now to the gentleman from New York.

Mr. NADLER. I thank the gentlelady for yielding, and I thank her for her excellent exposition as to the law and the constitutionality, with which I am in full agreement.

As we all know, the administration recently announced that a popular and critically important component of the health care reform law would guarantee that most women have access to contraceptives paid for by their health insurance. This decision was based on the sound science of the impartial and independent Institute of Medicine, which recognized that contraceptives are an essential health service fundamental to improving the lives of women and their families.

This decision is a major victory for women. Eighty-nine percent of American women, including a similar percentage of Catholic women, use contraceptives at some point in their lives. Particularly at this time of economic uncertainty, women will have one less cost to worry about that can be a substantial cost. Make no mistake about it, freeing up $600 or $800 a year will have significant effects on working families.

The decision also recognizes and supports religious freedom by providing certain limited exemptions for places of worship, as well as for those organization that hire and predominantly care for those who share the same religious beliefs. They were protected against being required to violate their religious teachings.

I am proud to stand shoulder to shoulder with President Obama and his administration for helping to strike this important balance between religious rights and the rights of women to protect their health.

Yet to hear some people talk about this decision, you'd have no idea that the religious organizations and the religiously devout have their liberties protected. Amid all the hyperbole, the truth is that the administration's decision, while significant and important, is hardly new. This measured approach that balances religious rights on the one hand and the rights of women on the other is already the standard in 28 States, including my home State of New York.

Because it is not just employers and corporations that have rights at stake, hardworking people and their families also have rights.

Under the approach adopted by the administration, universities and hospitals which serve and employ people from a multitude of faiths and cultures are not exempt from the requirement that health insurance provide coverage for contraceptives, nor should they be. Women should not be denied a basic health service merely because they work or study at a university or hospital affiliated with a religious organization.

The difference here is that churches are and should be protected in their religious role, protected against having to violate their religious views, but they must not be protected in their role as employers. We permit a church, for example, to discriminate in religious practice. No one asks the Catholic Church how come you do not permit women priests? That's their business.

But we do not permit them to discriminate as employers. We do not permit a church-affiliated hospital or university to say we will not permit the hiring of female doctors or female professors or black doctors or nurses because that would impinge on liberty. If a church has a doctrine against hiring female priests, that's fine. But hiring female professors in the university, unless it was a solely ecclesiastical university, only for religious purposes, if it is a regular university, then they cannot be permitted to have that kind of discrimination.

We protect religious liberty, but we cannot permit a church to impose its views on others who may not share those views.

□ 1820

The church can preach its views, it can seek to persuade people, but it cannot coerce people who may work for a church-affiliated university or hospital that they cannot use contraceptives if they want to. The liberty here is the

liberty of the employee that must be protected. The liberty of the church must be protected in its churchly function and in its function as a religious institution. In its function as an employer, the liberty belongs to the employees. And that is the distinction that is made here. It is the proper distinction.

Imagine if some other church that thinks that it is wrong to give transfusions to people, blood transfusions, ran a hospital. We would not permit them to let people die in that hospital for lack of transfusions because it's not up to them to decide medical practice by their religious doctrine. If the person wants to refuse treatment because his religious doctrine says, I don't want a transfusion, that's his liberty. But we must not confuse the religious liberty of the church to propagate its views and to conduct its religious affairs as it sees fit with the liberty of employees in a secular institution affiliated with the church to have the normal protections against discrimination and the normal rights that we afford all people.

That is why the administration's decision to say that contraceptives are scientifically a necessary health care service which must be provided by health insurance is right, and any attempt by a religious institution to say that they should be exempt from having employees allowed to get contraceptives paid for is wrong, and I applaud the administration for making the proper distinction to protect the liberty of the employees and the religious liberty of the church both.

I yield to the distinguished gentleman from New Jersey.

Mr. HOLT. I thank my friend from New York.

This is an important subject. As previous speakers have made clear, birth control is fundamental to women's health, just like cholesterol testing and any number of other things. And decades of evidence show that planned births produce healthier babies and healthier mothers. Anyone who is working as a health care aide or a nurse or working in a religiously affiliated social service agency would want health care provided to them that is not discriminatory, and that includes the range of services that provide for good health.

Purely religious organizations would be, are, have been and will be exempt. But when an institution, even if affiliated with religion, chooses to provide public services and accept public money, they must follow public fair employment practices and not discriminate in hiring or salary or benefits. And now, under the Affordable Care Act, they also may not discriminate against women and women's services in providing health care benefits.

That's what we're talking about here. It's really quite straightforward. Expanding the religious exemption to religious institutions that employ people of all faiths would take preventive services away from millions of Americans, would result in substandard health care for far too many women in our country, and it would allow religious institutions to be able to discriminate against employees of different faiths.

It's only fair. It's only what has become recognized by the courts, by the public, and by general public mores as the right thing to do. And now under the health care act, it would be institutionalized for all agencies except purely religious agencies that hire only in one faith.

So, Mr. Speaker, I think there's been a lot of misinformation about this. I hope tonight's discussion has helped to clarify the matter.

With that, I am pleased to yield back to my friend from New York.

Mrs. LOWEY. I thank my colleague from New Jersey.

In conclusion, I want to emphasize, again, that the Institute of Medicine found that contraceptives save lives. There are numerous studies that have shown that contraceptives lower the risk of developing ovarian cancer, help prevent unintended pregnancies, improve outcomes for children, and reduce abortions. So, my friends, it's hard to believe that in the year 2012, we are having a debate about whether or not insurance plans should cover contraceptives.

Let's remember that for many women in this country, of the 98 percent of women that are using contraception at some point in their lives, let's remember that for many women, $1,000 a year is money that they can't afford. So let's support the administrative position recommended by the Institute of Medicine.

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

## HOUSE ENERGY ACTION TEAM HOUR

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

Mr. GARDNER. Thank you, Mr. Speaker, for the opportunity to address the House tonight on American energy. Tonight's gathering again brings together people from across the country to talk about energy policies, rising energy costs, and what it means not only to American families but what it means to the American economy.

Tonight's organization is brought to us by the House Energy Action Team. It's a group of people throughout the United States elected to Congress who are committed to doing everything that we can to solve our Nation's great energy crisis, to make sure that we are addressing the price of gas at the pump and to make sure that we are taking advantage of all of the great resources that this country has to offer, whether they are traditional energy resources, be it natural gas and coal, or whether it's renewable energy and the opportunities we have around this great country.

This country faces a significant challenge. We all know the situation. Unemployment stands at over 8 percent, just as it has for the last 36 months in a row. Along with high unemployment, the American people have a new worry now: rising gas prices. The average price for a gallon of regular gasoline has risen to $3.45. That's up from 11 cents from just 1 month ago, 33 cents from 1 year, and up a full $1.66 since President Obama took office.

We cannot allow these high gas prices and energy prices to continue to stymie our economic recovery, and the American people cannot afford to continue to pay these unnecessary costs. Just yesterday, in fact, Federal Reserve Chairman Ben Bernanke testified in the Senate, ''a major disruption that sent oil prices up very substantially could stop the recovery.'' This is a serious matter we're facing. The Federal Reserve chairman has recognized that if gas prices, if energy prices escalate, if they spike, that disruption that sent oil prices up very substantially could stop the recovery that this Nation so desperately needs.

The chairman went on to note that price spikes feed inflation and act as a tax on American consumers. The government can approach this problem in a very direct way. We can take steps to increase domestic oil production and refining. Unfortunately, fighting high gas prices doesn't seem to be a high priority for this administration. Offshore leasing has fallen behind previous projections. Other administration policies have also curtailed onshore production.

In 2007, the United States Energy Information Administration projected the total 2010 U.S. oil production on Federal lands to be 850 million barrels. Actual production was 16 percent beneath that. About a year ago, the Energy and Commerce Committee had an opportunity to hear from Secretary Chu, the Department of Energy secretary. As he was testifying before the House Energy and Commerce Committee, I asked a very simple question: What is the administration's plan to address the rising price of gasoline to help relieve the pain at the pump for millions of Americans who are trying to get to work and help their families make ends meet? After a lot of hemming and hawing the answer was, well, in 10 years from now—and I stopped him, I interrupted, and I said, the administration's plan to address high gasoline prices is something that we can count on in 10 years from now? As we have seen with gas prices that have already risen $1.66 since the President took office, their plan is still not in effect.

□ 1830

Permitting agencies across the Federal Government need to work to

streamline, speed up, and improve the permitting process in order to close that production gap on Federal lands.

Energy exploration can lower energy costs while driving the economic recovery. Economic recovery and job creation is the number one priority of this Congress, and it is time that the President and our friends in the Senate get on board.

Creating jobs and getting people back to work is not a partisan issue. It is past time that we get some wins in the fight against high unemployment and economic stagnation. For instance, it's been 3 years since the application was filed to build the Keystone XL pipeline, which would create a pipeline stretching from the oil sands in Alberta, Canada, to the gulf coast, bringing significant oil supplies to the United States.

The Alberta oil sands development would create 6,000 jobs in Colorado. It's estimated that it would create 6,000 jobs between 2011 and 2015. The Keystone pipeline is an important part of that development. These are good-paying, solid, reliable jobs—20,000 direct jobs, 100,000 indirect jobs—and yet this President has vetoed the Keystone XL pipeline. He has said ''no'' to jobs, ''no'' to North American energy.

I'd just like to show a recent survey that was taken a couple of weeks ago. The American people support construction of the Keystone pipeline. You can see right here the number of Americans from across the political spectrum, Republicans and Democrats, a variety of income levels, a variety of age levels, all people, the majority of whom support the Keystone XL pipeline because they know in this economy we can't say ''no'' to jobs. We should be saying ''yes'' to jobs. They know that if we say ''no'' to the Keystone pipeline, we're saying ''yes'' to sending our jobs to China. Mr. Speaker, I don't think the American public wants China to win our energy race. I think they want to make sure that we are doing everything we can for energy security in our own backyards.

We need pro-growth solutions to create jobs, but there's only so much that Congress can do to directly create those jobs. Real job creation comes from the private sector, from small businesses and private employers. Unfortunately, our government has a regulatory climate that makes it incredibly hard for businesses around this country to do what they do best: to innovate, to excel, to expand, and to hire.

The EPA and other Federal agencies have been writing new job-killing regulations at record pace. These agencies are actively working against the number one priority of the American public, to create jobs—job creation.

At a hearing in the Energy and Commerce Committee in April of last year, an EPA assistant administrator, Matthew Stanislaus, admitted to me that the agency doesn't directly consider job losses when analyzing a new rule, when coming forward with an economic analysis. Not only is that just unacceptable, it's shameful that an agency would create rules, issue rules without taking into account the impact, in an economic analysis, that regulation would have on jobs.

Under this administration, the Obama EPA has proposed unnecessary and costly new rules on cement manufacturers, industrial boilers, farmers, power plants, energy providers, along with general ozone rules that will affect every sector to the economy with no thought as to what the consequence will be on the American job creator.

To be clear, the regulatory killing field is not the only problem. In the financial sector, Federal regulators are forcing banks to hoard capital, prohibiting community banks from effectively working with their borrowers. Businesses are struggling to operate in the face of damaging overregulation, and the financial sector is not there to support them because of even more damaging regulations. It's no wonder that unemployment is still above 8 percent. It's no wonder this is the longest stretch of unemployment exceeding 8 percent since the Great Depression.

We have government agencies saying they don't care about jobs, and we have an administration and a Senate that aren't doing anything about it.

With that, I'm joined by my colleagues from around the country. I would yield to my good friend and colleague, somebody who has championed job creation, who has sponsored legislation to create jobs, the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. I want to thank the gentleman from Colorado for his leadership on this issue, not only on the Committee on Energy and Commerce, but also as a leader on the House Energy Action Team, someone that understands that there is no national security without energy security. It's been said many times by not only Members of Congress but by leaders from all across the administration, this administration and past, and so it's something I firmly believe in.

Let me remind the American people that just recently the President of the United States decided that he was going to kill the Keystone XL pipeline, a pipeline that would come from our friends to the north in Canada, where technology has allowed them to harvest the oil from the oil sands in Alberta and bring that crude oil down to refining capacity that we have here in this country. That's why the Keystone XL pipeline was so crucial. Not only would we be buying oil from a country that likes us, our largest and best trading partner, Canada, but we would also be bringing oil to the refineries in the Gulf States, the refineries in Oklahoma, the refineries in Mississippi, Alabama, Louisiana, and Texas that have the capacity due to the policy of this administration creating a moratorium on expanded offshore drilling in the United States and the moratorium and poor policies that have kept us from harvesting American resources to meet American energy needs.

I believe in American energy security and American energy independence and lessening our dependence on foreign sources of oil, lessening our dependence on Middle Eastern oil, a lot of times from countries that don't like us very much; but let me read you the President's own words when he decided that he was going to kill the Keystone XL pipeline, when he was going to kill the hundreds of thousands of jobs that would have been saved and created—true—not only shovel-ready jobs, Mr. Speaker, but jobs that exist today in the refineries in the Gulf Coast States; so not only kill those jobs, but hurt American energy independence.

Outside of having American energy independence, why not North American energy independence? Why not trade with Canada? But this is the President's own words. He said: I'm disappointed that Republicans in Congress forced this decision, but it does not change my administration's commitment to American-made energy that creates jobs and reduces our dependence on oil. Not reduces our dependence on foreign oil, not reduces our dependence on Middle Eastern oil, but listen clearly, the President said: lessen our dependence on oil. That is the policy of this administration, to end our dependence on oil and promote green energy; to throw your tax dollars at companies like Solyndra instead of relying on the free market to pick the winners and the losers, allowing what works to work and what doesn't to fall by the wayside and allow American ingenuity and American entrepreneurism to chase the things that work and throw their investment dollars, personal investment dollars, into the technologies that they believe in, the free market, the investors believe in.

Instead of doing that, he took your tax dollars, America. He decided that he was going to pick winners for you and he was going to invest those dollars in companies like Solyndra and many others. As the weeks unfold, we'll realize that your tax dollars were invested in companies that you wouldn't have invested in yourselves because you would have made smart decisions. America can make smart decisions. That's what makes us great. But his own words said that he wants to reduce our dependence on oil.

I go back to Secretary Chu, the Secretary of the Department of Energy, in his own words, that he thinks we ought to be paying the same for gasoline as those in Europe are paying, $8-, $9-a-gallon gasoline. And trust me, we're headed there. Last month was the most expensive January ever for retail gasoline as prices averaged out at $3.37 a gallon, according to the Oil Price Information Service in New Jersey. That's compared with the previous record average for the month of January that was $3.09½ cents a gallon, and that was set last year. In 2010, January gasoline prices averaged just $2.71 a gallon.

It's the policies of this administration and its moratorium on us harvesting American resources. We're not talking just about offshore oil in the deep waters off the Gulf of Mexico or off the coast of Alaska. We're not talking about just ANWR and it being off limits. We're talking about the Bakken oil fields. We're talking about oil reserves on Federal lands that are currently off-limits from American energy development and American energy production.

But guess what? That same Bakken oil field spills over into North Dakota. That Bakken oil field is on State-owned and private-owned property. And you know what? North Dakota has a 3 percent or less unemployment rate. It's an energy economy that is booming because it's on State and Federal land. And they said, hey, come harvest our oil resources.

□ 1840

North Dakota is thriving on an energy economy, and you'll hear from the gentleman from Texas momentarily. They will show you in Texas and Oklahoma and other States that had energy that you're seeing an energy economy thrive.

But that's not the policies of this administration. The policy of this administration is to chase green energy jobs, to chase wind power and solar power and promote it in areas that really it shouldn't be promoted. So, let me just say one other thing, that President Obama is definitely being misleading when he's talking about that 75 percent of our offshore resources are open. The real number should be in acres.

Listen to this: of the 1.76 billion acres on the U.S. Outer Continental Shelf, only 38 million acres, or a mere 2.16 percent, is actually leased for energy development. North America possesses 1.79 trillion barrels in recoverable resources, enough oil to fuel every passenger car in the United States for 430 years; more than six times approved reserves in Saudi Arabia. In the last 30 years we produced over 150 percent of our approved resources.

But let me talk just quickly about jobs, because when the attack from the administration is on Big Oil and on the oil industry and natural gas industry that's trying to help with American energy independence, the attack's just not on big oil companies that are harvesting and exploring and producing oil offshore in the western Gulf of Mexico. That image may be conjured up as we talk about that.

But it's the attack on the jobs. If you think about an oil platform that's out there drilling for oil, you're thinking about an oil production platform that's out there producing the oil after the oil well's drilled. And we put a moratorium in place, and we say we're not going to do anymore of that; we're going to cancel all the lease sales, and keep in mind, it takes years to plan the next lease sale.

I was on the 5-year planning subcommittee that dealt with that, and I know that it's a multi-year process before the first lease sale happens; and when that lease sale happens, oil companies have to drag those rigs out there. They've got to first figure out where that oil might be on that grid square that they just leased, and then they've got to bring the drilling platform out there and they've got to drill that well, ofttimes going many miles down into the Earth's surface to find the oil, and to decide whether it's recoverable, whether there's enough resources there for them to plant a platform and start producing that oil. That's a multi-year process.

But set that aside a minute. When we have a moratorium on that process, here's what happens. It's not just Big Oil and the oil companies that are penalized in that. It's the guys that work on those drilling rigs out there in the Gulf of Mexico. It's also the guys that take them supplies, their diesel fuel to run their generators, their food, to transfer the men back and forth that are doing the work from on shore out there to those facilities. It's the companies that manufacture the pipe and the casing that support that industry.

And as JEFF LANDRY will tell you, Louisiana's economy is hurting. It's hurting not because of Big Oil hurting; it's hurting because of the little guys back home that don't get to supply that pipe. They don't get to thread that pipe and fit that pipe. They don't get to weld, and they don't get to service that industry. They don't get the opportunity to go out there and work on those rigs. They don't get to take that drilling mud out there.

You know, it takes a lot of effort to go out into the Gulf of Mexico and actually start harvesting those natural resources. And it's the little guy back home that is now bankrupt because his small company that provided the welding necessary for the piping, he doesn't have that work now.

And so the Gulf Coast States, due to the President's moratorium out there, not only lost the revenue that they would get from the royalties of offshore drilling that other States would benefit from as well. As a side note, if we allowed more drilling on the Outer Continental Shelf on the eastern coast and off the coast of Alaska. But it's the little guy. Louisiana is not getting the revenue.

And then the guys that are being put out of work that are providing the welding and the pipe fitting and the pipe itself and the offshore industries, they're not able to work either. And so they're drawing unemployment benefits, which further cramps the strained budgets of the Gulf Coast States. So they're drawing unemployment benefits. They're not paying taxes, so the State revenues in Louisiana, Mississippi, Alabama, Texas are strained because they're not receiving those tax revenues.

They're not receiving the corporate revenues from thriving energy-based companies that are providing jobs and payroll and paying into unemployment and providing corporate tax returns. It is a tremendous trickle-down effect when we stop harvesting resources. It's a tremendous trickle-down effect to those gulf states' economies.

But I will tell you, in South Carolina, when my constituents have to pay more and more of their hard-earned dollars to put fuel in their vehicles, whether it's gasoline or diesel fuel in their vehicle to go to work, and they've got to think about that first hour that they're working just went to pay the gas that it took them to get there; when they're digging deeper into that wallet to take out money to buy more and more gasoline just to go earn the money that they're going to turn around and use to buy the gasoline, it's a vicious cycle.

We've got the ability, gentleman from Colorado, we've got the ability to lower gas prices in this country. And I simply look at natural gas, and the prices have come down in natural gas because we found an abundance of it in this country. We found new technology that allows us to harvest those natural gas resources, as you'll hear from the gentleman from New York later, when he talks about the Marcellus gas shelf and harvesting natural gas in New York and Pennsylvania.

But we also talk about Oklahoma and natural gas there. We have an abundance of natural gas. We've seen the price go down. Even in an adverse regulatory climate, even in an adverse tax climate that we've got in this economy under this administration, natural gas prices have gone down because there's two factors that affect pricing of any commodity: supply and demand.

Now, world demand is down. World demand is down on a lot of things because we have a bad economy. But the number one driver for natural gas in this country is supply. The supply is going out the roof. We're an exporter of natural gas. America is sitting on the reserves to be energy independent and to provide other parts of the world with the natural resources that we've been blessed with here in this country.

So America needs to realize that the policies of this administration are keeping this country from harvesting its resources and being truly energy independent and providing the good-paying, long-term energy-sector jobs.

And if you're looking for a job, America, I recommend you go to one of these energy-producing States, whether it's Oklahoma or Texas or even to North Dakota, where the unemployment rate is 3 percent or less, where you can earn up to $70,000 a year driving a water truck, if that's any indication of the good-paying jobs that are out there.

Energy as a segue to job creation is the answer to get us out of this economy.

Mr. GARDNER. I thank the gentleman for his comments. And he touched on a great point, the fact that it's not just energy creation itself, energy development itself that creates

the jobs that this country so desperately needs. But it's all the indirect benefits. It's the economic cycle of energy production.

If you have abundant, affordable, cheap energy, you're going to have a successful economy because people are able to afford their gas. They're able to use their natural gas in manufacturing at an affordable price.

But it's also the businesses that benefit from the production itself. Our family, my dad owns a farm equipment dealership. I grew up working at the farm implement dealership, selling parts to farmers and ranchers. Over the past several years we've seen a boom in natural gas development. We see those same people coming in off the rigs into the dealership looking for hydraulic hose, looking for filters for their pickups, looking for work for their maintainers, the work they're doing on their road, the excavators, all of which benefits a rural economy, when they go into the car dealership, when they go into the restaurants. Talk about economic benefit and the ability to grow our economy. Energy production is key.

Before I yield to the gentleman from Texas, just a couple of quotes to hear it directly from President Obama and directly from Energy Secretary Steven Chu. These are just two quotes. If you want to know where they stand on energy policy, I think these two quotes really define where they have been over the past several years.

President Obama in January of 2008: Under my plan of a cap-and-trade system, electricity rates would necessarily skyrocket.

Energy Secretary Steven Chu, December of 2008, and I quote: Somehow we have to figure out how to boost the price of gasoline to the levels in Europe.

Now, that doesn't sound like a recipe for economic success to me. That sounds like a recipe for economic disaster.

With that, I yield to the gentleman from Texas (Mr. FLORES).

□ 1850

I would just let the Chamber know and our colleagues know that Mr. FLORES is someone who has great experience in job creation, putting people to work and certainly helping make America more energy secure.

Mr. FLORES. I thank my friend from Colorado, and you're exactly right. I do have extensive experience in the oil and gas business and also in the energy service business. So I know firsthand the impact on jobs and American energy security that having a robust supply of domestic oil and gas can have.

Mr. Speaker, I rise today to highlight another missed opportunity by the Obama administration to address rising gasoline prices, to promote American job creation, and to provide for American energy security. While the President may claim his administration supports an all-in approach to energy, the facts, however, tell a different story.

Here are four examples of rhetoric versus reality:

Example number one, last November, the Department of the Interior released a draft 5-year plan that fails to open any new areas to new energy production in the Outer Continental Shelf through 2017. This proposal will send American jobs overseas, forfeit new revenue to the Federal Government, cause higher gasoline prices, and will deny access to American energy resources that would reduce our dependence on unstable and unfriendly Middle Eastern sources of oil.

Yesterday, I helped spearhead a joint bipartisan letter with 182 signatures from this House, which we sent to Interior Secretary Ken Salazar, expressing strong support in the House for the consideration of new and expanded access offshore for the production of oil and gas.

The vast offshore areas of the United States serve as a potential source of the Nation's energy supply containing significant quanties of valuable taxpayer-owned resources in yet-to-be discovered fields. Opening up access to new areas of the OCS will bring new jobs, new energy, and new revenues to the Federal treasury and all at a time when economists expect gas prices to soon skyrocket. Our country desperately needs these benefits now, not at some far-off date in the future.

In addition, new access to American resources will help reduce our reliance on unfriendly and unstable Middle Eastern sources of energy. For these reasons, it is vital that our country have in place a plan that maximizes the opportunity to assess all of these resources that we have available so that we can make informed decisions regarding the appropriate shape and scope of future domestic offshore activities.

Unfortunately, despite the overwhelming support of the American people for offshore drilling, the Obama administration's 5-year draft plan released last November severely limits the outstanding resource potential of America's offshore areas, and it neglects our Nation's vital energy needs. That is why the Obama administration should listen to the strong bipartisan message that the House has sent supporting increased access that would allow us to extend offshore energy production.

Example number two, the President buried the Keystone pipeline and the thousands of jobs and the energy security that it would have helped provide. In light of the fact that his administration approved a similar Canadian oil sands pipeline, the Clipper pipeline, in 2009, it is obvious to the American people that the Keystone XL pipeline was sacrificed solely for political gain.

Example number three, the Obama administration has directed numerous Federal agencies to attempt to regulate and reduce the use of hydraulic fracturing. This is the technology that makes our current abundant supply of cheap natural gas available to us today. Restricting fracking will reduce natural gas, hurt jobs, and hurt American energy security.

Example number four, this iPad costs about the same amount of money, $600, as six barrels of oil. In terms of profit, however, Apple makes many more times the profit margin on this one iPad than the American oil and gas industry makes on that same six barrels of oil, yet the Obama administration wants to raise taxes on oil companies. This doesn't make sense. How can we expect American energy producers to produce more oil and gas at a lower cost when we raise the taxes on them?

The American people have more common sense than this. The American people know that if you raise the taxes on Apple computer, Apple can't make more of these available at a cheaper cost. Yet, for some reason, the President thinks that we're going to have more domestic energy if we go and attack the oil companies with higher taxes.

Access to affordable energy will always be central to our Nation's prosperity. But with new technologies, today's strengthened environmental review, and updated safety standards, there's never been a better time to develop energy responsibly. But without the option to even look, we deny ourselves an incredible opportunity for energy security and the promised economic benefits that domestic energy production entails to the American people.

The American people want us to get this right. They want Washington to get it right. And they overwhelmingly support an all-of-the-above energy approach for American energy, increased offshore drilling, and they approve overwhelmingly the Keystone XL pipeline.

This is important. Just yesterday, Federal Reserve Chairman Ben Bernanke warned: ''A major disruption that sent foreign oil prices up substantially could stop the recovery.''

Mr. Speaker, House Republicans have a plan to wean our economy away from unstable Middle Eastern oil. If we want an America built to last like the President referred to in his State of the Union address, then we must have access to safe and affordable American energy to build that economy, to build that America built to last, and to power that America that's built to last.

Mr. Speaker, I urge my colleagues on both sides of the aisle to support and pass H.R. 7, the American Energy and Infrastructure Jobs Act, so we can work together to grow the economy, to create American jobs, to facilitate lower gasoline prices, and to provide energy security that this country needs, not only for our current generation, but for future generations of American children and grandchildren.

Mr. GARDNER. I thank the gentleman from Texas.

He talked a little bit about the Keystone pipeline. I would point out that the development of the Alberta oil sands for the State of Texas—and this was a statement that was given to the Energy and Commerce Committee early last year by the Alberta representative in Washington. In the State of Texas, the development of the Alberta oil sands could mean as many as 27,000 jobs in 2011–2015, 27,000 jobs that could be created as a result of the development of the Alberta oil sands, and the Keystone Pipeline is a critical component of that. That's also not to mention the fact that there are numerous firms that do business with suppliers and the contractors that would be building the pipeline and the people who would be working throughout the Alberta oil sands as they develop it. So 170 firms in Texas would benefit from the development of the Alberta oil sands.

With that, I would yield to another gentleman from Texas who serves with me on the Energy and Commerce Committee, a great colleague, somebody who has championed energy development and certainly has been a strong advocate for American energy security, the gentleman from Texas (Mr. OLSON).

Mr. OLSON. I thank my good friend from Colorado and my brother in arms on the Energy and Commerce Committee fighting for U.S. domestic production of energy.

I'm going to start my comments tonight by focusing on gas prices.

We all know that gas prices have risen dramatically under the current administration. This chart here shows exactly what's happens in America. Our President took office right here about February of 2009 and gas prices were just over about $1.90 a gallon. You can see it spiked up to almost $2.70 a gallon, and last summer almost $4 a gallon. It's come back down. So it's over doubled in price since President Obama took office.

These gas prices are a hardship on American families and American small businesses, families that have to take the kids to school, families that have to drive the kids to practice, families who have to go to the grocery store, families that have to go to church. No one is immune to these price increases.

I'm privileged to represent part of the energy capital of the world, a suburb of Houston, Texas, and we're not immune to these price increases. These are articles from a local online paper over the past month. I'll read them to you, just selected portions of them.

□ 1900

On January 10, 2012, Fort Bend gas prices jumped more than 11 cents.

On January 17, 2012, one week later, gas prices in Fort Bend have risen another 2.2 cents in the past week.

One week later—there is a theme here—in Fort Bend County, Fort Bend's gas prices have risen another 8.3 cents in the past week.

That's 3 weeks with a 25-cent per gallon increase in prices in my home county of Fort Bend County. Again, families and small businesses are struggling to survive with these incredibly high gas prices. Why is this happening? Uncertainty. Uncertainty in one particular region of the world. The uncertainty is coming from one country, Iran, and its threats to disrupt traffic through the Strait of Hormuz.

I've had a unique opportunity here in Congress. I served in the United States Navy for 10 years. I was a naval aviator, not necessarily a naval pilot, but I've actually flown missions right through the Strait of Hormuz. Iran is threatening to shut down the straits because the United States and the European Union have put sanctions against Iran because of its threat to build a nuclear weapon, which is a direct threat to our security. Most importantly, it's a direct threat to the security of our best ally and friend in the world, the great country of Israel. We have to take Iran's threats very seriously.

Let me tell you a little bit about the Strait of Hormuz. As you can see, it's a very narrow body of water, about 30 miles wide. If you've been to southeast Texas, do you know where the Johnson Space Center is? Drive 30 miles south, and you'll be on Galveston Beach. It's a very, very narrow body of water. It's shallow—200 feet, two-thirds the length of a football field.

As you can see, the transit lanes for the ships are close to Iran. There are all sorts of little islands out here that they cannot maneuver through. They've got to go close to Iran, again posing a greater threat to them. Right here is Abu Musa. That is an Iranian base, a military base, so all the tanker traffic flowing through there—all our military ships—have to pass right through Iran, right through Abu Musa.

Let me tell you what Iran has there as a threat to the Strait of Hormuz. This is the Persian Gulf here. All along here, in Abu Musa, there are missiles—surface-to-ship missiles aimed at our ships and aimed at our tankers—going through every single day. I know this because when I flew my plane through there, we were tracked by Iranian fire control radar. That's just the way the business works there in that part of the world.

They've also got mines, mines that can lay anywhere here throughout the straits—again, a very narrow body of water where ships have little room to maneuver. These mines, you don't have to run into them. They're modern mines. They can detect some sort of a change in pressure or some sort of sounds from an engine of a ship coming through and then blow up when the ship gets close. That's a big threat.

There is another big threat, too. This is the most lethal threat the Iranians have in the Strait of Hormuz and the biggest reason for the uncertainty. This is the Iranian Kilo class submarine. It was sold to the Iranians by the Russians in the early 1990s. I actually flew over the second one. We caught it up on the surface just like that when I was deployed in the region in 1994. The reason this submarine is so lethal is that it's a diesel-powered boat, meaning, right now, it's on the surface and it's running on diesel engines, but when it submerges, because it can't get atmosphere necessary to run internal combustion engines, it runs on batteries, quiet, quiet batteries. It is the quietest submarine in the world, but it can't stay submerged forever. It has to recharge its batteries at specific intervals.

Look at all this traffic in the Persian Gulf, and that's just an example. There are all sorts of fishing boats all over there that have diesel engines. This little thing here is called a snorkel. This guy could come up, and he can push that up just above the surface of the water and get the air he needs to run his diesel engines to recharge his battery. While he does that in the mix of all of these boats with their diesel engines, it is very, very difficult to find him.

In fact, the only way you can find him is with your eyeballs. It's very much a challenge, and, actually, he can go down and sit on the bottom if he wants to while waiting for the proper traffic—whoever he wants to target—to come through. This is a very real threat. This creates uncertainty in the markets. This is why gasoline prices are spiking.

What's the solution? And House Republicans have one: it's the Keystone XL pipeline.

Very briefly, the orange line there is the Keystone pipeline, the singular Keystone pipeline. This pipeline is already up and running. As you can see, it's coming from Hardisty, Alberta, Canada, all the way down to the Midwest United States—Steele City, going to Cushing, Oklahoma, and going across Patoka, Illinois, to St. Louis. Oil is already flowing through that pipeline. The Keystone XL pipeline starts at the same place and comes down a little bit west of the Keystone line. It intersects at Steele City. Then it goes down to Cushing. As you can see, it goes right down to the energy capital of the world, where my district is, in the greater Houston area in Port Arthur, Texas.

As we know, the administration and our President have delayed or canceled the approval of the Keystone XL pipeline because radical environmentalists and Hollywood elites disapprove of the pipeline.

What has that done to our economy?

There are 20,000 shovel-ready jobs that are in jeopardy. Over 800,000 barrels a day flowing from that pipeline to southeast Texas to these most up-to-date, technologically advanced refineries in the entire world, that's not happening.

Energy security. National security. We don't have to worry about what's happening in the Persian Gulf. We don't have to worry about Hugo Chavez. Just this single pipeline with

800,000 barrels a day replaces what we're getting in from Venezuela right now.

What are the solutions? The Trans Alaska pipeline.

The American people may get confused. They hear about the Alaska National Wildlife Refuge and the Trans Alaska pipeline. Here is just an example of what it is just to show you. ANWR, the Alaska National Wildlife Refuge, is the light green area right here in the northeast corner of Alaska. As the listeners know, this is the great State of Alaska, and it's about half of the mainland of the United States. Basically all of Wyoming, almost to the Mississippi River, that's the size of Alaska. Do you see this little, little, tiny point up here? That is where the drilling to support the Trans Alaska pipeline is being done. It's one little spot. Do you see the point?

We have some problems. Just to let you know, let's talk a little bit about the Trans Alaska pipeline. It was designed to be built in 1973 right after the OPEC embargo on our country. OPEC shut the valves off for all of their oil—again, all that oil flowing through the Persian Gulf, through the Strait of Hormuz. Why? Because we sided with our good friend and ally, Israel, in the Yom Kippur War. Because of that, we realized that we needed to develop American sources of energy and that we should not be dependent upon the Middle East for our oil, and we built the Trans Alaska pipeline, with all the hoopla and all the conflicts with the environmental groups. It finally came online in the mid-seventies.

At the time before that, Alaska had the highest State income tax in the country—14.5 percent. Because of the Trans Alaska pipeline, Alaska now is the most tax-free State in America. With one pipeline, taxes go away. Here are the numbers: 2.1 million barrels a day were flowing through the pipeline in 1988. Today, 671,000 barrels a day are flowing through the pipeline. That's 17 percent of our U.S. domestic crude production.

As you can see, though, there has been almost a 75 percent decrease in the oil that's flowing through the pipeline, and that is a huge problem because if the pipeline doesn't have a minimum amount of oil flowing through it in that extreme environment, in the extreme cold, it is going to crack and break. It will not be able to be used again. But there is a solution for that, too, and it's happening in the Energy and Commerce Committee with the leadership of my good friend from Colorado.

I yield to him to talk about Shell Oil and the Chukchi Sea up there and all the reserves that we have available in that part of the country, offshore Alaska.

□ 1910

Mr. GARDNER. I thank the gentleman for his comments on our resources in Alaska and the little poster that you have there on drilling in ANWR. You can see that little tiny dot—it's almost difficult for me to see from here. It is just a little tiny pinpoint within the Arctic National Wildlife Refuge. I've heard it described many times as having a footprint similar to a postage stamp on a football field, and that's the area that you're talking about that would be used to help revitalize our energy resources with American-made, American-produced energy.

But you are exactly right. Earlier last year, the House Energy and Commerce Committee passed H.R. 2021, the Jobs and Energy Permitting Act. It would help do a great deal to spur development of areas that have already been approved for resource development, areas like the Beaufort and Chukchi Sea areas. This isn't opening up new areas. This is actually an area that's already been approved for leasing, and leases have been sold. They've already said, Hey, this is an area where we can have the energy production take place. So we're just trying to make sure that that energy doesn't get stopped and bogged down by bureaucratic and regulatory processes.

What we did in the Jobs and Energy Permitting Act is pass a bill which had great bipartisan support on the floor of the House. It has now been introduced in the Senate by a bipartisan group of Senators who say that, look, you can't use an Environmental Appeals Board that was bureaucratically created to hang up a permit for 5 years, as in the case with one particular project in the Beaufort and Chukchi Sea area of Alaska. The end result of this project could be as many as 1 million barrels of oil a day and nearly 50,000 jobs being created across the country. As witnesses said before the committee, it would help reduce the price at the pump. And I think when you are talking about energy prices that have risen $1.66 since President Obama took office, we've got to do everything we can to lower the price of gasoline and help American families make ends meet.

I thank the gentleman from Texas for the opportunity and yield back to him for further comments.

Mr. OLSON. I will just follow up on my friend's comments: So 1 million barrels a day is the estimate, 50,000 jobs? Basically if we do the Keystone XL pipeline, we would get rid of Venezuela. This would get rid of Saudi Arabia?

Mr. GARDNER. Yes. We are taking nearly 1 million barrels of oil a day. That's almost enough to replace our imports from Saudi Arabia. So between the two, the Keystone pipeline and the Beaufort Chukchi Sea development, I mean, we're talking significant—as much as 2 million barrels of oil a day, significant resources for this country, made in our own backyard.

Mr. OLSON. Yes, sir. And I thank my colleague again for his leadership in getting this bill through the House. Unfortunately, it's a jobs bill. That means it's over there sitting in the majority leader's inbox over on the other side of the Hill.

But also, tying this into the Trans Alaska Pipeline—I understand that the development plan also includes the construction of four offshore production platforms, offshore pipelines that go across the National Petroleum Reserve to Alaska and link it to the Trans Alaska system. So that oil that's in the Beaufort Sea, the Chukchi Sea is actually going to go on the Trans Alaska Pipeline, build up the mass flowing through there, and give that the heat, the integrity it needs to use it for another 10 years. Is that true?

Mr. GARDNER. That's true. And one of the biggest challenges we face, as you mentioned, is the possibility that we could lose out on one of this Nation's great works, the Trans Alaska Pipeline, if we don't properly take care of it and make sure that we are actually utilizing it to its fullest extent. So you are exactly correct.

Mr. OLSON. If my friend could confirm this, but for almost 4 years now, Shell has spent almost $3.5 billion trying to get that permit to drill offshore, shallow water. As my colleague knows, they have a very limited opportunity to drill. It is a very tough environment, very cold. So they've waited. They've put in almost $4 billion just to get these permits done because they want to give American sources of energy to our country.

Mr. GARDNER. And not only were you talking about millions and billions of dollars that were spent on trying to go forward to produce energy in an area that was already approved to produce energy, but they were blocked by the bureaucratic process.

They went around the world. The number is staggering. It's around 400 wells that they've drilled around the world in the amount of time that it's taken this administration to approve the one permit that they are trying to get. So 400 wells around the world, thousands of jobs created overseas, thousands of barrels of oil being produced around the world, but not a drop right here. So that's the shame of it all when it comes to the bureaucratic mess that we're in.

Mr. OLSON. Well, I thank my colleague for his leadership on this issue. The people of Colorado should be very proud. Leaders lead. My colleague from Colorado is a leader.

Mr. GARDNER. I thank the gentleman from Texas.

Mr. OLSON. One last chart to close. And this is a plea to our President. This is a pitch for the Trans Alaska Pipeline.

Unlike the Keystone XL pipeline, because of the difficulty building a pipeline in the ground, it's been built above the ground. And these are caribou, wild caribou that are hovering around the pipeline.

Mr. President, it's time to stop coddling the Hollywood elites and the radical environmental groups. It's time to

listen to the American people. And the caribou enjoy the warmth of the Trans Alaska Pipeline, because if these caribou could speak, they would say respectfully, Mr. President, drill, baby, drill.

Mr. GARDNER. I thank our colleague on the Energy and Commerce Committee for his comments.

I know you were in the Chamber during the State of the Union address when you heard not too far from where you stand the President discuss his desire for an all-of-the-above energy policy. Just recently, though, when he talks about an all-of-the-above energy policy, he forgets to talk about the fact that he nixed the Keystone XL pipeline and so many other challenges that his administration has put forward when it comes to energy development and our Federal resources. Thank you for your leadership on the Energy and Commerce Committee, and I look forward to our further discussions.

Our colleague from Texas mentioned that there were a number of bills that the House of Representatives had passed that were stacking up in the United States Senate. We've got an incredible plan for America's job creators. There are 30-some odd bills that are awaiting action in the U.S. Senate.

And I'll just give you a few more bills than the ones you mentioned that are all related to energy in some way or another: The Regulations From the Executive in Need of Scrutiny that would take a look at regulations that impact our economy; take a look at the Coal Residuals Reuse and Management Act, H.R. 2273, something that, if it's not passed, we could lose a number of jobs throughout this country because of a regulatory process that has run amok. The EPA Regulatory Relief Act of 2011, H.R. 2250. The Transparency in Regulatory Analysis of Impacts on the Nation Act. This is something that takes a look at the impact of higher energy prices, rising energy prices, what will it mean to our Nation's manufacturers, and how much more it would cost our Nation's manufacturers. The North American-Made Energy Security Act; Reversing President Obama's Offshore Moratorium Act; Jobs and Energy Permitting Act; Putting the Gulf of Mexico Back to Work Act; Restarting American Offshore Leasing Now Act; the Energy Tax Prevention Act. These are all bills that have been introduced in the House and have passed, many with very strong bipartisan support; and they're awaiting action in the Senate.

Somebody else in this Chamber, who has done a tremendous job of fighting for natural gas development, making sure that those jobs are created in his backyard, Mr. REED from New York, the gentleman from the Ways and Means Committee.

Mr. REED. I thank the gentleman from Colorado and the gentleman from Texas for coming down to the floor tonight. I am honored to join you tonight to have this conversation about developing a comprehensive American energy plan that will lead to energy independence for America, but in the short term, put many Americans back to work.

We've all been talking about it for months now. This Congress is focused on jobs, jobs, jobs. And right here, right now, today, tonight, we have before us—be it the Keystone pipeline, 20,000 jobs. Here the gentleman from Colorado is talking about another project with 50,000 jobs immediately available to be put back into place. I just do not understand why we have not been able to come together and have a President that says, You know what, I'm not going to bow to the political pressure. I'm going to lead. But yet he bowed to the Hollywood elite, to the folks when it came to the Keystone pipeline, and rejected the Keystone pipeline, with 20,000 people, families, American families who are ready to go to work. And he said ''no.''

I appreciate the effort that you are putting together here because, as you know and as you have indicated—and in my area of the United States, up in upstate New York, we're dealing with the issue of natural gas development. In particular, Marcellus shale natural gas development.

I did listen to the President's State of the Union. I listened to it intently. And I heard his commitment to producing our natural gas, because he had come to the conclusion that natural gas is a safe, domestic source of energy for today, tomorrow, and for all of America. To me, I hope the President was sincere in that statement because I joined him in that sentiment in that we have, in our shale formations in America, an amount of natural gas equal to 100 years of supply for America.

□ 1920

People have described it as if we are the Saudi Arabia, the United States of America will be the Saudi Arabia of natural gas supply for the world.

That type of resource is a game changer. And we are talking about thousands of jobs. We are talking about the ability to create an energy platform that allows our manufacturers to come back to America. That is one thing I think we have joined on both sides of the aisle to be committed to is to build things in America again.

And why does a natural gas platform of energy lead to building in America again?

It's simple. It's simple, and I know my colleagues know it. Because if you can drive down utility costs, if you can stabilize them in the long term, 40, 50 years, manufacturers will look at America and say: You know what? What we make up by going overseas to China because of the labor difference—the wage difference that they achieve by going over there and tapping into those labor pools they will make up by coming back to America because the utility costs will be stable. They'll be cheaper, and they will be able to build things again in America because they want to build here, because the American worker is the best worker in the world. The quality of work and products that come from the American worker are the best by far. And the logistics that they don't have to deal with by having manufacturing items over in China and other areas of the world are gone because we're manufacturing in our backyard.

So this energy policy all relates to not only energy independence, but it relates to the manufacturing sector of America and bringing America back to the forefront of being the leading manufacturer in the world.

That is why I am so committed to the issue of developing natural gas. Now we have to do it safely. We have to do it responsibly. The President has conceded that point. Many scientists, the data and the information that is out there, have come to the conclusion we can do it safely and responsibly, but we need to lead and formulate a comprehensive approach to tapping that resource and bringing people back to work through the development of that resource in a responsible manner.

One last point I wanted to bring up, and I so appreciate all of the comments you've made here. Right today we have before us in this Chamber, or will soon have before us in this Chamber, the American Energy and Infrastructure Jobs Act, and what a commonsense piece of legislation that I think this bill represents.

What it is essentially saying is we're going to take our natural resources in America and we're going to use the dollars that come from developing those natural resources on our public lands to rebuild the infrastructure of America. That, to me, is commonsense policy coming from Washington, taking our natural resources from the ground and putting it into our bridges, our highways, our roads, so that generations of people will have the infrastructure in place with its water, sewer, roads, bridges, in order to have the manufacturing of tomorrow, to have generations of people working.

With that, I have come here tonight to show my support to you on the issue of developing American energy. And I haven't even touched on the national security issues, and I haven't even touched on the final point that I will make.

My final point is that I have gone all over this Nation and I have gone all over my district and I've gone all over the northern tier of Pennsylvania where Marcellus Shale is being developed, and I have talked to so many people. We have spent so many taxpayer dollars here in Washington to try to educate people and bring them out of poverty.

You know, Mr. GARDNER, from my conversations with the people in the northern tier of Pennsylvania, I have heard repeatedly because of this resource development, this natural gas

that we're developing in a safe and reliable manner, I'm able to put my kids through college. I'm able to maybe go out and venture into a business that otherwise I wouldn't be able to do because I didn't have the cash to do it. That is going to empower generations of American families for many generations to take them out of poverty and get them an education; and it's all being done on private capital, capital not coming from taxpayers but coming from good old-fashioned American business, coming out of the free enterprise system, utilizing those natural resources that are owned by those individuals that are empowering people for generations. And it's not being done on the taxpayer dollar.

To me, we should be joining hands and applauding that type of development of natural resource and commit ourselves to this comprehensive policy.

Mr. OLSON. If my friend from Pennsylvania would stay a minute longer, would you talk a little bit about the Marcellus Shale plate and how it has impacted your State?

Mr. REED. Well, I tell you, being from New York, being down in the northern tier of Pennsylvania, right now New York is in the process of finalizing its regulations to make sure that it can be done safely and responsibly, but I have the honor of representing the 29th Congressional District, which is right along the Pennsylvania border.

What we have seen is we have seen the spillover effect from the economic opportunities and economic development that is going on in the State of Pennsylvania from the development of the Marcellus Shale. One of the counties in my district, Chemung County, is leading the State in sales tax revenue numbers because of the economic impact coming across the border for our hotels, our restaurants, all of the activities we have talked about.

I've heard from retailers and I've heard from a dry cleaning outfit in my hometown of Corning, New York, that was raising an additional $6,000 a month by cleaning the overalls and the uniforms from the Marcellus Shale workers that are performing work in the State of Pennsylvania. Do you know what that means? That means he was able to give his employees a bonus for the first time in years. He was able to hire more people in our home area. I mean, this development touches so many lives and so many people, from the actual pulling of the natural gas out, and all of the indirect benefits and everything else that's out there.

Mr. OLSON. I thank my colleague from New York for those comments. As you know, shale formations do not know State boundaries.

Mr. REED. Amen.

Mr. OLSON. So the Marcellus plate runs from Pennsylvania all of way down through West Virginia.

Mr. GARDNER. I want to thank both of my colleagues from New York and Texas for joining us tonight. We are out of time, but I appreciate the opportunity to address the House with your expertise and your leadership and know that we are fighting for the American people, to do everything we can for American energy independence and American energy security.

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

## OUR FRIEND IN THE MIDDLE EAST

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

Mr. GOHMERT. Mr. Speaker, I come tonight deeply troubled about the situation in the Middle East, as so many people are, and also about the response of this country to our dear friend, Israel. It has been quite interesting to see as Iran comes ever closer to having nuclear weapons, just how much of a friend this administration has, at least from its viewpoint in Israel.

In recent days, we've seen the story, a number of news services provided one story, a reporter from The Washington Post, David Ignatius, traveling with Defense Secretary Leon Panetta, and this article from Fox News says:

> Traveling with the Defense Secretary in Brussels to cover his meeting with NATO defense ministers, Ignatius writes, ''Panetta believes there is a strong likelihood that Israel will strike Iran in April, May, or June.''

That's awfully specific. There are some in Iran who have believed that we're a paper tiger and so is Israel, and we will prevent Israel from ever striking at all. And that if there were to be some kind of a strike, it would be much later in the year.

There's an article from last October about Defense Secretary Panetta. This one is from the AP, October 2 of last year:

> Defense Secretary Leon Panetta warned Sunday that Israel is becoming increasingly isolated in the Middle East, and said Israeli leaders must restart negotiations with the Palestinians and work to restore relations with Egypt and Turkey.

□ 1930

It's really interesting because it was my impression that it was not Israel that had withdrawn from close relations, that it was Turkey that had actually allowed the flotilla to go challenge a legal and appropriate blockade of the Gaza Strip from which Israel was being bombarded on a constant basis. So they had a legal and legitimate interest in ensuring that more rockets did not flow into the Gaza Strip that would continue to be shot in an effort to kill Israelis.

The reason that the rockets were flying from the Gaza Strip was because the Israelis had had really a rather amazing group of towns there. People were making a living. There were beautiful homes and greenhouses, providing a way in which people could provide for themselves and to grow their own food. These were just well-run communities.

But the thought that the Israeli leaders had, apparently, was that if we will show this unilateral offer of goodwill to people who, in the last 40 years, have come to be called Palestinians—they obviously weren't for most of the history of mankind—but if they would do this amazingly gracious unilateral act, that it would be rewarded. And what Israel has found is that it has been rewarded with rockets flying into Israel in an effort to try to terrorize and kill Israelis.

Previously, years before that, Israel had made an offer and did provide land from which it had been attacked, which it had acquired in southern Lebanon. Lo and behold, they were rewarded by being attacked from southern Lebanon and having soldiers kidnapped from southern Lebanon. So it's interesting to hear this administration and people from this administration in the top positions talk about how Israel needs to restart negotiations, that Israel is becoming increasingly isolated, how Israel must reach out more, when it seems that each time Israel reaches out its hand, its hand gets shot at and efforts are made to chop it off.

This article from the AP from back in October quotes Secretary Panetta as saying:

> ''It's pretty clear that at this dramatic time in the Middle East, when there have been so many changes, that it is not a good situation for Israel to become increasingly isolated. And that's what's happening,'' he said.
>
> Panetta said the most important thing now is for Israel and its neighbors ''to try to develop better relationships so in the very least they can communicate with each other rather than taking these issues to the streets.''

The Palestinians, meanwhile, have said they won't return to talks unless Israel freezes settlement building and accepts the pre-1967 war frontier as a baseline for talks.

This is somewhat akin to saying, well, if Mexico were to be launching rockets or doing things to terrorize American citizens, that if we'll just go back to where we were before the U.S.-Mexican War, then everything will be just fine. The United States went to war because of the same kind of unfairnesses that were seen by the Founders of this land. Dennis Miller put it this way: the Founders were willing to go to war when the British simply put a tax on their breakfast drink. So in all likelihood, they would be standing up firmly for a taking of liberties more so than we do sometimes today.

In fact, if we stood firmly on the liberties of the United States citizens and efforts by others in the world to destroy us, efforts by others in the world who have said they will destroy our way of life and they want to destroy our country, then perhaps we would be a little safer today.

I have a resolution that was filed—I've got lots of cosponsors—it was filed in May of last year, and I'm still in hopes that we can bring this to the

floor because this is the response we should have to nations around the world trying to isolate Israel. We should let them know how we stand with them. We stand with people who are democratically elected, we stand with people who have the freedom of worship, we stand with people who will not terrorize Christians, terrorize Jews, or terrorize Muslims, where all will be allowed to practice their religion—any religion—and those ought to be our best friends.

Yet, to the contrary, this Nation seems to run to the aid of those—like in Afghanistan right now, we were advised last year that the last Christian church has now been closed, driven out of Afghanistan. This is the Afghanistan that American treasure and American lives were sacrificed to secure what we thought would be a democratic nation where they would choose peace. And, in fact, there has not been peace. The Taliban have actually increased in number dramatically since the days when we had them on the run, had basically defeated them in early 2002.

We come back to this resolution, H. Res. 271, and it says:

> Expressing support for the State of Israel's right to defend Israeli sovereignty, to protect the lives and safety of the Israeli people, and to use all means necessary to confront and eliminate nuclear threats posed by the Islamic Republic of Iran, including the use of military force if no other peaceful solution can be found within a reasonable time to protect against such an immediate and existential threat to the State of Israel.

This is the solution when a dear ally of the United States is being isolated by people who want to destroy it. And I know that—I believe Secretary Panetta did a very good job at intelligence, and I hope he will do as well at defense. But we would encourage people in this administration, Mr. Speaker, to go look at what has really been said and who has actually done harm to whom.

And what you find out is that Israel has not moved away from being a friend. In fact, Israel had a treaty with Egypt, and a leader named Mubarak, with whom this Nation had agreements, was doing all he could, apparently, it appeared, to keep that treaty, to keep Egypt's word with Israel. This administration, on the other hand, saw fit to encourage Mubarak to step down and to make way for what seems to be the military and the Muslim Brotherhood, who seemed to have made clear they're not going to honor the treaty with Israel. They're not going to honor what was brokered here in the United States.

So, once again, we have a United States administration who seems to have been left with egg on their faces, as President Carter's administration was. I don't know if they ever realized it, but when President Carter thought the Ayatollah Khomeini was a man of peace and was coming back to Iran and that it was a good thing, we soon found otherwise.

□ 1940

By 1979, they were at war with America, it's just that we didn't recognize that there were radical Islamists at war with us until after the attack on 9/11. Not even the attack on the World Trade Center in 1993 was enough to convince us, not an attack on the USS Cole, not an attack on our embassy, not an attack on different U.S. properties around the world; it took 9/11 before we realized there are radical Islamists that are at war with us.

Even though this administration has seen to the changing of the FBI lexicon, where, in training FBI agents and others who are in charge with defending our Nation, it's no longer appropriate to use words in the FBI lexicon—they're not there—of al Qaeda, radical Islamist. We use ''radical extremism'' instead. And as some experts on radical extremism—in other words, radical Islamists—have said, unless you understand what your enemy believes, how in the world can you prepare against an attack from that enemy?

And as someone else had told me, this administration has been in the process of blinding those who are charged with trying to protect us; can't use the terms that were repeatedly used in the 9/11 bipartisan commission report at a time when they didn't know it was politically incorrect to accurately classify people who wanted to destroy your way of life.

So, in this resolution regarding Israel's right to defend itself, it seemed that there was no better thing to do than to go to quotes and to the actual history in the region that points out that:

> Whereas archeological evidence exists confirming Israel's existence as a nation over 3,000 years ago in the area in which it currently exists, despite assertions of its opponents.

It's been amazing, having been over in Israel in November and seeing the results of excavations under what they now know is the City of David, in existence about 1,600 years before Muhammad was born. It's just amazing now all of the evidence that's being found archeologically that substantiates exactly what Israelis have been saying for years.

The resolution says:

> Whereas with the dawn of modern Zionism, the national liberation movement of the Jewish people, some 150 years ago, the Jewish people determined to return to their homeland in the Land of Israel from the lands of their dispersion;
>
> Whereas in 1922, the League of Nations mandated that the Jewish people were the legal sovereigns over the Land of Israel and that legal mandate has never been superseded;
>
> Whereas in the aftermath of the Nazi-led Holocaust from 1933 to 1945, in which the Germans and their collaborators murdered 6,000,000 Jewish people in a premeditated act of genocide, the international community recognized that the Jewish state, built by Jewish pioneers must gain its independence from Great Britain;
>
> Whereas the United States was the first nation to recognize Israel's independence in 1948, and the State of Israel has since proven herself to be a faithful ally of the United States in the Middle East;
>
> Whereas the United States and Israel have a special friendship based on shared values, and together share the common goal of peace and security in the Middle East;
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> Whereas, on October 20, 2009, President Barack Obama rightly noted that the United States-Israel relationship is a ''bond that is much more than a strategic alliance'';
>
> Whereas the national security of the United States, Israel, and allies in the Middle East face a clear and present danger from the Government of the Islamic Republic of Iran seeking nuclear weapons and the ballistic missile capability to deliver them;
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> Whereas Israel would face an existential threat from a nuclear weapons-armed Iran;
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> Whereas President Barack Obama has been firm and clear in declaring United States opposition to a nuclear-armed Iran, stating on November 7, 2008, ''Let me state—repeat what I stated during the course of the campaign. Iran's development of a nuclear weapon I believe is unacceptable'';
>
> Whereas, on October 26, 2005, at a conference in Tehran called ''World Without Zionism,'' Iranian President Mahmoud Ahmadinejad stated, ''God willing, with the force of God behind it, we shall soon experience a world without the United States and Zionism'';
>
> Whereas The New York Times reported that during his October 26, 2005, speech, President Ahmadinejad called for ''this occupying regime [Israel] to be wiped off the map'';
>
> Whereas, on April 14, 2006, Iranian President Ahmadinejad said, ''Like it or not, the Zionist regime [Israel] is heading toward annihilation'';
>
> Whereas, on June 2, 2008, Iranian President Ahmadinejad said, ''I must announce that the Zionist regime [Israel], with a 60-year record of genocide, plunder, invasion, and betrayal is about to die and will soon be erased from the geographical scene'';
>
> Whereas, on June 2, 2008, Iranian President Ahmadinejad said, ''Today, the time for the fall of the satanic power of the United States has come, and the countdown to the annihilation of the emperor of power and wealth has started'';
>
> Whereas, on May 20, 2009, Iran successfully tested a surface-to-surface long range missile with an approximate range of 1,200 miles.

And, parenthetically, they now say they hope to have a missile that would be able to deliver a nuclear weapon from Iran to the United States.

The resolution says:

> Whereas Iran continues its pursuit of nuclear weapons;
>
> Whereas Iran has been caught building three secret nuclear facilities since 2002;
>
> Whereas Iran continues its support of international terrorism, has ordered its proxy Hezbollah to carry out catastrophic acts of international terrorism such as the bombing of the Jewish AMIA Center in Buenos Aires, Argentina, in 1994, and could give a nuclear weapon to a terrorist organization in the future;
>
> Whereas Iran has refused to provide the International Atomic Energy Agency with full transparency and access to its nuclear program;
>
> Whereas United Nations Security Council Resolution 1803 states that according to the International Atomic Energy Agency, ''Iran has not established full and sustained suspension of all enrichment related and reprocessing activities and heavy-water-related projects as set out in resolution 1696 (2006), 1737 (2006) and 1747 (2007) nor resumed its cooperation with the IAEA under the Additional Protocol, nor taken the other steps required by the IAEA Board of Governors, nor

complied with the provisions of Security Council resolution 1696 (2006), 1737 (2006) and 1747 (2007) . . .'';

Whereas at July 2009's G–8 Summit in Italy, Iran was given a September 2009 deadline to start negotiations over its nuclear programs and Iran offered a five-page document lamenting the ''ungodly ways of thinking prevailing in global relations'' and included various subjects, but left out any mention of Iran's own nuclear program which was the true issue in question;

Whereas the United States has been fully committed to finding a peaceful resolution to the Iranian nuclear threat, and has made boundless efforts seeking such a resolution and to determine if such a resolution is even possible;

Whereas the United States does not want or seek war with Iran, but it will continue to keep all options open to prevent Iran from obtaining nuclear weapons; and

Whereas Israeli Prime Minister Netanyahu said in January 2011 that a change of course in Iran will not be possible ''without a credible military option that is put before them by the international community led by the United States.''

□ 1950

The resolution ultimately says that, in addition to condemning the government of the Islamic Republic of Iran for its threats of annihilation, it supports using all means of persuading the government of Iran to stop building and acquiring nuclear weapons, reaffirms the United States bond with Israel.

But ultimately, No. 4 says that, in this resolution, we express our support for Israel's right to use all means necessary to confront and eliminate nuclear threats posed by Iran, defend Israeli sovereignty, and protect the lives and safety of the Israeli people, including the use of military force, if no other peaceful solution can be found within a reasonable time.

Now, we know that in May of last year, President Barack Obama addressed the American-Israeli PAC here in Washington, D.C. And one of the statements that has not been lost on Israel, and should not be lost on the people who elected President Obama, and it certainly hasn't been lost on Iran, the President made this statement: ''Israel must be able to defend itself by itself.''

This was made May 19, 2011. ''Israel must be able to defend itself by itself.''

Ever since the President made those statements, it certainly seems that Israel has taken the President's words to heart. And yet, instead of the United States doing, as had been promised on many occasions, standing by Israel, our great ally, instead, our Defense Secretary, knowing that he's talking to a Washington Post reporter, knowing that it's not on background, knows that it will likely be reported, basically uses the opportunity to alert the nation whose leaders say they want to wipe Israel off the map, annihilate Israel, annihilate the United States, basically, tells Iran, hey, heads up. Israel may be coming in the next few months. Look out. Israel may be coming in the next few months.

It's still a mystery why our Defense Secretary, and he's a very smart man, why he would make such a statement without authority, because he's not subject to the slips like outing SEAL Team Six as the ones who took out Osama Bin Laden, or outing the undisclosed location, as the Vice President has done. He's a man not subject normally to those kind of gaffes.

This Defense Secretary warns Iran, as if the pressure behind the scenes this administration's been putting on our dear friend Israel was not enough, so now we've got to alert Israel's enemy, Iran. I hope that the administration will come out and give a good and legitimate answer to how such a warning to Iran helps Israel.

And I would commend to anyone, Mr. Speaker, interested in going online and reading in The Jerusalem Post an article dated February 7, 2012, by my friend, Caroline Glick, titled, ''Our World: Obama's rhetorical storm.'' I would commend that to everyone.

The truth is, we should stand by Israel. Iran, with nuclear weapons, is a threat to us, not merely to Israel. And this Nation should not leave it to Israel, without our best bunker busters, without our AWACs, without our satellites, without our stealth technology. We should not put them in the position of having to defend us with lesser weapons capability.

And I hope and pray that this administration will look more carefully at who the real enemy is, look more carefully at which nation was willing to come back to the peace table, willing to freeze the development of new housing areas, and which one was not, and which one of the nations, which one of the groups of people, in this case, the people of the West Bank, the Palestinians, their complete refusal to even recognize Israel's right to exist, their continuing teaching of children in the Palestinian areas that the Israelis are occupiers of Palestinian land. It's throughout the teaching of the children in the Palestinian areas, and they're doing that with our money. We're sending them money to teach children to hate Israel so that there can't be peace. It's time to look more carefully at where we're spending our money.

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

## BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House reports that on February 8, 2012 she presented to the President of the United States, for his approval, the following 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.

## ADJOURNMENT

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

The motion was agreed to; accordingly (at 7 o'clock and 56 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, February 9, 2012, at 9 a.m.

## EXECUTIVE COMMUNICATIONS, ETC.

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

4905. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — Swap Data Recordkeeping and Reporting Requirements (RIN: 3038-AD19) received January 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4906. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — New Animal Drugs; Cephalosporin Drugs; Extralabel Animal Drug Use; Order of Prohibitation [Docket No.: FDA-2008-N-0326] received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4907. A letter from the Assistant Secretary, Department of Defense, transmitting the Department's report on assistance provided for sporting events during calendar year 2011; to the Committee on Armed Services.

4908. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

4909. A letter from the Acting Chief, Planning and Regulatory Affairs, Department of Agriculture, transmitting the Department's final rule — Applying for Free and Reduced Price Meals in the National School Lunch Program and School Breakfast Program and for Benefits in the Special Milk Program, and Technical Amendments [FNS-2007-0023] (RIN: 0584-AD54) received January 10, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4910. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Medical Devices; Ovarian Adnexal Mass Assessment Score Test System; Labeling; Black Box Restrictions [Docket No.: FDA-2011-D-0028] received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4911. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Temperature-Indicating Devices; Thermally Processed Low-Acid Foods Packaged in Hermetically Sealed Containers; Correction [Docket No.: FDA-2007-N-0265] (formerly 2007N-2006) received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4912. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Revisions to Labeling Requirements for Blood and Blood Components, Including Source Plasma [Docket No.: FDA-2003-N-0097] (Formerly 2003N-0211) received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4913. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — NRC Participation in the Development and Use of Consensus Standards received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4914. 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 the former Liberian regime of Charles Taylor that was declared in Executive Order 13348 of July 22, 2004, pursuant to 50 U.S.C. 1703(c); to the Committee on Foreign Affairs.

4915. A letter from the Director, Bureau of Economic Analysis, Department of Commerce, transmitting the Department's final rule — Direct Investment Surveys: BE-12, Benchmark Survey of Foreign Direct Investment in the United States [Docket No.: 110822526-1715-02] (RIN: 0691-AA80) received January 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4916. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 20-11 informing of an intent to sign the Framework Memorandum of Understanding with Australia and Canada; to the Committee on Foreign Affairs.

4917. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report including matters relating to the interdiction of aircraft engaged in illicit drug trafficking; to the Committee on Foreign Affairs.

4918. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Pursuant to section 702 of the Foreign Relations Authorization Act for FY 2003 (Pub. L. 107-228), a report on the 2011 U.S.-Vietnam Human Rights Dialogue Meetings; to the Committee on Foreign Affairs.

4919. A letter from the Special Inspector General for Iraq Reconstruction, transmitting sixth lessons learned report entitled ''Iraq Reconstruction: Lessons in Inspections of U.S.-funded Stabilization and Reconstruction Projects''; to the Committee on Foreign Affairs.

4920. A letter from the Acting Executive Secretary, Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

4921. A letter from the Secretary, Department of Commerce, transmitting the Department's Performance and Accountability Report for fiscal year 2011; to the Committee on Oversight and Government Reform.

4922. A letter from the Director, Office of Congressional Affairs, Federal Election Commission, transmitting in accordance with Section 647(b) of Title VI of the Consolidated Appropriations Act, FY 2004, Pub. L. 108-199, the Commission's Report to Congress on FY 2011 Competitive Sourcing Efforts; to the Committee on Oversight and Government Reform.

4923. A letter from the Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-55; Small Entity Compliance Guidance [Docket: FAR 2011-0077, Sequence 7] received February 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4924. A letter from the Director of Legislative Affairs, Railroad Retirement Board, transmitting the semiannual report on activities of the Office of Inspector General for the period of October 1, 2010 through March 31, 2011, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

4925. A letter from the Director of Legislative Affairs, Railroad Retirement Board, transmitting the Annual Report of the Railroad Retirement Board for Fiscal Year ending September 30, 2010; to the Committee on Oversight and Government Reform.

4926. A letter from the Chair, Federal Election Commission, transmitting the Commission's final rule — Standards of Conduct [Notice 2011-16] (RIN: 3209-AA15) received December 29, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

4927. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Sculpins in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XA857) received February 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4928. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No. 101126521-0640-02] (RIN: 0648-XA858) received February 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4929. A letter from the Delegated Authority of the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the Hawaii Advisory Committee; to the Committee on the Judiciary.

4930. A letter from the Senior Program Analyst, Department of Transportation, transmitting Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30810; Amdt. No. 3450] received January 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4931. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No.: 30814; Amdt. No. 497] received January 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4932. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's Annual Report On Child Welfare Outcomes 2006-2009, pursuant to Public Law 105-89, section 203(a) (111 Stat. 2127); to the Committee on Ways and Means.

4933. A letter from the Chief Counsel, Department of the Treasury, transmitting the Department's final rule — United States Savings Bonds, Series EE and I received January 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4934. A letter from the Commissioner, Social Security Administration, transmitting a draft bill to improve work incentive provisions; to the Committee on Ways and Means.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LUCAS: Committee on Agriculture. H.R. 2682. A bill to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934, and for other purposes, with an amendment (Rept. 112–343, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. LUCAS: Committee on Agriculture. H.R. 2779. A bill to exempt inter-affiliate swaps from certain regulatory requirements put in place by the Dodd-Frank Wall Street Reform and Consumer Protection Act, with an amendment (Rept. 112–344, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCAS: Committee on Agriculture. H.R. 2586. A bill to refine the definition of swap execution facility in the provisions regulating swap markets added by title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, with an amendment (Rept. 112–345, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCAS: Committee on Agriculture. H.R. 3336. A bill to ensure the exclusion of small lenders from certain regulations of the Dodd-Frank Act, with an amendment (Rept. 112–390). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCAS: Committee on Agriculture. H.R. 3527. A bill to amend the Commodity Exchange Act to clarify the definition of swap dealer, with an amendment (Rept. 112–391). Referred to the Committee of the Whole House on the state of the Union.

## 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. MARKEY (for himself, Ms. LEE of California, Mr. CLARKE of Michigan, Mr. JACKSON of Illinois, Mr. STARK, Ms. WOOLSEY, Mr. HOLT, Mr. FILNER, Ms. SLAUGHTER, Mr. NADLER, Mr. BRADY of Pennsylvania, Mr. KUCINICH, Mr. LEWIS of Georgia, Mr. CONYERS, Mr. GRIJALVA, Ms. NORTON, Mr. BRALEY of Iowa, Mr. POLIS, Mr. HONDA, Mr. BLUMENAUER, Mr. FRANK of Massachusetts, Mr. ELLISON, Mrs. MALONEY, Ms. KAPTUR, Mr. DEFAZIO, Mr. BISHOP of New York, Mr. MCGOVERN, Ms. RICHARDSON, Mr. OLVER, Mr. MCDERMOTT, Mr. PAYNE, Ms. ESHOO, Mrs. CHRISTENSEN, Mr. TIERNEY, and Mr. FARR):

H.R. 3974. A bill to reduce the number of nuclear-armed submarines operated by the Navy, to prohibit the development of a new long-range penetrating bomber aircraft, to reduce the number of intercontinental ballistic missiles operated by the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mr. ROGERS of Michigan (for himself and Mr. MARKEY):

H.R. 3975. A bill to amend title V of the Federal Food, Drug, and Cosmetic Act to extend the provisions of the Pediatric Medical Device Safety and Improvement Act; to the Committee on Energy and Commerce.

By Ms. VELÁZQUEZ:

H.R. 3976. A bill to provide exporting assistance to small business concerns, and for

other purposes; to the Committee on Ways and Means, and in addition to the Committees on Small Business, Financial Services, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HONDA:

H.R. 3977. A bill to consolidate, improve, and reauthorize programs that support families and victims in the justice system affected by domestic violence; to the Committee on the Judiciary.

By Mr. CLEAVER:

H.R. 3978. A bill to amend title 18, United States Code, to prohibit the dissemination of false information for the purpose of discouraging a student of an institution of higher education from registering to vote or voting in an election for Federal office, to require States which require individuals to present a photo identification as a condition of voting in elections for Federal office to accept a photo identification presented by a student which is issued by the school the student attends, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CHRISTENSEN:

H.R. 3979. A bill to amend the Harmonized Tariff Schedule of the United States to extend to 2025 the production certificate program that allows refunds of duties on certain articles produced in United States insular possessions; to the Committee on Ways and Means.

By Ms. HERRERA BEUTLER (for herself and Mr. SCHRADER):

H.R. 3980. A bill to amend the Small Business Act with respect to procurement center representatives and acquisition planning, and for other purposes; to the Committee on Small Business.

By Mr. KLINE (for himself, Mr. CRAVAACK, Mr. PAULSEN, Mr. WALZ of Minnesota, and Mr. PETERSON):

H.R. 3981. A bill to amend title 10, United States Code, to expand the authority of the Secretary of the Army to loan or donate excess small arms to certain eligible organizations for funeral and other ceremonial purposes; to the Committee on Armed Services.

By Mr. LUETKEMEYER:

H.R. 3982. A bill to prohibit the Secretary of Health and Human Services from implementing certain rules relating to the health insurance coverage of sterilization and contraceptives approved by the Food and Drug Administration; to the Committee on Energy and Commerce.

By Mr. OWENS (for himself, Mr. WELCH, Mr. GIBSON, Mr. MICHAUD, Mr. TONKO, and Mr. HINCHEY):

H.R. 3983. A bill to permit aliens who lawfully enter the United States on valid visas as nonimmigrant elementary and secondary school students to attend public schools in the United States for longer than 1 year if such aliens reimburse the local educational agency that administers the school for the full, unsubsidized per capita cost of providing education at such school for the period of the alien's attendance; to the Committee on the Judiciary.

By Mr. PALLONE (for himself and Ms. DELAURO):

H.R. 3984. A bill to limit the quantity of arsenic and lead in beverages containing fruit juice pursuant to tolerances under section 406 of the Federal Food, Drug, and Cosmetic Act; to the Committee on Energy and Commerce.

By Mr. SCHILLING (for himself and Ms. CHU):

H.R. 3985. A bill to amend the Small Business Act with respect to mentor-protege programs, and for other purposes; to the Committee on Small Business.

By Mr. TONKO:

H.R. 3986. A bill to provide relief for the victims of Hurricane Irene and Tropical Storm Lee; to the Committee on Transportation and Infrastructure.

By Mr. WALSH of Illinois (for himself and Mr. CONNOLLY of Virginia):

H.R. 3987. A bill to amend the Small Business Act with respect to small business concern size standards, and for other purposes; to the Committee on Small Business.

By Mr. MURPHY of Pennsylvania (for himself, Mr. PALLONE, Mr. PITTS, and Mr. WAXMAN):

H.R. 3988. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish user-fee programs for generic drugs and biosimilars; to the Committee on Energy and Commerce.

By Mr. POLIS:

H. Res. 541. A resolution amending the Rules of the House of Representatives to provide that the House may not consider major legislation unless it addresses one issue at a time; to the Committee on Rules.

By Mr. CLEAVER (for himself, Mr. CLARKE of Michigan, Ms. LEE of California, Ms. FUDGE, Mr. CLAY, Mr. AL GREEN of Texas, Ms. MOORE, Mr. MEEKS, Ms. WATERS, Mr. JACKSON of Illinois, Mr. BUTTERFIELD, Ms. CLARKE of New York, Mr. RICHMOND, Mr. RUSH, Mr. BISHOP of Georgia, Mr. DAVIS of Illinois, Mr. TOWNS, Ms. WILSON of Florida, Ms. BROWN of Florida, Mr. PAYNE, Mr. RANGEL, Ms. JACKSON LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SCOTT of Virginia, Mr. DAVID SCOTT of Georgia, Mr. ELLISON, Mr. CONYERS, Mr. HASTINGS of Florida, Mr. LEWIS of Georgia, Mr. JOHNSON of Georgia, Mr. FATTAH, Ms. BASS of California, Ms. SEWELL, Ms. NORTON, Mr. THOMPSON of Mississippi, Mr. CUMMINGS, Mrs. CHRISTENSEN, Mr. CARSON of Indiana, Ms. EDWARDS, Mr. CLYBURN, Ms. RICHARDSON, and Mr. WATT):

H. Res. 542. A resolution condemning the passage of legislation that would unduly burden an American citizen's ability to vote and opposing any State election law or proposed legislation that would have a disproportionate impact on vulnerable communities across the country; to the Committee on the Judiciary.

By Ms. HOCHUL (for herself, Mr. HIGGINS, Ms. SLAUGHTER, and Mr. REED):

H. Res. 543. A resolution honoring and remembering the victims of the crash of Continental Connection Flight 3407 in Clarence Center, New York, on February 12, 2009; to the Committee on Transportation and Infrastructure.

By Mr. ROTHMAN of New Jersey (for himself, Ms. CLARKE of New York, Mr. PIERLUISI, Mr. NADLER, Mr. MEEKS, Mr. COHEN, Mr. SERRANO, Mr. OWENS, Mr. ISRAEL, Mr. TOWNS, Mr. SIRES, Mr. BISHOP of New York, Mrs. LOWEY, Mr. ENGEL, Mr. RUPPERSBERGER, Mrs. MALONEY, Mr. PALLONE, Mr. ACKERMAN, Mr. PASCRELL, Mr. HINCHEY, Mr. GRIMM, Mr. HANNA, Mrs. MCCARTHY of New York, Mr. REED, Mr. PAYNE, Mr. HOLT, and Mr. MURPHY of Connecticut):

H. Res. 544. A resolution congratulating the National Football League champion New York Giants for winning Super Bowl XLVI; to the Committee on Oversight and Government Reform.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MARKEY:

H.R. 3974.

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

Section 8 of Article I of the Constitution

By Mr. ROGERS of Michigan:

H.R. 3975.

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

Article I, Section 8, Clause 1: ''The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes''

By Ms. VELÁZQUEZ:

H.R. 3976.

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

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. HONDA:

H.R. 3977.

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

Article I, Section 8, Clause 3 and 18 of the United States Constitution

By Mr. CLEAVER:

H.R. 3978.

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

Article I, Section 4, Clause 1 of the United States Constitution.

By Mrs. CHRISTENSEN:

H.R. 3979.

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

''Article IV, Section 3 of the Constitution which provides: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of a particular State.''

By Ms. HERRERA BEUTLER:

H.R. 3980.

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. KLINE:

H.R. 3981.

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

This legislation ensures that the Secretary of the Army is provided the authority by the Congress to lend or donate excess small arms to eligible organizations in order for them to fulfill their mission of providing dignified burial honor services for veterans. Specific authority is provided by Article I, section 8 of the United States Constitution (clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia.

By Mr. LUETKEMEYER:

H.R. 3982.

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

This bill is enacted pursuant to Amendment I of the United States Constitution, which states, ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof. . . .'' Thus, Congress has the authority to protect the American people from discriminatory federal government mandates that infringe on an individual's religious beliefs and practices.

By Mr. OWENS:

H.R. 3983.

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, of the United States Constitution.

By Mr. PALLONE:

H.R. 3984.

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

section 8 of article I of the Constitution.

By Mr. SCHILLING:

H.R. 3985.

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. TONKO:

H.R. 3986.

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. WALSH of Illinois:

H.R. 3987.

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. MURPHY of Pennsylvania:

H.R. 3988.

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.

## ADDITIONAL SPONSORS

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

H.R. 32: Mr. DAVIS of Kentucky.

H.R. 100: Mr. STEARNS.

H.R. 104: Mr. MCGOVERN and Mr. SAM JOHNSON of Texas.

H.R. 139: Mr. CARNAHAN.

H.R. 140: Mr. MURPHY of Pennsylvania.

H.R. 184: Mr. MCCOTTER.

H.R. 190: Mr. CLAY.

H.R. 192: Mr. HOLT.

H.R. 300: Mr. REYES.

H.R. 494: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 511: Ms. ROS-LEHTINEN and Mr. DIAZ-BALART.

H.R. 589: Mr. KEATING.

H.R. 665: Mr. MULVANEY.

H.R. 689: Mr. ELLISON.

H.R. 726: Mr. BOREN.

H.R. 769: Mr. JOHNSON of Georgia and Mr. TIERNEY.

H.R. 809: Ms. ZOE LOFGREN of California.

H.R. 864: Mr. KUCINICH.

H.R. 870: Mr. KILDEE, Mr. ANDREWS, Ms. BROWN of Florida, Mr. NADLER, Mr. PASCRELL, Ms. SEWELL, Mr. TOWNS, and Mr. CLEAVER.

H.R. 1015: Ms. WILSON of Florida.

H.R. 1148: Ms. BONAMICI.

H.R. 1149: Mr. GONZALEZ.

H.R. 1179: Mr. RENACCI, Mr. NUGENT, Mr. SHUSTER, Mr. GUINTA, Mrs. ROBY, Mr. JOHNSON of Illinois, Mr. BROOKS, Mr. LANCE, Mr. LABRADOR, Mr. FLORES, Mr. SOUTHERLAND, Mr. GOHMERT, Mr. GIBBS, Mr. ROKITA, Mr. RIVERA, and Mr. ROE of Tennessee.

H.R. 1195: Mr. GUTHRIE.

H.R. 1340: Mr. BACHUS and Ms. JENKINS.

H.R. 1367: Ms. KAPTUR.

H.R. 1417: Mr. POLIS.

H.R. 1536: Mr. SAM JOHNSON of Texas, Mr. CONAWAY, and Mr. SMITH of Texas.

H.R. 1564: Ms. RICHARDSON, Mrs. MALONEY, Mr. POLIS, and Mr. MORAN.

H.R. 1602: Mr. POLIS.

H.R. 1621: Mr. AUSTRIA.

H.R. 1639: Mr. COFFMAN of Colorado and Mr. ROHRABACHER.

H.R. 1697: Mr. KISSELL.

H.R. 1781: Ms. LEE of California.

H.R. 1842: Mr. WAXMAN, Mr. JOHNSON of Georgia, and Mr. MEEKS.

H.R. 1873: Mr. GENE GREEN of Texas.

H.R. 1895: Mr. BROOKS and Mr. ISRAEL.

H.R. 1903: Mr. PETERS.

H.R. 1912: Mr. HOLT.

H.R. 1956: Mrs. BLACK.

H.R. 2052: Mr. LATHAM.

H.R. 2107: Mr. GRIJALVA.

H.R. 2152: Mr. LOEBSACK, Mr. CHANDLER, Mr. ROSKAM, Mr. ACKERMAN, Mr. YOUNG of Alaska, and Ms. BERKLEY.

H.R. 2168: Mr. ROHRABACHER.

H.R. 2367: Mr. ROE of Tennessee and Mr. LUETKEMEYER.

H.R. 2453: Mr. ALTMIRE, Ms. BALDWIN, Mr. BARROW, Ms. BERKLEY, Mr. BERMAN, Mr. BISHOP of Georgia, Mr. BOREN, Mr. BRADY of Pennsylvania, Mr. CAPUANO, Mr. CARDOZA, Mr. CARNEY, Mr. CARSON of Indiana, Mr. CLYBURN, Mr. DEUTCH, Mr. DICKS, Mr. DONNELLY of Indiana, Ms. HAHN, Mr. HINCHEY, Mr. HINOJOSA, Mr. INSLEE, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. KAPTUR, Mr. LUJÁN, Ms. MCCOLLUM, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. MORAN, Mrs. NAPOLITANO, Mr. PETERS, Mr. PIERLUISI, Ms. PINGREE of Maine, Mr. RAHALL, Mr. RICHMOND, Mr. RYAN of Ohio, Mr. DAVID SCOTT of Georgia, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. SIRES, Mr. STARK, Mr. THOMPSON of Mississippi, Mr. TIERNEY, Ms. VELÁZQUEZ, Ms. WILSON of Florida, and Mr. FARR.

H.R. 2464: Ms. PINGREE of Maine.

H.R. 2497: Mr. GOSAR and Mr. STEARNS.

H.R. 2517: Mr. FRANK of Massachusetts.

H.R. 2529: Mr. GARDNER.

H.R. 2679: Mr. PAYNE.

H.R. 2777: Mr. HOLT and Mr. ROTHMAN of New Jersey.

H.R. 2787: Mr. TOWNS and Mr. BURGESS.

H.R. 2810: Mr. FLORES, Mr. RIGELL, and Mr. HULTGREN.

H.R. 2913: Mr. YODER.

H.R. 2921: Ms. CHU and Mr. BISHOP of Georgia.

H.R. 2959: Mr. PETERSON.

H.R. 3001: Ms. SCHAKOWSKY, Mr. LEVIN, Mr. CONYERS, and Mrs. MILLER of Michigan.

H.R. 3086: Mr. GENE GREEN of Texas, Mrs. MALONEY, Mr. NEAL, Mr. GUTIERREZ, and Mr. LARSEN of Washington.

H.R. 3200: Mr. ROGERS of Michigan and Mr. RYAN of Ohio.

H.R. 3207: Mr. STEARNS.

H.R. 3231: Mr. DENT and Mr. JOHNSON of Georgia.

H.R. 3264: Mr. WALBERG.

H.R. 3283: Mr. ROYCE.

H.R. 3307: Mr. CRITZ.

H.R. 3395: Mr. ROGERS of Michigan.

H.R. 3435: Mr. DEFAZIO, Mr. SERRANO, and Mr. PERLMUTTER.

H.R. 3482: Ms. WASSERMAN SCHULTZ.

H.R. 3504: Mr. COBLE.

H.R. 3506: Ms. HIRONO.

H.R. 3510: Ms. BUERKLE and Mr. NUNES.

H.R. 3528: Mr. FILNER and Mr. GRIJALVA.

H.R. 3533: Mr. CLARKE of Michigan.

H.R. 3541: Mr. SENSENBRENNER and Mr. GALLEGLY.

H.R. 3559: Mr. HURT.

H.R. 3585: Mr. BOSWELL and Mr. DEFAZIO.

H.R. 3596: Mr. RUSH and Mr. PETERS.

H.R. 3606: Mr. CARNAHAN.

H.R. 3627: Mr. BURGESS.

H.R. 3643: Mr. COSTA and Mr. CUELLAR.

H.R. 3670: Mr. KING of New York, and Mr. MICA.

H.R. 3676: Mr. CHABOT, Mr. STEARNS, and Mr. FITZPATRICK.

H.R. 3709: Mr. FORTENBERRY.

H.R. 3744: Ms. SEWELL.

H.R. 3747: Mrs. CAPITO, Mrs. MALONEY, and Mr. HOLT.

H.R. 3760: Mr. PAYNE.

H.R. 3767: Mr. LONG, Mr. OLVER, Mr. KIND, and Mr. CRITZ.

H.R. 3781: Mr. CLARKE of Michigan.

H.R. 3798: Mr. WEST, Mr. MORAN, and Mr. BERMAN.

H.R. 3803: Mr. WOODALL, Mr. TERRY, Mr. DUNCAN of Tennessee, FARENTHOLD, and Mr. MULVANEY.

H.R. 3811: Mr. LONG, Mr. GUINTA, and Mr. LUCAS.

H.R. 3823: Mr. FILNER.

H.R. 3826: Mr. DEFAZIO, Ms. BORDALLO, Ms. CHU, and Mr. LANGEVIN.

H.R. 3828: Mrs. ELLMERS.

H.R. 3839: Ms. HANABUSA.

H.R. 3852: Ms. WOOLSEY.

H.R. 3855: Ms. VELÁZQUEZ.

H.R. 3863: Ms. MOORE and Mr. DUFFY.

H.R. 3865: Mr. COURTNEY.

H.R. 3867: Mr. BURGESS, Ms. GRANGER, Mr. BROUN of Georgia, Mr. BENISHEK, Mrs. LUMMIS, and Mr. SOUTHERLAND.

H.R. 3871: Mr. CANSECO.

H.R. 3883: Mr. MULVANEY, Mr. BENISHEK, Mr. JORDAN, Mr. WALSH of Illinois, and Mrs. LUMMIS.

H.R. 3897: Mr. WEST and Mr. AUSTRIA.

H.R. 3910: Mr. HONDA.

H.R. 3911: Mr. THOMPSON of Pennsylvania and Mr. MCKINLEY.

H.J. Res. 71: Mr. RIBBLE.

H.J. Res. 88: Ms. HAHN.

H.J. Res. 90: Mr. BERMAN and Ms. HAHN.

H.J. Res. 93: Mr. RIBBLE.

H. Con. Res. 98: Mr. BARTON of Texas, Mr. HUELSKAMP, Mr. NUNNELEE, and Mr. STEARNS.

H. Res. 134: Mr. AMODEI.

H. Res. 282: Mr. GARAMENDI.

H. Res. 526: Mr. DIAZ-BALART.