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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
December 16, 2010.

I hereby appoint the Honorable ED PASTOR to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

O Lord, have pity on us, for You do we wait.

Be our strength every morning, our salvation in time of trouble.

As You approach, people flee. When You rise up in Your majesty, whole nations seem to scatter.

They realize half-truths have led to confusion, and poor decisions reveal lasting consequences.

In You alone do we find the wisdom which leads to stability both now and forever.

Amen.

NOTICE

If the 111th Congress, 2d Session, adjourns sine die on or before December 23, 2010, a final issue of the *Congressional Record* for the 111th Congress, 2d Session, will be published on Wednesday, December 29, 2010, in order to permit Members to revise and extend their remarks.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT–59 or S–123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Wednesday, December 29. The final issue will be dated Wednesday, December 29, 2010, and will be delivered on Thursday, December 30, 2010.

None of the material printed in the final issue of the *Congressional Record* may contain subject matter, or relate to any event that occurred after the sine die date.

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Members of the House of Representatives' statements may also be submitted electronically by e-mail, to accompany the signed statement, and formatted according to the instructions for the Extensions of Remarks template at http://clerk.house.gov/forms. The Official Reporters will transmit to GPO the template formatted electronic file only after receipt of, and authentication with, the hard copy, and signed manuscript. Deliver statements to the Official Reporters in Room HT–59.

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By order of the Joint Committee on Printing.

CHARLES E. SCHUMER, *Chairman.*

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Mr. SCHOCK led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 10 requests for 1-minute speeches on each side of the aisle.

WORLDWIDE MARRIAGE ENCOUNTER

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

Mrs. DAHLKEMPER. Mr. Speaker, I rise today to recognize Worldwide Marriage Encounter.

For over 40 years, Worldwide Marriage Encounter has strengthened countless marriages through a weekend workshop to improve a couple's communication. Worldwide Marriage Encounter is totally self-supporting, and no couple is turned away because they do not have the ability to pay. In 2009, over 10,000 couples attended the Worldwide Marriage Encounter weekends in the United States alone.

Marriage is a vital institution in the life of our society. Couples in good marriages live longer and happier lives. Worldwide Marriage Encounter is undertaking a project to recognize the longest married couple from every State, with special recognition to the longest married couple in the United States. As nearly 50 percent of marriages end in divorce, it is truly an inspiration to see how many couples have remained together for so long.

Mr. Speaker, I hope my colleagues will join me in congratulating Worldwide Marriage Encounter and all the volunteers and clergy for their efforts to strengthen marriages throughout our country.

OMNIBUS SPENDING

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

Mr. BUCHANAN. Mr. Speaker, despite $14 trillion in debt, Congress continues to waste taxpayers' money.

The Senate is now debating the Senate bill, loaded with more than 6,000 earmarks, including research for maple syrup in Vermont. This barrel of pork totals $8.3 billion.

America's message last month was very clear—stop the reckless spending.

This continued borrowing and spending is putting our country on the road to bankruptcy. Forty-nine out of 50 States have to balance their budgets. Yet, in the last 50 years, we have only managed to balance the Federal budget five times. This has to change.

We need to pass a constitutional balanced budget amendment, and we need to pass it today.

REBUILDING OUR OWN NATION

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

Mr. HIMES. Mr. Speaker, I make a point every day to look in The Times at that black box, usually on page 7 or 8, that lists the names of those young men and women who have given their lives in Afghanistan.

Yesterday, it struck me, as we go into Christmas, that there were seven names on that list—six of them under the age of 25. Two of them, Ken Necochea and Derek Simonetta, were only 21 years old. I wonder if they'd ever bought a drink in a bar or in the country in which they were serving. On the front page of The New York Times: U.S. Intelligence Offers Dim View of Afghan War.

I say all this because this time last year I was in Afghanistan, watching the good work that these young men and women are doing—building roads, building markets, building a nation—and reflecting on the fact that this is a nation that, for 1,000 years, has spit out foreigners as sport.

As we go into Christmas and I think about the kids in my city of Bridgeport, whose schools have leaking roofs, whose highways are crumbling, whose rails are coming apart, I wonder, Mr. Speaker: Is it not time that we start rebuilding this Nation, not one that seems to not want us there?

ANOTHER HOUSING BUBBLE

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

Mr. WILSON of South Carolina. Mr. Speaker, American Enterprise Institute fellows Peter Wallison and Edward Pinto have warned, ''It is hard to believe, but it looks like the government will soon use the taxpayers' checkbook again to create a vast market for mortgages with low or no down payments and for overstretched borrowers with blemished credit. As in the period leading to the 2008 financial crisis, these loans will again contribute to a housing bubble.''

They go on to state, ''The goal of Congress and regulators should be to foster the residential mortgage market's return to the standards that used to prevail in 1990, before the affordable housing requirements were imposed on Fannie and Freddie.''

We should fix the current problem. For starters, the Dodd-Frank Act needs to be amended so that quality standards are applied to FHA and other government agencies. This should not impair credit availability for the important home-building and real estate industries.

As a former real estate attorney, I know the government should not overwhelm homeowners with mortgages they cannot afford. This destroys neighborhoods and families.

In conclusion, God bless our troops, and we will never forget September the 11th.

TAX CUTS THROUGH BIPARTISAN COMPROMISE

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

Mr. ALTMIRE. Mr. Speaker, as we work to close out this session of Congress, Members of this House today will vote on a major piece of legislation to extend tax cuts for every American. While this bill is expected to help provide a boost to our economy, perhaps equally important is the way that we arrived at this stage in the legislative process—through bipartisan compromise.

This bill is a result of negotiation between Republicans and Democrats, between the President and the Congress, between the House and the Senate. That's right. This bill which we are going to pass today and send to the President is a result of the type of give-and-take negotiation that is supposed to be part of the legislative process but that, unfortunately, has long been lacking in Congress.

Hopefully, passage of this bill today will be but a sign of things to come. I hope the new Republican leadership in Congress taking office on January 5 will incorporate all points of view—of Republicans and Democrats alike—and will continue working in a bipartisan way to put the American people ahead of partisan politics.

□ 1010

INTERNATIONAL PREVENTING CHILD MARRIAGE ACT

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

Mr. SCHOCK. Mr. Speaker, I rise today in support of the International Preventing Child Marriage Act.

I had the opportunity to travel earlier this year in September with the well-respected nonprofit CARE to the country of Ethiopia. During that time, we visited the Hamlin Fistula Hospital and saw firsthand the atrocities and the realities of the situation with so many of these young girls who are forced into early marriages beyond their wishes, marriages that rob their potential to grow and mature both physically as well as mentally, for them to be able to establish their own life and their own goals and hopes and dreams for them to pursue.

As a leader here in our country and around the world in preventing world poverty and spreading goodwill, there can be nothing better that we can do as a country than to join with our international partners in trying to prevent child marriage, both in Ethiopia as well as other countries around the world, and give these young women the hope and opportunity that people in our country have for themselves.

I urge a ''yes'' vote.

INCREASING THE NATION'S DEBT

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

Mr. DEFAZIO. Yesterday, with one vote, the United States Senate increased the debt of the United States by $858 billion. Is this the best we can do to help those out of work, the best we can do to begin a sustained economic recovery, to enshrine the trickle-down, supply-side tax cuts of the Bush years that have failed so miserably over the last decade and some of the worst aspects of the so-called stimulus debt finance consumption of goods made in China with money borrowed from China?

Worse yet, $112 billion of this is going to come from Social Security, the first time Congress has ever broken down the firewall between the general fund of the United States and the sacrosanct Social Security trust fund.

No, we could do much, much better.

REJECT THE OMNIBUS APPROPRIATIONS BILL

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

Mr. FLAKE. Mr. Speaker, when the Obama administration was faced with a massive omnibus in January of 2009, the President stated that he had to sign it because this is simply last year's business that he had no part of. Well, he's going to face another omnibus this year. This was all done under his watch by the Congress. It's not his fault, but he has a veto pen and he should use it.

This omnibus that's going to come to the President is going to contain more than 6,000 earmarks for things like a couple of hundred thousand that was mentioned for maple syrup research or $500,000 for biodiesel research from sewage-based biodiesel and thousands and thousands of other earmarks like this.

The President recently said: I agree with those Republican and Democrat Members of Congress who have recently said that, in these challenging days, we simply can't afford what are called earmarks.

Well, Mr. President, please make good on that statement. Veto this omnibus bill coming. Better yet, convince your colleagues in the House and the Senate to reject it before it comes to the floor.

WE CAN DO BETTER

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

Mr. DEUTCH. Mr. Speaker, I came to Congress to fight for new jobs, protect the retirement security of America's seniors, and give middle class families a fair shake in this economy. Yet our efforts, the basic bricks in the foundation of a working economy, have been cast aside by my Republican colleagues.

The Republicans have sweetened the tax deal today by demanding that American taxpayers fork over $26 billion for an estate tax break that will go to about 6,600 families. I offer some perspective.

There are more than 6,600 people in Century Village, King's Point, and each of the major retirement communities I represent. There are more undergraduates at Florida Atlantic University in my district. And my teenage daughters and their high school friends are together on track to have more than 6,600 Facebook friends.

And $26 billion? 16.2 million Americans who depend on food stamps to eat could eat for a year. 3.5 million American college students at our public universities could see their tuition paid in full. And most striking, more than $175,000 could go to each of the 140,000 families whose sons and daughters are serving in Afghanistan and Iraq.

We can do better, Mr. Speaker.

EXTEND ALL THE CURRENT TAX RATES FOR EVERY AMERICAN

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

Ms. FOXX. Mr. Speaker, today is December 16, 2010. There are only 15 days left until the American people are burdened with one of the largest tax increases in almost three decades. We must act now to extend all of the current tax rates for every American. We must allow Americans to keep more of their hard-earned money.

Stopping the tax increases leaves more dollars and cents in the pockets of those who need them. It will also encourage small businesses and the private sector to invest and hire. We need to spur economic growth to pull us out of one of the worst economies in our recent history.

The President and his party currently control both Chambers of Congress and will maintain a majority in the Senate and will hold the White House come January. Let's not just tell our fellow Americans that we listened and have heard their concerns about the economy and their money. Let's show them by extending all the current tax rates for every American and do that without other items that add to the deficit.

WE MUST DO MORE FOR OUR NATIONAL ECONOMY AND JOB MARKET

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

Mr. TONKO. Mr. Speaker, I rise today proud to represent the third fastest growing high-tech job market in the country, that being Albany and the capital district of New York.

According to a new Tech America Foundation report, Albany grew its high-tech positions last year by 1.6 percent. While this is good news, there is also bad news. Nationwide, the number of high-tech jobs shrank by 3.2 percent. Albany's success is at least partially due to the resources available at the University at Albany's College of Nanoscale Science and Engineering. These jobs were not created by a government handout to millionaires or massive estates. They were created by investing in the local infrastructure and economy to create jobs.

While Albany added 900 high-tech jobs over the past couple of years, with an average wage nearing $80,000, we must do more to lay the groundwork for our national economy and job market to grow the high-tech outcome. Those investments yield great returns and produce jobs.

OMNIBUS

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

Mr. PITTS. Mr. Speaker, it's over 1,900 pages long. It contains more than 6,000 earmarks. It costs over $1.1 trillion. It's the new Senate omnibus bill and it's a legislative travesty.

A lame duck Congress with Members who won't be here in just 3 weeks should not saddle the American people with hundreds of billions of dollars in new debt. This bill increases spending over last year, even though we ran up a $1.3 trillion debt this year, and will run up a similarly high deficit next year. We don't need to be growing the Federal Government; we need to be shrinking it.

This bill totally ignores what happened in this country on November 2, but seeing as some of the earmarks come from Senators who won't be back next year, I guess we shouldn't be surprised. The American people are tired of paying their taxes so that $165,000 can pay for maple syrup research and $1 million can go to AFL–CIO training programs.

Congress' approval rating this session is at a record low, 13 percent. With bills like this, we shouldn't be surprised.

TAX CUT PROPOSAL DEFINES CONTRASTING PRIORITIES

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I'm here this morning to simply say that Democrats continue to fight to maintain tax cuts on income up to $250,000 for couples and $200,000 for individuals. My Republican colleagues continue to demand tax cuts for all incomes, including millionaires and billionaires.

I ask my Democrats to please continue to extend the unemployment benefits to help out Americans to make it through this recession, and I plead with my Republican colleagues to not hold the middle class and unemployment hostage any longer.

I also recommend that we help the 155 million middle class Americans at a cost of $214 billion, and I plead with my colleagues to join us in assisting to help because only 4.8 million of the country's wealthiest, at a cost of $133 billion, is what we are trying to make a decision on.

Please join me and look out for the working people of this country, and let the billionaires continue to pay the bills.

□ 1020

HONORING THE SERVICE AND SACRIFICE OF CORPORAL CHAD STAFFORD WADE

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

Mr. BOOZMAN. Mr. Speaker, I rise today to honor one of America's bravest, Corporal Chad Stafford Wade of Bentonville, Arkansas, who valiantly sacrificed his life in support of combat missions in Afghanistan. Corporal Wade was a devoted family man and friend who was known to make those around him laugh. He shared his zest for life through the small things he did that put a smile on the faces of those who loved him, demonstrating his love of music, singing his favorite country songs, and enjoying the outdoors.

Corporal Wade taught others the importance of service, joining the Marine Corps in October of 2007. He was a member of the 2nd Battalion, 1st Marine Regiment, 1st Marine Division, I Marine Expeditionary Force based in Camp Pendleton, California, and served in combat missions in Iraq and Afghanistan.

My prayers and the prayers of Arkansans are with Corporal Wade's family, including his wife, Katie, his mom, Tami, and his dad Terence. I humbly offer my thanks to Corporal Wade, a true American hero, for his selfless service to the security and well-being of all Americans, and I ask my colleagues to keep his family in our thoughts and prayers during this very difficult time.

WHERE IS ROBIN HOOD WHEN YOU NEED HIM?

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

Ms. EDWARDS of Maryland. Mr. Speaker, where is Robin Hood when you need him? I rise today to express my profound sadness about the tax bill that was passed by the Senate and set to pass in this House that benefits the wealthiest of Americans at the expense of putting billions of dollars of debt onto the backs of our children and grandchildren. Where is Robin Hood?

It's not just about the estate tax for 6,600 families or the tax cuts for the 2 percenters. This is so irresponsible. It contradicts everything, as Democrats, that we have been fighting for for generations. And for those who charge that it's purity or sanctimony, make no mistake, this is about our value as Democrats. It's about the prospect of creating hope and opportunity for our children and grandchildren, and we're not doing it here. Mr. Speaker, I rise today to say that it's time for us to do what's in the interest of working families in this country and not to continue to sacrifice for the very few.

FREE TRADE AGREEMENTS

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

Mr. DREIER. Mr. Speaker, the American people are hurting. We all know that. In my State of California, we have a statewide unemployment rate of 12.5 percent; and in part of the area I am privileged to represent, we have a 15.5 percent unemployment rate. There are steps that we should have taken that we still can take that will help deal with the joblessness problem about which we are all concerned.

I believe that the President has been right on target in talking about the need to open up new markets around the world as we seek to create good manufacturing jobs right here in the United States of America. We can do that if we move as expeditiously as possible to pass not only the Korea Free Trade Agreement, which the President has talked about and he believes is very important, which will be the single-largest bilateral free trade agreement in the history of the world, but also at the same time within this hemisphere, we need to pass the Panama and Colombia Free Trade Agreements. Jobs can be created for Caterpillar workers, for John Deere workers, for Whirlpool workers right here in this country if we can open up the markets within this hemisphere. Union and nonunion jobs will be created. We need to move now.

THE DEFICIT

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

Mr. LYNCH. Later on today, Mr. Speaker, we will address this bill which would award a tax cut for the richest 2 percent of Americans, and it's important that we understand the context in which this bill is being addressed. In this current year, the government has taken in $2.4 trillion in revenue, but we have spent $3.7 trillion. And so we have a deficit of $1.3 trillion. If this bill passes, it will add almost $1 trillion to our national debt.

At current rates, by the year 2040, the interest on the debt will be double the amount that we spend on defense, education, transportation, agriculture, housing, the space program, science, and research and development. We can't keep kicking the can down the road and not address our national debt. We're running out of road, we're running out of time, and the American people deserve a better deal.

COSTLY AND UNNECESSARY SECOND F–35 ENGINE

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

Mr. QUIGLEY. Mr. Speaker, I rise today because, despite opposition from the Secretary of Defense, the President, the Navy, the Air Force, and the Marine Corps, the Senate spending package still includes $450 million for a second engine for the F–35. Americans across the country are tightening their belts, 15 million are unemployed, and many of those with jobs have not seen raises in years. But the Federal Government seems to think that it is exempt from this shared cost-cutting.

Despite the recession and ballooning debt, we continue to fund wasteful projects like the second engine, which our own military has asserted they neither need or want. Sadly, the second engine is just the tip of the defense spending iceberg, the lowest of the low-hanging fruit. According to a recent report by the Sustainable Defense Task Force, hundreds of billions could be cut from our defense budget without harming national security. There can be no sacred cows. Cost-cutting has to include defense, and it should start with what Secretary Gates has called the ''costly and unnecessary'' second F–35 engine.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE AMENDMENT TO H.R. 4853, TAX RELIEF, UNEMPLOYMENT INSURANCE REAUTHORIZATION, AND JOB CREATION ACT OF 2010

Ms. SLAUGHTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1766 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES 1766

Resolved, That upon the adoption of this resolution it shall be in order to debate in the House the topics addressed by the motions specified in sections 2 and 3 of this resolution for three hours equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means or their designees.

SEC. 2. After debate pursuant to the first section of this resolution, it shall be in order to take from the Speaker's table the bill (H.R. 4853) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United

States Code, to extend authorizations for the airport improvement program, and for other purposes, with the Senate amendment to the House amendment to the Senate amendment thereto, and to consider in the House, without intervention of any point of order except those arising under clause 10 of rule XXI, a motion offered by the chair of the Committee on Ways and Means or his designee that the House concur in the Senate amendment to the House amendment to the Senate amendment with the amendment printed in the report of the Committee on Rules accompanying this resolution. The previous question shall be considered as ordered on the motion to final adoption without intervening motion.

SEC. 3. If the motion described in section 2 of this resolution fails of adoption, the previous question shall be considered as ordered on a motion that the House concur in the Senate amendment to the House amendment to the Senate amendment, on which the Chair shall immediately put the question.

SEC. 4. Until completion of proceedings enabled by the first three sections of this resolution—

(a) the Chair may decline to entertain any intervening motion, resolution, question, or notice;

(b) the Chair may postpone such proceedings to such time as may be designated by the Speaker; and

(c) each amendment and motion considered pursuant to this resolution shall be considered as read.

POINT OF ORDER

Mr. FLAKE. Mr. Speaker, I raise a point of order against H. Res. 1766 because the resolution violates section 426(a) of the Congressional Budget Act. The resolution contains a waiver of all points of order against consideration of the bill, which includes a waiver of section 425 of the Congressional Budget Act, which causes the violation of 426(a).

The SPEAKER pro tempore. The gentleman from Arizona makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentleman has met the threshold burden under the rule, and the gentleman from Arizona and the gentlewoman from New York each will control 10 minutes of debate on the question of consideration. Following debate, the Chair will put the question of consideration as the statutory means of disposing of the point of order.

The Chair recognizes the gentleman from Arizona.

□ 1030

Mr. FLAKE. Mr. Speaker, I rise today in opposition to this tax package that the House will consider shortly. While there may not be unfunded mandates per se in the bill, this will impose a burden on States and local governments and everyone else here. And particularly it will add a huge burden to our kids and our grandkids, because we are borrowing hundreds of billions of dollars that will go directly to the deficit and directly to our $14 trillion national debt.

On November 2, I think we got a pretty good message from the taxpayers. They wanted us to stop running deficits and to start paying down the debt. Yet before we even get to the new year, just weeks away from the election, here we are, adding hundreds of billions of dollars to the deficit and to the debt. This compromise shows that Washington just doesn't get it yet. We simply didn't get the message we were supposed to on November 2.

I do support the extension of the 2001 and 2003 tax cuts that were enacted, and we also have to find a remedy for the death tax. But we've got to do it in a different way than this. Congress can take swift action to ensure that taxes don't go up, but we shouldn't be adding the other items that we're doing here. It's taken on the seasonal theme again, of course. It's become a Christmas tree. I'll explain a few of the items in it. But it just notes, more than anything, that we haven't gotten the message, that we're just going about things the same way we always have.

Let me just take one provision here, ethanol. We've been subsidizing ethanol now for nearly 30 years. It's about a $6 billion a year subsidy. They have the trifecta, the ethanol industry. We mandate its use. We impose tariffs to imports to make sure we can compete, and then we subsidize as well. And we're going to continue to do all those things here for an industry that should be mature at this time, but it's continuing to get subsidies. How in the world that belongs as part of this tax package I'll leave for the voters to decide. But it just shows that we haven't changed. When are we going to wake up to the fact that we can't continue to do business like this anymore?

With regard to ethanol, one of the former backers was former Vice President Al Gore. He said the other day: One of the reasons I made this mistake—this mistake being supporting the subsidizing of ethanol—is that I paid particular attention to the farmers in my home State of Tennessee, and I had a certain fondness for the farmers in the State of Iowa because I was about to run for President.

Now, that's a pretty candid admission. And the reason we have ethanol subsidies is that all Presidential campaigns begin in Iowa. But that's no reason to saddle the rest of the country with this kind of burden. And also the negative impacts on the environment are huge and growing from ethanol, yet we continue to do it just to buy a couple of votes to get this tax bill over the top.

With that, I reserve the balance of my time

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

I must say that I understand the point of the gentleman. I think spending this kind of money, over $700 billion over 10 years for 6,600 families in the United States, is a foolish expenditure. I do agree that what we want to do is get the deficit down, and believe me, that does not do it.

Technically, though, this point of order is about whether or not to consider the rule and, ultimately, the underlying measure. And, in reality, it's about trying to block the measure. I believe that that's an abdication of our responsibility. We have to have the opportunity to debate, and without an opportunity for an up-or-down vote on the legislation, we are failing our responsibility. I think that is wrong.

I hope my colleagues will vote ''yes'' so we can consider the legislation on its merits and vote accordingly and not stop it on a procedural motion.

I have the right to close, but in the end, I will urge my colleagues to vote ''yes'' to consider the rule.

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

Mr. FLAKE. I appreciate the comments of the gentlelady. She brings up that this is a technicality, that we're just speaking here on a point of order when we should be speaking on the bill and that we should debate this bill on the merits. I would like to. That's why I actually submitted an amendment to the gentlelady's committee, to the Rules Committee, to debate the ethanol provision; yet it wasn't included. We weren't allowed to debate that. And so if we're not allowed to debate that then under the rule, then we have to debate it some other time.

I would love to hear an explanation from the Rules Committee as to why this wasn't included and why only amendments that may make Members feel good about voting on but have no possibility of delaying this package were even considered.

Mr. DREIER. Will the gentleman yield?

Mr. FLAKE. I yield to the gentleman from California.

Mr. DREIER. I thank my friend for yielding.

I would say to my friend that he is absolutely right in pointing to the fact that we had a more than 2-hour hearing in the Rules Committee. The die was already cast. The decision had already been made that the only thing that would be made in order was an opportunity to increase the death tax, that burden on the intergenerational transfer that we believe is important to keep our economy growing. And the amendment that my friend offered, and my California colleague, Mr. HERGER, offered a similar amendment to deal with this notion of ethanol subsidies, which are just plain wrong, and I'm troubled at the fact that this rule does not allow us a chance to address those issues.

Mr. FLAKE. I thank the gentleman.

Just continuing on the ethanol theme, Robert Bryce of the Manhattan Institute said recently: ''Between 1999 and 2009, while U.S. ethanol production increased sevenfold to more than 700,000 barrels a day, U.S. oil imports actually increased by more than 800,000 barrels per day. Furthermore, and perhaps more surprising, during the same period, U.S. oil exports—yes, exports—more than doubled to more than 2 million barrels per day.

"Data from the Energy Information Administration show that oil imports closely track U.S. oil consumption. Over the past decade, as domestic oil demand grew, imports increased. When consumption fell, imports dropped. Ramped-up ethanol production levels simply had no apparent effect on oil imports or consumption."

We have every level of the administration, anybody who analyzes this says that this is a boondoggle; and yet it reappears here, a $6 billion item, not insubstantial, not small. But it appears here in this tax package simply to get it over the line. That simply can't happen anymore if we're going to get control on this debt and deficit.

Let me talk about one other provision of the tax bill. All of us talk about the burden that the payroll tax has, and it is big. And it's tough for taxpayers to pay the payroll tax. I would like to lower it. I think everybody would like to lower it. But the payroll tax is dedicated specifically for Social Security. It goes into the Social Security trust fund.

Under this legislation, we'll have a 2 percent reduction in the payroll tax on the employee side. That will net somebody like me or any Member of Congress here about $2,000 a year. What does it do for the deficit? It will balloon the deficit by $120 billion a year. One year from now, because it's only a 1-year reduction, we'll be faced with this same problem.

What do we do as Republicans? We always say we're not going to raise taxes on anybody, no matter how temporary the tax. We'll be forced politically, with the situation, where do we increase this tax? Do we let it go? If we let it continue, that's another $120 billion hole in the deficit and in the Social Security trust fund. Why are we doing that?

If we do have payroll tax deductions, we may well want to, but at least let's have commensurate benefit cuts on the other side. Let's address benefits on the other side. If we're not going to lower them, then we shouldn't lower this.

This is simply irresponsible for us to take a bill like this and assume that it's not going to have an impact on the deficit and not going to have an impact on the debt.

Where are we now? Just a few weeks ago, every one of us, I tell you, every one of us running for office said to the voters, we're going to get control of the debt and the deficit. All of us said that. And yet our first actions here, before we even go into the next Congress, is to put a bill on the floor that's going to balloon the debt and deficit. How can we do that? We can't. We shouldn't. That's why I am raising this point of order.

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

□ 1040

Ms. SLAUGHTER. I continue to reserve the balance of my time.

Mr. FLAKE. May I inquire as to the time remaining?

The SPEAKER pro tempore. The gentleman has 1½ minutes remaining.

Mr. FLAKE. Again, this is a package that we simply cannot afford. We cannot go on as if the deficit and the debt don't matter. Not only that they don't matter, but we expand them considerably. We can continue the tax cuts for every American. We can do that without these extra things in the bill. Let's wait until January. Let's wait until we have a new Congress, and let's do a different deal than this. This is not a deal that is good for the taxpayer; it is not a deal that is good for this institution.

We have said that we will change and that we got the message. This is evidence that we haven't.

I yield back the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman for his comments this morning. I urge him to vote "no" on this bill if he plans to do that, and I think he will find a great deal of company. But I want to urge my colleagues to vote "yes" on this motion to consider so we may debate and vote on this piece of legislation today.

It is not perfect by any means. I rarely see a piece of perfect legislation. But remember that what we are doing here is concurring in a Senate bill, which limited the fact of how many changes that we would be able to make.

I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

The question is, Will the House now consider the resolution?

The question of consideration was decided in the affirmative.

The SPEAKER pro tempore. The gentlewoman from New York is recognized for 1 hour.

Ms. SLAUGHTER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from California (Mr. DREIER). All time yielded during consideration of the rule is for debate only. I yield myself such time as I may consume.

GENERAL LEAVE

Ms. SLAUGHTER. I also ask unanimous consent that all Members be given 5 legislative days in which to extend their remarks on House Resolution 1766.

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

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, H. Res. 1766 provides for consideration of the Senate amendment to the House amendment to the Senate amendment to H.R. 4853, the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act.

The rule provides 3 hours of debate and makes in order a motion offered by the chair of the Committee on Ways and Means that the House concur in the Senate amendment to the House amendment to the Senate amendment to H.R. 4853 with the amendment printed in the Rules Committee report. If that motion fails, the rule causes to be pending a motion to concur in the Senate amendment to the House amendment to the Senate amendment to H.R. 4853.

Finally, until completion of all proceedings, the Chair may decline to entertain any intervening motion, resolution, question, or notice; the Chair may postpone proceedings to a time designated by the Speaker; and each amendment and motion shall be considered as read.

Mr. Speaker, this bipartisan agreement on a framework for extending middle class tax cuts and extending unemployment relief is certainly not perfect. In fact, I don't like it much at all.

In the lead-up to the debate here this morning, a lot of my constituents have encouraged me to oppose it. They know it is an unwarranted handout for millionaires and billionaires at a time when we are still fighting two wars with countless pressing needs here at home and a deficit that would push us further into the red by this giveaway.

A typical sentiment was reflected in a call from Ken, a Niagara Falls resident, who phoned my office to insist it was wrong-headed for Democrats, who control the House, the Senate, and White House, to agree to extend the Bush tax cuts for the wealthy. His words were: "Barack Obama is still the President of the United States, not MITCH MCCONNELL, and MCCONNELL should not get to dictate tax policy." To that, I say, I hear you. But, nonetheless, today here we are.

There are some good things in this bill. Certainly extending unemployment relief for struggling American workers who may have been laid off and simply need assistance to help them buy groceries and necessities until they find a new job is important.

During the last 2 years, this Congress has voted to cut taxes for working parents and small businesses at least eight times, and lower tuition costs for college students. We have provided the best opportunities for growth and prosperity.

But losing $25 billion in revenue to provide a tax shelter to 6,600 families who will qualify for this new estate tax handout is just wrong, it is disgraceful, and it is damaging to the entire economic future of this country.

In the aftermath of this negotiation, the President was accused of quitting in the first round, giving away the store, punting on first down, and other things that I don't want to go into here. But while this agreement is flawed, there are parts of it, as I said, that will benefit the American people.

Failure to send the bill to the President's desk for his signature would result in tax hikes on millions of middle class families across our country and loss of unemployment insurance for those who are hardest hit by this recession.

More importantly, I think it might risk slowing the economic recovery. However, I think it is very important for me to make this point: we have lived with these tax cuts for 10 years. It is certainly no secret to any American or anybody else in the world that our unemployment condition is perfectly awful. And to try to pretend to the American people that once we pass this great tax cut for the rich that jobs are suddenly going to rain on us makes us feel like Alice in Wonderland, able to believe 10 impossible things before breakfast. I am just not one of them. It will not make that kind of difference. It simply, once again, makes the rich richer. But that was the price we had to pay for helping the middle class and the unemployed.

I note that many of these tax cuts, as we know, were created 10 years ago. And what have they brought? Nothing but a deep-lasting recession. But what I also want to comment on here is the impossibility of this Congress to let these tax cuts expire, which would in itself decrease the deficit by 50 percent in 2 years, says to me that these will never expire. And I want to put that in connection with what we have done to the payroll tax.

I consider this one of the greatest threats to Social Security and its future. If anybody here believes, if anyone can stand up and believe that we are going to be able to reinstate that payroll tax on employers and employees, they only need to look at what is happening here today, that after 10 years of experience, which brought us no jobs, we are expanding tax cuts which will, again, bring us no jobs.

If this agreement doesn't become law, I know that the tax rates on the middle class will go up. They are going to end up paying more money, and I hate that, because God knows all the benefits in the last 10 years have gone to the wealthy.

I dread seeing my America, the one I grew up in and I love, where I don't believe that the American Dream is available for children anymore. I am not going to cry about it, but I know that now that the rich are richer and the poor are poorer, the poor children don't think about that much anymore. They think about trying to get an education, if they can, or trying to live another year.

So we have to take this bill up today. No question about it. And I feel very sad about it. But I will tell you that it has been our experience that these are the prices that we have to pay when we negotiate with our partners on the other side. They believe in trickle-down with all their heart: make everybody richer at the top, all those great folks, even those with great inherited wealth, as my colleague Mr. MCGOVERN said, who may never have worked a day in their life, and suddenly jobs are going to be produced. Please, America, please don't believe that. That is not what we are doing here today. We are not doing anything to benefit this economy here today.

That logic of driving up long-term deficits and putting the government in the red more than it is, to hand out money for a tiny fraction of taxpayers, is that really a sensible thing for America to be doing today? I think not. But we know that the other side in the coming years will pursue even more tax breaks for the wealthiest and the wealthiest estates. All of those tangible outcomes are directed toward millionaires and billionaires. As long as I am serving in Congress, I will resist this with every fiber of my being because I don't think it does anything for our economy while adding to the deficit.

In the end, I am here to encourage my colleagues to support this rule so that we may have this 3-hour debate, which will give people plenty of time on both sides to express their opinion. It is a fair process. All the Members will be able to express their views.

I reserve the balance of my time.

□ 1050

Mr. DREIER. Mr. Speaker, let me begin by expressing my appreciation to my very good friend from Rochester, New York, the distinguished chair of the Committee on Rules, Ms. SLAUGHTER, for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

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

Mr. DREIER. Mr. Speaker, let me begin in the spirit of the season and say that I would like to associate myself with some of the remarks that were offered by the distinguished chair of the Committee on Rules, and express appreciation to Ms. SLAUGHTER for her very, very interesting and thoughtful approach to this issue.

I associate myself with the remarks she made when she said she doesn't like this measure. I associate myself with her in that in saying I don't like this measure that is before us, Mr. Speaker. But I like even less the idea of our imposing a tax increase on every single American who pays their income taxes. I believe that that would have a deleterious effect to the goal that we as Democrats and Republicans alike share.

What is the message that we have gotten over and over and over again and the message that was sent this past November 2? It was create jobs, focus on economic growth, make sure that we can do everything that we possibly can to look at those Americans who are hurting today, and make sure that they have an opportunity to get onto the first rung of the economic ladder. That is the driving message. Obviously, a very important part of that is going to be to reduce the size and scope and reach of the Federal Government, which has undermined the ability for job creation and economic growth to take place.

Now, when I say I don't like this measure that is before us, I don't like the fact, and many of my Republican colleagues have raised this—Mr. FLAKE just raised concerns about the ethanol subsidies. I don't like the fact that we have unemployment benefits that are extended without being paid for. I don't like a number of the provisions here.

But we are in the midst of a very fragile economic recovery at this juncture, and I will tell you, mark my words, Mr. Speaker, beginning in January we are going to focus on cutting spending. I have just come from a meeting with a number of my colleagues, and we are determined to focus on that. That is why it is imperative that today we recognize that the issue that is before us is going to actually be helpful in our quest to deal with job creation and economic growth.

I congratulate President Obama for working in a bipartisan way to address this issue. In fact, I said in the last campaign that one of my priorities was to work to make President Obama a better President. I believe the fact that he has moved towards recognizing that a pro-growth economic policy has direct ties to the level of taxation imposed on working Americans and job creators is a positive sign, and I believe that moves him in the direction of being a better President.

I also have been encouraged by the fact that he wants to create jobs by opening up new markets around the world. I gave a 1-minute speech this morning talking about the importance of the key U.S.-Korea free trade agreement the President supports and I hope will send to us very soon. It will be the largest bilateral free trade agreement in the history of the world, when you look at the size of our economies. That is something that the President is supporting and I believe we will be able to work on in a bipartisan way.

So, Mr. Speaker, the notion of seeing President Obama shifting to the John F. Kennedy vision and the Ronald Reagan vision on economic growth is a very encouraging indicator to me and many of our colleagues, and should be for the American people as well.

Now, again I will say that Ms. SLAUGHTER is absolutely right; we don't like this measure. But the idea of increasing taxes is something that is anathema to the vision of economic growth and job creation. And it is not just conservative economists who say that, it is not just the supply-siders, of which I consider myself to be one.

Keynesian economists, Mr. Speaker, Keynesian economists, those who subscribe to the view of John Maynard Keynes, who lived until 1950, recognizing and focusing on the issue of spending, those who subscribe to the Keynesian view recognize that increasing taxes on anyone when you are dealing with slow economic growth is a prescription for exacerbating, exacerbating, the problems that you are trying to address.

Mr. Speaker, I have been in the midst of bipartisan discussions over the past several days with a number of my colleagues on the recognition that we have to say that Democrats should recognize that spending cuts need to take place and Republicans need to recognize that tax increases need to take place. It is an interesting discussion, and many argue that that is sort of the give-and-take we have.

But I think it is important as we look at this issue to harken back on history. Next month I will begin my fourth decade here, and I will say that there was a study done in my first decade, during the 1980s, by two professors from Ohio University, Professors Vedder and Gallaway. Their study looked at the impact of tax increases in the quest to try to reduce spending and the size and scope of government and deal with the problem that Democrats and Republicans alike regularly decry, that being the expansion of government.

Well, their study was known as the $1.58 Study. What it showed, Mr. Speaker, was that every time there was $1 in taxes increased, the Federal Government increased spending by $1.58. Now, I remember one of the first measures that I voted against was known as the Tax Equity and Fiscal Responsibility Act of 1982, and in that measure they said there would be $3 in spending cuts for every $1 in taxes increased.

Mr. Speaker, as we are here today just days before Christmas, going back to 1982 we got the $98.5 billion tax increase included in that, but we are still waiting for those $3 in spending cuts. The Vedder-Gallaway study made it very, very clear, looking on many occasions, the 1990 increase and other studies done since then have shown for every $1 in taxes increased, spending has increased from $1.05 to $1.81, and this is outlined in a piece that was done by Professor Vedder and Stephen Moore in The Wall Street Journal this week.

So our notion of saying that increasing taxes is going to deal with the deficit problem is again a specious argument.

Now, many argue that the tax that exists on job creators, those at the upper end, will create a great drain on the Federal Treasury. But if we are going to focus again on job creation and economic growth, Mr. Speaker, I am convinced, based on the vision put forth by Professor Arthur Laffer and many others, that the economic growth that will follow keeping those rates low on job creators will actually increase the flow of revenues to the Federal treasury, and keeping those top rates low, capital gains and dividend rates low, will spur the growth that will create jobs, and many people who today are not working and are in fact receiving unemployment benefits will have opportunity, and they will be joining the productive side of the economy and generating that flow of revenues to the Federal Treasury that we obviously desperately need.

Mr. Speaker, the American people have been asking us to do this for a long period of time. My colleagues have had an opportunity to do it for a long period of time. Unfortunately, here we are just 2 weeks, just 2 weeks before the end of the year, and 2 weeks before the largest income tax rate increase that we have seen in many a year is scheduled to take place.

So while there is much to criticize about this measure, and I could easily vote against it, I believe that the right vote for us to cast is a vote which will ensure that we continue down the road towards job creation and economic growth and allowing the American people to keep more of what they've earned.

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

□ 1100

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

Mr. McGOVERN. I thank the chairwoman.

Mr. Speaker, I rise in support of the rule but in reluctant opposition to the underlying legislation.

Let me begin by saying that I know there are a lot of goods things in this bill. The bill extends tax relief for middle class families. It extends unemployment insurance for Americans who, through no fault of their own, find themselves out of work in this difficult economy. The bill also extends several important tax relief measures that were included in last year's recovery package, including the parity for transit benefits, which is a measure that I have worked on here in the House.

I understand and appreciate the situation in which President Obama found himself. He was faced with the United States Senate that demands a supermajority of 60 votes to order pizza, let alone enact significant legislation. Over the past 2 years, our Republican colleagues in the Senate have blown by the previous records for filibusters. They have made it clear that their overriding political strategy is to say ''no'' to whatever President Obama proposes, no matter how worthy or popular. And that's unfortunate, but that's the reality we face. And it is unbelievably cynical.

But I believe that the provisions in this bill that give away billions and billions and billions of dollars to the wealthiest Americans are unnecessary, unproductive, and irresponsible. Unnecessary, because over the past few years, while millions of middle class families struggled to pay their mortgages and put food on the table, the wealthiest few in America have done very well. The fat cats on Wall Street are riding high once again with multimillion-dollar bonuses and golden parachutes. Unproductive, because study after study have shown that one of the least effective ways to stimulate the economy is to put more money into the pockets of the rich. The wealthiest few are more likely to save that money rather than invest it in our economy. CBO has found that of all the things we could do to stimulate the economy, tax breaks for the rich people in this country have the worst record of encouraging economic growth. And irresponsible, because this bill will add billions and billions of dollars onto our Nation's debt. None of these tax cuts are paid for.

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

Ms. SLAUGHTER. I yield the gentleman 30 additional seconds.

Mr. McGOVERN. We just came through a campaign in which everybody talked about the need for deficit reduction. The bipartisan Bowles-Simpson commission made it clear that we are on an unsustainable course. When they presented their report, everybody in this town nodded gravely and said this is important work. Yet here we are, less than a month later, making the problem worse.

Mr. Speaker, I cannot support the underlying legislation as written. I know we will have an opportunity to improve this bill by supporting an amendment to pare back some of the estate tax cuts for the wealthiest estates in America. I urge my colleagues to support that amendment.

Mr. Speaker, we can do better than this. We must do better than this. Future generations are counting on us.

Mr. DREIER. Mr. Speaker, I am happy to yield 3 minutes to my very hardworking Rules Committee colleague, the gentlewoman from Grandfather Community, North Carolina (Ms. FOXX).

Ms. FOXX. I thank my distinguished colleague from California (Mr. DREIER) for yielding time.

Mr. Speaker, I first want to make it clear I am opposed to allowing tax increases to go into effect on January 1. However, I am also opposed to this rule and the underlying bill.

It's very interesting to hear our colleagues on the other side of the aisle arguing against the tax bill before us today because of their concerns that we're adding to the deficit. We didn't hear those arguments when they were voting for the trillion-dollar stimulus and all the other trillions they have voted for in the past 4 years. In fact, their stories and those of the President have changed dramatically over the past few days. Mr. Speaker, I would like to put into the RECORD an article in American Thinker, December 14, ''Tax Cuts Clearly Explained.'' The article does a really good job of explaining the flip-flops on the side of the Democrats.

I want to quote a couple of sentences from it. It says, ''The Republican position was to keep tax rates where they are now and where they've been since 2003. Democrats fought to keep the Bush tax rates only for those making less than $250,000 in a year. That is curious, since they've been saying for about 10 years that the 'Bush tax cuts' went only to the wealthiest Americans. Democrats are arguing to keep something they said never existed.'' So we find our friends again on the other side of the aisle flip-flopping on this issue.

I'd also like to add a couple of more comments from this article. ''As a matter of record, the final Bush tax rates passed Congress in mid 2003, shortly after Republicans retook the Senate. From August 2003 to December 2007, over 8 million net new jobs were created and real GDP grew almost 3 percent per year. At the same time, Federal revenues increased by 2.3 percent of GDP, $785 billion, putting revenues above the average level of 1960 to 2000, the 40 years before Bush. Unemployment fell to 4.4 percent and the deficit fell to 1.2 percent of GDP. Such was the catastrophe of 4 years of Bush's tax rates and Republican-written Federal budgets.

''You will hear that this or that group, the top 2 percent of those who inherit dad's farm, et cetera, does not 'deserve' to have its taxes kept at the current rate. There are only two alternatives for where that money goes: the family that earned it or the government. If the family doesn't 'deserve' it, does the government?''

It appears from all the comments that our colleagues have made that they believe that the money that the hardworking Americans earn belongs to the government. As a member of the Rules Committee, I have seen up close how the ruling Democrats have violated every promise they made to run an open Congress but have shut out the opportunity to offer amendments.

We should vote down this rule and allow any amendments to be offered.

[From American Thinker, Dec. 14, 2010]

TAX CUTS CLEARLY EXPLAINED

(By Randall Hoven)

If you go to the White House website, right at the top is a bar you can click on to see ''Tax Cuts Clearly Explained.'' If you click, you see a video of one of President Obama's economic advisors using a whiteboard to explain that Republicans are bad, that Obama is above politics, and that if Obama gets his way, jobs and growth and goodness will spring forth.

The video starts out simply enough. Republicans want to extend the Bush tax rates for everyone; Obama wants to leave out the top 2% of income earners. It was all about the Bush tax rates and for how long, and to whom, to extend them.

But then the video starts talking about a host of things unrelated to those tax rates. The economist even lists them on his whiteboard.

Unemployment insurance,
Earned income tax credit,
American opportunity tax credit,
Child tax credit,
Payroll tax,
Investment incentives.

The ''clear'' explanation is that since the current tax rates for the top 2% would be extended another couple years, this list of unrelated ''targeted and temporary'' tax cuts must be added to the package to somehow offset them. The concern was that extending current tax rates for the top 2% would increase the deficit too much. So politicians compromised in a way that would increase the deficit more than either party's initial proposal. (King of like the way they compromised on TARP in 2008. Remember ''sweeteners''?)

Since Congress got into the compromise act, tax credits for ethanol, alternative fuels, and who knows what else have also been added.

In the spirit of clarity, what follows is my attempt to explain tax cuts.

The Republican position was to keep tax rates where they are now and where they've been since 2003.

1. Democrats fought to keep the Bush tax rates only for those making less than $250,000 in a year. That is curious, since they've been saying for about ten years that the ''Bush tax cuts'' went only to the wealthiest Americans. Democrats are arguing to keep something they said never existed.

2. According to the Congressional Budget Office, the entire package, as currently proposed in the Senate, would add $858 billion to the 2011–2020 deficit. Without it, the 2011–2020 deficit would be $6,246 B. So this package theoretically increases the ten-year deficit by 14%.

3. Of that $858 B, about $544 B comes from keeping current tax rates; the rest comes from the new goodies unrelated to the Bush rates. So because Democrats said some part of that $544 B adds too much to the deficit, they added another $314 B to the deficit. That is how compromise and ''the middle way'' work in Washington.

4. The CBO calculates future revenues under the assumption that tax rates have zero effect on the behavior of investors, consumers, employers, etc. Congress forces the CBO to make that assumption. Every economist this side of Paul Krugman knows that that assumption is wrong. One such economist is Christina Romer, President Obama's first choice as chief of his economic advisors. She said a tax increase of 1% of GDP reduces GDP by about 1.84%. And she said that this year in a published, peer-reviewed academic paper.

5. Another top economic adviser to President Obama, Larry Summers, was more direct. ''If they do not pass this [tax cut agreement] in the next couple of weeks, it will materially increase the risk of the economy stalling out and that we would have a double-dip [recession].'' Bill Clinton advised that passing the tax cuts would ''minimize the chances that it [the economy] will slip back [into recession].'' Again, top Democrats say we must keep the Bush tax rates or the recession resumes.

6. President Obama's view is that not keeping the Bush tax rates on those making under $250,000 ''would be a grave injustice'' and ''would deal a serious blow to our economic recovery.'' Again, this is curious because Democrats keep saying that Bush's tax cuts went only to the wealthiest Americans and caused all the harm we now see to the economy. But apparently, not continuing the Bush policy for 98% of taxpayers would be a ''serious blow'' to the economy.

7. President Obama believes that keeping the current tax rates for those making over $250,000 in a year ''would cost us $700 billion'' and do ''very little to actually grow our economy.'' He assures us that ''economists from all across the political spectrum agree'' on that. I believed he polled the same economists who said his stimulus would keep the unemployment rate below 8%.

8. As a matter of record, the final Bush tax rates passed Congress in mid-2003, shortly after Republicans retook the Senate. From August 2003 to December 2007, over eight million net new jobs were created, and real GDP grew almost 3% per year. At that same time, federal revenues increased by 2.3% of GDP ($785 B), putting revenues above the average level of 1960–2000, the forty years before Bush. Unemployment fell to 4.4%, and the deficit fell to 1.2% of GDP. Such was the catastrophe of four years of Bush's tax rates and Republican-written federal budgets.

9. You will hear that this or that group (the top 2%, those who inherit dad's farm, etc.) does not ''deserve'' to have its taxes kept at the current rate. There are only two alternatives for where that money goes: the family that earned it, or the government. If the family doesn't ''deserve'' it, does the government.?

[In fact, it appears from spoken and written comments that our colleagues think that the money that Americans earn should all belong to the government.]

As usual, this is not about anything the Democrats say it is about. If they are worried about the deficit, why did they add to the deficit to get this deal?

Republicans would have compromised by simply extending the current rates for two years instead of permanently. Obama saw that bet and raised unemployment insurance, earned income tax credit, American opportunity tax credit, child tax credit, payroll tax, and investment incentives. Congressional Democrats saw that bet and raised it ethanol and alternative fuels subsidies.

This is all about the Democrats rewarding their interest groups and blaming the certain deficit on Republicans. As usual, the Stupid Party will see that bet, holding a pair of deuces.

I'll try to clarify it with another analogy. A 700-pound man goes to the doctor. The doctor says the man needs to diet, and in fact prescribes a certain salad as the man's meal for the next few months. The 700-pound man agrees to eat the salad each meal—along with three roasted chickens, two pounds of bacon, a large pizza, and four cheeseburgers with the works. In his view, he compromised with his doctor.

Then when the man weighs 800 pounds after a few months, he blames his doctor.

Now you play doctor. Would you make that compromise, given you'll be sued for malpractice if the man gains weight?

Ms. SLAUGHTER. Mr. Speaker, I am delighted to yield 3 minutes to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. I thank the gentlewoman for yielding me this time to speak on this legislation.

It is very clear, because of the fragile state of our economy, that there are many important provisions in this tax bill before us. For middle income families, it means their tax rates will not go up. For people in need of unemployment insurance, it extends those benefits another 13 months. And for families struggling to make ends meet, this bill extends tax credits for them so that they can pay for their children's education and they can take care of their children. These are lifelines for hardworking families that are struggling in this economy.

I have fought my entire public career for these tax breaks to support middle income families to make college more affordable. These provisions help some 155 million Americans in this economy.

But that's not all that's in this tax bill. Tragically, these 155 million Americans were held hostage to a ransom that the Republicans would only help these families, help these individuals, help these students struggling in school if we gave tax cuts to the wealthiest people in this country. It is as if the wealthy don't have enough money and struggling middle class families have too much. But that was the price that was extracted for this legislation to help these 155 million Americans struggle through this economic downturn.

So we see that some $25 billion will be lavished on 6,600 of the wealthiest estates in this country. These are estates in excess of $10 million for a husband and wife. These are estates that have used all of the tax laws to minimize the size of that estate to their advantage before they pay the estate tax. But the Republicans were not prepared to give unemployment insurance to millions of Americans who are struggling to find work unless they could provide this money to the wealthiest people in the country. This is not fair, it will unnecessarily increase the deficit, and it has no stimulative value.

Economist after economist has told us what happens with this money when you give it to the wealthiest people in the country. They put it in the bank, and some day they may use it or they won't use it. It's not like middle income families that have to pay the rent, pay the lights, send their kids to school. It's a completely different operation.

□ 1110

So no stimulative value to giving billions and billions of dollars to the richest 2 percent of the people in the country; it's not fair in terms of the resources of this country being used for those individuals while other families struggle; and it creates deficit unnecessarily. If you're going to create the deficit, at least it ought to be stimulative, at least it ought to grow the economy; that's not what this does. It should be rejected for this reason because this deficit, beginning the first of the year, will start immediately coming out of the hides of programs that support these very same middle income families and the education of their children.

Mr. DREIER. Mr. Speaker, I am happy to yield 3 minutes to my very good friend and California colleague, the gentleman from Elk Grove, Mr. MCCLINTOCK.

Mr. MCCLINTOCK. I thank my friend for yielding.

Mr. Speaker, I commend the Senate for passing the tax relief measure yesterday and I certainly hope that the House passes it today.

According to the CBO, this bill comprises $136 billion of additional spending. That's true, but that's for $721 billion of tax relief. That means that 15 percent of this bill is spending; the other 85 percent of it is tax relief. That means no across-the-board increase in income taxes next year, no AMT biting deeper into middle class families, a death tax that is a third less than what it otherwise would have been, threatening far fewer family farms and family businesses with extinction.

If this relief fails, when the ball drops at Times Square on New Year's Eve, Americans will have just been walloped by a tax tsunami the likes of which we haven't seen since the Smoot-Hawley tariff. Families and small businesses will be spending the new year struggling to pay thousands of dollars of new taxes. A family making $50,000 will see at least $3,000 more taken from its paycheck. A small businessperson whose shop makes $300,000 will have to cut another $8,400—perhaps the difference between a part-time and full-time job for an employee.

From the left we're told we should raise taxes on the very rich who make over $200,000 because they don't pay their fair share. Well, according to the IRS, those folks earn 36 percent of all income; they pay 49 percent of all income taxes. But a lot of them aren't people at all. Half of the income earned by small businesses will be hit by these tax increases. These are the job generators that we are depending upon to end the nightmare of unemployment for millions of American families. To confiscate billions of dollars more from them and then expect more jobs to come of it is simply insane.

Some of my fellow conservatives object to the 15 percent of this bill that spends money we don't have and I agree, but that damage can be corrected through offsetting spending reductions next year. The new Republican House majority can do that without the Senate or the President simply by refusing to appropriate funds—and it is committed to doing so. But it cannot rescind the taxes next year without the Senate and the President, who have made their opposition to just such a clean bill abundantly clear. And even if such a retroactive bill could be passed by spring, these families and businesses won't get their tax overpayments refunded to them until they file their returns a year later.

Mr. Speaker, massive tax increases under Hoover turned the recession of 1929 into the depression of the 1930s. Let that not be the legacy of this Congress.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentlelady for yielding the time.

It is fairly extraordinary to listen to the debate coming from the Republican side of the aisle. We are headed toward—before this vote—a $1.3 trillion deficit next year. With this single vote, we will increase the deficit, the debt of the United States, by $430 billion this year and $430 billion next year.

Republicans want to pretend that somehow if you cut your income, you can still balance your budget. That would surprise most Americans. Most Americans don't cut back hours at work when they can't make ends meet at home unless they are forced to by their employer.

These tax cuts, the Bush tax cuts, were put into effect at a time of surplus. The rationale was give people back their money, we have a surplus as far as the eye can see. Now we're teetering on the edge of having the United States of America's debt rating downgraded. And if you increase the debt next year by $1.7 trillion—and you say, well, don't worry, we'll take care of it with some cuts. Cuts? $450 billion in 1 year? I don't think so, unless basically you eliminate virtually the entire government, close the prisons, turn the prisoners out, open the borders, no Coast Guard, and we go on down the list. $450 billion? No, you're not going to do that, and you know you're not going to do that. You're just pretending.

But even worse, $111 billion of this is going to come from Social Security. The Social Security trust fund has been inviolate since it was set up by Franklin Delano Roosevelt and wise men 75 years ago. He said this will be an earned benefit; Congress can't touch the money and can't cut the benefits. No, but what we're going to do in this deal, constructed by the Republicans—no Democrat has ever proposed this, no hearing has ever been held on it—is we're going to give a tax holiday. But don't worry, we'll make the Social Security trust fund whole; we'll go out and borrow $111 billion from China and we'll inject it back into the Social Security trust fund. What an absurdity and what a threat to the future of Social Security because next year they'll say, hey, we can't afford to subsidize Social Security, we can't afford to borrow $111 billion from China, but don't let that tax go back up, that will be the largest tax increase on working people in the history of the United States—just like we're hearing now. We go back to the Clinton-era taxes, the largest tax increase in the history of the United States. We created 23 million jobs during the Clinton administration, we balanced the budget of the United States of America, and we did that under the tax rates that would come back into effect on the 1st. But now you're going to attack Social Security, hold the unemployed hostage, and reduce the income of the United States and increase our debt. What a pathetic position to take.

Mr. DREIER. Mr. Speaker, I am happy to yield 2 minutes to my very thoughtful and hardworking colleague from Livonia, Michigan (Mr. MCCOTTER).

Mr. MCCOTTER. Mr. Speaker, I rise in opposition to the rule and to the underlying bill.

Amidst our tumultuous age of globalization wherein big government's restructuring is not merely desirable but inevitable, the sovereign people's congressional servants must facilitate the conditions for sustainable economic growth so people can work, and preserve and promote America's economic preeminence in the world.

To accomplish these vital tasks, government must adopt deep and enduring tax relief, and spending, deficit and debt reduction. These policies are neither novel nor fashionable. They are necessary.

Therefore, because I oppose raising taxes, increasing deficits and debt, and worsening the entitlement crisis, I fundamentally object to this compromised tax bill's following provisions:

One, a permanent tax increase in exchange for a temporary tax reprieve is mistaken since any and all tax increases in a recession retard a recovery.

And, two, a raid on Social Security requiring increased Federal debt to fund a temporary tax gimmick that will not increase sustainable employment is also mistaken.

Despite its proponents' best intentions, this bill will not end the suffering of the unemployed and economically anxious Americans. It will prolong it. For we cannot delay the day of big government's restructuring; and, in endeavoring to do so, we make the inevitable more painful, more prolonged, and, because it was unnecessary, more deplorable.

Finally, to those Republicans who claim no choice but to vote for a flawed bill now rather than wait 3 weeks for a better one, I disagree and offer an analogy. Imagine prior to the Battle of the Little Big Horn General Custer looking at his troops and saying: ''We must strike now before there are more of us.''

I disagree with this and urge my colleagues to reject the bill.

□ 1120

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY of Virginia. I thank the gentlelady from New York.

I am in a lonely place today.

Mr. Speaker, I rise in strong support of the tax cut compromise. Although our economy is in recovery, it remains fragile. If we don't pass an extension of the tax cuts now, every American will see smaller paychecks and higher taxes in January.

This compromise provides needed assistance to every American: an extension of the unemployment insurance that the CBO says will add 600,000 jobs; an extension of Earned Income Tax Credits and Child Tax Credits for lower income families; an AMT patch for middle income families; a 2 percent cut in the payroll tax that provides up to $2,000 in tax relief for workers; a 2-year extension of the income tax rates for all Americans; and business tax cuts that will spur up to $50 billion in private sector investment in the economy, which is desperately needed.

According to economist Mark Zandi, this compromise will add a full percentage point to the gross domestic product next year. Although we are in recovery, it is not a robust recovery. We need all of the stimulus we can get. This isn't a perfect bill, but I support the bipartisan compromise.

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

The SPEAKER pro tempore. Without objection, the gentleman from Massachusetts will control the time.

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Thank you.

Mr. Speaker, in this dealing-making, it became more important to get a deal—any deal—than to secure an agreement that reflects our American values and accomplishes our goal of renewed economic growth.

This bill is largely a mishmash of rejected Republican ideas that cost too much to accomplish too little. Under this misbegotten deal, we will borrow immense amounts of money from the Chinese and others to provide the wealthiest 1 percent of Americans with a tax cut that is greater than the median income of a Central Texas family for an entire year. This is the same fortunate 1 percent, for the most part, that took two-thirds of all of the income gains in the country during the heart of the Bush years. That is not fair, and it will not encourage significant economic growth.

The Republicans will rule this House for the next 2 years. Let's not give them an early start today. I would vote for a bill that creates more jobs and reduces the debt. This is not it.

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

Mr. MCGOVERN. Mr. Speaker, I yield 2½ minutes to the gentleman from Colorado (Mr. POLIS).

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

I am very excited that President Obama has demonstrated that he believes in keeping taxes low for all Americans.

Mr. Speaker, you know, as I talk to people in my district and across the country, people like the fact that the Democrats are the party of staying out of their personal business, that we are not doing the moralizing of how they should live their lives—live your own life; make your own decisions—that we are the party of personal accountability and of personal responsibility. Yet they're always concerned in the back of their minds that the Democrats are going to raise their taxes. That is something I always hear.

Oh, I like the Democrats because of the liberty issues, but you know, I always worry they're going to raise my taxes.

Well, I am proud to say that we are conclusively proving here today that the Democratic Party is the party of low taxes and that President Obama has a strong pro-growth agenda to keep taxes low for all Americans.

Let me add, by the way, that this tax cut that we are supporting today most benefits middle class Americans. They receive the true benefit from this tax cut. Families making $40,000 a year receive about a 7 percent rate reduction through this act. For families making $60,000 a year, it's 6.1 percent, all the way up to families making $10 million at 4.6 percent.

So this is a progressive tax cut for America. It is one that puts money into the hands of middle class families, who are those who need it the most. They're the families making $40,000, $50,000, $60,000 a year. To tell families making $50,000 a year that they somehow need to come up with $800 or $1,000 more a year in taxes when they're not getting raises is going to put them out of their homes. They're struggling to make mortgage payments as it is.

Mr. Speaker, in my district, there are a few people making over $1 million. Many of them say, You can raise my taxes. It won't affect my quality of life. But for the people who need it the most, the people making $40,000, $50,000, $60,000, $90,000 a year, who are struggling to get by—a kid in college—who are struggling to make their mortgage payments, this bill and President Obama have delivered tax relief to them.

In addition, in the midst of a recession, we cannot allow unemployment insurance to run out. Over 2,500 people a week in my home State of Colorado, if we don't act today and renew unemployment insurance, will lose their benefits—again, worsening the housing crisis, reducing the ability of their continuing to make their mortgage or rent payments, and forcing them to become liabilities rather than assets.

We will get them back to work, Mr. Speaker, especially with this pro-growth set of tax cuts that will encourage investment in our economy. We will get these Americans back to work, and we will ensure that everybody someday has the honor of paying at a higher tax bracket.

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

Mr. DREIER. Mr. Speaker, I would like to yield the gentleman an additional 30 seconds, and I would like to ask him to yield to me, if he would.

Mr. POLIS. I yield to my colleague from California.

Mr. DREIER. I thank my friend for yielding, and I would like to congratulate my friend on his very thoughtful statement and to say that, at the end of his remarks, Mr. Speaker, he talked about the notion of job creation/economic growth as a policy. Obviously ensuring that we don't increase taxes for any American who is paying income taxes is key to that.

I would appreciate hearing my colleague's thoughts on that.

Mr. POLIS. If I could request an additional 30 seconds to answer.

Mr. DREIER. Absolutely.

Mr. POLIS. Mr. Speaker, this tax cut that President Obama and the Republicans and Democrats are delivering here today will encourage solid growth in our economy by keeping taxes low and by giving some predictability over a 2-year period so people can make investments and know that the government is not coming in to take their money but will let them keep their money to reinvest in the economy.

Mr. DREIER. I thank my colleague for his remarks.

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

Mr. TAYLOR. Mr. Speaker, I would like to ask unanimous consent to speak out of order.

The SPEAKER pro tempore. Without objection, the gentleman from Mississippi is recognized.

There was no objection.

Mr. TAYLOR. Mr. Speaker, the rule before us, on a nearly trillion-dollar bill between spending and tax cuts, apparently does not allow for any time for the opponents of this measure. If you look at page 2, line 4, it says this resolution allows for 3 hours equally divided and controlled between the chair and the ranking minority member of the Committee on Ways and Means.

It is my understanding that both of those gentlemen are for the bill. What guarantee do those of us who oppose increasing the deficit by a trillion dollars have of being able to voice our objections if this rule passes?

If Mr. MCGOVERN would like to answer that question, I would welcome it.

Mr. MCGOVERN. My understanding is that there is an informal agreement that there will be time designated for those in opposition; at least an hour.

Mr. TAYLOR. Mr. Speaker, with that in mind, there is no guarantee for those of us who are opposed to raising the national debt by $1 trillion.

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

MOTION TO ADJOURN

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

The SPEAKER pro tempore. The question is on the motion to adjourn.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 14, nays 385, answered ''present'' 1, not voting 33, as follows:

[Roll No. 639]

YEAS—14

Bright
Cao
Dahlkemper
Flake
Garrett (NJ)
Gohmert
Hinchey
Hoekstra
Kirkpatrick (AZ)
Lamborn
Pascrell
Taylor
Tiahrt
Visclosky

NAYS—385

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ellison
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Giffords
Gonzalez
Goodlatte
Gordon (TN)
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marshall
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McNerney
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Poe (TX)
Polis (CO)
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Reed
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stearns
Stupak
Stutzman
Sullivan
Sutton
Tanner
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Upton
Van Hollen
Velázquez
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

ANSWERED ''PRESENT''—1

Maloney

NOT VOTING—33

Baird
Berry
Brown (SC)
Cardoza
Chandler
Cohen
Conyers
Davis (AL)
Davis (TN)
Delahunt
Ehlers
Ellsworth
Foster
Gingrey (GA)
Granger
Grijalva
Kline (MN)
Linder
Maffei
Marchant
Markey (CO)
Markey (MA)
McCarthy (NY)
McMorris Rodgers
Meek (FL)
Platts
Pomeroy
Sarbanes
Skelton
Turner
Wamp
Whitfield
Young (FL)

□ 1217

Messrs. COFFMAN of Colorado, LIPINSKI, RODRIGUEZ, HEINRICH, MARSHALL, HOLT, ORTIZ, GEORGE MILLER of California, MORAN of Virginia and Ms. SHEA-PORTER changed their vote from ''yea'' to ''nay.''

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

So the motion was rejected.

The result of the vote was announced as above recorded.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE AMENDMENT TO H.R. 4853, TAX RELIEF, UNEMPLOYMENT INSURANCE REAUTHORIZATION, AND JOB CREATION ACT OF 2010

The SPEAKER pro tempore (Mr. CUELLAR). The gentleman from Massachusetts has 11 minutes remaining and the gentleman from California has 9½ minutes remaining.

The Chair recognizes the gentleman from Massachusetts.

Mr. MCGOVERN. Mr. Speaker, I yield 1½ minutes to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. I thank the gentleman for yielding.

Mr. Speaker, just to remind Members where we are in this debate, we are about to debate and take up a measure that would, number one, preserve the tax cuts for the wealthiest 2 percent of Americans while we have a $1.3 trillion deficit in the current year. We would also, if this bill were to pass, create a tax exemption for estates of up to $10 million. That is for 6,600 individuals, which brings to mind, I will paraphrase Winston Churchill who said, it has been some time since so many have been asked to do so much for so few—and with no legitimate reason, I might add.

We are also talking about raiding the Social Security trust fund for the next 2 years, a total of $111 billion, and increasing the deficit by about $1 trillion, which will require us to exceed the national debt limit. So in April or

May of next year, with this bill passing, we will definitely exceed the current $14 trillion debt limit that the country has.

I had a fair opportunity to negotiate contracts when I was an ironworker; and one thing I learned, and it applies to this agreement with the Republican Senate, there's a big difference between compromise and surrender.

□ 1220

What this bill represents is a complete surrender of Democratic principles and standing up for working people and making them carry an undue burden under this new tax law.

Mr. DREIER. Mr. Speaker, I am happy to yield 3 minutes to my very hardworking colleague from Columbus, Indiana, who offered some very thoughtful remarks and endured the Committee on Rules last night, Mr. PENCE.

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

Mr. PENCE. I thank the ranking member for yielding.

Mr. Speaker, since last summer, I've been among those voices in this Congress calling for action to prevent a tax increase that would affect every American just a few short weeks from now. So I rise with a heavy heart today to say that as I look at this short-term tax deal negotiated by the White House with congressional leaders, that I have concluded after much study that it is a bad deal for taxpayers, it will do little to create jobs, and I cannot support it. Let me say, though, that I have the deepest respect for my colleagues on the Republican side of the aisle who may differ with me on this issue in the final analysis. This is a tough call.

No Republican in this Congress wants to see taxes raised on any American. We all know what we should be doing today is voting to extend all the current tax rates permanently. The reality is that uncertainty is the enemy of prosperity. And simply by extending some of the tax rates that are on the books today for a few short years, we will not create the certainty necessary to encourage businesses to take out loans, to expend resources in ways that will put people back to work. We just know that.

I was back in Muncie, Indiana, just a couple of days ago. I had a banker walk up to me at Rotary, and he said, What are you going to do on this? Sounds like a tough deal. And I said, You know, I hadn't decided at that point. He said, Well, nobody is going to come walking into my office to sign a 5-year note on a 2-year Tax Code.

So why are we doing 2 years? Well, there's an election in 2 years. I get that. There are people that, for whatever reasons, want to re-debate this in 2 years. I get that. I just don't get how it actually gets people back to work. And with regard to the spending in this bill, we can help families that are hurting in this economy, particularly during this cherished holiday season. But we can also figure out how to pay for it.

Lastly, let me say the American people have spoken on November 2, Mr. Speaker. The American people did not vote for more deficits or more stimulus or more uncertainty in the Tax Code. But that's just what this lame duck Congress is about to give them. I think we can do better. Every Republican in this Congress would like the opportunity to do better. Sadly, this rule does not permit us to even have a fair up-or-down vote on extending all the current tax rates, and I'm profoundly disappointed by that.

And so I rise in opposition to this rule, but I also rise in opposition to the underlying bill. We can do better. We must do better on behalf of hurting families and Americans who want to go back to work.

Mr. McGOVERN. Mr. Speaker, I am happy to yield 2 minutes to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. I'll be voting ''yes'' on the amendment, and if it fails, as I expect it will, I'll be voting ''yes'' on the bill. I'll vote ''yes'' on the amendment, because we ought to have a fair estate tax in this country. But, instead, Republicans insist that we increase the deficit $28 billion over the next 2 years in order to provide the lowest tax rates in 80 years on the richest few dozen families in each of our States.

We should care about the deficit. And to say that the tax rate included in the amendment is unfair is to say that every Republican voted for an unfair tax when they voted for the Bush tax law that was applicable to 2009.

Furthermore, another problem with the estate tax in the bill is that it provides a rate of tax for those deaths that occur in 2010 that is less than zero because the richest families can choose between a zero tax rate or huge write-offs on their income tax, which might be even lower, and they'll get the best possible tax advice.

Finally, under this bill you're going to have some people who realize that if the patriarch of the family dies this year, they save tens of millions of dollars over next year. I hope that no plugs are pulled.

I am going to vote for the bill only because of one question, Compared to what? If we do not send this bill to the President's desk this year, he will certainly sign a worse bill next year. It is not clear that House Democrats were at the table in the December negotiations, but it is clear that House Republicans will be at the table for the negotiations in January on this bill. The President and Democrats in the Senate have already agreed to this deal and I fear that they would agree to something a little bit worse. So it is with great reluctance that I will vote for this bill, should the amendment fail.

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

Mr. McGOVERN. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I would like to make sure that we classify this not as class warfare, if you will, but a Good Samaritan waving the flag. And, frankly, if we take the best of America and recognize that working people need help, the unemployment insurance that is part of this bill is a valid part of it. The child tax credit, the payroll holiday, all of those speak to the vision of this Nation that we have the willingness to share.

We understand when men and women on the front lines of Iraq and Afghanistan, they fight not for any one class or any one community. They fight for America. So when we provide an estate tax that blurs the understanding of America, that we need an estate tax that is $5 million and $10 million, we're not telling the truth. The present law provides for most Americans, $3.5 million for an individual, $7 million for those who are couples; provides for family businesses; it provide for farmers. It works—and it has worked. It is not necessarily the best. But to give $25 billion to $28 billion unnecessarily that would go and take away from education and Social Security and Medicare, domestic spending that is necessary, is a crime.

So this is not about fighting against someone who has a few more dollars than the next person. It's to do what we're sent here to do and make sure that the capitalistic system works for everybody, including those who are now unemployed. Let's get our senses together. Let's get the Senate to understand what the real deal is. Fight for everybody, not just a small special interest group. It's time to stand up and be counted. And I'd like to see this rule go forward simply because I want to put it to them that you can't spend $28 billion and waste it on those who don't need it.

□ 1230

Mr. DREIER. Mr. Speaker, I am happy to yield 1½ minutes to our very, very, very diligent and hardworking ranking member of the Committee on Energy and Commerce, the gentleman from Ennis, Texas (Mr. BARTON).

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. I thank the distinguished chairman-to-be of the Rules Committee, Mr. DREIER of California, my good friend.

Mr. Speaker, this is not a bad compromise that's before us, but it is also not the best compromise. It's not a bad deal, but it's not the best deal.

The gentleman from California who spoke on the Democratic side just a few minutes ago I think said it best when he said, In January, our Republican friends will be at the table. We are making a compromise today on the Republican side, in my opinion, that we don't have to make. I think the tax cuts should be permanent, not temporary. I think the additional spending should be paid for now, not just added to the deficit.

A funny thing happened in November: We elected over 80 new Republicans. The majority is going from about 255 Democrats to 242 Republicans. You cannot tell me that the week before Christmas that Americans in the business community are deciding what their capital investments are going to be for 2011. Those decisions have already been made. So I am going to vote against the rule and, with reluctance, vote against the bill, not because it's a bad compromise but because we can do better. And I fully expect in January, when the Republicans become the majority party in the House, that we will do better.

So again, this is not the worst bill that has ever been before us, but it could be better and it should be better, and so I would ask my colleagues to vote ''no'' on the rule and ''no'' on the bill.

Mr. McGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from the great State of New York (Mr. RANGEL).

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

Mr. RANGEL. For the first time approaching this rule, it is my understanding that if I want to stop $23 billion from increasing the deficit by knocking out a Senate provision and substituting a Pomeroy, in order to do that I would have to accept the remainder of the Senate bill. I don't think Members of this House should have to make that choice.

It seems to me that if you believe that it is inequitable for a handful of people to receive such a large amount of money at the expense of the deficit, at the expense of discretionary spending, that we should have an opportunity, one, to vote against the Senate bill in its present form that does that, and two, to vote for Pomeroy, which would allow us to at least control the amount of tax relief that we give to estate taxes.

I yield back the balance of my time, but I do hope we get a rule that will allow us to express exactly how we feel, Republican or Democrat, because if you're not a part of the deal, it's hard to be supporting it.

Mr. McGOVERN. Mr. Speaker, may I inquire as to how much time is remaining?

The SPEAKER pro tempore. The gentleman from Massachusetts has 3½ minutes remaining. The gentleman from California has 6½ minutes remaining.

Mr. McGOVERN. Mr. Speaker, at this time, I would like to yield 1½ minutes to my colleague from the Commonwealth of Massachusetts (Mr. CAPUANO).

Mr. CAPUANO. I thank the gentleman for yielding.

Mr. Speaker, like all major bills that we do here, there is good and bad in this bill. There are things I like and things I don't like. That is a normal circumstance here. But in the final analysis I think people have to ask themselves one simple question: Are we ever going to get to the place where we pay our bills? This bill doesn't do it.

In 2002, the last time this House had the opportunity to be fiscally responsible—and that's not the same thing as fiscally conservative or liberal; it's responsible—we voted to let the PAYGO rules go and the results are where we are today. This bill will kill our children, with very little input or benefit at the moment. It is not an emergency.

I want a tax cut just like everyone else, but I also consider myself, and I am a social liberal. I do believe in Social Security and Medicare and senior housing and all the other things that we do here. I do believe in them. I know that others don't, and I respect those who want to cut those programs. Let's have that debate, but let's not do it through the back door. If you believe in those programs, it is incumbent upon us to pay for them. Voting for this bill simply empowers those who want to cut those programs anyway, and I cannot, in good conscience, support that.

This bill must go down even if the deal we get next year is worse. I understand that, but it's not the right thing to do for those of us who believe in the programs we have.

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

Mr. Speaker, Democrats and Republicans alike share the goal of job creation and deficit reduction; we regularly hear that argued from both sides of the aisle. The best way for us to do that is to encourage economic growth. Economic growth is the key to dealing with job creation and deficit reduction.

Mr. Speaker, I don't like this bill that is before us, but I like even less the idea of increasing the tax burden on working Americans—in fact, putting into place what would be tantamount to the largest tax increase that we have ever seen.

I am very pleased that President Obama is beginning to embrace the John F. Kennedy vision for economic growth, the vision that has recognized that reducing marginal rates does in fact create jobs and create more opportunity, and the famous John F. Kennedy line, ''the rising tide lifts all boats.'' The fact that President Obama is now moving into that direction is a very positive thing.

He has also, on another issue that is going to create jobs, done so on the issue of trade. I am pleased that he wants us to move ahead with what will be the largest bilateral free trade agreement in the history of the world, that being the U.S.-Korea Free Trade Agreement. I think it is imperative for us to do this in Colombia and Panama as well so that we can create union and non-union jobs, good manufacturing jobs right here in the United States of America. That is an issue that I hope we are going to be able to address early next year.

So, Mr. Speaker, I believe that it is the right thing for us to do, for us to make sure that we don't increase taxes on working Americans.

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

Mr. McGOVERN. Mr. Speaker, I want to close simply by saying that I agree with many of my colleagues who have come to the floor today to express their concern about how these tax cuts—mostly for the rich—will add an incredible debt burden on the backs of our children and our grandchildren. We can do better than this.

I am also worried because I think what my friends on the Republican side want to do is basically kind of take tax cuts for the rich off the table next year when they use a budget axe to go after domestic spending.

I would just say to my colleagues that as we have this debate on tax cuts, there are a lot of people in this country who this debate is meaningless to because they're falling through the cracks. We have an obligation to help strengthen the safety net in this country. And I worry about the agenda that my Republican colleagues are going to pursue next year. I worry that it's going to be on the backs of the most vulnerable in this country, and that is wrong. We have an obligation, a moral obligation to be able to make sure that everybody in this country not only has opportunity, but is also not allowed to fall through the cracks.

We have a hunger problem in this country. We have children who go to sleep at night hungry in the richest country in the world. We should be ashamed of ourselves. We can do better than add to the deficit by giving more tax cuts to the wealthy.

Mr. Speaker, with that, I withdraw the resolution.

The SPEAKER pro tempore. The resolution is withdrawn.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 6516. An act to make technical corrections to provisions of law enacted by the Coast Guard Authorization Act of 2010.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

BANKRUPTCY TECHNICAL CORRECTIONS ACT OF 2010

Ms. CHU. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 6198) to amend title 11 of the United States Code to make technical corrections; and for related purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

On page 3, strike lines 1 through 5 and insert the following: ''and

''(F) in paragraph (51D), by inserting 'of the filing' after 'date' the 1st place it appears,''

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. CHU) and the gentleman from North Carolina (Mr. MCHENRY) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. CHU. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Ms. CHU. I yield myself such time as I may consume.

Mr. Speaker, on November 19, the Senate passed an amended version of H.R. 6198, the Bankruptcy Technical Corrections Act of 2010. H.R. 6198 makes a series of purely technical corrections in response to certain drafting errors resulting from the enactment of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005.

The Senate amendment simply removes from the bill a provision that corrected a misnumbered paragraph.

It is our understanding that some believe that this provision, which corrects a clear error in bankruptcy law, may possibly cause confusion with respect to other laws that currently contain cross-references to the incorrectly numbered paragraph. While some might question the need for the Senate amendment, we are willing to accommodate the concern.

Accordingly, I urge my colleagues to concur in the Senate amendment to H.R. 6198.

I reserve the balance of my time.

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

Mr. Speaker, I rise in support of the Bankruptcy Technical Corrections Act of 2010, as amended by the Senate.

The House passed the original version of the bill in late September to make purely technical changes to the Bankruptcy Code. Then, as now, these changes are not intended to make any change to substantive bankruptcy law.

□ 1250

Instead, these changes clean up the text of the Bankruptcy Code to make it easier to use by lawyers and judges.

The Senate amendment strikes one provision of the House bill which would have renumbered the section of the Bankruptcy Code that defines the term ''timeshare plan.'' Rather than define ''timeshare plan'' in their own State codes, many State legislatures have chosen to incorporate the Federal definition by reference into their State law. The Senate amendment reflects a concern that changing the section number of the Bankruptcy Code definition would have resulted in inaccurate cross references in numerous State codes.

The necessity of the Senate amendment highlights the perils that result when States legislate by reference to provisions of Federal law. The States are sovereign in our system of constitutional federalism and they should exercise an independent duty to legislate without respect to mutable Federal laws.

The House bill, as amended, will clear up some existing confusion in the bankruptcy community regarding provisions of the Bankruptcy Code. It is important that Federal law be technically sound so that the intent of Congress is clear and judges do not use technical loopholes to practice judicial activism.

In particular, it is important that the Bankruptcy Code be technically sound because of the volume of bankruptcy filings during this recession. As America continues to struggle with high unemployment, bearish capital markets, and massive deficits, the Bankruptcy Code is playing an increasingly important role in our Nation's financial health. Unfortunately, that is the case.

As my colleagues on the Judiciary Committee stated when the House first considered this bill, it is important that the CONGRESSIONAL RECORD reflect the bipartisan acknowledgment that this bill does not, and is not, intended to enact any substantive change to the Bankruptcy Code. Lawyers and judges who practice bankruptcy law should not understand any provision of this bill to confer, modify, or delete any substantive bankruptcy right. Similarly, no inference should be drawn from the absence in this bill of a technical amendment to any other part of the Bankruptcy Code.

With this understanding, I support the bankruptcy technical amendments bill as amended by the Senate, and I share that with my Republican colleagues on the Judiciary Committee.

I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. CHU) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 6198.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PUBLIC CONTRACT LAW TECHNICAL CORRECTIONS

Ms. CHU. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 1107) to enact certain laws relating to public contracts as title 41, United States Code, ''Public Contracts''.

The Clerk read the title of the bill.

The text of the Senate amendments is as follows:

Senate amendments:

On page 2, in the item related to chapter 35 in the subtitle analysis, strike ''**and**'' and insert ''**or**''.

On page 7, strike lines 14 through 20 and insert ''In this subtitle, the term ''supplies'' has the same meaning as the terms ''item'' and ''item of supply'' ''.

On page 9, line 20, strike ''**suppport**'' and insert ''**support**''.

On page 25, lines 11 and 12, strike ''under section 5376 of title 5'' and insert ''for level IV of the Executive Schedule''.

On page 48, line 34, strike ''employee from State or local governments'' and insert ''individual''.

On page 55, line 36, strike ''$2,500'' and insert ''$3,000''.

On page 56, line 15, strike ''$2,500'' and insert ''$3,000''.

On page 56, line 19, strike ''$2,500'' and insert ''$3,000''.

On page 77, line 1, strike ''his representatives'' and insert ''representatives of the Comptroller General''.

On page 93, lines 18 and 19, strike ''under section 5376 of title 5'' and insert ''for level IV of the Executive Schedule''.

On page 110, line 21, strike ''**AND**'' and insert ''**OR**''.

Beginning on page 131, strike line 8 and all that follows through page 132, line 19, and insert the following:

''(c) CONTRACT PERIOD.—The period of a task order contract entered into under this section, including all periods of extensions of the contract under options, modifications, or otherwise, may not exceed 5 years unless a longer period is specifically authorized in a law that is applicable to the contract.''

On page 185, line 39, strike ''AMOUNT'' and insert ''AMOUNTS''.

On page 185, line 40, strike ''amount'' and insert ''amounts''.

On page 186, line 1, strike ''amount'' and insert ''amounts''.

On page 201, line 13, strike ''under section 5376 of title 5'' and insert ''for level IV of the Executive Schedule''.

On page 204, between lines 10 and 11, insert the following:

''(3) PERSON.—The term ''person'' means a corporation, partnership, business association of any kind, trust, joint-stock company, or individual.''

On page 204, line 11, strike ''(3)'' and insert ''(4)''.

On page 204, line 14, strike ''(4)'' and insert ''(5)''.

On page 204, line 17, strike ''(5)'' and insert ''(6)''.

On page 204, line 20, strike ''(6)'' and insert ''(7)''.

On page 204, line 24, strike ''(7)'' and insert ''(8)''.

On page 204, line 31, strike ''(8)'' and insert ''(9)''.

On page 208, line 6, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 209, line 3, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 213, line 36, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 213, line 39, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 214, line 8, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 214, line 13, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 214, line 16, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 214, line 19, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 214, line 24, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 214, line 27, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 214, line 39, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 215, line 3, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 215, line 6, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 215, line 10, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 215, line 13, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 215, line 16, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 215, line 19, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 217, line 28, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 219, line 30, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 219, line 33, strike ''(except section 3302)'' and insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)''.

On page 219, line 38, insert ''**(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)**'' after ''**division C**''.

On page 220, line 5, insert ''(EXCEPT SECTIONS 1704 AND 2303)'' after ''DIVISION B''.

On page 220, line 8, insert ''(except sections 1704 and 2303)'' after ''division B''.

On page 220, line 13, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 220, line 16, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 220, line 18, insert ''(except sections 1704 and 2303)'' after ''division B''.

On page 220, line 36, insert ''(except sections 1704 and 2303)'' after ''division B''.

On page 221, line 5, insert ''(except sections 1704 and 2303)'' after ''division B''.

On page 221, line 13, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 221, line 16, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 221, line 26, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 221, line 29, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 222, line 18, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 222, line 22, insert ''**(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)**'' after ''**division C**''.

On page 222, line 37, insert ''(except sections 3302, 3501(b), 3509, 3906, 4710, and 4711)'' after ''division C''.

On page 223, line 25, insert ''(EXCEPT SECTIONS 1704 AND 2303)'' after ''DIVISION B''.

On page 236, strike ''2006'' in the column relating to ''Date''.

On page 236, strike the item related to Public Law 109–364.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. CHU) and the gentleman from North Carolina (Mr. MCHENRY) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. CHU. I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Ms. CHU. I yield myself such time as I may consume.

Mr. Speaker, H.R. 1107 codifies into positive law as title 41, United States Code, certain general and permanent laws related to public contracts. This is a noncontroversial bill that is not intended to make any substantive changes in the law. The Office of Law Revision Counsel periodically suggests to the committee of jurisdiction appropriate revisions to the United States Code in light of the enactment of codified laws. These changes are purely technical in nature. As is typical with the codification process, a number of non-substantive revisions are made, including the reorganization of sections into a more coherent overall structure.

Similar legislation has been introduced and favorably reported in each of the past two Congresses. It passed the House in May of last year. While it has been awaiting action in the Senate, a few additional technical corrections were identified, and they have been incorporated in the version that passed the Senate and that we are considering today.

I urge my colleagues to support this legislation.

I reserve the balance of my time.

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

Mr. Speaker, I support H.R. 1107, a bill proposed by the Office of Law Revision Counsel, to update and approve the codification of title 41 of the United States Code. The Judiciary Committee has jurisdiction over law revision bills, and this particular bill deals with the title addressing public contracts.

The Judiciary Committee considered and approved a similar bill last Congress, but it was ultimately not taken up by the House before the end of the Congress. H.R. 1107 and similar law revision bills are important because they ensure that the U.S. Code is up to date, accurate, and usable. I am glad to support this legislation today.

In closing, certainly the floor has been in chaos this afternoon, but we would like to take care of these Judiciary Committee suspension bills so we can get them done before the end of the year, and I appreciate my colleague taking the floor as well.

I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. CHU) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 1107.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. CHU. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

AUTHORIZING PILOT PROGRAM FOR PATENT CASES

Ms. CHU. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 628) to establish a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. PILOT PROGRAM IN CERTAIN DISTRICT COURTS.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established a program, in each of the United States district courts designated under subsection (b), under which—

(A) those district judges of that district court who request to hear cases under which 1 or more issues arising under any Act of Congress relating to patents or plant variety protection are required to be decided, are designated by the chief judge of the court to hear those cases;

(B) cases described in subparagraph (A) are randomly assigned to the judges of the district court, regardless of whether the judges are designated under subparagraph (A);

(C) a judge not designated under subparagraph (A) to whom a case is assigned under subparagraph (B) may decline to accept the case; and

(D) a case declined under subparagraph (C) is randomly reassigned to 1 of those judges of the court designated under subparagraph (A).

(2) SENIOR JUDGES.—Senior judges of a district court may be designated under paragraph (1)(A) if at least 1 judge of the court in regular active service is also so designated.

(3) RIGHT TO TRANSFER CASES PRESERVED.—This section shall not be construed to limit the ability of a judge to request the reassignment of or otherwise transfer a case to which the judge is assigned under this section, in accordance with otherwise applicable rules of the court.

(b) DESIGNATION.—

(1) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act, the Director of the Administrative Office of the United States Courts shall designate not less than 6 United States district courts, in at least 3 different judicial circuits, in which the program established under subsection (a) will be carried out.

(2) CRITERIA FOR DESIGNATIONS.—

(A) IN GENERAL.—The Director shall make designations under paragraph (1) from—

(i) the 15 district courts in which the largest number of patent and plant variety protection cases were filed in the most recent calendar year that has ended; or

(ii) the district courts that have adopted, or certified to the Director the intention to adopt, local rules for patent and plant variety protection cases.

(B) SELECTION OF COURTS.—From amongst the district courts that satisfy the criteria for designation under this subsection, the Director shall select—

(i) 3 district courts that each have at least 10 district judges authorized to be appointed by the President, whether under section 133(a) of title 28, United States Code, or on a temporary basis under any other provision of law, and at least 3 judges of the court have made the request under subsection (a)(1)(A); and

(ii) 3 district courts that each have fewer than 10 district judges authorized to be appointed by the President, whether under section 133(a) of title 28, United States Code, or on a temporary basis under any other provision of law, and at least 2 judges of the court have made the request under subsection (a)(1)(A).

(c) DURATION.—The program established under subsection (a) shall terminate 10 years after the end of the 6-month period described in subsection (b).

(d) APPLICABILITY.—The program established under subsection (a) shall apply in a district court designated under subsection (b) only to cases commenced on or after the date of such designation.

(e) REPORTS TO CONGRESS.—

(1) IN GENERAL.—At the times specified in paragraph (2), the Director of the Administrative Office of the United States Courts, in consultation with the chief judge of each of the district courts designated under subsection (b) and the Director of the Federal Judicial Center, shall submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report on the pilot program established under subsection (a). The report shall include—

(A) an analysis of the extent to which the program has succeeded in developing expertise in patent and plant variety protection cases among the district judges of the district courts so designated;

(B) an analysis of the extent to which the program has improved the efficiency of the courts involved by reason of such expertise;

(C) with respect to patent cases handled by the judges designated pursuant to subsection (a)(1)(A) and judges not so designated, a comparison between the 2 groups of judges with respect to—

(i) the rate of reversal by the Court of Appeals for the Federal Circuit, of such cases on the issues of claim construction and substantive patent law; and

(ii) the period of time elapsed from the date on which a case is filed to the date on which trial begins or summary judgment is entered;

(D) a discussion of any evidence indicating that litigants select certain of the judicial districts designated under subsection (b) in an attempt to ensure a given outcome; and

(E) an analysis of whether the pilot program should be extended to other district courts, or should be made permanent and apply to all district courts.

(2) TIMETABLE FOR REPORTS.—The times referred to in paragraph (1) are—

(A) not later than the date that is 5 years and 3 months after the end of the 6-month period described in subsection (b); and

(B) not later than 5 years after the date described in subparagraph (A).

(3) PERIODIC REPORTS.—The Director of the Administrative Office of the United States Courts, in consultation with the chief judge of each of the district courts designated under subsection (b) and the Director of the Federal Judicial Center, shall keep the committees referred to in paragraph (1) informed, on a periodic basis while the pilot program is in effect, with respect to the matters referred to in subparagraphs (A) through (E) of paragraph (1).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. CHU) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. CHU. I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Ms. CHU. I yield myself such time as I may consume.

Mr. Speaker, this bill seeks to create a pilot program that will enhance district court expertise in patent cases.

Patent litigation is complex and highly technical. This makes litigation expensive, time consuming, and unpredictable. Moreover, the reversal rate of district court decisions is high, hovering around 50 percent. The bill before us today, H.R. 628, seeks to increase efficiency and consistency in patent and plant variety protection litigation and reduce the reversal rate.

The pilot program created by this bill would enable interested judges in certain district courts to develop expertise in adjudicating patent and plant variety protection cases. This will create a cadre of judges who have advanced knowledge of patent and plant variety protection due to more intensified experience in handling the cases, along with special education and career development opportunities.

By providing judges with more training and experience in patent law, this country will have fairer and more predictable decisions resulting in a positive effect on the economy as a whole, as businesses will be able to allocate more time to inventing and less time litigating.

The program would involve six of the Nation's 94 judicial districts on a strictly voluntary basis. Note this is just a pilot program; and unless Congress chooses to renew it, it will automatically expire after 10 years. The bill mandates reporting requirements to Congress that will help guide our future efforts to further improve the patent system. We will monitor the effects of this program closely.

□ 1300

H.R. 628 has bipartisan support in the Judiciary Committee and broad support from the patent bar and affected industry and trade groups. In 2006, a nearly identical bill, H.R. 5418, was reported by the Judiciary Committee and passed the House under suspension. The legislation passed the House again under suspension in the last Congress. This Congress, back in March of 2009, this House passed H.R. 628. This amended version before us today expands the number of districts that are eligible to be chosen for this program.

I want to particularly note the efforts of my friends on both sides of the aisle, Representative ISSA and Representative SCHIFF, whose tireless and substantial personal efforts shepherded this bill from start to finish—and we are close to the finish line.

I urge my colleagues to once again join me in supporting this bill.

I reserve the balance of my time.

Mr. POE of Texas. Mr. Speaker, I yield myself as much time as I may consume.

It is widely recognized that patent litigation is too expensive, too time-consuming, and too unpredictable. H.R. 628 addresses these concerns by authorizing a pilot program in certain United States district courts to promote patent expertise among participating judges.

The need for such a program becomes apparent when one considers that fewer than 1 percent of all the cases in United States district courts, on average, are patent cases and that a district court judge typically has a patent case proceed through trial once every 7 years. Nevertheless, these cases account for 10 percent of complex cases, and they require a disproportionate share of attention and judicial resources.

Notwithstanding the investment of additional time and resources, the rate of reversal on claim construction issues—the correct interpretation of which is central to the proper resolution of these cases—is unacceptably high. The premise underlying H.R. 628 is, succinctly stated, practice makes perfect, or at least better. Judges who focus more attention on patent cases will be expected to be better prepared to make decisions that can withstand appellate scrutiny.

The bill that we have before us today is the product of extensive oversight hearing that focused on proposals to improve patent litigation, which was conducted by the Subcommittee on Courts, the Internet, and Intellectual Property in October of 2005. This litigation is similar to H.R. 34 from the 110th

Congress and H.R. 5418, a bill that passed the House unanimously during the 109th Congress. More recently, the House passed H.R. 628 on March 17, 2009. The other body passed the legislation with amendments on December 13. The new changes improve the measure by eliminating a $10 million authorization and by expanding the bill's application to smaller judicial districts.

Mr. Speaker, H.R. 628 requires the director of the Administrative Office of the Courts to select at least six district courts to participate in a 10-year pilot program that begins no later than 6 months after the date of enactment. The bill specifies criteria the director must employ in determining eligible district courts. It also contains provisions to preserve the random assignment of cases and to prevent the selected districts from becoming magnets for forum-shopping litigants and lawyers.

The litigation additionally requires the director in consultation with the director of the Federal Judicial Center and the chief judge of each participating district to provide the committees on the Judiciary of the House of Representatives and the Senate with periodic progress reports. These reports will enable the Congress and the courts to evaluate whether the pilot program is working and, if so, whether it should be made permanent.

Mr. Speaker, the bill does not substantially amend the patent laws or the judicial process, nor does it serve as a substitute for comprehensive patent reform that is needed. Rather, H.R. 628 constructs a foundation that future Congresses and the courts may use to assess the merits of future related proposals.

Before closing, Mr. Speaker, I would like to take a moment to commend the superb job that the bill's sponsors, Representatives ISSA and SCHIFF, did in seeking out and incorporating the advice of numerous experts as they developed this bipartisan important legislation. Their success and cooperation have resulted in a good bill that deserves the support of Members of the House on both sides of the aisle. I urge Members to support this bill.

I reserve the balance of my time.

Ms. CHU. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from California (Mr. SCHIFF), the sponsor of the bill.

Mr. SCHIFF. Mr. Speaker, I rise in support of H.R. 628, and I want to begin by acknowledging the leadership of my colleague DARRELL ISSA from California in developing this bill. I joined with Mr. ISSA to introduce this important legislation back in the 109th Congress. It has not been a short road to get here today to hopefully enact this bill, but we would not have made it without his leadership.

I partnered with Mr. ISSA on the bill because we share a deep interest in improving the efficiency of the patent process, in reducing litigation costs and inefficiencies in patent review, and also in improving the quality of patents. This bill, in part, grew from a hearing in the 109th Congress on improving Federal court adjudication of patent cases in response to high rates of reversal. At this hearing, a number of proposed options to address this issue were discussed. Serious concerns were expressed about a number of proposals, including those that would create new specialized courts and those that would move all patent cases to existing specialized courts. These concerns centered around the need to maintain generalist judges, to preserve random case assignment, and to continue fostering the important legal percolation that currently occurs among the various district courts. Our proposal aims to avoid these pitfalls.

H.R. 628 establishes a mechanism to steer patent cases to judges that have the desire and the aptitude to hear such cases while preserving the principle of random assignment in order to prevent forum shopping among the pilot districts. The legislation will also provide the Congress and the courts with the opportunity to assess the program on a periodic basis. Reports will examine whether the program succeeds in developing greater expertise among participating district judges, the extent to which the program contributes to improving judicial efficiency in deciding these cases, and whether the program should be extended, expanded, or made permanent. By providing our courts with the resources they need to carefully consider patent cases, we will ultimately save the taxpayer money.

While this legislation is an important step at addressing needed patent reforms, I believe that Congress must continue to work on a more comprehensive reform of our patent system, and I look forward to continuing my work with my colleagues in order to address these issues.

Mr. POE of Texas. Mr. Speaker, I yield such time as he wishes to consume to the gentleman from California (Mr. ISSA), who is a sponsor of this bill.

Mr. ISSA. Mr. Speaker, it's been 8 years since this bill began being kicked around as a pilot. Some people would be less happy to announce it than I, but I would like to find them. Eight years ago when I began the dialogue with my colleagues, then the subcommittee ranking member, Mr. BERMAN, said, Tell me more about this problem. And I told him from life experience of the problem of these very talented judges, magistrates, and Federal judges who wanted to do a good job on patents, but it was almost always their first patent, and they lacked a support system to make it happen in both large and small districts. I told them how the southern district of San Diego had found ways to try to improve the system, gleaning some additional expertise from one or two judges who preferred these cases over some others and who actually sought them out. I also told some of my fellow colleagues about the horror stories of a magistrate ascending to the bench, finding that what he got from each of the other members were all their patent cases, and suddenly he had a backlog of these, had to find out what a Markman hearing was, had to start getting into technical issues, one on electronics, another on biotech, another one on telecommunications.

So over the years, we have all been educated well beyond that initial anecdotal example. Then ORRIN HATCH, Chairman HATCH, was supportive. Now Chairman LEAHY is supportive. All along the way, my classmate ADAM SCHIFF has been supportive, along with both chairman, and ranking member at times, HOWARD BERMAN. Chairman CONYERS has continued to be supportive and has helped me, along with Ranking Member LAMAR SMITH, vote this out early on in this Congress.

□ 1310

But I have a special thanks for Chairman LEAHY who made sure this bill was pulled out of the comprehensive patent reform bill because its time truly had come to begin saying to judges throughout the country that, in fact, we were going to help them help themselves be better at this. Although it's called patent pilot, over the years it has been expanded to the number of jurisdictions that it could be used in to where it's become quite clear that this will be a challenge to be expanded countrywide in whatever format the study shows is best.

I find that this Congress, in its lame duck session, has done a few good things. No surprise that this is one that I think is particularly good, particularly good because, as Congressman SCHIFF just said, we are, in fact, dealing in the lame duck session with a problem that has been pervasive since before Congressman SCHIFF and I became Members of this body 10 full years ago.

So as I thank each of you for your passage of this bill, and with full confidence that this will become a broader consensus throughout the Federal system, I also join with my friend and colleague ADAM SCHIFF in saying that the next Congress, in the early days, we must truly dedicate ourselves to comprehensive patent reform, to take each of the major issues that have been difficult and have, Congress after Congress, failed to become law, and find ways to resolve some or all of them for the good of the American people who find themselves spending 2, 3 or 8 or $10 million on what can often be a frivolous suit.

Again, Mr. POE, I thank you for yielding me the time. I ask all my colleagues to vote for this small but important change in patent law.

Mr. Speaker, I rise today in support of H.R. 628, a bill to establish a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges. Congressman ADAM SCHIFF and I have worked together on this legislation since the last Congress, and I am grateful for the chance to move this legislation forward today.

The high cost of patent litigation is widely publicized, and it is not unusual for a patent suit to cost each party over $10,000,000. Appeals from district courts to the Court of Appeals for the Federal Circuit are frequent. This is caused, in part, by the general perception within the patent community that most district court judges are not sufficiently prepared to hear patent cases. I drafted this legislation in an attempt to decrease the cost of litigation by increasing the success of district court judges.

H.R. 628 establishes a pilot project within at least six district courts. Under the pilot, judges decide whether or not to opt into hearing patent cases. If a judge opts in, and a patent case is randomly assigned to that judge, that judge keeps the case. If a case is randomly assigned to a judge who has not opted into hearing patent cases, that judge has the choice of keeping that case or sending it to the group of judges who have opted in. To be a designated court, the court must have at least 10 authorized judges with at least 3 opting in, or certify that they have adopted local rules for patent and plant variety protection cases.

The core intent of this pilot is to steer patent cases to judges that have the desire and aptitude to hear patent cases, while preserving random assignment as much as possible. The pilot will last no longer than 10 years, and periodic studies will occur to determine the pilot project's success.

I am happy to say that H.R. 628 is supported by software, hardware, tech and electronics companies, pharmaceutical companies, biotech companies, district court judges, the American Intellectual Property Law Association, and the Intellectual Property Owners Association among others.

This legislation is a good first step toward improving the legal environment for the patent community in the United States. H.R. 628 should not, however, be taken as a replacement for broader patent reform. We still need to address substantive issues within patent law, and I look forward to working with my colleagues on that broader effort as well.

I thank Judiciary Committee Chairman JOHN CONYERS and Ranking Member LAMAR SMITH, as well Senators HATCH and LEAHY. I also thank my staff and the committee staff who worked so hard to make this possible.

I encourage all of my colleagues to support H.R. 628.

Ms. CHU. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. POE of Texas. I yield myself as much time as I may consume.

Mr. Speaker, patent law is complicated. It is difficult. It is messy. Now, that's why law schools have a special track for those that want to be patent lawyers. They get their own certification, in many law schools, because it is so complicated. And then when those cases go to court, they need to be presented to a judge that has a lot of experience in patent law. It is a difficult, complex legal issue in almost every case. And those cases take, sometimes, years before they are resolved in court, then on appeal, and the reversal rate is extremely high.

This legislation, hopefully, corrects that problem in giving those district judges that want to hear these cases that special expertise in hearing a great number of these cases, becoming experts and understanding the law, the complexities of the law and, hopefully, getting a better and quicker result in the courtrooms of the United States. I support this legislation.

I want to commend, once again, the two representatives from California, Mr. SCHIFF and Mr. ISSA, for their long endurance over sponsoring this legislation.

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

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

The SPEAKER pro tempore (Mr. WEINER). The question is on the motion offered by the gentlewoman from California (Ms. CHU) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 628.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. CHU. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

PRESERVING FOREIGN CRIMINAL ASSETS FOR FORFEITURE ACT OF 2010

Ms. CHU. Mr. Speaker, I move to suspend the rules and pass the bill (S. 4005) to amend title 28, United States Code, to prevent the proceeds or instrumentalities of foreign crime located in the United States from being shielded from foreign forfeiture proceedings.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 4005

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 "Preserving Foreign Criminal Assets for Forfeiture Act of 2010".

SEC. 2. PRESERVATION OF PROPERTY SUBJECT TO FORFEITURE UNDER FOREIGN LAW.

Section 2467(d)(3)(A) of title 28, United States Code, is amended to read as follows:

"(A) RESTRAINING ORDERS.—

"(i) IN GENERAL.—To preserve the availability of property subject to civil or criminal forfeiture under foreign law, the Government may apply for, and the court may issue, a restraining order at any time before or after the initiation of forfeiture proceedings by a foreign nation.

"(ii) PROCEDURES.—

"(I) IN GENERAL.—A restraining order under this subparagraph shall be issued in a manner consistent with subparagraphs (A), (C), and (E) of paragraph (1) and the procedural due process protections for a restraining order under section 983(j) of title 18.

"(II) APPLICATION.—For purposes of applying such section 983(j)—

"(aa) references in such section 983(j) to civil forfeiture or the filing of a complaint shall be deemed to refer to the applicable foreign criminal or forfeiture proceedings; and

"(bb) the reference in paragraph (1)(B)(i) of such section 983(j) to the United States shall be deemed to refer to the foreign nation.".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. CHU) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. CHU. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Ms. CHU. I yield myself such time as I may consume.

Mr. Speaker, the Preserving Foreign Criminal Assets for Forfeiture Act of 2010 will ensure that U.S. courts can freeze assets while foreign legal proceedings are pending. This fix permits Federal law enforcement to assist foreign governments without waiting for a final judgment in a foreign court.

I want to tell you a story that highlights the importance of this legislation. Years ago, I met a bright young man named Bobby Salcedo, who grew up in my district it in El Monte, California. What struck me right away was Bobby's dedication to improving the lives of children and residents of his community. It was that dedication that gave him his incredible energy and passion to achieve as much as he did.

He was an elected member of the El Monte School District. He returned to his alma mater, Mountain View High School, to become its assistant principal, and was studying for his doctorate in education at UCLA.

Aside from his caring, selfless nature, Bobby was very intelligent, driven, and charismatic. It was clear to everyone who knew him that he was going somewhere. He was our rising star.

A year ago, Bobby traveled to Gomez Palacio in the Mexican state of Durango to visit his wife's family for the holidays. On New Year's Eve, he was out with family and friends at a local restaurant when gunmen burst in and dragged Bobby, along with five other men, out of the restaurant at gunpoint. They were then each shot to death execution-style. The next day, all six bodies were found dumped in a ditch. Bobby was only 33 years old.

After the investigation began, it was confirmed that none of the six murder victims were connected to the drug trade in any way. Bobby and the others were in the wrong place at the wrong time. Their deaths exemplify a growing number of innocent bystanders who are becoming victimized in the cartel violence in Mexico.

It had seemed as though the situation could not get worse. However, only weeks after Bobby was so brutally murdered, the lead state investigator in his case was also shot dead.

For me and thousands of others, Bobby's death is a symbol for both of our countries that progress for peace in Mexico must be made. We cannot allow the death of innocent bystanders or American citizens to pass without consequences. Until there is true accountability for the violence, there is little incentive for the drug lords to keep the peace.

In my conversations with law enforcement, I hear the same thing over and over again. In order to stop this wave of violence on the border and protect both American and Mexican citizens, we must hit the cartels where it hurts the most—their bank accounts and property, which are often located in the United States. So when I heard that Federal courts had severely limited law enforcement's ability to freeze foreign assets in the United States at the request of foreign governments, I had to act.

In 2000, Congress passed the Civil Asset Forfeiture Reform Act of 2000, which authorized Federal courts to assist foreign nations by freezing assets located in the United States while individuals stood trial in foreign courts. This process is consistent with our treaty obligations and, under those same international agreements, foreign courts will offer the United States similar assistance with assets located overseas.

This law is an important tool to fight organized crime, money laundering, and drug trafficking. It allows the U.S. to assist foreign governments in cutting the money supply to international criminal organizations.

Earlier this year, however, Federal courts interpreted the statute to apply only after a final decision has been reached in a foreign court proceeding. After the decision, law enforcement had no way to prevent illicit property from being moved out of our grasp before it was too late.

In the past few months, our government has been unable to protect more than $550 million that had been identified for forfeiture by foreign governments. This money will remain a continuing resource for criminal organizations, allowing them to fund extensive additional criminal activity.

The bill we are considering today includes due process protections similar to those used for restraining orders in anticipation of domestic forfeiture judgments. It also requires the courts to verify that the relevant foreign tribunal observes due process protections, has subject matter jurisdiction, and is not acting as a result of fraud.

This is just one small step to ensure that international criminal organizations like the cartels that murdered Bobby Salcedo have fewer resources to evade prosecution. It is for Bobby, his family, and the thousands of others who have been affected by cartel violence around the world that I fought to pass this important legislation.

□ 1320

I thank the chairman of the Judiciary Committee for allowing this bill to come to the floor so quickly, and I want to recognize the steadfast bipartisan support of my friend, Judge TED POE, and our colleagues in the Senate, Senators WHITEHOUSE and CORNYN.

This bill has the support of the Department of Justice, which is eager to use this tool to protect our borders and make the world a safer place. I urge my colleagues to support this important legislation.

I reserve the balance of my time.

Mr. POE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 4005, the Preserving Foreign Criminal Assets for Forfeiture Act of 2010, makes a simple, yet very important, technical change to Federal law to facilitate asset preservation for foreign countries. I am pleased to be a cosponsor of this legislation, and I commend my colleague from California (Ms. CHU) in sponsoring this House companion to S. 4005. I would like to thank her for her work on this issue in bringing it before Congress.

Federal law currently provides procedures by which the Federal Government can seek a court order to preserve or freeze certain domestic assets on behalf of a foreign government. This is an important tool to take out of the hands of criminals the proceeds that fund their illegal operations.

Criminals will go to great lengths to stash their ill-gotten profits. And whether it is an international drug cartel, a terrorist group, organized crime syndicate, or simply a savvy computer hacker or corrupt corporation, the key to putting a stop to their crimes is to put a stranglehold on their money that they have illegally obtained. But a recent D.C. circuit court of appeals decision limits the ability of the United States to assist foreign governments in retaining and restraining those assets.

The court interpreted section 2464 of title 28, governing the entry of foreign judgments, to authorize a U.S. court to freeze assets only after the foreign court's final forfeiture judgment. This is a significant limitation on our ability to assist in foreign forfeiture proceedings. If forced to await until a final foreign judgment is entered, we run the risk of allowing thousands, if not millions, of dollars to slip through our hands into the hands of the criminals.

In many countries, like Mexico, their judiciaries operate at a much slower pace than ours, and their prosecution rates are much lower. In fact, the criminal conviction rate in Mexico is less than 10 percent. Therefore, a lot of times, by the time a forfeiture judgment is made, the target has already moved their assets someplace else. This hampers our ability to go after Mexican cartel members who have assets here in the United States. So unless Congress clarifies the scope of section 2467, we run the risk of losing cooperation from foreign governments in our request to seize assets that are held abroad.

The investigation into the multi-billion dollar Ponzi scheme undertaken by Allen Stanford demonstrates our need for foreign countries to continue to freeze assets on our behalf. To date, Switzerland, Canada, and the United Kingdom have restrained a combined $400 million on behalf of the United States in just the Stanford case. This is money that certainly could have been lost if the United States was prevented from requesting such assistance from our allies until a final judgment was made.

The court of appeals was correct that it is not a court's role to substitute its view or policy for the legislation which has been passed by Congress. So I don't argue with the court's decision; but it is Congress' obligation to change and fix the law so that this does not occur in the future. With adoption of this legislation, Congress is establishing a clear and simple policy on the restraint of foreign assets.

So I commend my colleagues, Senators Whitehouse and Cornyn, and of course the gentlelady from California (Ms. CHU), for their efforts to clarify this statute. We must ensure that foreign governments can continue to rely on our assistance with their criminal prosecutions and the United States will continue to receive the same cooperation from our foreign allies.

I urge my colleagues to support this legislation.

I yield such time as he wishes to consume to the gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. I thank my colleague from Texas for yielding.

Mr. Speaker, I rise in strong support of the Preserving Criminal Assets for Forfeiture Act, and I want to commend my colleagues, both Ms. CHU and Judge Poe, for bringing this forward.

As he talked about, we've got a problem right now where a court case has allowed a loophole, a major loophole, where criminal organizations are able to shield their assets from our Justice Department. We do not want, and we cannot allow, for these foreign criminal organizations, whether it is drug cartels, money launderers, or others, to be able to shield those assets from the law, not only removing the accountability, but allowing them to keep those assets that they may use against our law enforcement here in the United States. It is critical that we get this passed quickly to close this loophole and prevent those types of shielding from the law as it is currently happening.

I also want to point out something else that my colleague from Texas talked about. In the Stanford case, this is a case where somebody created a

Ponzi scheme that affected lots of people in my State, in Texas, and other States. We cannot allow these kinds of people to be able to shield their assets from justice. Ultimately, they need to have their day in court, and they need to have to face justice for the things that they did to our American citizens here.

I strongly support this legislation and urge all of my colleagues to do so as well.

Ms. CHU. I reserve the balance of my time.

Mr. POE of Texas. I yield myself such time as I may consume.

Mr. Speaker, the forfeiture concept is very important to the helping of our law enforcement agencies throughout the United States. It is the concept that criminals, drug cartels make a lot of money off the crimes they commit; and that money, when confiscated, should be not given back to the perpetrator, of course. It should be used for law enforcement and other worthwhile endeavors.

Under current law, this problem is an extreme problem because of the fact that many times, by the time the criminal cartel has been captured and they go to trial, they have hidden their assets and then there is no money to go back into the forfeiture.

So this legislation prevents this problem from occurring in the future. It allows the seizure of those assets where they can be used for law enforcement. It makes criminals pay the rent on the courthouse and pay for the system that they have created, and it helps in the forfeiture.

I cannot overemphasize how important forfeiture of illegal, ill-gotten gain is to our law enforcement agencies. Just one example of this: down on the Texas border where our sheriffs are operating on the border, we have got one county. The sheriff in Hudspeth County doesn't even have a budget for the motor pool; in other words, he has no vehicles that are funded at taxpayer expense. So the only way he gets vehicles is capturing drug cartels and drug runners when they come into Hudspeth County and forfeiting their vehicles to law enforcement. That is why they have a nice set of Escalades that they use in the fight on the drug cartel.

So forfeiture, whether it is vehicles or whether it is money, is extremely important to law enforcement; and we must continue to help them where we can and make the criminals pay for the system they have created and pay the rent on the courthouse.

I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. CHU) that the House suspend the rules and pass the bill, S. 4005.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

□ 1330

GYNECOLOGIC CANCER EDUCATION AND AWARENESS ACT

Mrs. CAPPS. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 2941) to reauthorize and enhance Johanna's Law to increase public awareness and knowledge with respect to gynecologic cancers.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. REAUTHORIZATION AND ENHANCEMENT OF JOHANNA'S LAW.

(a) IN GENERAL.—Section 317P(d) of the Public Health Service Act (42 U.S.C. 247b–17(d)(4)) is amended—

(1) in paragraph (4), by inserting after ''2009'' the following: ''and $18,000,000 for the period of fiscal years 2012 through 2014''; and

(2) by redesignating paragraph (4) as paragraph (6).

(b) CONSULTATION WITH NONPROFIT GYNECOLOGIC CANCER ORGANIZATIONS.—Section 317P(d) of such Act (42 U.S.C. 247b–17(d)), as amended by subsection (a), is further amended by inserting after paragraph (3) the following:

''(4) CONSULTATION WITH NONPROFIT GYNECOLOGIC CANCER ORGANIZATIONS.—In carrying out the national campaign under this subsection, the Secretary shall consult with nonprofit gynecologic cancer organizations, with a mission both to conquer ovarian or other gynecologic cancer and to provide outreach to State and local governments and communities, for the purpose of determining the best practices for providing gynecologic cancer information and outreach services to varied populations.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. CAPPS) and the gentleman from Nebraska (Mr. TERRY) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. CAPPS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

Mrs. CAPPS. I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 2941, a bill to reauthorize Johanna's Law. I would also like to acknowledge the hard work of the bill's sponsor, Representative DELAURO, on this legislation. She has been a tireless supporter of this program and a staunch advocate for this reauthorization.

The bill reauthorizes an existing CDC program to educate women and health care providers about the detection and treatment of gynecological cancers. Gynecological cancers are diagnosed in over 80,000 American women annually and they kill nearly 28,000. The program educates women so that they can recognize the warning signs of gynecological cancers, because when such cancers are found early, treatment is most effective. The program also connects women to patient support services and key national organizations which are fighting gynecological cancers.

I know that many of my colleagues here today are cosponsors of the bill, and I urge you all in joining me in supporting it.

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

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

Mr. Speaker, I, too, rise in favor of H.R. 2941, otherwise known as Johanna's Law reauthorization. It would reauthorize Johanna's Law, which was first passed by Congress at the end of the 2006 session and directed the Health and Human Services Department to carry out a national campaign to increase awareness of gynecological cancer.

In 2006, 76,515 women were told that they had gynecological cancer and 27,848 died from that cancer. H.R. 2941 would authorize the Centers for Disease Control and Prevention to continue the nationwide campaign which is entitled ''Inside Knowledge: Get the Facts About Gynecologic Cancer.'' The campaign is designed to increase the awareness and knowledge of health care providers and women with respect to gynecological cancers.

Cancer screenings are effective when they can detect the disease early. It is widely known that the earlier the disease is caught, the greater chance a person has to survive it. However, in the group of gynecological cancers, only cervical cancer has a screening test that can detect the cancer in its earliest stages. It is therefore important that both individual women and their physicians remain aware of the disease and recognize signals that could lead to an earlier detection of the disease. That is why I urge all of my colleagues to support Johanna's Law.

Mr. Speaker, I now yield such time as he may consume to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman for yielding.

Ovarian cancer, if it is caught early, has a 93-percent chance for 5-year survival for women with this terrible cancer, and if they don't catch it early, only 27 percent of the ladies that get it have a chance of survival.

This bill was named after Johanna Silver Gordon, who went to the doctor regularly for her physical. Her doctor missed the ovarian cancer that she had, and, like many women, because the doctor either misdiagnosed or missed it, she passed away, I believe in December of 2006.

This was brought to my attention by a very good friend, Ms. Kolleen Stacy, in Indiana, who had gynecological cancer. She fought it for many years and she was a champion of Johanna's Law, and she brought to the attention of many people, including myself, the problems that women have by not knowing the signs of gynecological cancer problems, in particular ovarian cancer.

It is extremely important that this be caught early. For that reason, that is why this law is so important, because it gives women the opportunity to find out about the problems they may face early so that their survival rate can be increased.

I want to thank DARRELL ISSA, as well as our Democrat colleague who sponsored this bill, for bringing this to the floor a couple of years ago. I am very happy it is being reauthorized today.

What Johanna's Law does is it provides a cancer-specific fact sheet about gynecological cancers in both English and Spanish. It provides a comprehensive gynecological cancer brochure. It provides formative research and concept testing using focus groups to better understand the target audience.

It provides materials for primary care and health care professionals. And that is extremely important, because many physicians don't catch it. It is not because they don't want to; it is because the signs have not been very clearly defined and they haven't seen it. And it is extremely important that these materials for primary care and health care professionals be provided.

It provides print and broadcast public service announcements for women so that they can see on television maybe some of the symptoms that they have that might be leading to a gynecological-type cancer.

It also provides that all materials that have been created through Johanna's Law be sent to television, radio, and printout lists throughout the country. The CDC is tracking and airing the PSAs and audience impressions, and the CDC is also reaching out to groups encouraging the use of these materials.

As my colleague has stated, a lot of women have lost their lives or had their lives shortened because they didn't know the symptoms of gynecological cancer or ovarian cancer early enough.

This is a very important piece of legislation. I know that there are not a lot of people here speaking about it today, but women across the country who have suffered from various forms of cancer understand the import of legislation like this.

I would like to thank my colleagues in the Senate and my colleagues here in the House for bringing this legislation to the floor. Once again, I am very proud to be a cosponsor of it, and I urge its adoption.

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

Mrs. CAPPS. Mr. Speaker, I had intended to yield to the bill's author, our colleague from Connecticut, Representative DELAURO, but then her schedule precluded her from attending this hearing. So I am going to read her statement into the RECORD on her behalf.

Every hour, approximately 10 women in the United States are diagnosed with a gynecologic cancer such as ovarian, cervical, and uterine cancers. Each year, we lose over 26,000 of our mothers, our sisters, our daughters, and our friends to one of these terrible cancers. This is a tragedy.

Research shows that many of those deaths could be prevented if more women knew the risk factors and recognized the early symptoms of gynecologic cancers so that they could discuss them with their doctors. Some cancers have a dramatic difference in likely survival when they are diagnosed early. Ovarian cancer, as my colleague just referred to, for example, has just about a threefold difference in survivability between the early time it can be diagnosed and the later time it is often diagnosed.

In 2007, Johanna's Law, the Gynecologic Cancer Education and Awareness Act, was enacted.

□ 1340

This important legislation created a gynecologic cancer education and awareness campaign which is administered by the Centers for Disease Control and Prevention, CDC, to raise awareness of the five main types of gynecologic cancer: cervical, ovarian, uterine, vaginal, and vulvar.

Johanna's Law was originally authorized for 3 years, and H.R. 2941 reauthorizes the program for another 3 years. This bill reauthorizes a national awareness and education program to ensure that those diagnoses are made as early as possible so that women can have a higher chance of survival and authorizes, in addition, funding of $18 million over the 3-year period. The bill has more than 150 bipartisan cosponsors in the House. It was passed by unanimous voice vote in late September, and the Senate passed revised language on December 10. It is important that we reauthorize Johanna's Law in this Congress to continue building upon the CDC's efforts to educate women and their health care providers.

In conclusion, our colleague Ms. DELAURO wants to thank Congressman DARRELL ISSA; DAN BURTON, our colleague who has just spoken; and SANDY LEVIN for their committed leadership on this issue.

Ms. DELAURO. Mr. Speaker, I rise today in support of an important bill that enjoys strong and consistent bipartisan support—the reauthorization of Johanna's Law through 2014. This is an important vote. It will help to raise awareness of the warning signs of ovarian cancer.

Better awareness is one of the most critical tools we have. Research shows that many deaths from these diseases could be prevented if more women and health care providers knew the risk factors, and recognized the early symptoms of gynecologic cancers.

Better awareness might have helped Johanna Silver Gordon—in whose honor the bill is named. Johanna lost her life to ovarian cancer despite being a health-conscious woman who visited the gynecologist regularly. Like many women, Johanna had symptoms and clinical signs of ovarian cancer that were missed by both her and her healthcare provider. And her sister, Sheryl Silver, was determined never to let another sister, mother, daughter or friend go through the same thing.

This bill is a big step in that fight. It reauthorizes the existing CDC program that educates women and their health care providers about the symptoms of ovarian and other gynecological cancers. Put simply, it will save lives.

I want to thank Congressmen DARRELL ISSA, DAN BURTON, and SANDY LEVIN for their committed leadership on this issue. And I urge my colleagues to vote for this legislation today. As Johanna's family can tell you, it really will make a difference.

Mr. LEVIN. Mr. Speaker, I rise to urge the passage of H.R. 2941, to renew "Johanna's Law" to increase public awareness and knowledge of gynecological cancers. I am pleased to have introduced this important bill with Representatives DELAURO, ISSA, and BURTON. Johanna's Law established a national public information campaign to educate women and health care providers about the risk factors and early warning signs of gynecologic cancers. This bill before the House carries on that important life-saving work by extending funding of Johanna's Law from 2012 to 2014.

The law was named after Michigan resident Johanna Silver Gordon, a loving mother and dedicated public school teacher, who, despite visiting her doctor regularly, was blindsided by a diagnosis of late-stage ovarian cancer, learning only after her diagnosis that the symptoms she had been experiencing were common symptoms of that disease. Despite the best efforts of her physicians, tragically, Johanna lost her life to ovarian cancer 3½ years after being diagnosed.

Johanna's story is far too common. Although it has been 10 years since she died of ovarian cancer, and 4 years since Congress first passed this important legislation, each year over 71,000 women in the U.S. are diagnosed with a gynecologic cancer and over 26,000 women are lost to one of these serious cancers. Many of those deaths could be prevented if more women knew and recognized the early symptoms of gynecologic cancers and received prompt treatment.

Today we continue to build on the work we began with the passage of the first Johanna's Law 4 years ago. Our best weapon against gynecological cancers is early detection. A woman's chance of survival is dramatically improved when the gynecological cancer is diagnosed early. Ovarian cancer causes more deaths in women than any other gynecological cancer; however, it has a 93 percent survival rate if detected in Stage One, but only a 20 percent survival rate if detected in Stage Three or Four.

Right now, awareness, education, early diagnosis, and treatment are the most effective weapons we have in our war against gynecological cancers. I urge my colleagues to support Johanna's Law so we can prevail in our battle against these terrible cancers that cut short the lives of our mothers, daughters, sisters, wives, partners and friends. I urge passage of this very important legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. CAPPS) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 2941.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

S. 841; by the yeas and nays;

S. 3860; by the yeas and nays;

S. 3447, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PEDESTRIAN SAFETY ENHANCEMENT ACT OF 2010

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 841) to direct the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. BARROW) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 379, nays 30, not voting 24, as follows:

[Roll No. 640]

YEAS—379

Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boccieri
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilroy
Kind
King (IA)
King (NY)
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maffei
Maloney
Manzullo
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCaul
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peterson
Petri
Pingree (ME)
Pitts
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shea-Porter
Sherman
Shimkus
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Whitfield
Wilson (OH)
Wittman
Wolf
Woolsey
Wu
Yarmuth

NAYS—30

Akin
Barrett (SC)
Broun (GA)
Campbell
Chaffetz
Coffman (CO)
Flake
Franks (AZ)
Garrett (NJ)
Graves (GA)
Hensarling
Hunter
Kingston
Lamborn
Linder
Lummis
Mack
McClintock
Miller (FL)
Nunes
Paul
Poe (TX)
Price (GA)
Reed
Shadegg
Shuster
Stutzman
Westmoreland
Wilson (SC)
Young (AK)

NOT VOTING—24

Baird
Berry
Blunt
Boehner
Brown (SC)
Cardoza
Davis (AL)
Granger
Himes
Hoekstra
Johnson, E. B.
Kilpatrick (MI)
Marchant
Markey (CO)
McCarthy (NY)
McMorris Rodgers
Peters
Platts
Radanovich
Reyes
Shuler
Simpson
Wamp
Young (FL)

□ 1411

Messrs. WILSON of South Carolina, SHUSTER, KINGSTON, CHAFFETZ, LAMBORN, STUTZMAN, MACK, BARRETT of South Carolina, COFFMAN of Colorado, SHADEGG, POE of Texas and AKIN changed their vote from ''yea'' to ''nay.''

Mrs. BACHMANN and Mr. EHLERS changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REQUIRING REPORTS ON MANAGEMENT OF ARLINGTON NATIONAL CEMETERY

The SPEAKER pro tempore (Ms. EDWARDS of Maryland). The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 3860) to require reports on the management of Arlington National Cemetery, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 407, nays 3, not voting 23, as follows:

[Roll No. 641]

YEAS—407

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao

Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stearns
Stupak
Stutzman
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth

NAYS—3

Poe (TX)
Tiahrt
Young (AK)

NOT VOTING—23

Baird
Berry
Blunt
Brown (SC)
Cardoza
Clyburn
Davis (AL)
Farr
Granger
Gutierrez
Johnson, E. B.
Kilpatrick (MI)
Marchant
McCarthy (NY)
McMorris Rodgers
Pence
Platts
Radanovich
Schock
Simpson
Wamp
Watson
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1422

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

POST–9/11 VETERANS EDUCATIONAL ASSISTANCE IMPROVEMENTS ACT OF 2010

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 3447) to amend title 38, United States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 3, not voting 22, as follows:

[Roll No. 642]

YEAS—409

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
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Issa
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Kennedy
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Kirkpatrick (AZ)
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Larsen (WA)
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Lewis (CA)
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Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
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Maloney
Manzullo
Markey (CO)
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McCarthy (CA)
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McKeon
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Meek (FL)
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Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
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Oberstar
Obey
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Olver
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Pastor (AZ)
Paul
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Payne
Pelosi
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Poe (TX)
Polis (CO)
Pomeroy
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Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise

Schakowsky	Smith (WA)	Tsongas
Schauer	Snyder	Turner
Schiff	Space	Upton
Schmidt	Speier	Van Hollen
Schock	Spratt	Velázquez
Schrader	Stark	Visclosky
Schwartz	Stearns	Walden
Scott (GA)	Stupak	Walz
Scott (VA)	Stutzman	Wasserman Schultz
Sensenbrenner	Sullivan	Waters
Serrano	Sutton	Watson
Sessions	Tanner	Watt
Sestak	Taylor	Waxman
Shadegg	Teague	Weiner
Shea-Porter	Terry	Welch
Sherman	Thompson (CA)	Westmoreland
Shimkus	Thompson (MS)	Whitfield
Shuler	Thompson (PA)	Wilson (OH)
Shuster	Thornberry	Wilson (SC)
Sires	Tiahrt	Wittman
Skelton	Tiberi	Wolf
Slaughter	Tierney	Woolsey
Smith (NE)	Titus	Wu
Smith (NJ)	Tonko	Yarmuth
Smith (TX)	Towns	

NAYS—3

Buyer	Flake	Young (AK)

NOT VOTING—22

Baird	Hoekstra	Moore (WI)
Berry	Johnson, E. B.	Pence
Boehner	Kilpatrick (MI)	Platts
Brown (SC)	Kilroy	Radanovich
Cardoza	Marchant	Simpson
Clyburn	McCarthy (NY)	Wamp
Davis (AL)	McMorris Rodgers	Young (FL)
Granger		

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1429

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECESS

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

Accordingly (at 2 o'clock and 29 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1745

AFTER RECESS

The recess having expired, the House was called to order by the SPEAKER pro tempore (Mr. ALTMIRE) at 5 o'clock and 45 minutes p.m.

COMMUNICATION FROM THE CHIEF ADMINISTRATIVE OFFICER OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Chief Administrative Officer of the House of Representatives:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,
Washington, DC, December 15, 2010.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I, in my capacity as Custodian of Records for the Office of the Chief Administrative Officer, have been served with a subpoena for documents issued by a grand jury in New York County, New York.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

DANIEL J. STRODEL.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE AMENDMENT TO H.R. 4853, TAX RELIEF, UNEMPLOYMENT INSURANCE REAUTHORIZATION, AND JOB CREATION ACT OF 2010

Ms. SLAUGHTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1766 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1766

Resolved, That upon the adoption of this resolution it shall be in order to debate in the House the topics addressed by the motions specified in sections 2 and 3 of this resolution for three hours equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means or their designees.

SEC. 2. After debate pursuant to the first section of this resolution, it shall be in order to take from the Speaker's table the bill (H.R. 4853) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes, with the Senate amendment to the House amendment to the Senate amendment thereto, and to consider in the House, without intervention of any point of order except those arising under clause 10 of rule XXI, a motion offered by the chair of the Committee on Ways and Means or his designee that the House concur in the Senate amendment to the House amendment to the Senate amendment with the amendment printed in the report of the Committee on Rules accompanying this resolution. The previous question shall be considered as ordered on the motion to final adoption without intervening motion.

SEC. 3. If the motion described in section 2 of this resolution fails of adoption, the previous question shall be considered as ordered on a motion that the House concur in the Senate amendment to the House amendment to the Senate amendment, on which the Chair shall immediately put the question.

SEC. 4. Until completion of proceedings enabled by the first three sections of this resolution—

(a) the Chair may decline to entertain any intervening motion, resolution, question, or notice;

(b) the Chair may postpone such proceedings to such time as may be designated by the Speaker; and

(c) each amendment and motion considered pursuant to this resolution shall be considered as read.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind all Members that cell phone use in the House Chamber is not permitted.

The gentlewoman from New York is recognized for 1 hour.

Ms. SLAUGHTER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from California (Mr. DREIER). All time yielded during consideration of the rule is for debate only. I yield myself such time as I may consume.

GENERAL LEAVE

Ms. SLAUGHTER. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1766.

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

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, since I made a rather lengthy speech at our first rule this morning, I am going to be giving up my time to other Members.

So I will at this point reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I thank my friend from Rochester for yielding me the customary 30 minutes and yield myself such time as I might consume.

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

Mr. DREIER. I think it is very important for us to understand exactly what is taking place here.

About 5 minutes ago I was downstairs and told to appear on the House floor. I am here. I know that there has been a Democratic Caucus held to deal with the changes. I know that lots of people have been following what has transpired over the past few hours, and I think that before we proceed, it would be best for the distinguished chair of the Committee on Rules, Mr. Speaker, to explain to us sort of what's happened and what we're doing and what specific changes Members can anticipate in this rule.

I would be happy to yield to my friend from New York.

Ms. SLAUGHTER. Thank you for yielding.

There are very few changes, if any. The caucus in the Democratic Party is really the most important part of our side of the House. The Speaker is meticulous about working with them to achieve consensus. Frankly, we had a rather raucous meeting this morning at the caucus and it was decided that it would be better if we recessed and took some time to see where we were and to make sure that all facets of the caucus had been listened to. But as I said, there will probably be very little change, if any, from the rule we had this morning.

Mr. DREIER. Well, Mr. Speaker, if I could reclaim my time, there may be very little change, but it is my understanding, just from the brief staff report that I got, that we are going to, under this rule, continue to have a vote on the Pomeroy amendment, which increases the death tax. And following that, because of a concern that was raised by Members on the majority side of the aisle, there was concern that there wouldn't be a final passage vote. So am I correct to infer that we can anticipate the only change being a final passage vote on the measure?

Ms. SLAUGHTER. The gentleman is correct. There were many Members who felt that they needed that extra vote. At the proper time we will make the decision as to whether we will call and ask for a change in the rule.

Mr. DREIER. Mr. Speaker, reclaiming my time again, I am trying to get a clear understanding so that Members of this body will know what the proposed changes are in this rule that is before us that we are debating now. I think that, again, looking back to what we've gone through over the last several years, transparency, disclosure, accountability, those are the guides that we're trying to use. And so before we proceed, Mr. Speaker, I believe that it's very important to have a clear understanding of exactly what it is that we are considering, and so I would ask the chair if she would explain that to the membership.

I reserve the balance of my time.

□ 1800

Ms. SLAUGHTER. I would be happy to respond to the gentleman.

The only thing I can tell you, Mr. DREIER, as I said before, is that there is no change in this bill. We may or may not ask for an ability to have a separate vote, as you pointed out, so that people will have an up-or-down vote on the bill.

As you know, we are dealing with the resolution, and if the Pomeroy portion of it should go down, then we wouldn't normally have that up-or-down vote. If it should pass, that would normally be the end of our proceedings, and it would go directly to the Senate. We are simply adding, as a precaution and for a number of Members who have requested it, an ability to have that up-or-down vote regardless of whether the amendment passes or fails.

Mr. DREIER. Will the gentlewoman yield?

Ms. SLAUGHTER. I yield to the gentleman from California.

Mr. DREIER. I am very appreciative of my friend for yielding.

Let me, Mr. Speaker, explain it the way I've understood.

So the rule is identical to the rule that we were debating earlier, that being we are anticipating 3 hours of general debate; we are expecting that there will be a vote then on the proposal by Mr. POMEROY to increase the death tax. Then, Mr. Speaker, we may or may not, following that, have a vote on final passage before the measure is sent to the Senate; and from there, it would then go on to the President.

Is that a correct explanation?

Ms. SLAUGHTER. That is correct.

Mr. DREIER. Thank you very much, Mr. Speaker. I appreciate my friend for having explained it.

I reserve the balance of my time.

Ms. SLAUGHTER. I am now pleased to yield 2 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Madam Chairperson, thank you so very, very much for your leadership and for the change in the rule.

Mr. Speaker, the earlier rule presented a significant problem to us in that it had basically a vote on the Pomeroy amendment; and that would be then, if that passed, the vote on the bill without a separate vote. Separation is very, very important to many of us because we see in this particular piece of legislation numerous serious problems.

For example, we see that the Social Security payroll tax is being reduced, which, for the first time ever in history, I think, has put Social Security's security in play. In the future, we think this may be a very, very serious detriment to the well-being of the Social Security system.

In addition to that, the way in which the taxes are structured, I think, goes basically against some very fundamental principles that were best announced and laid out by Franklin Delano Roosevelt. Etched on the marble at his memorial here in Washington, D.C., are the words that speak, I believe, very directly to this piece of legislation. He said that the test of our progress is not whether those who have much get more but, rather, whether those who have little get enough.

This piece of legislation that we will be voting on, even with the proposed amendment, the Pomeroy amendment, really does give those who have much even more while those who have little get very, very little.

We strongly support the middle class tax cut. That has always been our position. We think President Obama was quite correct in announcing his support for the middle class tax cut. We think that the Republican position of even greater wealth and lower taxes for those who have much—not just a little much but a great, great deal of the wealth of America—is not justified. Therefore, we stand in support of the proposed rule, and we will speak later on the bill.

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

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Illinois (Mr. JACKSON).

Mr. JACKSON of Illinois. Mr. Speaker, I, too, want to join my colleague from California (Mr. GARAMENDI) in supporting the rule and also in expressing my opposition to this bill.

A number of Members of Congress will come and express their opposition to the bill in the debate, and I wanted to use some of the time during the rule to set the climate for what many Members of this body will be hearing. I want to start with a couple of quotes that, I think, ought to drive some of the discussion that will be taking place here on the floor.

The first is from The Wealth of Nations in 1776, Adam Smith: ''The subjects of every State ought to contribute toward the support of the government, as nearly as possible, in proportion to their respective abilities; that is, in proportion to the revenue which they respectively enjoy under the protection of the State. As Henry Home (Lord Kames) has written, a goal of taxation should be to 'remedy inequality of riches as much as possible by relieving the poor and burdening the rich.' ''

William Jennings Bryan, at the Democratic National Convention, on July 8, 1896, said, ''I am in favor of an income tax. When I find a man''—or a woman—''who is not willing to bear his share of the burdens of the government which protects him, I find a man who is unworthy to enjoy the blessings of a government like ours.''

Franklin Delano Roosevelt, in Worcester, Massachusetts, on October 21, 1936, said, ''Taxes, after all, are the dues that we pay for the privileges of membership in an organized society.''

There will be great debate on the floor of this Congress tonight about extending the Bush-era tax cuts. The Bush-era tax cuts, which are an extension of the Reagan tax cuts of the 1980s, represent one of the most profound shifts of wealth in our Nation from those most vulnerable to those who are well-heeled—those who are better positioned in our society to make their way through life.

So it is our hope, Mr. Speaker, that this debate be conducted in a way that allows for people to participate.

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

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from California (Mr. MILLER).

Mr. GEORGE MILLER of California. I thank the gentlewoman for yielding this time to me.

Mr. Speaker, I rise in support of this rule, as amended, that will give an opportunity to both sides to address what, I think, is an egregious provision in this bill. It, unfortunately, I think, also mirrors another provision in this bill, which is the tax cuts to the wealthiest 2 percent of the people in this country and to a handful of estates, to some 6,000 estates. It gives them a $25 billion tax cut at a time when working families are struggling to keep their families together.

Also is the fact that it does nothing in terms of stimulus, in terms of job creation. These tax cuts to the wealthy, so many economists have said, is the least stimulative thing you can do. They simply don't spend the money in a timely fashion because they don't need to spend that money. The second one, of course, is that the estate tax provides no stimulative impact either to the economy. In talking about doing this for the sake of the economy, what we are really doing is cutting taxes to people and to estates that will not contribute to economic growth, so we are creating debt that is unnecessary to create.

You know, we are a couple of weeks away from the debt commission. We are a couple of months away from when people were concerned whether the United States was going to look like Greece or Spain or Portugal. Along we come now, and we're not even prepared to make the distinction as to whether or not we would create debt for, hopefully, stimulative purposes and/or just hand out tax breaks to people who don't need them and who won't contribute to the improvement of the economy. Yet it will clearly be put on the debt of this Nation, and it will clearly have to be dealt with in the ensuing Congresses where it will drive a series of decisions that aren't necessary, but neither was the debt necessary.

I do think this rule is an improvement because it will give the opportunity for those individuals who want to vote against this tax cut for this limited number of estates to do so. Then whether they vote for that or against that or whether that prevails or doesn't prevail, the individuals will still have the ability to vote against this legislation as this is not to suggest that the amendment addresses all that is wrong with this legislation.

□ 1810

It doesn't address the tax cuts for the high income. It doesn't address the complications of the payroll holiday and what that means to the financing of Social Security over the long term, the ability of this Congress to change that a year from now, the fact that that can lead to tax increases for individuals, and that it's less progressive than the higher provision that was in the original Recovery Act to provide assistance to middle-income families.

There are a number of good provisions in this legislation. There are tax provisions in here to help educate their children, to take care of their children, and the extension of unemployment for a year, but I would hope that we would support the rule. As inadequate as this legislation is, I would hope that we would support the rule.

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

Ms. SLAUGHTER. I am pleased to yield 3 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER of New York. I thank the gentlelady for yielding me the time.

Mr. Speaker, I'm going to oppose this bill, however the rule comes out, for several reasons. Number one, if this bill passes, we will extend the upper income tax cuts at a cost of increase in the deficit by $700 billion over 10 years.

We're told that in 2 years it will expire. Of course, we also know that our friends on the other side of the aisle will try to extend it in 2 years, and in 2 years, we'll have the same kind of coercion. We'll be told that if we don't extend the upper end tax cuts, the middle class tax cuts will also expire, and I don't see any reason to believe that we wouldn't succumb to that coercion 2 years from now in an election year as much as we're doing now in this bill.

So I believe that passing this bill, in effect, would make permanent the upper end tax cuts which, in effect, would generate a $700 billion increase in the deficit, which would make it almost impossible to fund housing, education, everything else we need. It would be the culmination of the 30-year Republican effort to starve the beast, to deliberately create huge deficits in order to provide the political cover for reducing expenditures in housing, education, Social Security, and Medicare.

Secondly, I hope that Mr. POMEROY's amendment on the estate tax will pass, but if it doesn't, that's another problem.

Thirdly, Social Security. We are going, in this bill, to provide for a 1-year tax reduction of 2 percent in the Social Security tax. That will cost us $120 billion in 1 year, which will be replenished from the general fund, but we know perfectly well that, politically, once you make that tax cut, it will be impossible to restore it, which means it will be $120 billion a year forever taken away from Social Security but replaced by the general fund.

Now, the conservatives have always told us we have to reduce Social Security, increase the retirement age, reduce benefits, because it contributes to the deficit. We said, no, it doesn't contribute to the deficit. Social Security is walled off; it has nothing to do with the deficit. But now it will be put right in the middle of the deficit debate, and it will cost the general fund $120 billion a year, $1.2 trillion over 10 years, and we'll be told you've got to reduce Social Security benefits, increase the retirement age because of the deficit, and it will be in the middle of the deficit debate. We will be told a year or two or three from now, by the way, we'll only replace $100 billion of the $120 billion we have taken away from Social Security this year because we need the money for education and housing and something else, and we should not want to be in that position.

FDR decided in 1935 that Social Security would be supported by its own tax, by its own situation of people paying into it year after year so they take it back when they retired. Now we are going to take some of that money away, and we're going to say the general fund will support it. FDR knew that by setting up Social Security as self-financing, it would be difficult to abolish or to reduce. This undoes that genius by the New Deal and puts Social Security at great risk, and, accordingly, Mr. Speaker, I must oppose this bill.

Mr. DREIER. Mr. Speaker, assuming that my friend still has additional speakers, I will continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS of Maryland. Mr. Speaker, I'd like to thank the gentlewoman from New York.

As of this morning, I was not prepared, much to my disappointment, to support this rule, but I do support the rule now and the ability of this House to move forward on this tax cut bill.

It is sad that later on we're going to consider a bill that isn't just about an estate tax that benefits only 6,600 families. It's about what we do with Social Security for the long term, protecting the investment that all of our seniors, people who have invested in Social Security should be able to expect in the years to come. It is about the debt that's going to be saddled onto our children and our grandchildren.

The underlying bill is so problematic in so many ways—and I'll have an opportunity to speak on my opposition to that bill—but I do stand here able to support a rule that allows me to take a vote as a Democrat, to speak to the values that I hold for working people and for working families and for our children and our grandchildren and their future.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentlewoman from New York.

Mr. Speaker, America faces two great challenges: One, we have too few jobs. Over 15 million Americans who are looking for work can't find it. Even millions more are so discouraged, they don't even go out. Number 2, too much debt; approaching $14 trillion, in this bill would add $858 billion more.

Now, President Obama was right in proposing legislation, absolutely right, legislation is needed to revive our economy. And President Obama is right, he is absolutely right, that we should extend those middle class tax cuts for folks up to $250,000. They need the money. We can't shrink their paycheck, and that will help revive the economy.

But this legislation creates too few jobs and too much debt. The cost per job is in the range of $390,000. The cost of this is largely because of the success of the Senate Republicans to insist on $200 million both in estate tax reductions, in high-end tax reductions, that will go to the wealthiest 2 percent of Americans.

This is not about class warfare. This is not about soak the rich. This is about prudent use of taxpayer dollars. If we borrow a dollar, there should be some job bang for that dollar borrowed, and those high-end tax cuts and the estate tax cuts do not generate jobs, but they will be a bill that comes due and must be paid by the middle class and working families of this country.

We have a responsibility to focus on jobs, to focus on economic revival, and to rebuild the middle class. We can do a better job. We could have a bill that extended the Bush tax cuts up to $250,000, and the money saved, put that into reducing the deficit and infrastructure development. We could have a bill that focussed on an estate tax that was less generous than what is being considered in this legislation, and we could have a bill that would protect Social Security. Americans know that we cannot take money out from the revenue stream and expect to have solvency in the long term.

So we have a chance to pass the legislation to revive us economically, to treat the middle class right, but to limit the debt.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. COHEN).

□ 1820

Mr. COHEN. Mr. Speaker, I want to thank the chairlady for giving me this opportunity.

I wasn't going to support the rule this morning, but I am going to support it now. I am going to support it because I want to be able to vote to make the estate tax more reasonable, even though the reality is, what we are voting on is whether we are going to give the wealthy with the estate tax a six-course meal with wine or a seven-course meal with wine, and we should be talking about a meat and three.

The fact is, the estate tax with a $675,000 exemption was started with the Bush tax cuts, and now we are putting it up to a $5 million exemption per person and $10 million per couple. It was at a 55 percent rate and precipitously drops in this bill to 35 percent. The benefit to the heirs of the richest people in this country is unbelievable, unfathomable. And what that means, you will have a continued concentration of wealth in a few select families, lords so to speak, princes that have money beyond what anybody needs to have in this Nation and not contribute to others. The fact is, this was a very difficult vote, a very difficult decision for me. I asked my constituents to let me know what they thought. I had hundreds of people call and write and contribute to a poll, and it was about even, for and against.

The fact is, the future of our Nation is at risk. These tax cuts for the most wealthy people in our Nation, for corporations that will not produce jobs, in the hundreds of billions of dollars category, and the inheritance tax will take away the children, the aged, and the needy in years to come who will need support from this Nation. The deficit will be so great that when it comes time for deficit cutting, the cuts are going to come to the people who most are in need.

Hubert Humphrey said, ''The moral test of government is how it treats those who are in the dawn of life, the children; those who are in the twilight of life, the aged; and those in the shadows of life, the sick, the needy, and the handicapped.'' He and others, like Dr. King, the Dalai Lama, and others who you look to never talk about giving more to the rich. Mr. GARAMENDI started talking about Franklin Roosevelt. The fact is, those people who are the moral tests will suffer when the cuts are made, and I don't see that as something I should support. I cannot be sure of that.

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

Ms. SLAUGHTER. I am pleased to yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. The lack of response from the Republican side is a bit interesting because we are about to add $430 billion to this year's deficit if this bill passes. That is $430 billion borrowed, probably from China, added to the deficit. A record $1.75 trillion.

Now, we have been told this is the only deal, the best deal. No, we have offered an alternative. And earlier today, I thought we had some prospect of actually voting on it, one that's much less expensive, more targeted to working families, average Americans, and those who are unemployed would have created real jobs with substantial investment in infrastructure projects, not the jobs you are going to get by giving people small tax breaks and saying, Here is some borrowed money from China; go out and buy some goods from China. That will put America on the path to recovery.

Every other industrial nation on Earth is talking about buckling down a little bit and austerity measures and having a sustained recovery. No, not here. We got out the credit card. A trillion dollars—well, no. It's only $858 billion. And guess what, our kids and grandkids are going to be paying that bill for 30 years. And the most insidious part is that $111 billion of that will come from the Social Security trust fund.

But don't worry, after we take the money from the Social Security trust fund and ask people to consume with it, present day consumption, in order to take care of Social Security in the long term, we will go out and borrow $111 billion from China and reinject it into the trust fund. And then a year from today, the Republicans will say to President Obama, You can't raise taxes on every working American. You can't restore the Social Security tax. And, oh, by the way, we just can't afford to subsidize that program anymore. We are just going to have to cut it.

This is a bad deal. It isn't going to create the jobs we could create for a smaller price tag. It's not going to give the relief we, as Democrats, want to give the working families and unemployed Americans and put this country on a path to recovery.

I would urge my colleagues to vote against the rule and get made in order an amendment that would make major structural changes to this deal. It should not be a take-it-or-leave-it deal dictated by the Republican minority leader.

Mr. DREIER. I will continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Republican Senators have held America hostage, held the American economy hostage, held hostage the middle class. And the President agreed to pay the ransom. Now that ransom can be paid this month with the consent not only of the President, but the Senators and this House. So we can stop the ransom from being paid until the end of the year. And at that point, the President will still be willing to pay the ransom, and the ransom will go up.

If the ransom is going to be paid, let us pay it before it goes up. Knowing that the President had agreed to the major and expensive changes that the Republican Senators demanded, I sought to amend this bill only in a modest way, only to the extent that we could do the deal by the end of the year. And I put forward an amendment that would not increase the cost of the bill by a penny or reduce the tax cuts that the Republicans have been asking for by a penny. I asked only that instead of the payroll tax holiday that needlessly involves the Social Security trust fund and comingles general funds with the Social Security trust fund, that we send out checks as soon as possible so that the money the Republicans have already agreed should go to working families would get to them perhaps in time to pay this year's Christmas bills.

Unfortunately, no effort was made at the highest levels to secure the support of even a couple of Republican Senators for that kind of minor tweaking. And so we stand today with only one choice: pay the ransom now, or pay more ransom later. This is not a place Democrats want to be. But, ultimately, it is better to pay the ransom today than to watch the President pay even more—and I think he'd be willing to pay a bit more—next month.

Therefore, we are going to have to swallow hard. We are going to see an estate tax law so bad that for the richest families where someone died in 2010, the tax rate is going to be less than zero. The family will be able to choose zero, or choose huge reductions in future income taxes. And they will be well advised, and they will pick whatever costs the Treasury the most money, and we will collect less than zero from those families. We will see those with an income—not mere millionaires but people with $1 million in annual income—get tax relief that they won't spend and don't particularly need.

The choice is to pay the ransom now, or to watch it go up next month.

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

The SPEAKER pro tempore. The gentlewoman from New York has 8½ minutes remaining.

Ms. SLAUGHTER. I yield 3 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, let me say to the chairperson of the Rules Committee what a terrific job she is doing. And of course I would urge us all to vote for the rule, but I don't think we should vote for this tax cut.

□ 1830

The idea is that we will kick all the tax cuts down the road for another 2 years.

Have you ever seen anybody kicking a can? They never bend over and pick it up and drop it in the trash can. They just keep kicking it. And that's what we're going to do.

We knew back in 2001 and 2003, when we were told these tax cuts are going to expire in 2011, that they weren't really going to expire. And they're not going to expire either in an election year. Our President isn't going to run in 2012 on a platform that he's going to raise your taxes.

And with regard to Social Security, do we really think that next year we're going to increase payroll taxes by fifty percent from 4 percent to 6¼ percent? We're not going to do that. And so what's really going to happen is that we're going to take money out the general revenue fund to keep Social Security solvent.

So what we're talking about is not $900 billion. It's really about $4 trillion more of lost revenue. That's what we're committing ourselves to over the next several years.

And yet, back in 2001, President Bush inherited a surplus. The discipline of PAYGO had created 3 straight years of surpluses. Imagine. Think about that, because it's not going to happen again in our lifetimes or the lifetimes of our children or grandchildren after this vote is taken tonight. But we had a projected surplus of $5.6 trillion at the end of the Clinton Administration. In fact, at the end of 2010, we were going to have our debt paid off. Instead of having $12 trillion plus of debt, we would have paid off all our indebtedness. And we would have fulfilled our responsibility to our children and grandchildren's generation. This doesn't.

This is the wrong thing to do. It's the easy thing to do. Everybody loves a tax cut. You know, let's be Santa Claus. Let's give something to everyone. In fact, there are 81 provisions in this tax bill. Most of us have no idea what they actually do. But look through it; 81 different deductions and exemptions and giveaways and accessions to lobbyists and so on. That's not what we ought to be doing at Christmastime.

We ought, when we sit with our children and our grandchildren on our laps, we ought to be proud that we have secured a better standard of living for each of them, that we have looked into the future, and done the right thing.

The Native Americans who originally lived in this land, they used to make decisions based on how they would affect the seventh generation to come. We can't even look 7 years ahead.

We ought to vote "no" on this tax bill because it's irresponsible. So I urge my colleagues to vote "no" on the bill itself but "yes" on the rule.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. WATT).

Mr. WATT. Mr. Speaker, I oppose the estate tax provisions in this bill, and I'm thankful that the rule would allow us to vote against this estate tax.

But I also oppose the extension of the high income tax cuts, and I oppose the way we are doing the Social Security situation because I think it will result in damage to Social Security. And this rule does not give me the opportunity to vote against those two things. And therefore, it's my intention to vote against the rule.

I've tried to make it clear to my leadership that I think it's important for me to have that vote on those two issues, and they haven't seen fit to make that in order. So I feel like I must, under those circumstances, vote against the rule.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank the gentlelady for yielding to me, and I regretfully oppose the rule and will oppose the bill. And the most important reason is that this bill will not translate into job creation in the United States of America. All it does is put our taxpayers on the hook for another trillion dollars of borrowed debt that will be from places like China, and from Saudi Arabia, in order to give more tax cuts to the rich over the next 10 years. There is no guarantee that that money will even be invested in the United States of America.

You know, the Dow is up 42 percent. NASDAQ is up 78 percent. Wall Street is on track to see its second-highest profitable year on record with a projected $144 billion in bonuses going out the door. Couldn't they take some of that and make sure this goes to those who are unemployed and still seeking to earn their way forward in this economy?

This bill will not be a real stimulus. In fact, it will only yield 33 cents of economic impact for every dollar that is borrowed to pay for it. It will not create real robust growth and jobs in this country. There is not even a "Buy America" provision in the bill. I'm so sad for our Nation that we can't do better and help put America's unemployed back to work.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Mississippi (Mr. TAYLOR), the last speaker I have.

Mr. TAYLOR. Mr. Speaker, May 9, 2001, was my son's 13th birthday. Thirteen was a very unlucky year for him, and every other kid in America. On that day, unemployment was 4.3 percent. Our Nation was $5,600,286,010,418 in debt.

Nine years and 7 months since the passage of the Bush budget, unemployment is 9.8 percent, and our debt has grown by a staggering $8,204,749,146,330.57. If there's anyone in this body who wants to tell me that the intended effect was to double the number of unemployed people and to add $8 trillion to the debt and, therefore, we should do more of this—I rise in opposition to this rule, and I beg this body to defeat this bill.

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

Mr. Speaker, I've listened to a number of my friends offer great quotes. I listened to Mr. JACKSON quote William Jennings Bryant, Franklin Delano Roosevelt, and Adam Smith. I listened to Mr. GARAMENDI quote Teddy Roosevelt. And I've listened to—was it Franklin Roosevelt? Okay. I thought somebody was quoting Teddy Roosevelt.

Well, I'd like to close by quoting one of our great former colleagues, the late Jack Kemp, who, many times stood here in the well and said, if you tax something, you get less of it. If you subsidize something, you get more of it.

In America we tax work, growth, savings, investment, productivity. We subsidize non-work, welfare, consumption, debt, and leisure.

Now, Mr. Speaker, Jack Kemp was revered by Democrats and Republicans alike, and he was someone who understood very clearly that if you increase that tax burden on job creators, you undermine the ability of people who are trying to get onto that first rung of the economic ladder a chance to do that.

□ 1840

We have a very important vote ahead of us. I don't like this bill. I don't know of anyone who stood up and said that they liked this bill, but I like even less the prospect of increasing taxes on every American who pays income taxes today. That is why I believe we should move ahead as expeditiously as possible so that, come January, we can have this laser-like focus in our quest to grow our economy by reducing the size and scope and reach of government so that we can increase opportunity for all Americans.

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

Ms. SLAUGHTER. I yield myself the balance of my time.

Mr. Speaker, in a moment I will be offering an amendment to the rule, and I want to take this opportunity to briefly describe the amendment.

The amendment shifts initial consideration of the Senate amendment to the House amendment to the Senate amendment to H.R. 4853 into the Committee of the Whole. After 3 hours of general debate, a vote will occur on the amendment printed in the report of the Committee on Rules and the Committee of the Whole shall rise. If the amendment passes, a vote will occur on a motion that the House concur in the Senate amendment to the House amendment to the Senate amendment with the amendment adopted in the Committee of the Whole. If the motion fails, a vote will occur on a motion that the House concur in the Senate amendment to the House amendment to the Senate amendment.

I urge a ''yes'' vote on the amendment, the rule, and the previous question.

AMENDMENT OFFERED BY MS. SLAUGHTER

Ms. SLAUGHTER. I have an amendment to this rule at the desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Ms. SLAUGHTER:

Strike all after the resolving clause and insert the following:

''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 Senate amendment to the House amendment to the Senate amendment to the bill (H.R. 4853), to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes. All points of order against consideration of the Senate amendment are waived except those arising under clause 10 of rule XXI. General debate shall be confined to the Senate amendment and the motions addressed by this resolution and shall not exceed three hours equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means or their designees. After general debate, the Senate amendment shall be considered for amendment under the five-minute rule. No amendment shall be in order except the amendment printed in the report of the Committee on Rules accompanying this resolution. That amendment may be offered only by Representative Levin of Michigan or his designee and shall not be debatable. All points of order against that amendment are waived except those arising under clause 10 of rule XXI.

''SEC. 2. Upon disposition of the proposed House amendment made in order in the first section of this resolution, the Committee of the Whole shall rise and report the Senate amendment back to the House with such amendment as may have been adopted.

''SEC. 3. (a) If the Committee of the Whole reports the Senate amendment back to the House with an amendment, the pending question shall be a motion that the House concur in the Senate amendment to the House amendment to the Senate amendment with such amendment.

''(b) If a motion specified in subsection (a) fails of adoption, the pending question shall be a motion that the House concur in the Senate amendment to the House amendment to the Senate amendment.

''SEC. 4. If the Committee of the Whole reports the Senate amendment back to the House without amendment, the pending question shall be a motion that the House concur in the Senate amendment to the House amendment to the Senate amendment.

''SEC. 5. Until completion of proceedings enabled by this resolution—

''(a) the Chair may decline to entertain any intervening motion, resolution, question, or notice;

''(b) the Chair may postpone proceedings in the House to such time as may be designated by the Speaker;

''(c) each amendment and motion considered pursuant to this resolution shall be considered as read; and

''(d) all points of order against pending motions specified in sections 3 and 4 are waived (except those arising under clause 10 of rule XXI), and the previous question shall be considered as ordered on each such motion to final adoption without intervening motion or question of consideration.''

Ms. SLAUGHTER. Mr. Speaker, I urge a ''yes'' vote on the amendment, on the rule, and the previous question.

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

The previous question was ordered.

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

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

RECORDED VOTE

Mr. TAYLOR. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the amendment to House Resolution 1766 will be followed by 5-minute votes on adoption, if ordered; and the motion to suspend the rules on S. 987.

The vote was taken by electronic device, and there were—ayes 230, noes 186, not voting 17, as follows:

[Roll No. 643]

AYES—230

Ackerman
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (TN)
DeGette
Delahunt
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Foster
Frank (MA)
Fudge
Garamendi
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCollum
McDermott
McGovern
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Nadler (NY)
Neal (MA)
Nye
Oberstar
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schwartz
Scott (GA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Snyder
Space
Spratt
Stark
Stupak
Sutton
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Yarmuth

NOES—186

Aderholt
Adler (NJ)
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Boyd
Brady (TX)
Bright
Broun (GA)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
DeFazio
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Djou
Dreier
Duncan
Ehlers
Emerson
Fallin
Filner
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Graves (GA)
Graves (MO)
Griffith
Grijalva
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kline (MN)
Kosmas
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Myrick
Napolitano
Neugebauer
Nunes
Obey
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Reed
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Schrader
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Stearns
Stutzman

Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Wu
Young (AK)

NOT VOTING—17

Berry
Brown (SC)
Buyer
Davis (AL)
Granger
Johnson, E. B.
Kilroy
Marchant
McCarthy (NY)
McMorris Rodgers
Ortiz
Radanovich
Speier
Tanner
Van Hollen
Wamp
Young (FL)

□ 1917

Messrs. McCOTTER, McINTYRE, SIMPSON, OBEY, and Ms. KOSMAS changed their vote from ''aye'' to ''no.''

Mr. WATT and Ms. FUDGE changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution, as amended.

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

RECORDED VOTE

Mr. TAYLOR. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 214, noes 201, not voting 18, as follows:

[Roll No. 644]

AYES—214

Ackerman
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Brady (PA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Clyburn
Cohen
Connolly (VA)
Conyers
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeGette
Delahunt
DeLauro
Deutch
Dicks
Dingell
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Farr
Fattah
Foster
Frank (MA)
Fudge
Garamendi
Giffords
Gonzalez
Gordon (TN)
Green, Al
Green, Gene
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Kagen
Kennedy
Kildee
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lowey
Luján
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meek (FL)
Meeks (NY)
Melancon
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Nadler (NY)
Neal (MA)
Nye
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Perlmutter
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Teague
Thompson (CA)
Titus
Tonko
Towns
Tsongas
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Yarmuth

NOES—201

Aderholt
Adler (NJ)
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Boyd
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Cleaver
Coble
Coffman (CO)
Cole
Conaway
Cooper
Crenshaw
Culberson
Dahlkemper
Davis (KY)
DeFazio
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Djou
Doggett
Dreier
Duncan
Ehlers
Emerson
Etheridge
Fallin
Filner
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Graves (GA)
Graves (MO)
Grayson
Griffith
Grijalva
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Holt
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kanjorski
Kaptur
Kilpatrick (MI)
King (IA)
King (NY)
Kingston
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lofgren, Zoe
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
McCarthy (CA)
McCaul
McClintock
McCotter
McKeon
McMahon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Myrick
Napolitano
Neugebauer
Nunes
Olson
Paul
Paulsen
Payne
Pence
Perriello
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Reed
Rehberg
Reichert
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Stearns
Stutzman
Sullivan
Taylor
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Watt
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Wu
Young (AK)

NOT VOTING—18

Berry
Brown (SC)
Buyer
Granger
Johnson, E. B.
Kilroy
Kratovil
Marchant
McCarthy (NY)
McHenry
McMorris Rodgers
Ortiz
Radanovich
Tanner
Tierney
Van Hollen
Wamp
Young (FL)

□ 1926

So the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

INTERNATIONAL PROTECTING GIRLS BY PREVENTING CHILD MARRIAGE ACT OF 2010

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 987) to protect girls in developing countries through the prevention of child marriage, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 241, nays 166, not voting 26, as follows:

[Roll No. 645]

YEAS—241

Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castle
Castor (FL)
Chandler
Chu
Clarke
Clay
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crenshaw
Critz
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
Delahunt
DeLauro
Dent
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Giffords
Gonzalez
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick (MI)
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)

Murphy (CT)	Ruppersberger	Stark
Murphy (NY)	Ryan (OH)	Stupak
Murphy, Patrick	Sánchez, Linda T.	Sutton
Nadler (NY)	Sanchez, Loretta	Teague
Napolitano	Sarbanes	Thompson (CA)
Neal (MA)	Schakowsky	Thompson (MS)
Nye	Schauer	Tiberi
Oberstar	Schiff	Tierney
Obey	Schock	Titus
Pallone	Schrader	Tonko
Pascrell	Schwartz	Towns
Pastor (AZ)	Scott (GA)	Tsongas
Paulsen	Scott (VA)	Velázquez
Payne	Sensenbrenner	Visclosky
Perlmutter	Serrano	Walz
Perriello	Sestak	Wasserman Schultz
Peters	Shea-Porter	Waters
Peterson	Sherman	Watson
Pingree (ME)	Shuler	Watt
Polis (CO)	Simpson	Waxman
Pomeroy	Sires	Weiner
Price (NC)	Skelton	Welch
Quigley	Slaughter	Wilson (OH)
Reyes	Smith (WA)	Woolsey
Richardson	Snyder	Wu
Rodriguez	Space	Yarmuth
Ross	Speier	
Rothman (NJ)	Spratt	
Roybal-Allard		

NAYS—166

Aderholt	Foxx	Moran (KS)
Akin	Franks (AZ)	Murphy, Tim
Alexander	Gallegly	Myrick
Austria	Garrett (NJ)	Neugebauer
Bachmann	Gerlach	Nunes
Bachus	Gingrey (GA)	Olson
Barrett (SC)	Goodlatte	Owens
Bartlett	Graves (GA)	Paul
Barton (TX)	Graves (MO)	Pence
Biggert	Griffith	Petri
Bilbray	Guthrie	Pitts
Bilirakis	Hall (TX)	Platts
Bishop (UT)	Harper	Poe (TX)
Blackburn	Hastings (WA)	Posey
Blunt	Heller	Price (GA)
Boehner	Hensarling	Putnam
Bonner	Herger	Rahall
Bono Mack	Hoekstra	Reed
Boozman	Holden	Rehberg
Boucher	Hunter	Reichert
Boustany	Inglis	Roe (TN)
Brady (TX)	Issa	Rogers (AL)
Broun (GA)	Jenkins	Rogers (KY)
Brown-Waite, Ginny	Johnson (IL)	Rogers (MI)
Buchanan	Johnson, Sam	Rohrabacher
Burgess	Jones	Rooney
Burton (IN)	Jordan (OH)	Ros-Lehtinen
Calvert	Kaptur	Roskam
Camp	King (IA)	Royce
Campbell	King (NY)	Ryan (WI)
Cantor	Kingston	Scalise
Cao	Kline (MN)	Schmidt
Capito	Lamborn	Sessions
Carter	Lance	Shadegg
Cassidy	Latta	Shimkus
Chaffetz	Lee (NY)	Shuster
Childers	Lewis (CA)	Smith (NE)
Coble	Linder	Smith (NJ)
Coffman (CO)	Lipinski	Smith (TX)
Cole	LoBiondo	Stearns
Conaway	Lucas	Stutzman
Costello	Luetkemeyer	Sullivan
Culberson	Lummis	Taylor
Davis (KY)	Lungren, Daniel E.	Terry
Diaz-Balart, L.	Mack	Thompson (PA)
Diaz-Balart, M.	Manzullo	Thornberry
Djou	McCarthy (CA)	Tiahrt
Dreier	McCaul	Turner
Duncan	McClintock	Upton
Emerson	McCotter	Walden
Fallin	McKeon	Westmoreland
Flake	Mica	Whitfield
Fleming	Miller (FL)	Wilson (SC)
Forbes	Miller (MI)	Wittman
Fortenberry	Miller, Gary	Wolf
		Young (AK)

NOT VOTING—26

Berry	Hare	Ortiz
Brown (SC)	Johnson, E. B.	Radanovich
Buyer	Kilroy	Rangel
Cleaver	Marchant	Rush
DeGette	McCarthy (NY)	Salazar
Gohmert	McHenry	Tanner
Gordon (TN)	McMorris Rodgers	Van Hollen
Granger	Olver	Wamp
Halvorson		Young (FL)

□ 1933

Messrs. LIPINSKI and COSTELLO changed their vote from ''yea'' to ''nay.''

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

TAX RELIEF, UNEMPLOYMENT INSURANCE REAUTHORIZATION, AND JOB CREATION ACT OF 2010

The SPEAKER pro tempore. Pending any declaration of the House into the Committee of the Whole pursuant to House Resolution 1766, the Chair would note that the Senate amendment to the House amendment to the Senate amendment to the bill H.R. 4853 contains an emergency designation for purposes of pay-as-you-go principles under clause 10(c) of rule XXI and an emergency designation pursuant to section 4(g)(1) of the Statutory Pay-As-You-Go Act of 2010.

Accordingly, the Chair must put the question of consideration under clause 10(c)(3) of rule XXI and under section 4(g)(2) of the Statutory Pay-As-You-Go Act of 2010.

The question is, Will the House now consider the Senate amendment to the House amendment to the Senate amendment?

The question of consideration was decided in the affirmative.

The SPEAKER pro tempore. Pursuant to House Resolution 1766 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 Senate amendment to the House amendment to the Senate amendment to the bill, H.R. 4853.

□ 1937

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 Senate amendment to the House amendment to the Senate amendment to the bill (H.R. 4853) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes, with Mr. SABLAN in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the Senate amendment is considered read.

General debate shall not exceed 3 hours equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

The gentleman from Michigan (Mr. LEVIN) and the gentleman from Michigan (Mr. CAMP) each will control 90 minutes.

PARLIAMENTARY INQUIRIES

Mr. GOHMERT. Mr. Chairman, I have a parliamentary inquiry.

The CHAIR. The gentleman will state his parliamentary inquiry.

Mr. GOHMERT. My parliamentary inquiry is, since the rules of the House allow for someone in opposition to claim time in order to speak on a bill, is that rule being abrogated now, or can we follow the rules and have someone like me, who is opposed to the bill, claim time?

The CHAIR. No such rule is applicable to these proceedings.

Mr. GOHMERT. I'm sorry. I did not understand.

The CHAIR. There is no such rule.

Mr. GOHMERT. So this is set up now, the rules have been abrogated, so no time is allotted to anyone in opposition? Did I understand that correct, Mr. Chairman?

The CHAIR. The gentleman has not stated a parliamentary inquiry.

Mr. GOHMERT. Parliamentary inquiry, then.

The CHAIR. The gentleman will state his inquiry.

Mr. GOHMERT. Under the rules of the House, going back to the Thomas Jefferson rules of the House, as adopted by this majority in this term, someone in opposition to a bill is always given the right to claim time. So I am asking the parliamentary inquiry if that is now the case, or if that rule—the standing rule—is not going to be allowed at this time?

The CHAIR. The gentleman's premise is incorrect.

Mr. GOHMERT. The gentleman's premise is incorrect?

So someone can claim time in opposition? Thank you.

The CHAIR. The House is operating under a rule that allocates control of the time for debate to the chair and ranking minority member of the Committee on Ways and Means.

□ 1940

Mr. TAYLOR. Further parliamentary inquiry, Mr. Chairman.

The CHAIR. The gentleman from Mississippi will state his inquiry.

Mr. TAYLOR. I understand that under the rule just passed, the time has been allocated to a proponent on this side of the aisle for the bill, a proponent on this side of the aisle for the bill. The understanding was, though, that time would be allowed to the opponents of this bill.

I am asking if the Chair or someone would identify who that time will be yielded to.

The CHAIR. The rule provides for the debate time to be allocated equally and controlled by the chair and ranking minority member of the Committee on Ways and Means.

The Chair recognizes the gentleman from Michigan.

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

The Democratic majority in the House has made it crystal clear that we stand on the side of middle income families, of unemployed workers, of small businesses struggling in this difficult economy. The compromise before us clearly requires painful choices. These choices relate to each of the three criteria for judging the merits of this package: Does it add to the deficit? Does it promote economic growth? And does it promote fairness?

For decades, Republicans have unwisely promoted a view that tax cuts pay for themselves. So while making deficit reduction their rhetoric, they never have had any intention of paying for tax cuts which add to the deficit, plain and simple. Adding to the deficit is defensible if the bill meets another criterion: Does it promote economic growth? Adding to the deficit in the short term as a tool to promote economic growth that will, in turn, help address the long-term deficit has been the basis of vital actions taken by the Democratic majority, actions to stem the financial crisis, jump-start the economy, and save the auto industry. These were necessary steps, sometimes unpopular ones, and steps unfortunately not effectively articulated at times by the administration.

This bill does include important provisions aimed at increasing economic growth and jobs: unemployment insurance for millions out of work who will spend money received to keep their families afloat; the middle income tax cut; the temporary reduction in payroll taxes; and business provisions like the R&D tax credit, the new markets credit, and full expensing of business investment for 1 year.

Unfortunately, in their zeal to undo the Recovery Act, Republicans have insisted that we not extend the successful 48C credit for advanced engineering manufacturing or the Build America Bond program, working to rebuild our economy. The Republicans have insisted on provisions that violate the third criterion, fairness for taxpayers.

In order for the administration to be able to include provisions that help lower and middle income families, it came at the price of assisting the very wealthy, the Republicans' priority. Their position has led to a package where the top six-tenths of 1 percent of the very wealthiest receive 20 percent of the benefits of the tax package. My amendment would strike a blow at this unfairness by replacing the highly irresponsible and unfair Kyl estate tax giveaway. The resulting $23 billion in additional borrowing won't go to create jobs. It will be used to provide an average tax cut of more than $1.5 million to the 6,600 wealthiest estates next year. This represents less than three-tenths of 1 percent of all estates.

I urge my colleagues to vote to change this egregious piece of the legislation so the American people can see clearly who puts the interests of the middle class ahead of the very wealthiest. And then the Republicans in the Senate will have a stark choice that might be painful for them. It would make it clear whose side they are on.

I will accept the remainder of the bill because after the approach taken by Republicans in the House and Senate these last weeks, obstructing and holding hostage everything until they get their way on the tax breaks for the very wealthy, I am not willing to put the fate of the middle class and the unemployed in the hands of the Republican majority next year. Especially when voiced by the Senate Republican leader that their main priority is the failure of our President.

I reserve the balance of my time.

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

This House—the people's House—has a simple choice today: raise taxes on families and small businesses or prevent a massive job-killing tax increase from going into effect a mere 16 days from now.

If you think our economy can handle higher taxes, if you think middle class families should lose roughly $100 per week out of their paychecks, then vote ''no'' today. Make no mistake about it, a ''no'' vote today is a vote for higher taxes, taxes that would devastate families and send shock waves throughout our economy.

If you believe we should stop this massive tax increase in its tracks, especially when unemployment is stuck at nearly 10 percent, then vote ''yes.'' If you want to be sure we don't extend the failed Making Work Pay policy from the failed stimulus law that has the IRS writing checks to people who pay no income or payroll taxes, then vote ''yes.'' If you are opposed to the Federal Government taking more than half of a family farm or business due to a death, then vote ''yes.'' And if you are interested in fundamental tax reform—getting rid of exemptions, deductions, and loopholes that complicate our Tax Code—then vote ''yes'' because this bill gives us the time that we need to rewrite the Tax Code, cut spending next year, and get our economy back on track.

I know some of my friends want to wait until January when Republicans are back in the majority because they think that we can get a better deal. That is as misguided as it is politically callous. And let me be blunt. It's irresponsible to play a game of chicken with the Senate and the White House next year when middle class Americans are literally forced to pay $100 more a week in taxes and are forced to suffer even greater job losses. If this bill fails today, that's what will happen. Paychecks and jobs will burn while Washington fiddles.

If that's your stance, then I ask, What better deal could we get? People talk about making tax rates permanent. That's something I support. That's something every Republican in this House supports. But how does waiting until January, February, March, April, or May make that a reality?

The Senate voted yesterday on the DeMint amendment which would have made the rates permanent, and it failed 37–63. Last time I looked, we didn't pick up 23 seats in the United States Senate. And the President has flatly refused to sign such legislation into law. So again, tell me, how do we get a better deal by waiting? It makes no sense to gamble with the American people's jobs and the very paychecks they rely on to put food on the table and keep the house warm this winter.

Americans are suffering through the deepest and longest recession since the Great Depression. This is not a time for political speeches or electoral posturing. This is a time to act responsibly, to do what is right, and to vote ''yes.'' Employers are begging us to pass this legislation. Small businesses and the National Federation of Independent Business are supporting the bill because they know they cannot afford a tax hike. The Business Roundtable which represents the largest employers in the country with over 12 million employees is supporting this bill because they know the economy cannot afford a tax hike.

□ 1950

The U.S. Chamber of Commerce is supporting this legislation because they know we cannot afford a tax hike. The National Association of Manufacturers is supporting this legislation. Economists across the spectrum, from the far left to the far right, are supporting this legislation, and so should the Members of this House.

By no means is this bill perfect. For example, I think we should have paid for the extension of unemployment insurance and, frankly, we will. I'm committed to producing legislation next year to revamp, reform, and pay for the Federal unemployment benefits our Nation provides. We should not have to choose between adding to the deficit and providing this important help, but we cannot allow that single concern to hold this bill up.

Time has run out. This is our only chance, and the harm to our economy and the hit families would suffer is far too great a risk.

And let's be clear, this bill is about taxes, longstanding tax policy, for that matter, and preventing a tax hike. It isn't about spending. Nearly 90 percent of this bill is tax policy, and that policy is aimed at preventing a tax hike for families and employers or providing direct tax relief to the American worker.

It also protects family farms, ranches and businesses from being hit by the destructive death tax. That will go as high as 55 percent next year if we do not act. Instead, this bill reduces that rate to 35 percent, while increasing the exemption amount from $1 million to $5 million.

Now, I know $1 million sounds like a lot of money, and it is. But think about the family farmers in your districts. Think about the costs of the big machinery it takes to operate and manage their land. Some of the combines I see every day in my district cost a quarter of a million each. That isn't cash in the bank. That's equipment in the field, and the Federal Government has no right to take half of it when mom or dad passes on.

While I support a total repeal of the death tax, at least this bill makes significant improvements to the estate and gift taxes, and it deserves our support.

Members should also know, and the American people should know, that this bill does not contain new policy. New provisions were not snuck in late in the night or behind closed doors. We took a firm stand against new policy. We took a firm stand against policy that had not been renewed repeatedly and, as a result, more than 70 provisions, some of them my own, were excluded from the bill, well over $100 billion worth.

The most notable provisions of these we terminated were from the failed stimulus bill, like the refundable Making Work Pay credit, the Build America Bonds program, which simply subsidized State and local governments going deeper into debt, and grants in lieu of the low-income housing credit. None of that is in here, nor are there the usual Washington Christmas tree ornaments. This bill is narrowly focused on tax and unemployment policy.

Unlike the omnibus Democrats are preparing, there are no earmarks like the $2 million for an Ice Age National Scenic trail in Wisconsin. There isn't a $3.5 million study on subterranean termites in New Orleans, and there certainly isn't an extra $1 billion for the new job-killing health care law.

My friends, the election's over. Let's not start the next campaign here today. Let's make the right choice. Let's stop this tax hike from going into effect in 2 weeks. Let's put our constituents' jobs before our own. Let's show the American people we can govern and we can take yes for an answer.

So let's pass this bill with broad bipartisan support, as the Senate did yesterday by a vote of 81–19. I urge my colleagues to vote ''yes.''

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

Mr. LEVIN. Mr. Chairman, I yield 2 minutes to the very distinguished gentleman from New York (Mr. RANGEL).

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

Mr. RANGEL. Tonight is going to be a rather historic vote. In the old days, the House would initiate tax bills, and then we would send it to the Senate, and then the Senate and the House would come together and have what was known as a conference.

But it's clear to me that rules are changing fast, and now that the House has spoken in terms of a tax bill, in terms of giving some comfort to those people who are unemployed, it seems to me now that it works that the President works with a handful of Republicans and tells us, on the House side, that if we change anything, there's absolutely no deal. I think the President said that these people that were unemployed were being held as hostage.

In addition to that, we find that all of the tax benefits seem to be centered among the people who are the richest that we have in this country, while we find more and more Americans going into poverty. I submit to you that democracy cannot grow with this type of diversity, where we find so much wealth held in the hands of so few and so many other people are without jobs and without hope.

It would seem to me that we have time to correct these things. There's nothing in the Constitution or the House rules that indicates that we can't work closer to Christmas. I know other people believe that this would be a violation of Christian values. But helping those people who are poor, helping those people who are without jobs, I submit to you and to Christians, Jews and Gentiles, that this will be the proper thing to do, with the spirit of Christmas, rather than just to do what people outside of the House have dictated that if we don't do it their way, then these people that we have such a moral commitment to will go without compensation, and the rest of the people that deserve a tax break would be denied if we don't go along with the package.

So, to Members who are coming to this body, this is a new set of rules, a new set of tradition; but I tell you, it is not the American tradition that I knew and loved so well.

Mr. CAMP. I yield 3 minutes to a distinguished member of the Ways and Means Committee, the gentleman from California (Mr. HERGER).

Mr. HERGER. Madam Chairman, the bill that came to us from the Senate is far from perfect. I'm going to vote ''yes'' because if the scheduled $3.8 trillion tax increase takes effect in just 2 weeks, the consequences for our economy could be catastrophic. Even if we reversed this tax hike next year, families and small businesses would see higher taxes immediately on January 1.

According to the Tax Foundation, the average middle class family in my own northern California district would see their Federal income taxes more than double. People in my district are already struggling. Small businesses are barely hanging on. The unemployment rate is near 20 percent in several counties I represent. We simply cannot afford this enormous tax hit.

This has been a difficult decision for me. I'm outraged that the President and the Democratic leaders are demanding billions of dollars in unpaid-for spending on unemployment benefits and special interest giveaways as the price for stopping a massive tax increase.

Additionally, we should be making the current tax rate permanent. If businesses face the threat of another tax increase in 2 years, they will be reluctant to make investments that pay off in 5 or 10 years.

Madam Chairman, we have to provide long-term certainty for America's small businesses. I commend Mr. CAMP for his dedication to protecting taxpayers and his hard work on this legislation. In the next Congress, I look forward to working with Chairman CAMP to fix this bill's flaws. We must bring permanency to the Tax Code, and we must cut wasteful Federal spending, both to pay for the unemployment benefits and also to start bringing down our unsustainable Federal deficit.

Finally, I know from personal experience how much of a burden the death tax is for family businesses. My relatives on my mother's side of the family had to sell our own family's farm in North Dakota just to pay the death tax bill. That should not happen in America.

I urge the House to vote ''no'' on the Pomeroy death tax amendment and ''yes'' on the Senate bill.

□ 2000

Mr. LEVIN. I yield 2 minutes to the very distinguished gentleman from North Dakota, a member of our committee, Mr. POMEROY.

Mr. POMEROY. Madam Chair, for the last five sessions I have worked to try and clarify the rate of estate taxation in this country. I felt the right approach was ultimately to take the 2009 levels and make them permanent.

The amendment that carries my name in this debate would take the 2009 levels for estate taxation instead of the levels contained in the Senate compromise.

The rationale for the 2009 level is pretty compelling. The estate tax in 2009 was the smallest rate of taxation on estates in 80 years.

My friend just referenced an estate tax situation encountered from his family. He did not say it was at a much higher rate of tax than was ultimately achieved in 2009. In fact, the rate in 2009 means 99.8 percent of the families in this country have no estate tax. Zero. It went gradually lower and lower, and in 2009 hit a lower rate of taxation for estates than was ever the case under Ronald Reagan, was ever the case under George Bush I, was ever the case under George W. Bush.

Now, why would we want to go with 2009 levels as opposed to the Senate deal? It's simply a matter of money: $23 billion over 2. And, quite possibly, the levels in the Senate bill would be the new rate for the estate tax. In that case, we would lose $90 billion over 10.

I have heard on the other side such concern about unpaid-for unemployment benefits. I have not heard one word about unpaid-for estate tax levels. They would add to the national debt $23 billion more than the 2009 levels. They don't pay for a cent of it, and they seem to think that is fine. Do you know who benefits from the Senate tax levels compared to the 2009 levels? 6,600 of the wealthiest families.

Let's go with the 2009 levels. Let's save $23 billion over 2, let's save $90 billion over 10. Let's tackle these deficits, starting with a fair estate tax level.

Mr. CAMP. I yield 4 minutes to a distinguished member of the Ways and Means Committee, the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Madam Chair, a gun is pointed at the head of our taxpayers, and it will go off January 1 unless Congress acts.

If we let that gun go off, it is going to hurt families who are struggling to make ends meet, it is going to hurt small businesses trying to survive this recession, it is going to hurt seniors, almost tripling the taxes on the dividends that they need to live month to month and day to day. It is going to hurt businesses trying to track capital. And it is going to revive the death tax, an immoral tax where you work your whole life to build up your nest egg, your small business, your family-owned farm, and when you die, Uncle Sam swoops in and takes more than half of everything you have earned. All that happens if Congress refuses to act.

Some are here today saying, no, let's not change that death tax. Let's raise that death tax.

Last night on my Facebook page, I got a posting from Tammy Fisher of East Texas. Her family has had to sell 6,000 acres of their timber land to pay the death tax. They held that land for 100 years.

Clarence Leaveritt of Texas is a rancher. His grandmother died. They had to take out a loan from the bank to pay the death tax. They are still paying on it. His father passed away recently, and they had to take out a second loan. Today he is paying two loans to Uncle Sam and can barely keep his ranch. And last night, we heard Democrats say, Those people are stingy and cheap, and haven't worked a day in their life.

All that death tax comes back January 1 if we don't act. And I'll tell you what, we have some very good friends of mine who say, ''Look, just let that gun go off because we can get a better deal later.'' Well, I am conservative and I am skeptical, and I am not raising taxes for anyone for any period, period.

I don't like the spending in this bill, and I offered an amendment, along with other conservatives, to cut $152 billion from this bill to cover all the costs. We couldn't get a vote on that. We are voting on a lot of things tonight, but not a straight up-or-down vote on trimming government.

We didn't get that vote, but I can tell you, on the spending cuts, this isn't the end of that discussion; it is the beginning. When we have a new Republican majority, I'm going to take that gun down from our taxpayers' head. I'm going to give them a chance to keep their own money, get this economy going, and keep fighting for permanent tax relief and a permanent death tax repeal.

Mr. LEVIN. I now yield 2 minutes to the distinguished gentleman from Massachusetts (Mr. NEAL), an active member of our committee.

Mr. NEAL. I thank the gentleman.

Madam Chair, I am standing in opposition to this proposal. When we debated the middle income tax cut a few weeks ago, I spoke in favor of a tax system that we might design for the future, a progressive system with substantial tax relief for working families, and, in our own Democratic caucus, suggested that the number $250,000 was too low; that if we raised that ceiling to $500,000, we could take care of every S corporation, we could take care of every small business person who at the end of the month uses their credit card. That was rejected. But I still thought that was a reasonable compromise.

Now, when my friend Mr. CAMP spoke a couple of minutes ago, he delineated the clearest position of the two parties when he said he was upset that we were not paying for the extension of unemployment benefits.

For years they borrowed the money for Iraq, they borrowed the money for Afghanistan, and, I challenge anybody on the other side tonight to dispute this point, they borrowed the money for the Bush tax cuts as well. That is what we are discussing here.

Now, the reason that I stand in opposition to this proposal tonight—because there are many good provisions in this bill, including alternative minimum tax, and I do wish the Build America Bonds program was in here—this represents a serious threat to the solvency of the Social Security system. We will never return that number down the road. And you mark my words tonight, what they will argue down the road is the Social Security system has been weakened, proving that you need private accounts. Their fingerprints will be all over it. They will suggest this proves the theory of the benefit of a private account.

So we borrowed the money for Iraq. And when I said to President Bush in 2001 in the Oval Office, ''Mr. President, modest tax cuts for middle income Americans,'' it was rejected. And that is why we are in the condition that we are in today financially.

Mr. CAMP. I yield 5 minutes to a distinguished member of the Ways and Means Committee, the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Madam Chair, I rise today in support of grownups, grownups who realize that the end of the year is coming, and taxes will be raised if we don't act now.

When I first came to Congress, I knew that partisanship had taken over. I knew the enormous extent of the philosophical divide, but I didn't fully realize that entire years would go by without the two sides working together to come up with an answer for the American people. Sadly, it seems it takes a genuine crisis and a sense of panic before we can work together. In any case, here we are.

The bill before us is not the bill that I would have written, that I would have participated in; it is not the bill that conservative radio talk show host or Tea Party constituents would have liked written; and it is not the bill that The New York Times editorial page or the President himself would have written. It is a compromise. This is what a compromise looks like. Some so-called constitutionalists want to ignore the fact that the Constitution itself actually was a compromise, with a capital ''C.''

And while we are still in this bipartisan moment of clarity, let me say a few other things. First, while I strongly disagreed with the policies put forth by my Democrat colleagues, I do not envy them for having to preside over the biggest economic collapse in a generation. And while I believe their economic premise is misguided, I cannot fault any legislator for sticking to his or her principles.

□ 2010

What I do believe is unforgivable, however, is the tremendous uncertainty that has been created over the past few years. Uncertainty is not good for families; it is not good for investors; it is not good for employers.

Regardless of the cause, all economic crises are ultimately a crisis of confidence. Frankly, the Democrat-controlled government has contributed to that. At a basic level, beyond all of the fancy models and theory, the economy is really not that complicated. Uncertainty leads to doubt, doubt leads to fear, and fear leads to paralysis; and that, ladies and gentlemen, is exactly where our country is today.

By refusing to work with this side of the aisle until this point, we have prolonged uncertainty and aggravated the fear. Even here today, in what feels like a great legislative compromise, the most we can deliver for the American people is a year of this and 2 years of that.

The uncertainty must end, Madam Chair, and I believe Mr. CAMP when he says that we are going to work on that in January when the Republican majority takes over. At this point, I don't much care what the policy is. I just think it needs to be set in stone. My constituents want to see all the tax cuts extended permanently, and they want the estate tax eliminated permanently.

Now, let me make it clear: I probably have about five wealthy people living in my district, so some might say, What do they care about the estate tax? While they may not be wealthy, they certainly hope that sometime in their life they will be wealthy or their children will be, and they realize the impact of that. And based on the economic situation, it is kind of a mystery to me why they would even care so much about these rich people, but as I said, they probably would like to work hard and become them.

Madam Chair, we know better and our constituents know better. If they aren't rich, they have lived just long enough to know that in this world there are no free lunches. You have to work for what you get and you have to fight to keep it. So even though many of them are poor and even though many of them are struggling, my constituents don't want handouts. My constituents just want to be able to earn an honest living and rest easy at night knowing that the government isn't going to come in and suddenly swoop in and take everything away from them. For them, Madam Chair, it is more than a matter of principle—it is simply a way of life.

My constituents are upset that the tax cuts aren't permanent, and many of them believe I should vote against this bill.

In short, the story cannot explain that despite the fact that only 2 percent of Americans are rich, more than half the country does not want them to be taxed more to expand government spending. You know, the truth of the matter is, Madam Chair, it is simple. They don't want government's help and they don't want our generosity with other people's money. My constituents simply don't buy it. They don't want a nanny state, and they don't want somebody else to have to pay for it—not their kids, not the Chinese, not their grandchildren, and not rich people.

The Acting CHAIR (Ms. NORTON). The time of the gentlewoman has expired.

Mr. CAMP. I yield the gentlewoman an additional minute.

Ms. GINNY BROWN-WAITE of Florida. I thank the gentleman.

Their philosophy and mine is we want the government to reward hard work, savings, investment, and job creation. I simply don't think these things should be punished, and certainly not in the name of fixing everybody's problems everywhere, because at the end of the day, doing that will just create more problems, more uncertainty, and more panic.

Finally, Madam Chair, my constituents know that we will never climb out of this ditch as long as we keep moving that ladder. Keeping taxes low has to be our goal. That is the ladder to getting out of that ditch.

I urge adoption of the bill.

Mr. LEVIN. Madam Chair, I yield 2 minutes to the distinguished gentleman from Wisconsin (Mr. KIND), a member of our committee.

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

Mr. KIND. Madam Chair, I rise in opposition to the underlying bill and in support of the Pomeroy amendment. But let's be clear what this legislation does tonight. It adds another $1 trillion to our national budget deficit over the next 2 years. One trillion dollars.

Given the weak recovery we have going on with our economy, I think everyone is in agreement that now is not the time to be increasing taxes on working families and small businesses. We did that. We had that vote just a couple of weeks ago, where we protected tax relief on the first $250,000 worth of income, no matter who you are, and on small businesses. That covered 98 percent of Americans.

But for those of you who are saying we need to continue tax breaks for the wealthiest 3 percent that is included in this bill, I say, find corresponding spending cuts in the budget to pay for it so we are not having to go to China to borrow another $300 billion and adding to the debt burden of our children and grandchildren.

These are two unstated facts that we have before us today that no one is talking about and that are not being reported in the media. First, our effective tax rate in this country today is at a 60-year low. A 60-year low. That predates the Medicare program and it certainly predates the 80 million baby boomers who are about to begin their massive retirement and join Medicare and Social Security.

But also, the effective tax rate for the wealthiest 3 percent is not the 36 or 39 percent marginal rate that some talk about. The effective tax rate for the wealthiest 3% is 17 percent, after they itemize and they deduct and back out their expenses with the numerous tax loopholes that exist in the current code. That is less than the average working family is paying with their effective tax rate. We cannot sustain that. It is irresponsible.

Now, about a week from now little boys and girls around the country are going to be waiting for Santa Claus' arrival. And I hope they are not watching this debate tonight, because the truth is there is no Santa Claus for the U.S. economy. But there are too many people in this Congress who think that their Kris Kringle is China that they can run to and borrow money from in order to sustain a fiscally and economically reckless policy. Rather than their children leaving out cookies and milk for Santa, they instead should leave out their piggy banks because of what we're doing to them in this bill.

We can do better, and I encourage my colleagues to vote ''no'' on this legislation.

Mr. CAMP. I yield 5 minutes to a distinguished member of the Ways and Means Committee and the ranking member on the House Budget Committee, the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. I thank the gentleman for yielding.

Madam Chair, let me address just a few of the issues that I have been hearing here on the floor. I am hearing some of my colleagues from the other side of the aisle saying, ''We just can't afford these tax cuts.'' Well, let's look at it.

Only in Washington is not raising taxes on people considered a tax cut. What we are talking about here is not cutting taxes. We are talking about keeping taxes where they are and preventing tax increases.

The second point: We, meaning the government, can't afford this. Whose money is this, after all? Is all the money that is made in America Washington's money, the government's money, or is it the people's money who earned it? I hear all this talk about the death tax, the estate tax. This is going to give a windfall to these people, all this money going to these privileged people who have built these businesses, made all this money. It's their money.

Which is it? Do we have a country built on equal natural rights, where you can make the most of your life, get up, work hard, take risks, become successful, create jobs, grow businesses, do well, earn success, and, yes, pass it on to your kids? What on Earth is wrong with that? That's the American Dream.

And to my friends on my side of the aisle who simply don't like some of the spending in this bill, I don't like it either. So let's cut the spending next year when we're in charge.

There's junk in the Tax Code. Everybody agrees with this. This is advancing some of the junk in the Tax Code. And what I say to my friends on the other side of the aisle is, next year, let's get rid of that junk in the Tax Code when we're in charge. But right now, let's not hit the American people with a massive tax increase.

If we want to get this debt under control, if we want to get our deficit going down, there are two things we need to be doing: We need to cut spending and we need to grow the economy.

We need prosperity in this country. We need job creation. We need people going from collecting unemployment to having a job and paying taxes so the revenues can reduce the deficit. And if we raise taxes, even the Congressional Budget Office is telling us, if this bill fails and these tax increases continue, we're going to lose 1.25 million jobs next year. Do we want to do that?

Low tax rates give us economic growth. Low tax rates make us competitive in the international economy. Low tax rates allow businesses to plan.

Is this a growth package? No, it's not a growth package. You know why it's not a growth package? Because it still proposes to move this uncertainty forward. It's only a 2-year extension.

□ 2020

So we're not talking about a pro-growth economic package, but we're talking about preventing a destructive economic package from being inflicted on the American people in about 2 weeks. The last thing you want to do is put more uncertainty in the economy, hit the economy with a huge tax increase, trigger a stock market sell-off, and lose jobs.

So do we want to make these permanent? You bet we do. And that's exactly what we're going to be advancing. But the last thing we want to do is inject more uncertainty, raise taxes. We need economic growth. We need spending cuts. That's exactly what we intend on doing. And I think that's the message the voters sent us here. So let's prevent this tax increase from happening. Let's clean up the stuff we don't like in this bill next year. And let's make sure that when people go to Christmas, they know they're not going to have a massive tax increase 5 days later.

Mr. Chairman, this is a bill that is necessary to prevent our economy from getting worse. This is not a bill that's going to turn it around. Next year, let's pass the policies that will turn this economy around.

Mr. LEVIN. I now yield 15 seconds to Mr. WELCH of Vermont, followed by 3 minutes to Mr. JACKSON of Illinois.

Mr. WELCH. We have been awarded 45 minutes to state our objections to this bill. And it is essentially this: Too much debt, too few jobs, too much risk to Social Security.

Our lead speaker is the member from Illinois (Mr. JACKSON).

Mr. JACKSON of Illinois. Mr. Chairman, in about a month, almost every Member of this body will be speaking at events in their district commemorating the life of Rev. Martin Luther King, Jr., and his famous, ''I Have a Dream'' speech. Amid the soaring rhetoric and the beautiful prose, Dr. King made a clear point. In a sense, we have come to our Nation's capital ''to cash a check. When the architects of our Republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American wants to fall heir. That note was a promise that all men would be guaranteed the inalienable rights of life, liberty, and the pursuit of happiness.''

And I paraphrase, It is obvious today that America has defaulted on this promissory note. Instead of honoring this sacred obligation, America has given the people a bad check which has come back marked ''insufficient funds.'' But we refuse to believe the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vault of opportunity in this great Nation. So we have come to cash this check—a check that will give us upon demand the riches of freedom and the security of justice.

Mr. Chairman, if we pass this bill, it will signal a refusal to pay our fair share into the vaults of opportunity for all Americans. It will drive up the debt and put pressure on our Nation's Capital to cut programs for the most vulnerable. If this agreement passes, when out-of-work Americans look in the 112th Congress for help in paying their rent, our Nation's Capital will look to those Americans and say, insufficient funds. When we look to veterans who need health care that is owed them, the 112th Congress will say, insufficient funds. When our schools look for funding they need to teach our kids, our Congress will say, insufficient funds.

Mr. Chairman, this bill will only drive up the deficit, which is already too high in the eyes of the American people. It will put even more pressure on Congress and the President to cut vital programs when we convene next year.

If this sounds familiar to the American people, it should. In the early 1980s, President Reagan's budget director, David Stockman, conceived of a strategy called ''starve the beast.'' By cutting taxes and increasing military spending, the President could force Congress to cut social spending in order to control the deficit. As Stockman put it, they would cut ''real blood and guts stuff.'' You heard it from the Budget chairman a few moments ago. When they're in charge, they plan to cut real blood and guts stuff.

Mr. Chairman, if this tax deal goes through, blood and guts will affect us. At a time when they're needed the most, they will put these important programs on the chopping block. Indeed, Mr. Chairman, we refuse to believe that the American people should be forced to accept this tax deal, to accept ''insufficient funds.'' We see $858 billion that should be in the vaults of opportunity of this Nation. And that's why we oppose this bill.

Members will follow me opposed to any argument that say there are insufficient funds in the great vaults of opportunity to rebuild this Nation.

Mr. CAMP. I yield 5 minutes to a distinguished member of the Ways and Means Committee, the gentleman from Kentucky (Mr. DAVIS).

Mr. DAVIS of Kentucky. Mr. Chairman, today we debate legislation to prevent taxes from increasing on all taxpayers as our economy struggles to recover. We know without any doubt that virtually all Americans will be forced to send more of their hard-earned dollars to Washington on January 1, 2011, if we fail to act.

Although this legislation is not perfect in my estimation, the package does provide a measure of certainty and predictability that will allow broader debate in the coming Congress without immediately damaging our fragile economy. This package will prevent devastating tax increases from falling on the backs of hardworking Americans, small businesses, and job-creating investments.

This imperfect legislation represents the best agreement that can be reached by Republicans and Democrats determined to avoid the shock to our economy that would come from increasing taxes on the American people and many of our job creators. A vote against this agreement, which would prevent the largest tax increase in history, is really a vote for a $3.8 trillion job-killing tax increase. Regardless of what side of the aisle the opposition comes from, they're willing to accept the proposition that taxes will increase for all Americans. They may hope to gain political points, but I am not willing to let perfect stand in the way of good when it comes to matters that negatively impact the paychecks of Kentuckians.

Earlier this week, this package earned the bipartisan support of more than 80 Senators. If we fail today, middle class families will see roughly $100 per week taken out of their paychecks. Increasing taxes now will cause more pain for families with tight budgets, force small businesses to cut more employees, and further slow economic growth throughout the Nation.

Critics of extending the tax cuts for Americans have suggested that the cost will add to the deficit in coming years. While taxing is a functioning of government, the Federal Government is not entitled to any specific amount of revenue from the American people. What is the ''cost'' of letting Americans and job creators keep their own money? Because of budgetary gimmicks in Washington, many Members of Congress have lost sight of the fact that the money Congress spends comes from the American people, is owned by the American people, and the debt we accrue falls on their shoulders. Instead of following the budgetary common sense possessed by most Americans, Democrats and Republicans in Congress have routinely spent well beyond their means.

Now, many of my colleagues are looking to the pockets of the American people to foot the bill rather than making tough choices to cut spending in Washington. If less tax revenue is coming into the Treasury, Congress has an obligation to spend less. Democratic leadership in the House refuses to accept that proposition. Rather than take steps to solve excessive congressional spending, Democrats in Congress have had one response to the problem of our mounting debt: send more money.

Americans have lost faith in the ability of their Federal Government to demonstrate fiscal responsibility and self-control. Why would they trust those who claim the tax increases are the answer to our fiscal problems? With the tax record of this Congress, increasing taxes is tantamount to entrusting your teenager with a credit card.

This past November, voters sent a clear message, a restraining order on Washington: stop the political games with our economy, restore fiscal sanity to Washington, and create certainty and stability in our markets. American families and small businesses can't afford for Congress to play chicken with their hard-earned tax dollars rather than renewing the expiring tax cuts. Therefore, if Congress chooses to ignore the demands of the people, dragging the debate into the next year, the result will be more money taken out of American families' paychecks, impeded job creation, and more partisan political bickering.

Were I drafting this legislation, I would repeal the AMT, permanently abolish the estate tax, make the tax reductions permanent for all Americans, and insist that the unemployment compensation be offset by commonsense spending reductions. However, President Obama has made it clear that he won't sign an extension of current tax relief without the unemployment provisions or that makes the 2001 and 2003 tax relief permanent. Congress must develop and adopt a workout plan to eliminate the deficit just like any business or family in financial trouble.

Congress must learn from the mistakes epitomized by Washington's ''bailout'' culture and support policies to increase American competitiveness and improve the economic climate for entrepreneurs and small businesses. The road to prosperity allows you to take more home to your family and enjoy the economic freedom that historically has been a hallmark of American culture.

Mr. McDERMOTT. I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. ''Moment of Truth'' is the very appropriately entitled report of the President's bipartisan deficit commission, since it took barely a moment for him to cut a deal with Senate Republicans that spikes our national debt upwards almost a trillion dollars in new borrowing from the Chinese and others. This deal borrows from our future to throw tax money at problems with the efficiency of most of its provisions that you would get if people stood and shoveled out cash at the front door of the Capitol.

□ 2030

Billionaire estate bonuses, or 1 percent of the people getting a giant tax cut—that doesn't provide meaningful job growth.

There is a very good reason we pay Social Security taxes: in order to share in the old-age survivor and disability insurance that is Social Security. This proposed Republican payroll tax holiday is not a day at the beach. It endangers the very fabric of Social Security. That is why the National Committee to Preserve Social Security and Medicare has rightfully called this bad deal ''a disaster'' for Social Security.

In a very few months, these same Republican privatizers of Social Security will claim, just as they are tonight about the Bush tax proposal, that we are raising taxes on workers when we seek to end this alleged ''temporary'' payroll tax cut.

This same dangerous deal for Social Security discriminates against so many people, who tonight are on the front lines with their lives, as our firefighters, as our law enforcement officers, as those who educate our children—those who provide vital public services. They don't get a dime out of this provision. Ninety-five percent of the public employees in Massachusetts and a majority of those in the State of Texas get absolutely no benefit from this provision.

This bill undermines a guiding Democratic principle—dignity for seniors—and it undermines 75 years of Social Security.

Mr. CAMP. Mr. Chairman, I yield 3 minutes to the gentleman from Washington (Mr. REICHERT).

Mr. REICHERT. I thank the gentleman for yielding.

Mr. Chairman, I rise to express my support for this bipartisan tax compromise. We need to do this. We need to do this to prevent a massive tax increase on the American people, on American families and on American businesses.

The clock is ticking and the American people are waiting. If Congress doesn't approve this proposal, our small businesses will be saddled and crushed by a $858 billion tax hike. One-third of all business activity in the United States will see higher taxes—businesses that create 80 percent of our jobs in this country. Raising taxes on small businesses in the middle of a recession is absolutely the last thing Congress should do. Even those in Congress who want to raise taxes must question the timing of doing so when credit is scarce, wages are being cut, and people are losing their jobs.

As I travel around my district, I hear one consistent theme over and over again from small business owners: they need certainty. They want certainty—certainty so they know what Uncle Sam is going to take from them from their bottom lines now and into the future; certainty so they can plan for and make future investments—hire workers and buy equipment; certainty so they can pursue the American Dream without worrying about how government will get in the way.

Opponents of extending all of the individual income tax rates ignore the fact that more than 4.5 million small businesses in America pay taxes at the individual rate, not at the corporate rate. Failure to extend the current individual tax rates is a tax hike on small businesses.

My colleagues who want to discuss comprehensive tax reform should remember that extending all of the rates now will give us the chance to have that discussion without adding a massive tax increase on small businesses.

Avoiding this tax hike is just as important for families across this country as it is for our small businesses. Millions of Americans are employed by small businesses that will face this tax hike; and in many cases, their wages and their jobs hang in the balance of the decision that we will make here today.

The business world needs certainty and families need certainty—certainty to plan for the cost of higher education for their children, certainty to buy homes that they can call their own, and certainty for the day-to-day task of making ends meet in order to provide for the basic needs of their families. Businesses are struggling and families are hurting. The last thing we need government to do is to reach deeper into their pockets and take their hard-earned dollars.

This compromise package isn't perfect, as has been said over and over—compromise rarely is—but perfection shouldn't be the barrier to what is practical and necessary.

Mr. McDERMOTT. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. INSLEE).

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

Mr. INSLEE. Mr. Chairman, I came to peace with my decision on this bill this weekend when I was holding my 2-year-old grandson, Brody, who was checking out the Christmas tree. I became focused on the real question before us: Is it right to put $858 billion of debt on that kid's shoulders? The answer is ''no'' for three reasons.

First, this bill represents an old and unsuccessful experiment in supply-side economics. It has failed time and time again. In 2001, it was going to create jobs. It didn't create a single net job. Most of us remember when the first President Bush called this type of scheme ''voodoo economics.'' Do you remember that? Well, this is deja vu voodoo economics, and we have no interest in erecting a fiscal monument to the failed policies of George Bush.

Second, let's be honest about what this deal is—a bipartisan deal gone bad. It's a case where both sides handed out candy to their favorite constituencies, put the candy together in one pile of $858 billion of deficit spending and said, We will sober up, just not today.

We've got to have time to eat our spinach, not just our candy. Stop kicking this can down the road. True bipartisanship will happen when both parties confront fiscal reality and become responsible.

Third, we have to face the music as to what this deal is. It's just another case of using an overextended credit card. We cannot build an economy based on consumer credit card spending, which is what got us in the hole in the first place. This deal does not educate one kid; it does not build one bridge; it does not lead to the production of one innovative company. It doesn't build America. It just builds American debt.

So let's learn from our past. Let's put away the credit card. Let's get an unemployment extension the old-fashioned way. Let's have more jobs and less debt.

Let's defeat this bill.

Mr. CAMP. Mr. Chairman, I yield 5 minutes to a distinguished member of the Ways and Means Committee, the gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. I thank the gentleman for yielding time to me.

Mr. Chairman, indeed, this is a sad state of affairs in which we find ourselves and having to deal with this in the waning days of the 111th Congress. In just a mere 16 days, a massive tax increase—$3.8 trillion—will hit every American taxpayer at a time when we are dealing with high unemployment, very sluggish economic growth, and uncertainty about our future.

American families and businesses have had uncertainty hanging over their heads for months, and we have known about the date of the expiration of these tax provisions. It is time for this Congress to act. It is way past due.

No one is satisfied. No one in this body, I'm sure, is satisfied completely with this bill. I certainly don't like provisions in it. We may not like the situation that we find ourselves in, but it is this situation that determines our duty to act.

Mr. Chairman, we cannot roll the dice with the American economy and with the fate of American families and American businesses. That would be the height of irresponsibility, and we have seen enough of that in this 111th Congress. Let's examine just some of the provisions in this bill.

If you vote ''yes,'' you are voting to prevent tax increases on working Americans. You are voting to prevent tax increases on small businesses and job-creating investments.

If you vote ''no,'' you are voting for a job-killing $3.8 trillion tax increase that kicks in on January 1, and it will be paid for by every taxpayer and most small businesses in this country. If you vote ''no,'' you are basically voting to allow for the average middle class family to see $100 pulled out of their paychecks every week. That is a lot of money for the average family.

If you vote ''yes,'' you are voting to prevent a hike in the death tax on our family farmers and small business owners, who take risks and who have built farms and small businesses—taking those risks in a uniquely American way.

□ 2040

Why do we want to penalize that? Mr. Chair, now there are some who say on our side that we ought to wait. They may think it's good politics. They may think we may have more leverage. Well, it's not all that clear as to what could be gained if we were to wait. But I will say this, Mr. Chair: It's inevitable that there would be delays in enacting any kind of a package, and as a result of the delays, months going by perhaps, we'll see a job-killing massive tax hike on everyone.

For those concerned about the deficit, certainly a concern I share, this tax increase will basically hit economic growth, hit prosperity in this country like a category 5 hurricane. It will put us back into a recession, and the prospects to try to correct these problems will be even worse and make it much more difficult for us to act in the future.

Let's be clear. This is not a pro-growth program as my colleague Mr. RYAN said earlier. This is a 2-year agreement. It is a first step in correcting the severe problems that we find ourselves in. This will give us time to move forward with fundamental tax reform which, when coupled with spending decreases, cutting spending, we can get our country back on a sustainable economic course, a sustainable path to prosperity, a sustainable path to restore American competitiveness and to restore American leadership at a time when we need to do this from a position of economic strength.

So let's clear the slate so that we can start anew in January to get our country back on a competitive basis. I urge our colleagues on both sides of the aisle to support the passage of this bill.

Mr. LEVIN. It is now my privilege to yield 2 minutes to a member of our committee, the distinguished gentleman from Washington (Mr. MCDERMOTT).

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

Mr. MCDERMOTT. Mr. Chair, I rise today in opposition to the Senate amendment to the Middle Class Tax Relief Act of 2010.

This bill has good parts to it for the poor and the middle class, but it gives away $120 billion to the superrich, $120 billion the rich don't need, and will not create any jobs. It's a huge giveaway to the superrich in these tough economic times. It just boggles the mind. It's unconscionable. It's indefensible.

We all know the only reason we're even considering this craziness is to get Republican votes in the Senate so they won't filibuster the bill. That Republicans insist on giving away taxpayer money to the rich while sticking it to the poor and the unemployed is worse than wrong. It is without conscience.

Yesterday, my State of Washington announced it will cut all of the working poor health care from the State basic health plan. 66,000 people and 16,000 low-income children will lose their health care. All they will have is the emergency room. It doesn't end there. Washington State is also cutting off 85,000 elderly off their drug assistance program. These are people's lives we're talking about, and we're pushing American families off their last lifelines during a recession to give tax breaks to the rich. That's the Republican tradeoff.

Americans don't want this giveaway. They want us to act with compassion and economic common sense and not help start another Republican economic disaster.

We could and should fix this bill with fair rates, but we won't because Senator MCCONNELL says, Give me money for the rich.

I urge you to vote against it.

Mr. Chair, I rise today in opposition to the Senate Amendment to the Middle Class Tax Relief Act of 2010.

This bill has good parts to it for the poor and middle class, but it gives away $120 billion dollars to the super rich—$120 billion dollars the rich don't need and will do nothing to create jobs.

A huge give-away to the super-rich in these tough economic times just boggles the mind.

We all know the only reason we're even considering this craziness is to get Republicans votes in the Senate so they won't filibuster the bill.

That Republicans insist on giving away tax payer money to the rich while sticking it to the poor and unemployed is worse than wrong—it's without conscience.

Just yesterday my own State of Washington announced it will cut all of the working poor from the State basic health plan.

Working poor numbering 66,000 and 16,000 low income children will lose their health care—all they'll have is the emergency room. It doesn't end there—Washington State is pushing 85,000 elderly off of drug assistance too.

This bill undermines Social Security and increases taxes on the poor. Republicans won't ever want to restore the so-called temporary 2-year cut to social security taxes in this bill. Republicans will soon be calling the restoration of this tax, which keeps social security solvent, a 'tax hike'. Then Republicans will bring up privatization as the only way to solve the shortfall. As a replacement to the Making Work Pay Credit, this tax cut actually increases taxes on the poor, and gives even more tax benefits to the rich.

This bill creates only stop-gap funding for unemployment insurance. Next year at this time unemployment will still be high, and we'll have another mean-spirited debate that demonizes the unemployed.

The give-aways and bad policy in this bill are capped off with the wasteful, environmentally disastrous Ethanol subsidy. Subsidizing ethanol distorts food markets and slows this country's real progress toward a sustainable green energy economy.

This bill transfers enormous amounts of wealth from the average American tax payer into the pockets of the wealthiest of this country at a huge cost.

These are people's lives we're talking about. We're pushing American families off their last life lines during a recession to give tax breaks to the super rich. That's the Republican trade off.

Americans don't want this give-away. They want us to act with compassion and economic common sense—and not help start another Republican economic disaster.

We should fix this bill with fair rates for the wealthy and funding for unemployment insurance that lasts until the working families of this country are back on their feet.

I urge my colleagues to vote "no."

Mr. CAMP. I yield 5 minutes to a distinguished member of the Ways and Means Committee, the gentleman from Illinois (Mr. ROSKAM).

Mr. ROSKAM. Mr. Chair, I thank the gentleman for yielding.

The State of Washington is cutting the working health care for the working poor? That's what we heard a minute ago. But wasn't it just an argument just a couple of months ago, Mr. Chair, that if this body took up the ObamaCare that basically the birds were going to be chirping and the sun was going to come out and the clouds were going to part and the economy was going to be fabulous and we were not going to have another health care problem again? But what happened? Running ramrod through this body ended up a job-killing health care bill, and now we're wringing our hands. It's amazing to me.

Back when I was in the Illinois General Assembly, Mr. Chair, I used to practice law, and there was one time when I filed a motion at a courthouse and I approached a judge, and he knew that I was a legislator. And with a twinkle in his eye, he said, Well, Mr. ROSKAM, let's see how you voted on the judicial pay raise, and he kind of looked underneath his blotter. He was teasing me, and I quickly said, Well, Your Honor, I voted ''no'' but I hoped ''yes.'' He thought about that for a second and he said, Motion granted.

Now, I hope today there's a whole lot of show business going on here, because I hope today, Mr. Chair, what's happening is that there's a lot of people who say they're voting ''no'' that aren't really voting ''no.'' I mean, with due respect to my friend and colleague from the State of Illinois who acknowledged that there's insufficient funds, he thinks there's going to be insufficient funds, Mr. Chair, in the 112th Congress? Hey, look around, 111th Congress, there isn't sufficient funds.

This Congress and this leadership, Mr. Chair, has doubled our national debt in 5 years and, based on their own numbers, will triple that national debt in 10 years. So this is not a news flash that's coming in the 112th Congress. It's here today.

We had Debt Dependence Day here in the United States on August 4 of this year, which was the date at which every dime that went out from the Federal Government, Mr. Chair, was borrowed money. So let's not act as if this is a new issue. This is not a new issue.

Here's the issue that's before us: We're looking at a cataclysmic tax increase that has the potential to drive us and to push us to a tipping point and a spiral that goes further and further down.

Now, let me talk to friends on my side of the aisle who think a better deal is coming. Friends on my side of the aisle say, Oh, we're going to get a better deal. On January 5, we'll pass a bill. On January 6, somehow, miraculously, the Senate is going to pass it. On January 7, the President is going to remove all his objections. Even assuming, Mr. Chair, that that's true, let's think that through for a second.

Okay. So January 7, a new fabulous bill is signed into law. It's not until mid-February until the Internal Revenue Service can deal with that. It's not until mid-March when corporations and payers can deal with it. And so, again, at the best case scenario, you're looking at sucking the life out of this economy for 90 days. And what does that do to all of our constituents? That puts us in a downward trajectory that none of us want. Nobody wants that.

You know, I think one of the messages of November 2 is that we need to come together and work together. Yeah, there's things in this bill I don't like. There's things in this bill that I'm not pleased with, but I do know that at all costs we need to avoid a job-killing tax increase.

I would be happy to yield to the gentleman from Illinois.

Mr. JACKSON of Illinois. I thank the gentleman for yielding.

I just wanted to ask the question. I was hoping the gentleman might comment on whether or not his impression of the bill was that it was deficit neutral. The gentleman has spoken about the deficit in the past. I wanted to know if he wanted to comment on that.

Mr. ROSKAM. Reclaiming my time, clearly it's not deficit neutral. Clearly, it does add to the deficit, which is why I said that it's not completely satisfactory. So Mr. RYAN, as ranking member and incoming chairman of the Budget Committee, has indicated what his intentions are.

But, you know, I do find it ironic that there is this newfound robust interest on the other side of the aisle as it relates to deficit reduction, notwithstanding the CBO's, OMB's, and everybody else's numbers that the national debt will triple in 10 years based on the current majority.

So I've said my piece, but I think it's very clear that what we need to avoid, Mr. Chair, at all costs, is raising taxes and putting this economy into a spiral out of which real, real difficulties come.

Mr. LEVIN. It is now my pleasure to yield 2 minutes to the distinguished gentleman from Oregon (Mr. BLUMENAUER), an active member of our committee.

Mr. BLUMENAUER. A vote on this agreement may or may not be good politics, but it is wrong. It continues the Washington tradition of ducking tough issues, making suboptimal choices, and trying to make every interest group happy.

I'll be the first to admit that it contains items I support, including some I've worked hard to enact, but they're not worth the price, no matter how much I've invested in them.

□ 2050

This should be the time when we stopped adding to the deficit with nothing to show for it but a temporary boost to pocketbooks with a minimal boost to the economy and controversies that will continue nonstop through the next election. If, like a prudent family, we must borrow, it should not be for current operations but for long-term investment. The tinkering around the edges of the tax code and the fixes, like the need to continue to ''patch'' the AMT in order to protect 30 million people, is counterproductive. It will cost money to repair the broken tax code, but it is an investment well worth the cost.

We should, instead, repeal the AMT, lower the rates, broaden the base, make the code simpler, more fair, and less costly. If we will be $1 trillion more in debt, we should at least address the infrastructure deficit. That would at least pay for itself with projects that will last for decades while putting hundreds of thousands to work at family wage jobs.

Make no mistake, this vote means an exchange for a little temporary relief weighted in favor of those who need it the least. This bill means Americans will pay more in debt and interest, a sluggish economy, and costs of an unfair tax system. It's a bad bargain for the future of America's families.

Mr. CAMP. I yield 2 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

I don't have time to detail all that is wrong with this bill, so I will focus on one very small part of it. It's the Social Security payroll reduction. I want everybody in this body to remember this figure, this one number: $2,136. $2,136—that's the raise that we're all giving ourselves with this bill. That's the raise that we're giving ourselves, and we're borrowing every penny of it from our kids and our grandkids, or probably China.

$2,136. We don't know where that came from. I asked people in this body, How did that provision get in here? It's not part of extending current tax rates, keeping the tax rates current. This is something completely new. We're told, Oh, somebody in the Senate put that in. But nobody has sought to remove it here. But keep in mind, again, $2,136. That's how much every Member of this body—because all of us make more than $106,000 a year, so all of us are giving ourselves a $2,136 raise with this legislation. We had better remember it because the voters certainly will.

As I mentioned, we're borrowing this money. We don't have it. We can't pull it from another account. There is nothing in the Social Security Trust Fund to take it from, so we're borrowing it, every penny of it. So just remember that number, $2,136. That's the raise we are giving ourselves with this legislation. I urge a ''no'' vote.

Mr. LEVIN. I now yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL), a very distinguished colleague on the Ways and Means Committee.

Mr. PASCRELL. Mr. Chairman, our families are hanging by threads—literally—as we debate this tonight. We know the economic wreckage that occurred between 2001 and 2008. Double unemployment, flat wages, and unbridled greed. We didn't do a very good job in correcting the problem in the second 2 years since we took over, no question about it. So these are perilous times.

And I say to my friend from Arizona, both sides agree. We need extraordinary remedies in extraordinary times. Ordinarily, your side and our side would vote against this legislation because it's not paid for. But these are not ordinary times.

You have said in the past ''no'' to tax relief that every American, even billionaires, could take advantage of, if an extra 2,800 estates don't get a massive tax break at a cost of $60 billion. We had an agreement on the estate tax. H.R. 4151 provided a $7 million exemption for families, affecting less than 0.02 percent of the country. That wasn't good enough. So when the negotiations over the next tax relief for America's middle class started, opponents saw the chance. They decided to take the middle class hostage, agree with the tax relief for all of America, only if 2,800 additional estates worth over $7 million were also provided billions more in tax relief.

The truth of the matter is that I don't know any working class families that own estates worth over $7 million. Maybe you do in your district. No, you said to middle class tax relief, if the top bracket is not extended for the top 2 percent, so as to give $63.2 billion to 315,000 families making over $1 million a year.

I ask for your support of this amendment.

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

Let me just say, the gentleman from Arizona who spoke is a cosponsor of the legislation that would reduce the payroll tax that would give the so-called pay hike to Members of Congress. But let me just say, this payroll tax deduction applies to every working American, just as the rate reductions apply to every small business in America.

I yield 3 minutes to the gentlewoman from Kansas (Ms. JENKINS).

Ms. JENKINS. I thank the gentleman from Michigan for yielding.

When I ran for Congress, I made a pledge to the people of Kansas that I would not vote to raise their taxes. Today I will honor that pledge and vote for the tax bill before us because a ''no'' vote on this measure is a vote to raise taxes on every American taxpayer, every working parent, every small businessperson, every retiree, everyone. While the economy struggles to get back on its feet and unemployment remains at nearly 10 percent, allowing liberals to achieve their goal of raising taxes on American families and small businesses by nearly $4 trillion is extremely bad economics.

There are several aspects of this provision that I am adamantly against, including the massive deficit spending required to extend unemployment benefits for 13 months that are not paid for and the onerous 35 percent death tax which will create hardship for many family farms across the entire Midwest. But failure to pass this legislation will be the equivalent of reaching into the bank account of every middle class family and pulling out an additional $5,000 next year. The families I represent in Kansas have had to tighten their belts and can't figure out why Washington continues to raid their bank accounts and refuses to tighten the belt of the Federal Government.

It is truly sad that we have reached this point. The current majority could have addressed this issue at any time over the last 2 years, but they were so busy throwing money at solutions in need of problems that they didn't take time to build a budget, appropriate money, or address the issue of taxes, and now our backs are against the wall. While this is far from the ideal permanent extension we desire, a 2-year extension of all the current tax rates provided in this bill gives business some short-term certainty so they can go out and invest and hire new workers to grow the economy, and it provides Congress with a window to truly reform the tax code correctly without a mad scramble next year to undo the damage.

When we reconvene in January, it is imperative that the next Congress, led by a new majority, reform our tax code and the death tax, rein in spending, and balance our budget. Placing punitive and oppressive taxes on hard-working Americans until Washington can agree on how best to accomplish all that is not the right way to go about this. Kansans expect more of their representatives in Washington. I urge my colleagues to cast a vote against tax increases and vote in favor of this bill.

□ 2100

Mr. LEVIN. Mr. Chairman, it is now my privilege to yield 2 minutes to the distinguished Member from the great State of Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Chairman, I rise in favor of this bill. The people in the State of Nevada are having a very tough time right now. We have the highest unemployment rate in the country and the highest mortgage foreclosure rate. The people in my district are particularly hard hit. One in five people that I represent have no jobs. The unemployment benefit extension in this piece of legislation is critical to the very survival of so many of the families that I represent.

Everybody thinks of my district of Las Vegas and North Las Vegas as a very glitzy, shiny, wonderful town, and it is all of those things. But it's a working class town, and most people don't fully appreciate that. I represent construction workers and electricians and plumbers, Keno runners and cocktail waitresses and waiters and waitresses and valets and porters. All of these people are middle-income wage earners, and the middle-income tax extension is going to be a tremendous help to these families.

The child care tax credit, so many of the people that I represent in Las Vegas are single mothers who are working. The bane of every single mother, and I know this, is good child care at an affordable price. The child care tax credit makes a difference whether these women can go to work or not.

If you add in the alternative minimum tax, 33,000 of the people I represent will be slammed by that if we don't extend it.

Marriage penalty tax, earned income tax, these are all very important to the middle-income wage earners that call Las Vegas and Nevada home.

One of the most important things is the tax extenders that are included in this. Nevada is one of eight States that does not have a State income tax. If you're a State income tax State, you can deduct your State income tax from your Federal income tax. Nevada doesn't have one, so we, a few years ago, along with Brian Baird and a few others, were able to get an extension for sales tax and being able to deduct the sales tax.

The Acting CHAIR (Mr. SNYDER). The time of the gentlewoman has expired.

Mr. CAMP. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. BUCHANAN).

Mr. BUCHANAN. Mr. Chairman, job creation is priority number one. Fourteen million Americans are striving every day to find a job. But what they fail to understand in Washington, to get a job, you've got to promote small business and free enterprise and entrepreneurship.

Seventy percent of all the jobs created in America are created by small business. In my State of Florida, 99 percent of all businesses registered in Tallahassee, our capital, are either small businesses or medium-sized businesses mainly, a couple of hundred employees or less.

To raise taxes in this environment, when many businesses right now are struggling, on the verge of trying to stay open—many of them can't get credit. If we raise the taxes on small businesses—and a lot of people don't realize, a lot of small businesses are subchapter S, LLCs, partnerships, sole proprietorships, so it's all pass-through income to them personally. But raising taxes on small business, they're saying it will affect 48 percent of the businesses if we don't pass this today.

People ask, Why is it that business doesn't have any confidence right now or the confidence they should?

They just don't believe what's happening in Washington. The administration and this Congress, in their mind, and they're right, is very antibusiness.

So if we want to create jobs, the last thing we should be doing is raising taxes on small businesses. If we want to help families and we want to get people back to work, we need to pass this bill and do what we can. No tax increases come January 1.

Mr. LEVIN. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Illinois (Mr. DAVIS), a member of our committee.

Mr. DAVIS of Illinois. Mr. Chairman, Justice Oliver Wendell Holmes is credited with saying that taxation is the price that we pay for a civilized society. And today we need the money.

As a matter of fact, I was in a meeting 2 days ago at CEDA—that's the organization in Chicago and Cook County that services low-income families—trying to figure out how to help some of my constituents get their homes heated, because it might be snowing in Washington, but it's cold in Chicago.

The telephone rang. Somebody said, Could you take a call from the President? I said, Which President? They said, Well, the President of the United States. And I said, Of course, I'll take it.

I got on the phone and the President said to me, DANNY, we need to pass this bill, and we need to pass it because even though it's cold, it's going to get colder; and there are going to be people who don't have any unemployment compensation benefits, and they can't pay their heating bill. There are going to be people who want to send their kids to college, and without the tax credits for college tuition, they won't be able to pay the tuition.

And I said, Yeah, but, Mr. President, what about those people way up at the top that are getting all of this money?

He said, Well, there might be an opportunity to reduce that.

And I'm looking forward to voting on the Pomeroy amendment so that we can reduce some of that money that they're going to keep in their pockets, put it into the Treasury so that we can help the poor people in Chicago who are cold and don't have any heat.

Mr. CAMP. Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska (Mr. SMITH).

(Mr. SMITH of Nebraska asked and was given permission to revise and extend his remarks.)

Mr. SMITH of Nebraska. Mr. Chairman, I rise today in support of the underlying tax bill and in opposition to the Pomeroy amendment that would increase the death tax.

It is vital we do not stymie any economic recovery by failing to extend current tax rates. If we fail to enact this legislation, in just two short weeks, taxes will increase on every American.

Our country needs real economic growth, which can't happen if Washington doesn't prevent these tax increases on farmers, ranchers, and small businesses. The sooner we can provide certainty to American businesses, the sooner they can get our economy back on track and start hiring again.

In particular, I would like to highlight the importance of providing certainty to farmers and ranchers in my district with a lower estate tax rate indexed for inflation. Despite the rhetoric from some, these folks aren't millionaires and billionaires. They want to simply leave their children and grandchildren the land they use to grow and raise food which feeds Americans and others around the world.

In the last year, the value of Nebraska farmland has increased by 9 percent, continuing a trend in which this land has doubled in value over the past decade. Without an estate tax exemption indexed for inflation, these farmers and ranchers will be forced to divide or sell their land, threatening the very existence of farming traditions which, in many cases, have been passed on for several generations.

Grieving families should never be forced to deal with the IRS during a time of mourning. The prosperity earned by generations of Americans should not be forfeited just because one life has reached its end.

I urge my colleagues to support the underlying bill.

Mr. LEVIN. Mr. Chairman, I yield 2 minutes to the distinguished Member from Pennsylvania (Ms. SCHWARTZ).

Ms. SCHWARTZ. Mr. Chairman, tonight I rise in support of middle class Americans. As families and the Nation continue to face economic challenges, we should extend tax cuts for Americans; yet the Republicans insisted that tax cuts apply to all incomes, even multimillionaires. And they are insisting, even tonight, on including an additional tax break for just 6,600 wealthy estates at the expense of tax relief for middle class Americans.

The goals of this tax relief package should be to help middle-income Americans and promote economic growth. And because of the President and Democrats in Congress, most of this bill accomplishes just that.

I commend the pro-growth business provisions, particularly the acceleration of business depreciation and extension of the research and development tax credits, which encourage innovation and investment. And I strongly support the extension of tax breaks for middle class families.

Unfortunately, the Senate Republicans' last-minute estate tax provision does not meet the goal of either economic growth or tax relief for the middle class. It is simply a bonus to the wealthiest few that is not fair, not justifiable, and not fiscally responsible.

Instead, the estate tax proposal that we offer as a substitute saves $25 billion. The House should vote for this proposal because it promotes economic growth, extends tax cuts for all Americans, and provides sensible estate tax relief for 99.75 percent of the Nation's small businesses, families, and farms.

Vote for the tax cuts. Vote for fair estate tax policy. Vote for this legislation, as amended.

Mr. CAMP. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. PAULSEN).

□ 2110

Mr. PAULSEN. I thank the gentleman for yielding.

Mr. Chairman, our number one priority in Congress should be enacting pro-growth policies that will put Americans back to work and get our economy back on track.

Sadly, in the past 2 years, this body has done very little to accommodate the record high unemployment that this country has faced. And this tax bill before us today will give us an opportunity to finally change that, because in just 2 weeks our country's small businesses will see a huge job-killing tax increase imposed upon them.

Now, we all know small businesses have been the backbone of our economy for a long period of years. They have served as our Nation's top and chief job creators, generating nearly 7 out of every 10 new jobs created. But according to the National Federation of Independent Business, small business optimism is still at a recessionary level, and only a net 4 percent of firms are even planning to create new jobs. Stopping these tax increases on January 1 will add jobs to the economy.

On the other hand, imposing these job-killing tax increases on our small businesses is only going to further delay an economic recovery that has been denied to the American people. So we must act now to prevent this from happening.

This bill also has a significant impact on our Nation's families. Voting against this bill will lead to a nearly $100 tax increase on every hardworking American family every single week. These are families that are already struggling to make ends meet in tough economic times, and increasing taxes on them is only going to make matters worse.

Mr. Chairman, this bill is not perfect. Would I like to see these tax rates made permanent? Yes. Would I like to see the spending provisions and portions paid for? Yes. But well over 80 percent of this bill is tax relief. It prevents income tax rates from increasing; it prevents the alternative tax from hitting more middle-income families; it preserves the child tax credit; and it prevents the marriage penalty from being put in place.

Unless we act, on January 1 we will see job-killing taxes. But tonight, and today, we will have an opportunity to support American families and the small businesses that employ them.

Ms. SCHWARTZ. I ask unanimous consent to control the time until the gentleman from Michigan returns.

The Acting CHAIR (Mr. DRIEHAUS). The gentlewoman from Pennsylvania is recognized.

Ms. SCHWARTZ. I yield 1½ minutes to Mr. HOLT from New Jersey.

Mr. HOLT. I rise in opposition.

I am most concerned that this bill will undermine the very idea of Social Security by taking money out of Social Security and promising to make it whole with general revenues.

When FDR and others created Social Security in 1935, it was a political master stroke. Social Security was created as an insurance program and has remained intact for 75 years because Americans have a real sense of ownership for the program. FDR said Social Security should not use general tax revenues.

This bill puts Social Security on the table with tax breaks for the top 2 percent, with estate tax, alternative minimum tax, accelerated depreciation, making it essentially another bargaining chip. If we allow Social Security to become another bargaining chip for dealing politicians, then it will not be long for this world.

In good economic times and bad, this sense of ownership that Americans will get their due from Social Security has allowed it to survive despite determined efforts by determined enemies.

We can find better ways to boost our economy that do not add billions of dollars of debt to pay for tax cuts for the privileged few and do not jeopardize Social Security.

It is with regret that I rise in opposition to this legislation. Less than two weeks ago, I joined a majority of this House in passing middle class tax relief that balanced the needs of working families with our Nation's need to get its fiscal house in order. Unfortunately the Senate failed to pass this bill.

The legislation we are considering today is deeply flawed. We should try to put money in the pockets of working families, and I do not fault President Obama and many of my colleagues who want to get something done on behalf of the millions of Americans who need help. But, this is the wrong way to do it.

Yet, at a time when income inequality in the United States has risen to its highest level in decades, the bill under consideration would shift the burden of funding the Federal government further onto middle-class and working-class families. The bill would give away tax breaks to the wealthiest two percent of households at a cost of more than $120 billion charged to the national debt.

I am most concerned, however, that the bill undermines the very idea of Social Security. Social Security has been a pillar of our society for generations. When Franklin Delano Roosevelt, Frances Perkins, and others created Social Security in 1935, it was a political masterstroke. Social Security was created as an insurance program and has remained intact for 75 years because Americans have a real sense of ownership for the program.

In good economic times and in bad, regardless of which political party is in power, this sense of ownership—that Americans will get out that which they put into the Social Security—has allowed it to survive despite the efforts of determined enemies.

A provision in the bill would reduce an employee's contribution to Social Security from 6.2 percent to 4.2 percent of salary. This could have a beneficial stimulative economic effect. The $112 billion cost to the Social Security trust fund of this payroll tax holiday is supposed to be replaced with money from the general treasury fund. But that is just the problem. In Social Security's history such a commingling of payroll taxes and money from the Treasury at this scale is unprecedented.

This is not just about the financial health of Social Security, rather it is about Social Security's rationale that has worked well for generations. This bill places Social Security on the table with tax breaks for business expenses and tax breaks for the top two percent of Americans—essentially making it just another bargaining chip. If we allow Social Security to become a bargaining chip for dealing politicians, then it will not be long for this world. As much as we need economic stimulus now, we will need Social security for decades to come. Rather than taking money from Social Security, I would support a tax credit—similar to President Obama's Making Work Pay tax credit—that would give working families a sizeable tax break with money from general revenues.

In a message to Congress on January 17, 1935, FDR insisted that Social Security should be self sustaining and that funds for the payment of insurance benefits should not come from the process of general taxation. FDR's message is as correct today as it was 75 years ago.

To be sure, the legislation before us today contains many good provisions that I would support on their own. The bill contains a one year extension of emergency unemployment benefits. According to the Labor Department, there are five job-seekers for every job opening in the U.S. Extending unemployment is the right thing to do morally and for the economy. The legislation would extend middle class tax relief for two years along with many family-friendly tax breaks such as the Child Tax Credit, Earned Income Tax Credit, Alternative Minimum Tax relief, and marriage penalty relief. The bill also would extend expanded transportation benefits for commuters and tax credits like the research and development tax credit to help businesses grow and create jobs.

Congress needs to provide unemployment insurance for Americans searching for work, extend tax relief for working families, and find solutions to our budget crisis. Yet these must not come at the expense of Social Security. It is too important to lose.

Mr. CAMP. I yield 3 minutes to the gentleman from New York (Mr. LEE).

Mr. LEE of New York. Mr. Chairman, I am amazed how my friends across the aisle now, all of a sudden, have found religion when it comes to fiscal issues.

But where were they when we had the $800 billion stimulus? Where were they with the $1.2 trillion health care bill that they all promoted? Where were they when the Speaker chose not to enact a budget resolution this year, the first time in 36 years? And now they're preaching fiscal responsibility when we are out promoting a bill that is not cutting taxes; it is helping to ensure that every American citizen who pays taxes won't be seeing an increase this year. It is truly, truly amazing.

Simply put, this bill before us today will allow taxpayers to keep more of what they earn and will allow small businesses, the engines of our economy, to invest in themselves and invest in jobs. This bill will provide much-needed certainty that businesses have been screaming for. They are looking to invest in themselves and truly what they want to do is hire more workers, but: tell us what the rules are going to be.

Currently, today, businesses are sitting on close to $2 trillion in cash and liquid assets awaiting to know what the rules are going to be. This bill is not perfect, but it will help set the stage for businesses to get some confidence and certainty in this economy and go out and start investing in U.S. workers. Congress is long overdue in providing this certainty to small businesses, and it is one of the best ways that we can start turning around this economy.

I ran a manufacturing business before coming to Congress. I know what it feels like to look at a production line and not know if you will be able to operate it the next month because Washington is dragging its feet.

By acting now, we can also ensure that small businesses and family farms aren't hit with a 55 percent death tax. We reaffirm our commitment to providing incentives for manufacturers to invest in research and development. And we help every American family by extending current tax rates, the child tax credit, and the marriage penalty relief.

Is this bill perfect? No. Few things are that come out of Washington. But the bottom line is that this bill will allow families to keep more of what they earn and help small businesses grow and invest in themselves.

This is a proven recipe for job creation. I urge my colleagues to support this bipartisan legislation so we can protect taxpayers and get on to the tough work of cutting spending next year.

Mr. LEVIN. I yield 1 minute to the gentleman from New York (Mr. TONKO).

Mr. TONKO. I thank the gentleman for yielding.

This bill is a bad deal for the middle class. If you work hard and play by the rules, you should be rewarded; however, today's bill ignores this. It lines the pockets of the mega-rich at the expense of everyone else.

Our top priority right now should be job creation. We tried the tax cuts proposed today for the last decade under the illusion that they would create jobs. And so I ask, Where are the jobs? Where are the jobs? This recession wasn't an act of nature; it was man-made. Shame on us if we do the same thing again and expect different results.

I will continue to fight to strengthen the middle class, and I will continue to fight to extend unemployment benefits for the millions who are out of work through no fault of their own. I have voted in favor of both in recent weeks. However, we should not support a give-away to millionaires and billionaires at the expense of future generations.

Mr. Chairman, this bill needs more jobs and less debt.

Mr. CAMP. I yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. I thank the gentleman from Michigan for yielding.

Mr. Chairman, there are a number of things that have been talked about here that I think need to be addressed. One that I want to address point blank is this concept, this myth, that somehow preventing a tax increase adds money to the deficit.

Only in Washington would some liberal politician think that allowing somebody to keep money in their pockets and not have a tax increase somehow adds to the deficit.

In fact, if you really want to see growth in this country, if you really want to see more money coming into the Federal Government, something that's always been proven is having lower tax rates coupled with controlled spending. And that's the problem, that we don't have those issues being addressed here today. Hopefully, we will address that, and, I know in the new Republican Congress, we will address that we should make these tax rates permanent, including a complete repeal of the death tax, and you'll see some real growth in this country.

But there is a moral imperative here, too. There's been this talk about class warfare on this House floor tonight, and a lot of people running around talking about certain people that should have a tax increase. And that is a moral imperative because who is the greedy one here. Is it the single mother who is struggling to make ends meet right now? Or is it the liberal Washington politician who is trying to saddle her with another 50 percent increase in her tax rate if this bill doesn't pass? Who is the greedy one? Is it the small business owner who is struggling in tough economic times but maybe wants to create another 20 jobs in their small business? Or is it the liberal Washington politician that is going to try to saddle them with thousands of dollars in new taxes that will make it impossible for them to create jobs? That's the moral imperative.

It's time for the liberal Washington politicians to get their hands out of the pockets of the taxpayers and hard-working Americans in this country so we can get some real job growth. I am glad the gentleman from Michigan, when he becomes the chairman of the Ways and Means Committee next year, wants to address the long-term problems. But in the short term, we need to prevent any American from having their taxes raised, and that's what this debate is all about.

□ 2120

Mr. LEVIN. Mr. Chairman, I yield 1½ minutes to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. Mr. Chairman, I thank the gentleman for yielding.

I associate myself with the remarks of the gentleman from Arizona who spoke earlier. There is another important number in this bill, and that number is $119 billion—$119 billion. You might ask why that number is important. That is the amount of money that this bill will rob from the Social Security trust fund if it is implemented, at a time when more and more of our seniors rely on Social Security as their sole source of income, at a time when more and more of our seniors are vulnerable and are on fixed income and can't go out and get a second job, at a time when more American workers are desperately needing Social Security benefits because their defined benefit pensions have gone away, any kind of pensions have gone away.

In spite of the remarks of the gentleman from Louisiana who just spoke, it is easy to forget that on most of these issues, Democrats and Republicans agreed. We agreed that 98 percent of Americans needed a tax break continued. We are fighting about that 2 percent. That is where the argument is. We are arguing about people who have $10 million in an estate. In a windfall to them, should they pay taxes?

It is interesting that in this bill, those people have been protected, but the folks who are on Social Security and the solvency of the Social Security trust fund is fair game. Vote ''no'' on this measure.

Mr. BRADY of Texas. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Chairman, there's not much time when there's 3 hours and most of that is dedicated to pushing this bill. But the fact is, following up on Social Security tax, it's reduced by 2 percent, from 6.2 percent, for 2 years, which dramatically does affect the solvency of Social Security.

When I proposed the payroll tax holiday, I was going to pay for that—it's in the bill—pay for it with TARP. We were going to take that money from the Wall Street bailout and give it to the people that actually earned it. That would have worked. This isn't paid for.

We were elected into the majority to stop the deficit spending. We do need to extend the current tax rates so that we can give some stability to this economy. But two years, analysts say, is not going to push businessmen to run out and fix the economy.

This is a mistake. We can do much better for the economy. This is no time to sell out just to get some extensions. We can do better.

Mr. LEVIN. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS of Maryland. Mr. Chairman, in 2006, Warren Buffett wrote, ''There's class warfare, but it's my class, the rich, that's making war, and we're winning.'' Today, in this bill, Mr. Buffett's sentiment rings as startlingly true today as it did 4 years ago.

I rise in strong opposition to this bill that will benefit only the wealthiest Americans at the expense of putting billions of dollars in debt on the backs of our children and grandchildren.

Over the last 35 years, our tax policies have concentrated a third of this Nation's wealth in 1 percent of our population, leaving 80 percent of us with 16 percent of our Nation's wealth, the rest. The proposal on the floor today only exacerbates that trend.

Mr. Chairman, we have staked our reputation and the legacy of this 111th Congress on fighting for working families. I just don't understand how we can saddle those same families with unsustainable tax cuts for the wealthy, an estate tax that benefits 6,600 families, and a payroll tax that without question raids Social Security.

If this is war, then let's put away this white flag. I refuse to surrender to those who want to benefit the two-percenters at the expense of the rest of us. To do that would surrender the hopes, the dreams, the retirements, and the paychecks of families all across this country.

It is time to put away the white flag and fight for working families.

Mr. BRADY of Texas. Mr. Chairman, may I inquire as to the time remaining on both sides?

The Acting CHAIR. The gentleman from Texas controls 35 minutes; the gentleman from Michigan controls 52½ minutes.

Mr. BRADY of Texas. Mr. Chairman, I reserve the balance of my time.

Mr. LEVIN. Mr. Chairman, I now yield 2 minutes to a distinguished Member of the Ways and Means Committee, the gentlewoman from California (Ms. LINDA T. SÁNCHEZ).

Ms. LINDA T. SÁNCHEZ of California. Mr. Chairman, I rise today in strong opposition to this reckless legislation. There is no question that I strongly support some of the items in this bill. Unemployed Americans desperately need their benefits extended, and I proudly have voted to do so every time I have had the chance. This bill also contains tax cuts for hard-working American families, tax cuts I voted for 2 weeks ago on this very floor.

But this bill holds these good policies hostage to a giant handout to those who need help the least. It is political bullying at its very worst, an affront to working American families waged by Republicans whose irresponsible decisions got us into this mess in the first place.

This bill contains a radical change to the inheritance tax that will concentrate wealth and power in even fewer hands than it is now. In a country that prides itself on being a meritocracy, not an aristocracy, such a giveaway is irrational. It completely neuters our ability to invest in people and infrastructure.

This bill contains tax breaks for those who will make more than $250,000 a year, breaks that our country can ill-afford when teachers are being laid off and libraries are being closed, when those who have been unemployed for the longest are losing their safety net, and young men and women are still being asked to serve and die in Iraq and Afghanistan.

The payroll tax cut is another bad idea. Not only does it make Social Security less secure, many public servants, including California teachers, won't see any tax cut at all.

Overall, this bill adds nearly $1 trillion to the deficit, while doing very, very little to create jobs, spur economic growth, or invest in America's future.

Because I am committed to creating jobs, making retirement secure, and investing in this country, I cannot in good conscience support this bill. Compromise is one thing, surrender is another, and I will not surrender in my fight to ensure that America remains the land of opportunity for all.

Mr. BRADY of Texas. Mr. Chairman, I continue to reserve the balance of my time.

Mr. LEVIN. I now yield 1 minute to the gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. Mr. Chairman, I rise in support of this bill because it strikes the right balance between support for the unemployed and those who continue to suffer in the economic downturn, the continuation of pro-American and pro-family economic policies, and providing the much needed certainty for American job creators to make the long-term strategic decisions necessary to help grow our economy.

Now is not the time to raise taxes for anyone in America. One of the key factors that has stalled our economic recovery is the uncertainty about the regulatory environment and tax rates that small businesses will face in the coming years. With passage of this legislation, we can provide the certainty these businesses have sought, enabling them to finally be able to make the long-term strategic and hiring decisions that they were reluctant to do before they knew what the playing field would look like.

I urge my colleagues to support this bipartisan legislation compromise that will help kick-start our economy.

Mr. BRADY of Texas. Mr. Chairman, I continue to reserve the balance of my time.

Mr. LEVIN. Mr. Chairman, I now yield 1 minute to the very distinguished gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Let me first correct the gentleman from Texas, Mr. GOHMERT, when he says that this bill would make the Social Security trust fund less solvent. Every penny that the Social Security trust fund doesn't receive from payroll taxes it gets from the general fund.

But let me especially correct him when he says, oh, the other way to pay for this is by canceling the TARP bill. We canceled the TARP bill six months, seven months ago. He voted against the bill, but that bill passed, was enacted, and returned $225 billion to the Treasury. Having done that once, we can't make money by just doing it again.

The Republican Senators held this country hostage, they held the middle class tax cuts hostage, they held the American economy hostage. President Obama agreed to pay the ransom. Now the question before this House is, do we block that ransom payment?

□ 2130

The problem is that if we do not make the ransom payment this month, President Obama will be willing to pay just a little bit more next month. So today we will do what we have to do.

Mr. BRADY of Texas. I continue to reserve the balance of my time.

Mr. LEVIN. I now yield 1 minute to the very distinguished gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. For many Americans, tonight their urgent priority is to find a job. It should be our urgent priority to create those jobs for those Americans. I support this imperfect bill because I believe it will help create those jobs. I think a tax cut of $1,000 a year for a family making $50,000 will help spur spending. I think that not raising taxes on people who sell real estate or teach school or drive a school bus is the right thing to do.

I think that some degree of tax certainty for business people and investors over the next 2 years will help to spur investment. And I know that every penny that people receive in an unemployment check will be spent as soon as possible—because people have to. And that helps spur the economy as well. And I also hope that the bipartisan agreement tonight to do the easy thing, which is reduce people's taxes, will be followed by a bipartisan agreement to do the hard thing—and that's reduce spending in a way that is sensible, equitable, fair, and necessary. This is not a perfect agreement, but it's a necessary one.

I urge a ''yes'' vote.

Mr. BRADY of Texas. Mr. Chairman, I yield 4 minutes to the gentleman from Virginia (Mr. CANTOR) who has been a leader on lowering taxes, fighting the expansion of government, and expanding liberty.

Mr. CANTOR. I thank the gentleman from Texas.

Mr. Chairman, as we contemplate the tax agreement before us, I urge my colleagues to put politics aside and focus on the facts. We are crawling out of the worst economic downturn in generations. Working families and businesses remain gripped by economic uncertainty, and to this day Washington has only made the problem worse. If we want to cut into the 9.8 percent unemployment rate, Mr. Chairman, we have to instill confidence in the economy and begin to foster an environment for job creation. Today, we take our first step toward achieving that goal.

This tax deal is not perfect. And nearly all of us, myself included, disagree with certain elements of this bill. But let us not forget what we're fighting for. The reality is, Mr. Chairman, that on January 1, one of two things is going to happen to all taxpayers and most small businesses: Their tax rates are either going to go up, or they'll stay the same. The choice is to act now or impose the onset of a $3.8 trillion tax increase that will crush the fragile recovery and cost tens of thousands of jobs nationally. This is an indisputable fact—and an unacceptable result.

Mr. Chairman, this tax increase would punish families and small businesses that cannot afford to pay it. Middle class families will see their taxes go up by $100 per week. Let me be clear. There's only one path out of this economic crisis—and it's economic growth. But by transferring vast sums of cash out of the private sector and into Washington, Congress would be taking a club to investment, entrepreneurship, and innovation—the very building blocks of what we need to foster economic growth and job creation. About 84 percent of this package, Mr. Chairman, is either tax relief or extension of current tax rates. So, while not perfect, this is the kind of action that most Americans voted for last November.

In addition to preserving all marginal tax rates, it would kill the Making Work Pay credit and replace it with a payroll tax credit for all workers. It would deal with the alternative minimum tax that would begin to hit individuals making well below $100,000, and would head off a punishing increase in the death tax.

Mr. Chairman, we could try to hold out and pass a different tax bill. But there's no reason to believe that the Senate will pass it or the President would sign it if this fight spills into next year. Meanwhile, Mr. Chairman, the uncertainty associated with a prolonged debate would cause grave economic harm and possibly send us back into a double-dip recession.

With that, Mr. Chairman, I urge my colleagues to pass this current legislation.

Mr. LEVIN. It is now my privilege to yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. I want to thank the gentleman for yielding.

Mr. Chairman, we're voting on a tax package that gives away $139 billion in tax breaks to the wealthiest 2 percent of Americans over the next 2 years in exchange for $57 billion in unemployment compensation benefits for the next 13 months. The math just doesn't add up.

Many Members are opposed to this bill because it's bad economic policy. But it's also morally wrong. Last Friday, the Congressional Black Caucus, led by Congressman BOBBY SCOTT, a member of the Budget Committee, proposed a fair deal by eliminating the tax giveaway to the richest in our country and by extending the middle-income tax cuts, unemployment insurance, Temporary Assistance for Needy Families, Build America Bonds, affordable housing provisions, and the earned income and child care tax credit. Our proposal would also protect Social Security by offering a tax rebate instead of a payroll tax holiday to ensure that Social Security is not cut in the future, and it would create the same amount of jobs at half the cost.

We should let the Bush tax break for the rich expire. Period. Extending them for another 2 years digs us deeper into this deficit hole—and we know who will end up paying for it. It won't be the rich. It will be the poor, low-income communities, and communities of color, who lack well-paid lobbyists to look out for their interests here on Capitol Hill. I am reminded also of what Dr. Martin Luther King, Jr., called to our attention: ''A bad check such as the one being written today will come back marked 'insufficient funds.' ''

Instead of stuffing the stockings of the super rich, we need to stimulate direct job creation and economic recovery efforts. And we should not leave the chronically unemployed, those who have exhausted their 99 weeks of unemployment compensation, out of this deal. They should not be left out in the cold due to insufficient funds.

We should not allow the other side of the aisle to shove these tax breaks for the super rich down our throats in exchange for middle-income tax breaks.

As AFL–CIO President Richard Trumka said yesterday in opposition to this bill, ''Working families must not continue to bear the cost of unnecessary giveaways to the wealthiest,'' due to insufficient funds.

CONGRESSIONAL BLACK CAUCUS ALTERNATIVE TO THE PRESIDENT'S COMPROMISE

Members of the Congressional Black Caucus (CBC) are overwhelmingly opposed to the President's compromise with Republicans on extending all of the Bush-era tax cuts for two years. While we are an ideologically diverse Caucus, the CBC has reached a consensus that we cannot support extending the Bush-era tax cuts for the wealthiest Americans; we can support moving forward on the following:

A 13-month extension of Emergency Unemployment Insurance Benefits plus additional assistance for the chronically unemployed—those Americans who have been unable to find work for more than 99 weeks.

A payroll tax holiday or equivalent payment, such as a tax rebate check, with guarantees that Social Security will not be deprived of revenue.

Targeted tax relief through a 2-year extension of the Bush-era tax cuts for hard-working middle- and low-income families and extending the enhanced provisions included in the American Recovery and Reinvestment Act for the Earned Income Tax Credit, the Child Tax Credit, and the American Opportunity Tax Credit.

The CBC proposal will cost less than half of the President's proposed trillion dollar compromise.

Members of the Congressional Black Caucus are keenly aware of the day-to-day struggles of hardworking American families and the unemployed. In the long-run, we believe permanently extending the Bush-era tax cuts will add trillions of dollars to our national debt thus jeopardizing the fiscal solvency of the United States Government.

This nation has difficult decisions to make in the years ahead and the CBC believes that vital programs, such as public education funding, financial aid for students to go to college, child nutrition programs, Veterans benefits, Social Security and Medicare, will all be put at risk if we permanently extend all of the Bush-era tax cuts. We believe the benefits of these vital programs to all Americans, especially to middle- and low-income Americans, far outweigh any tax cut.

It will take strong political will to make the tough choices necessary to bring our fiscal house in order. One such choice the Caucus made was to consider and reject support for the proposed reduction in the estate tax, which has a two year price tag of $60 billion and only benefits the wealthiest 2% of American families. Rejecting that choice is particularly timely in light of the recent defeat of a $250 payment to struggling Social Security recipients who are going another year without a Cost-of-Living-Adjustment. As we move ahead on ways to accelerate our economic recovery and balance our budget, the CBC stands ready to assist the President in a meaningful and responsible way.

Mr. BRADY of Texas. I yield 2 minutes to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. I do rise in support of this legislation. Obviously, it's not a perfect bill, but it is a good bill. And we have heard all the policy and political arguments against this bill. Let me just be very clear. It's really time to stop this $3.8 trillion tax increase that awaits the American people. It's time to take ''yes'' for an answer. It's really time to get on board. If this bill fails, taxes go up on American savings, investments, income, estates, small businesses. We know what is coming. We know what is awaiting the American people.

As it relates to the estate tax, just think about that one moment. After January 1, we know people will die. And if this law is not enacted, this bill is not enacted, we know what will happen. Lifetimes of hard work, sacrifice, and thrift will be punished, and this Federal Government will confiscate money from people at 55 percent who have less than $5 million in assets. It's terribly unfair to family farms and family businesses.

Let's be clear. If you're voting ''no,'' you're voting to raise taxes. Again, if you're voting ''no,'' you're voting to raise taxes by $3.8 trillion. If you're voting ''yes,'' you're voting to stop a $3.8 trillion tax increase. This is the vote that counts. The political games are over. No more posturing. The train is pulling out of the station. It's time to get on board. Vote ''yes.'' Stop the tax increase.

□ 2140

Mr. LEVIN. It is now my privilege to yield 1 minute to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE of Wisconsin. Thank you, Mr. Chairman.

Tonight, by extending the Bush-era tax cuts, the greedy will prevail, and the needy will fail to receive desperately needed social services going forward. Even the so-called middle class Bush-era tax cuts will deliver six times the benefit to the wealthy than to ordinary hardworking families.

How many times do we have to hear Republicans boldly declare, We will starve the beast and deny the least social welfare?

Frankly, this $1 trillion tax cutting and Social Security gutting feeds right into the 75-year Republican sentiment to eliminate entitlements: $1 trillion debt and goodbye Social Security net. Lure them with short-term gain and usher in long-term pain.

Colleagues, beware. Tonight begins the undermining of Social Security and Medicare.

Mr. BRADY of Texas. I am proud to yield 2 minutes to the distinguished gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. Thank you very much.

Mr. Chairman, I rise in support of the underlying bill that ensures that taxes will rise on no one in America on New Year's Day, 15 days from now. What a terrible New Year's present that would be to the American people.

This bill creates greater certainty in the business community so that businesses across America can create the jobs this country so desperately needs, especially given our current 9.8 unemployment rate. New jobs will lower our annual deficits. Almost 85 percent of this bill provides tax relief, including preventing the job-killing tax hikes; enacting the AMT patch—extremely important to the district I serve and to New Jersey as a whole; and reducing the Federal estate tax from the scheduled 55 percent rate on January 1 down to 35 percent—also extremely important to New Jersey where residential real estate is so expensive.

This bill has been endorsed by leading conservatives, including our new reform Governor in New Jersey, Chris Christie. It will give us time in the new Congress to enact fundamental reform, including deficit reduction, a permanent extension of existing tax rates, and the elimination of the Federal estate tax.

Mr. LEVIN. May I inquire as to how much time is remaining on each side?

The Acting CHAIR. The gentleman from Michigan controls 46½ minutes. The gentleman from Texas controls 28½ minutes.

Mr. LEVIN. It is now my real privilege to yield 1 minute to the distinguished gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Thank you, Mr. Chairman.

I rise in opposition to the bill because its passage will make it impossible to ever balance the Federal budget.

This compromise will add about $900 billion to the national debt. That's more than TARP. That's more than the stimulus package. The 2-year cost of the bill is about the same as the 10-year cost of the health care reform bill. At least we paid for that.

We need to make tough, unpopular choices to balance the budget. Obviously, letting tax cuts expire would be unpopular. But when we ever decide to get serious about the deficit, we will find that the alternatives are even more unpopular because, after today's vote, the choices will necessarily include cuts in Social Security, Medicare, education, and other popular programs.

If we don't have the political will to end the disastrous Bush-era tax cuts now, we certainly won't have that political will during the middle of a Presidential election. The job creation in this bill is paltry—$400,000 a job. We can do better than that.

Accordingly, Mr. Chairman, I urge my colleagues to make the tough choice and defeat this bill.

Mr. BRADY of Texas. I reserve the balance of my time.

Mr. LEVIN. Mr. Chairman, it is now my privilege to yield 2 minutes to a very active member of our committee, the gentleman from California (Mr. BECERRA).

Mr. BECERRA. I thank the gentleman for yielding.

For more than 200 years, America has worked hard to earn a reputation around the world that, when the going gets tough, America gets going.

We could lead in tough times. We could withstand adversity. We were prepared to sacrifice. Then, as our country matured, we were prepared, not only to do all those tough things, but to do them the right way, and we were able to somehow figure out where the sweet spot was for prosperity in America—building the middle class: the GI Bill for our troops, Social Security and Medicare for our seniors, the best universities for our kids. As we invested in the middle class, our prosperity bloomed.

Fast-forward to the Bush recession and to the tough times we find ourselves in today. Americans are hanging tough, fighting to hold onto their jobs and their homes. But is everyone in America sharing in the sacrifice? This proposal gives millionaires $139,000 in tax breaks each year. On top of that, it gives the 6,600 wealthiest Americans a tax break equal to $23 billion.

Perhaps the most sinister provision in this proposal is the more than $100 billion that it diverts from the Social Security trust fund and then borrows money from places like China to replace those dollars.

Everyone in America is ready to sacrifice. Everyone in America should be ready to sacrifice. This bill doesn't ask all Americans to sacrifice. The day should come, as the days have come, when all of us are prepared to sacrifice. This is not the bill. This is not the time to change America's history. Let us all work together, to pull together, to let everyone in the world know that we are prepared to sacrifice. America's wealthy are ready to sacrifice as all Americans who are trying to hold onto their jobs and their homes are prepared to sacrifice.

Let's do this together. We have that reputation. We know how to do it. Adversity doesn't concern us. We will do it the right way. Let us pull together. We can do much better than this bill. It is our chance to prove it to America.

Mr. BRADY of Texas. I continue to reserve the balance of my time.

Mr. LEVIN. I now yield 2 minutes to another active, distinguished member of the Ways and Means Committee, the gentleman from North Carolina (Mr. ETHERIDGE).

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

Mr. ETHERIDGE. I thank the gentleman for yielding.

Mr. Chairman, let me state that there is much in this bill that concerns me.

Specifically at a time when our budget deficits and national debt continue to hold back our economic growth, we should not be passing bonus tax breaks for the wealthiest few in this country and handing the bill to our children and our grandchildren. I also strongly prefer the House-passed language that provides estate tax relief in a responsible manner. Additionally, I worry that the payroll tax provisions, while good for working families in the short run, could undermine the finances of Social Security over the long run.

But, at a time when so many people face uncertainty in a fragile economy, doing nothing is not a very good option.

For far too long in this town, shortsighted partisanship has prevailed against the long-term best interests of our country. We need more bipartisanship in Washington, D.C., to tackle our Nation's most pressing problems.

I commend the President for getting us beyond the partisan stalemate and for laying the groundwork for economic progress for the American people.

There are many provisions in this bill that are going to help working families. I strongly support the middle class tax cuts, or at least to keep them going, in this bill. Child tax credits, marriage penalty relief, and education incentives will help middle class families make ends meet and invest for a brighter, more secure economic future.

Most urgently, Congress needs to pass the extension of unemployment benefits contained in this legislation. In my home State of North Carolina, thousands of workers have lost their jobs in the recession caused by the misguided policies of the previous administration. I have met with many, many of these people and have looked them in the eyes as they have told me their stories. These are good people who have worked hard and who have played by the rules. They are depending on these unemployment benefits to get them through these tough times until the economy picks back up and creates good jobs. We are here the week before Christmas, and the last thing we should do is cut off their lifeline.

I will vote to pass this bill, and I urge my colleagues to join me in doing so.

Mr. BRADY of Texas. I continue to reserve the balance of my time.

Mr. LEVIN. It is now my pleasure to yield 1½ minutes to the distinguished gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentleman.

What we are about to do here today is extraordinary, and the impact will be felt by our kids and grandkids for the next 30 years. With one vote, we are going to increase the already projected record deficit for this year of $1.3 trillion to $1.7 trillion.

□ 2150

Every penny of income forgone here tonight will be borrowed, much of it from China and some of it from our Social Security trust fund, for the first time in our history. For what? For continuing the failed economic policies of the last 9 years? We've got these tax cuts in place today. How many jobs are they creating? But you tell me we can't afford to invest, we can't rebuild our Nation's crumbling infrastructure, we don't have the money to do that. We know we can create real jobs there. We can increase the productivity of our Nation. We can compete better worldwide if we invest in our infrastructure and our education system and our people.

But no, we're going to have debt-financed, consumption-driven recovery as people buy goods made in China and, of course, the $112 billion taken out of Social Security. And the Republicans have made it painfully clear tonight that the temporary cut in Social Security income is not temporary. They've said it time and time and time again. There is no such thing as a temporary tax cut.

I hope the White House is listening. They're about to spring the trap, and next year, they will say, Mr. President, you're going to raise taxes on every working American by making Social Security whole. You can't do that. Oh, and by the way, we're tired of subsidizing that program with money we're borrowing.

That is a horrible, horrible step for this Congress to take.

Mr. BRADY of Texas. Yielding myself 30 seconds, I would point out, our Democrat friends have run the first and second highest deficits in American history the last 2 years. They have raised taxes this session $625 billion, and guess how much went to reduce the deficit? Not one dime. In fact, all that money was sent in twice. No one seriously believes Democrats will use tax increases to lower the debt, but to expand and grow this government.

I reserve the balance of my time.

Mr. LEVIN. It is now my pleasure to yield 1 minute to the gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. Mr. Chairman, I rise with deep concerns over the temporary payroll tax cut included in the package before us tonight, not because we shouldn't provide relief to the middle class. We must, tonight. Cutting Social Security contributions could have lasting consequences, however, for our Nation's most successful domestic program.

In a year, in this very Chamber, many of our colleagues across the aisle will likely work to make this tax holiday permanent, just as they are tonight for the Bush tax cuts. Jeopardizing Social Security's independent revenue stream will open retirement benefits to budgetary attacks for the first time and pave the way for attempts to privatize Social Security.

We could give middle class Americans tax relief without threatening Social Security in this way. The unfortunate truth is we will not accomplish that here tonight, even as we do provide struggling working families and jobless Americans with a lifeline that they desperately need.

But we must commit ourselves tonight to the fight that lies ahead. We must be ready to protect Social Security and defend our seniors and working Americans from the attacks that are sure to come.

Mr. BRADY of Texas. I continue to reserve the balance of my time.

Mr. LEVIN. It is now my real pleasure to yield 1½ minutes to the distinguished gentleman from California (Mr. GARAMENDI).

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

Mr. GARAMENDI. Etched on the stones in the FDR Memorial are his words that are applicable tonight. He said: The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have little. President Roosevelt.

On December 2, the Democrats in this House honored those words. We passed a middle class tax cut, and we passed unemployment insurance, and we provided for those who have little. Tonight, because of the ransom that's been demanded by our Republican colleagues, we're left with a different option. We're left with the option of providing abundance to those who already have much, $130 billion, every dollar borrowed probably from China. Is that fiscally responsible? I think not.

And furthermore, President Roosevelt, we are, in this bill, about to destroy your greatest heritage, the Social Security system. The Republicans are opening the door to the destruction of the Social Security system and thereby carrying out their 74-year task.

It cannot happen. We provided an alternative and we must not let that happen. I urge a ''no'' vote.

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

Mr. LEVIN. It is my pleasure to yield 1 minute to the active Member from Mississippi (Mr. TAYLOR).

Mr. TAYLOR. Our country is going bankrupt. On May 9, 2001, Mr. CAMP, our Nation was $5.643 trillion in debt with a 4.3 unemployment rate. Guys like you came to the floor and said let's pass the Bush tax cuts. They did. I didn't vote for it. Eight years later when the President left office, our debt had increased by $4,983,609,000,000, and the unemployment rate had gone up to 7.7 percent.

The argument that somehow these tax cuts are going to magically put people to work is bunk. Since the Bush tax cuts, we are now $8,204,749,000,000 deeper in debt, and the unemployment rate is a shocking 9.8 percent. How much is enough? How much debt is enough? How many more bills are we going to stick on my kids and my grandkids so that you and others can get reelected?

It is time to draw the line, Mr. CAMP. I do believe in a balanced budget, and I would beg my colleagues, I would beg my colleagues, to defeat this measure.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. SCHIFF). Members should direct their remarks to the Chair.

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

Mr. BECERRA. I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I strongly oppose this so-called tax compromise because it represents a windfall for the wealthy, a windfall that will result in one thing and one thing only: insufficient funds for all other social programs.

By holding assistance for the unemployed hostage and giving tax breaks to the billionaires, tax breaks actually that create absolutely no jobs, we will create a big hole, a big hole in all of the support that we need for our children, for women, for veterans, for our education and health programs, and that only names a few, Mr. Chairman. Rather than tax breaks for the wealthy, we need policies that create jobs, jobs that will help our working families.

Mr. Chairman, I urge my colleagues to oppose this flawed tax package because it will yield only one thing, and that is insufficient funds for any of the social programs we need in our country.

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

Mr. BECERRA. I yield 1 minute to the gentlelady from Texas (Ms. JACKSON LEE).

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

Ms. JACKSON LEE of Texas. Mr. Chairman, I ask that we send this bill back to the drawing board, work with the President, so that we can really help the unemployed, the 99ers, and not just grow the deficit. Where are the good Samaritans?

We have voted over and over for tax cuts. I believe in them. The House voted for tax cuts 2 weeks ago, but this tax bill is a budget buster and just growing the deficit, the same deficit that we're going to be called upon to do something about.

I want America to thrive. So they cannot be giving tax cuts to billionaires who do not want them. We cannot cut into the Social Security, costing us $120 billion and impacting firefighters, teachers, and police who do not get a benefit from the payroll tax holiday. I want middle class tax cuts, but I want the Republicans to stop holding us hostage for hardworking Americans to get a dime from this country. They work hard.

I offered an amendment to ensure that the corporations that are getting the tax cuts really do save a job or hire the people who are unemployed. With billions being spent and trillions in the deficit, it is time now to work for middle class Americans.

Mr. Chair, I have deep reservations with portions of this bill, especially as it relates to the estate tax and tax cuts for the wealthiest 2% of Americans. Nevertheless, I do support portions of H.R. 4853, to extend vital tax cuts for America's middle and working class and extending unemployment insurance benefits that will otherwise expire at the end of this month. I have consistently supported and voted for middle class tax cuts, as I did two weeks ago when I voted for the Middle Class Tax Relief Act of 2010, and the extension of unemployment benefits.

I am deeply saddened that the fate of unemployed, low and middle income Americans has been held hostage by the insistence by Republicans that this legislation include a giveaway to the wealthiest 2% of Americans that is going to irresponsibly expand the already large deficit. I have spoken to and heard from many fine, patriotic, hardworking middle income Americans from Houston, from the great State of Texas, and all across the nation. Middle class American families and small businesses are deeply concerned about our troubled economy, the skyrocketing national deficit, high unemployment rates, job creation, and sorely needed extension of the tax relief and unemployment benefits set to expire at the end of this month. The American people are asking the President and Members of Congress to move swiftly and take decisive action to help restore our economy in a fiscally responsible manner. I am disappointed that Republicans have insisted on holding unemployment benefits and tax cuts for working and middle class families' hostage in order to benefit the wealthiest 2% of Americans.

I also have some serious concerns that the temporary payroll tax cut included in this legislation could jeopardize Social Security. Although this is a temporary tax cut, there will inevitably be debate in the future about extending it before its expiration, which could create substantial shortfalls in Social Security's long term viability. Future extensions of this payroll tax at the expense of Social Security could force hard-earned retirement benefits to compete with other government programs for funding rather than remaining self-sufficient. Tax cuts must be instituted without compromising Social Security.

I would like to thank President Obama for his determined leadership, support and commitment to protecting important tax relief issues for middle-income Americans and the nation's small businesses and farmers during these challenging economic times. I would also like to thank all the Members and their staff who worked diligently to bring this essential legislation to the House floor today in an attempt to do all that we can to protect the American people and move this nation toward fiscally responsible economic recovery.

I support those provisions of H.R. 4853 as amended by Senate Amendment 4753 that provide necessary tax relief to struggling middle income Americans. Under the Tax Relief, Unemployment Insurance Reauthorization and Job Creation Act, Senate Amendment 4753, middle-class families and small businesses will see their taxes go down. This measure contains job-creating tax incentives, including incentives to create clean energy jobs, energy-efficient homes, and investments in renewable energy. It also ensures that millions of Americans still looking for work continue to have access to an emergency safety net to afford basic necessities, without extending the amount of time these benefits can be claimed for any given household.

The specific ways that this bill will benefit middle-class families and aid the economic recovery include the following:

It preserves the current income tax rate for middle-class families (2 years).

It reauthorizes the current emergency unemployment insurance program (13 months, or through the end of 2011).

It continues vital middle-class tax credits, including the American Opportunity Tax Credit to help families pay for college, the Child Tax Credit, and the Earned Income Tax Credit (two years).

It helps businesses by allowing them to deduct 100 percent of certain investments in 2011 and 50 percent in 2012.

It extends the state and local sales tax deduction, which is particularly important for states, like Texas, which have no state income tax (2 years).

It extends Alternative Minimum Tax relief through 2011 (2 years).

I have already voted for all of the above benefits.

Unlike those provisions of H.R. 4853 which benefit America's struggling middle class, I do not support the provisions of this legislation which condition that desperately needed relief upon the unconscionably high cost of providing an unnecessary, expensive giveaway to the wealthiest Americans by providing a two-year extension of Bush-era tax cuts for the wealthiest 2% of Americans while lowering their estate tax rate to 35% on estates valued at more than $5 million for individuals and more than $10 million for couples. These giveaways to the wealthiest Americans during these dire economic times needlessly add billions of dollars to our skyrocketing deficit yet create no value for our ailing economy since these tax cuts are not tied to job creation and preservation.

I offered an amendment that would require all large businesses and corporations who received a tax benefit under this legislation to report how their tax savings are being used to create or save jobs. Tax cuts for America's largest corporations must be tied to job creation or preservation, which is why I offered my amendment. Failing to tie tax cuts to job creation is irresponsible since it exacerbates our growing deficit without bolstering job creation.

I would like to add my support for the Amendment to H.R. 4853 introduced by my colleague, Mr. POMEROY of North Dakota. This amendment would strike Title III of the Senate amendment to H.R. 4583 and amend the bill to provide two years of estate tax relief at 2009 levels. In calendar years 2011 and 2012, the estate tax exemption amount would be $3.5 million ($7 million total for a married couple) and the maximum tax rate on estates would be 45%. Additionally, the amendment would provide estates from decedents in 2010 with the ability to elect to be treated under the 2009 levels or to be treated under current law for tax purposes. This election will allow estates to receive a step up in basis on inherited property rather than the 2010 carryover basis rules. The exemption level and rate are consistent with the estate tax proposal included in the President's FY2010 and FY2011 budgets.

While I am opposed to the portions of H.R. 4853 that amount to an expensive giveaway to the wealthiest 2% of Americans, I want to emphasize that I fully support President Obama's vision for change. I share his commitment to fighting for low and middle-income Americans who are the backbone of this country and our economy. However, this legislation, especially as it pertains to tax cuts for the top 2% of Americans and estate tax provisions that are regressive and inflate the deficit, does not comport with this vision. I have serious misgivings about extending tax cuts for the wealthiest Americans at the expense of our deficit, especially if these tax cuts are not targeted towards job creation.

I strongly support the tax and unemployment insurance relief that H.R. 4853 provides to middle-income families, small businesses and farmers. But, my friends, I must express my concern that this legislation does not provide extension of unemployment benefits for those unfortunate unemployed Americans who have run up against a brick wall. These so-called "99ers" have been sincerely looking for work for a very long time and have run out of resources to provide for their families and pay their mortgages, pay their bills and buy food. They simply want and need a job to pay for these obligations. H.R. 4853 proposes to give tax cuts to the wealthiest Americans, yet fails to provide for the so-called "99ers."

□ 2200

Mr. BECERRA. I yield 1 minute to the gentleman from Connecticut (Mr. MURPHY).

Mr. MURPHY of Connecticut. Mr. Chairman, my constituents are willing to support this Congress borrowing money, but only if all of that effort is targeted at creating jobs. This bill fails that test. We're going to borrow almost $900 billion under this bill in order to give $140,000 in tax cuts to somebody that makes $1 million. We're going to reduce the estate tax so that only 3,500 families in the entire country pay it next year.

Tax cuts for billionaires don't create jobs. Sure, there are important provisions in this bill that do help the most needy, like extending tax cuts to the middle class and unemployment benefits to those that are out of work. But these benefits are going to be greatly outweighed by the crushing debt that those same families will have to carry and the cuts to education and to health care and to Social Security that will inevitably be passed in order to finance those same tax cuts.

My constituents want a bill that is 100 percent focused on jobs. Unfortunately in this bill, 20 percent of the money goes to almost only 1 percent of Americans. It's not a deal to create jobs. It's not a deal that we can afford.

Mr. CAMP. I yield 2 minutes to the distinguished gentleman from Indiana (Mr. STUTZMAN).

Mr. STUTZMAN. Mr. Chairman, tonight we find ourselves faced with a very important decision with regard to what sort of taxes we face in the coming years. We are not simply voting on whether to ''keep tax cuts.'' We are voting on whether or not we ''raise taxes.'' To let our current tax law expire is to raise taxes on Americans.

Some say that the tax cuts will cost the government $700 billion. Well, I say that allowing the current tax cuts to expire will cost taxpayers $700 billion. Who needs that money the most, our government or the people? If this bill fails and taxes go up in the middle of a very fragile economy, we risk any potential job growth and recovery from this great recession. Refusing to take more of taxpayers' money is not spending we wish we could afford. Taking taxpayers' money is spending the taxpayer cannot afford.

Mr. Chairman, I contend that we cannot punish taxpayers with a massive tax increase to pay for the massive spending problem in Washington. Let's let Americans keep more of their money, and let's start cutting spending and be responsible with the money that they have entrusted us with.

Should we increase taxes to bring more money into the government so that we can pay for the spending that's happened over the last several years? I say no. The message we need to be sending to the citizens of our great Nation is this, that we get it. We are not going to live beyond our means and ask you to foot the bill. We are going to cut spending, eliminate waste, and reduce our national debt responsibly. Let Americans keep their money and see what happens to the economy. Let Americans keep their money and see what happens to the unemployment rate. Let Americans keep their money because it's the responsible thing to do.

Mr. BECERRA. I yield 1 minute to the gentleman from Oregon (Mr. WU).

Mr. WU. Mr. Chairman, I rise in strong opposition to the Obama tax bill.

I strongly support middle class tax cuts. I strongly support extending unemployment benefits to Oregon families who are still struggling to find jobs. However, this bill is not balanced. The bill extends tax cuts for millionaires and billionaires for 2 years. Yet unemployment insurance is extended for only 1 year. Why are we providing tax cuts to the very wealthy while literally leaving unemployed Americans out in the cold?

Further, this bill is fiscally irresponsible and, as a result, bad for jobs and bad for our economy. The bill costs over $800 billion over the next 10 years. The bond markets are already reacting to this, interest rates are going up, and this will squelch what anemic job growth we do have.

We should defeat this bill, restore fairness and balance between those who have the most and those who have the least, and cut the cost in length of this tax giveaway to millionaires so that interest rates rise less and job growth can continue. Please defeat this legislation.

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

Mr. YARMUTH. Mr. Chairman, I ask unanimous consent to control the time until the gentleman from Michigan returns.

The Acting CHAIR. The gentleman from Kentucky is recognized.

Mr. YARMUTH. I yield myself 2 minutes.

Mr. Chairman, when families around the country try to deal with their budgetary issues and there are limited resources available, what they do is, they say, Well, we may have to borrow money; but if we're borrowing money, we're going to borrow it for survival—meaning necessities—or we're going to borrow it to make an investment that will pay off over time.

There are many things in this package that represent those two standards. Unemployment benefits represent necessities. Those are things our citizens need to survive for them and their families, and there are business tax credits in these bills that represent investments that will create jobs and stimulate economic activity. All of those are good things.

On the other hand, there are expenditures in this bill that don't meet either of those standards. These are the expenditures that give over $100 billion to the wealthiest citizens in this country, the ones whose net worth has dramatically increased over the last decade, who now, 1 percent of this country, control a vast majority of the wealth of this country. They have done extremely well. To give them more money when we're borrowing it is not the kind of priority we need to set. It does not represent an investment in jobs or in stimulative activity, and it does not represent necessities. These are bonuses to people who don't need them.

There are lots of good things in this bill. Unfortunately, the price for getting them is much too high. This is like going to the hospital when you're very sick, and the doctor says, You know, I'm going to give you $250,000 of care that's going to be really effective for you. It's going to make you well. Unfortunately, you're going to have to eat $100,000 worth of candy which will do nothing for you. This is the price that we are being asked to pay by Republicans in the Senate for the many good things in this bill. Always, government is about choices. Governing is always about choices and priorities. This is the wrong set of priorities for this country.

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

Mr. HENSARLING. I thank the gentleman for yielding.

And, Mr. Chairman, I had not originally thought I would come here to speak. I must admit, I have been watching the debate in my office and have some amount of envy for my colleagues who bring such passion and certainty of their vote as they come to the floor.

As I look at this legislation and listen to my colleagues, I must admit I consider it to be a very successful negotiation because I am not sure I have heard anybody who really likes the bill. Perhaps that's a hallmark of a successful negotiation. As I look at the legislation, it is the classic challenge of, Is the glass half full or is it half empty? I, for one, have decided it to be half full.

Mr. Chairman, clearly there are items in this legislation that I find not just empty but, frankly, atrocious. Yes, there is tax pork in this legislation. There is an unpaid-for extension of unemployment benefits. Mr. Chairman, at some point, I would hope the majority—soon to be minority in this institution—would realize that we have got to concentrate on the paychecks. Americans want paychecks, not unemployment checks. And if we're going to have them, they need to be paid for. And worst of all, what's happening to Social Security, with the payroll tax without putting any fundamental reform on the table. And what I would say to my friends on the other side of the aisle, It is you who brought that to the table.

Mr. Chairman, I made a pledge to my constituents. I told them I would fight any tax increases. I told them I would try to bring certainty to this economy because that is what businesses need. Trillions of dollars sitting on the sidelines, waiting to come into this economy; but yet the party who has been in control of Congress for 4 years, had the White House for 2 years waits until almost Christmas Eve, and we still don't know what tax rates are. There's no certainty.

□ 2210

The only thing I am certain of is that if we don't pass this legislation, there's about to be a $3.9 trillion tax increase on the American people, on school teachers, on farmers, on single mothers, on small businesses, on job creators, and, yes, even the vilified wealthy.

Mr. Chairman, we've heard the class warfare rhetoric for quite some time now; and look what it's got us, almost serial double digit unemployment and human suffering.

Mr. Chairman, I've held a lot of jobs in my life. I used to bus tables at the Holiday Inn in College Station, Texas. I used to work on a loading dock and load windows. I used to clean out chicken houses, which to some extent was sufficient training for the present occupation, but that's a subject for a different time.

But, you know what, Mr. Chairman? In all these jobs I've held, no poor person ever hired me. It was somebody who went out and risked capital and took a chance and built something. And yet the left and my colleagues on the other side of the aisle want to vilify this person, that somehow it's bad to go out and be successful and create jobs so that people can put roofs over their heads, put food on their table, send their kids to college. I don't get it.

Now, my friends on the other side of the aisle say well, this will add to the deficit. Well, why didn't I hear that argument during the $1.2 trillion failed stimulus? I didn't hear the great angst and anxiety from my friends on the other side of the aisle at that point when we passed an almost $400 billion omnibus spending bill. I really didn't hear it.

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

Mr. CAMP. I yield the gentleman an additional 2 minutes.

Mr. HENSARLING. I didn't, Mr. Chairman, hear this angst and anxiety when my friends on the other side of the aisle not only brought us the first trillion dollar deficit in America's history, but backed it up with the second trillion dollar deficit in American history. I didn't hear all this concern. I only hear it now when we're talking about letting the American people keep what they earn.

We're not even talking about a tax cut here. We're talking about preventing a tax increase. So I don't quite understand all of a sudden this great angst and concern about the deficit.

And I might remind all of my colleagues, it is the deficit which is the symptom. It is spending which is the disease. We can clearly get rid of the deficit tonight. Let's increase taxes 60 percent, 60 percent on all Americans. Let's more than double taxes on our children and destroy the American Dream. Sure, we can balance the budget. That doesn't take care of the fiscal insanity.

And so to avoid a further job meltdown—and let me make it very clear, Mr. Chairman, this is not any great economic growth package that is put before us. I don't believe that this is going to be the cornucopia of jobs. What we're trying to do here is avoid further damage to a crippled economy that, again, has almost double-digit unemployment on a serial basis. I wish we had at least 10 years of certainty of these tax rates. I'm sorry it's only two.

I would say to my friends on this side of the aisle who say, well, we could have gotten a better deal: well, I don't know. I wasn't in the room. I didn't negotiate the deal. Maybe their crystal ball is clearer than my crystal ball.

Here's what I see in my crystal ball. I'm absolutely for certain in my crystal ball that come January, Barack Obama is still going to be President of the United States. In my crystal ball, HARRY REID is still going to be Senate majority leader.

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

Mr. CAMP. I yield the gentleman an additional 30 seconds.

Mr. HENSARLING. That's what I see in my crystal ball. So maybe the friends on my side of the aisle, maybe you're right. But you have a degree of certainty and clarity of the future I do not have. So, personally, I'm not willing to take the chance.

I'm going to cast the ''aye'' vote. I'm going to stop the job-killing tax increases. I'm going to add at least a modicum of certainty, 2 years of certainty to the Tax Code. And I'm going to fight to put this Nation back on the road to fiscal sanity because, in this legislation, I see the glass half full.

Mr. LEVIN. It is now my privilege to yield 1 minute to the very distinguished Member from California (Ms. ESHOO).

Ms. ESHOO. Mr. Chairman, I'm deeply disappointed in the recently negotiated tax deal by the White House. While one can find items that are politically and practically attractive, in its totality, it borrows just shy of $1 trillion to pay for, amongst other items, expiring tax breaks for the top 2 percent of our country. My fear is that the 2001–2003 Bush tax cuts will become permanent, and our fiscal future will dim as America struggles with the largest transfer of wealth and debt creation in its history. We should, instead, be investing in capital formation, technological innovation, job creation, and education. These are the real building blocks for a strong future for all Americans.

I'm also deeply, deeply concerned about borrowing from the general fund to cover Social Security payroll taxes. This is the first time in the history of Social Security that the firewall between the general fund and Social Security is being taken down. This is dangerous. It's a bad precedent and one I believe we will all regret.

Mr. CAMP. Mr. Chairman, I reserve the balance of my time.

Mr. LEVIN. It is now my privilege to yield 3 minutes to a member of our committee, the gentleman from Maryland (Mr. VAN HOLLEN), who has been working day and night on this issue.

Mr. VAN HOLLEN. Mr. Chairman, I am pleased to have worked with Congressman POMEROY and Chairman LEVIN and others on the amendment that we're going to be voting on later tonight.

While this House recently passed, and Democrats have been fighting, to ensure that tax rates do not go up on 98 percent of the American people, Senate Republicans made it clear that they will raise, that they will raise taxes on every American if they don't get a special bonus tax break for the very top 2 percent.

In order to break that stalemate, President Obama concluded he needed to cut a deal. What this amendment we will be voting on later tonight does is give the American people a better deal. Specifically, it asks all of us to consider this question: In an era of $1 trillion deficits, with our national debt approaching $14 trillion, barely 2 weeks after the bipartisan fiscal commission's ''Moment of Truth'' report, should we really be borrowing $23 billion from China to give the wealthiest 6,600 estates an average tax break of $1.7 million a year?

Think about it: $23 billion for the wealthiest 6,600 estates a year, at a time of fiscal challenge, in a Nation of over 300 million people, without any benefit for job creation or economic growth.

Mr. Chairman, much of the deal negotiated by the White House is defensible. But I would say to my colleagues, if we can't agree now that now is not the time to be giving the top three-tenths of 1 percent a multi-million dollar tax break, we're clearly not serious about bringing down the deficit.

There's another way, and that's in the amendment we will be voting on later today. We can adopt the amendment. It will provide a $3.5 million exemption and 45 percent maximum rate. That's identical, identical to the rates and exemptions that were in effect in 2009 and significantly better than the rates that will take place if we take no action on January 1 when the exemption would go to 1 million and the rate would go to 55 percent. In fact, if enacted, this amendment would represent the lowest estate tax in 77 years up through 2009.

Mr. Chairman, we have to level with the American people. We've got to start somewhere bringing down the deficits. And if we can't settle on the estate tax exemptions and rates that were in place in 2009, which, as I say, were the lowest, the lowest in 77 years, if we can't do that and, instead, we're going to say to the very wealthiest estates, heck, we're going to give you $23 billion over the next 2 years to benefit just 6,600 estates, how can we look the American people in the eye and say we're serious?

□ 2220

Mr. Chairman, I hope when this amendment comes up later today we can make this deal one that truly benefits all the interests of all the people in this great country.

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

Mr. LEVIN. I yield 1 minute to the gentleman from California (Mr. FARR).

Mr. FARR. I thank the gentleman for yielding.

Wake up and listen to the sirens, the sirens of the election that were about the deficit in America, and you want to add $1 trillion to that deficit. Wake up and listen to the sirens of the people who are needing of help.

I can't believe that you talk about this bill as fiscal sanity. It's fiscal insanity, putting us in another trillion dollars of debt, and with this concept of, if you give the rich more money, it will trickle down.

Well, those sirens that are responding to the children that are in need of health care, to the people who need to be rescued, aren't paid for by trickle-down economics. The rich never pay for that. There isn't an ambulance in the country that's paid for by the rich. There isn't a soldier that's paid for by the rich. There isn't a schoolteacher in a public school paid for by the rich. That doesn't happen.

Your putting our country into debt is what Admiral Mullen said is the biggest issue in national security. It's what the debt commission said we couldn't do. There's nothing in this bill that's fiscal sanity. It's insanity. We fixed this debt by closing these tax loopholes, and now you want to give them away. Shame on you.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Members are reminded to direct their remarks to the Chair.

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

Mr. LEVIN. I am privileged to yield 1 minute to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. The definition of insanity is doing the same thing over again and expecting a different result.

To my friends on the Republican side, we did this 10 years ago with the Bush tax cuts, and it didn't work. It has been mentioned over and over again. It built up these deficits, including the wars in Iraq and Afghanistan that you supported so well, and has created this deficit that threatened our country to make us look like a future Ireland, a future Portugal, countries that are in great deficit, problems that we are putting our country and our future into. We don't need to be insane and try to do this over again. I feel like it's a return to Christmas Past.

And there's a book in the New Testament that says: From those who are given much, much is expected. But in this Congress, from those who have much, we are expecting little, we get little from it, and we are giving them the biggest tax breaks of all. And to the people who die and are the richest in our Nation, the Steinbrenners who died with $1.1 billion, we will be giving them this year a $450 million free ride and, with the differences in the taxes of 35 or 45 percent, $100 million. This is wrong, and that's why I'm opposed to the bill.

Mr. CAMP. I yield 5 minutes to a distinguished member of the Ways and Means Committee, the gentleman from Ohio (Mr. TIBERI).

Mr. TIBERI. Mr. Chairman, what an honor and privilege it is to be a Member of this House, and what an amazement it is to me to hear this debate that I have heard so much in the past. The road to prosperity is not through tax increases. The road to prosperity in America is not through class warfare.

My mother and father came to an America, a United States of America, for a better life, for an opportunity—not a guarantee, an opportunity, for their kids to be successful, for their kids to do well and pay taxes and do well for their kids.

When you're voting on a bill tonight that extends current tax rates, the current Tax Code that represents, Mr. Chairman, three-quarters of this bill, that represents three-quarters of the, quote, spending in this bill, and Members of this body say we have to borrow to allow people to keep the money that they earned, where have we come?

My father was a steelworker who loved John F. Kennedy, who proposed similar types of tax increases. My mother was a seamstress. Neither graduated from high school. They don't believe in class warfare.

Do they support all of this bill? Certainly not. Do I? Certainly not. But the question now, Mr. Chairman, is: Do we allow, on January 1, the largest tax increase in American history? That's the question.

I didn't negotiate this bill. If I were king, I would have certainly negotiated it differently. Only in Washington, D.C., can people keep what they have today and not pay more taxes does it cost the government money.

Think about the farmer who is sick, who is trying to plan his estate. And would I support permanency in the estate tax? Absolutely. And let's eliminate it. But if this bill doesn't pass, a

$1 million exemption occurs for that sick farmer trying to plan his estate. Will he have to sell his land, Mr. Chairman?

How about the single mom with two jobs trying to provide for her two kids? Her taxes will go up. How about the teacher and the police officer raising a family? The marriage penalty. How about the small business owner who pulled me aside on Wednesday and said: I can't even plan my business. I'd like to hire somebody. And you folks in Washington have known for how long that these tax rates were going to go up?

Last year, the majority party had 60 votes in the Senate, had a clear majority in the House. You could have passed something. And here we are, 15 days before Christmas, and the Grinch is about ready to steal it for so many Americans who will see their taxes go up, Mr. Chairman, if this bill isn't passed.

Now, there are a lot of things in this bill that I don't like. But the question today, Mr. Chairman, is: Do we let the perfect be the enemy of the good?

I could sit up here and pick apart pieces of this legislation. But when three-fourths of this is the current Tax Code, three-fourths of this allows for the current rates to continue so taxes don't go up on millions and millions of Americans, Mr. Chairman, it really comes down to this simple logic:

We cannot tax our way to prosperity. We cannot tax our way to fiscal responsibility. We must pass this bill and give 2 years for this Congress, this President, this Senate to come up with a better way, a more simple way to tax Americans; allow them to keep more of their money; provide for a way for capital to work in America's favor and allow America to be more competitive again, with a Tax Code that makes sense.

But the question today is: Do we allow taxes to go up, or do we allow Americans to have some certainty for the next 2 years?

Mr. LEVIN. I yield 1 minute to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, I thank the chair of the committee for allowing me to speak.

I support maintaining the estate tax at the exemption of $3.5 million. That's not what is in this legislation. And I believe in the value of hard work and rewarding those who are able to succeed, but I know some perceive the estate tax as undermining these values.

However, we know that Americans with multimillion-dollar estates are not the only hard workers in our Nation. We have millions of Social Security recipients who have worked their entire lives but have seen their benefits decline due to no cost of living adjustment for 2 straight years now.

What message do we send our Social Security recipients that we are giving 6,600 families a tax break on the average of $1.5 million each, but we can't find it appropriate to give our seniors on a fixed income a little bit more breathing room by sending them a $250 check to allow them to pay their bills and afford their medicine?

The government's calculation tells us that the cost of living has not increased over the last 2 years, but seniors in my district and most of our own districts have done their own calculations. The cost of electricity, gas, and health care have risen dramatically.

I hope to support a bill that will benefit most of my constituents, but this bill does not. Hopefully, we will see amendments that will make it better.

□ 2230

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

Mr. LEVIN. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. Mr. Chairman, there are a lot of people that believe the Democrats stand for a lot of mainstream American values: keeping our air and water clean so we can breathe and drink freely, improving our public schools, our live-and-let-live policies. But somewhere in the back of a lot of Americans' minds, they are worried that the Democrats are going to raise taxes.

Well, I am proud to say tonight that thanks to the leadership of President Barack Obama, we are going to deliver one of the largest tax cuts in history.

Here is a $20 bill, Mr. Chairman. For every $20 that an American family earns, that earns $40,000 a year, $60,000 a year, they are going to get an extra dollar, an extra dollar for every 20 they earn this year. And, yes, there is money that is going to go to people earning $1 million. They might get 60 or 70 cents for every $20 they earn, and, yes, we would have rather used that money to reduce the deficit.

But let me tell you, Mr. Chairman, mainstream America, that extra dollar will help keep people in their homes. In addition to that extra dollar, Mr. Chairman, every American that gets a paycheck will get a 2 percent raise this year, thanks to the leadership of President Barack Obama. Two percent right off the payroll tax, every paycheck. I know a lot of companies have frozen their employees' salaries. Federal employees had their salaries frozen.

Well, thanks to the leadership of President Barack Obama, the citizens of our country can rest assured they will not get a tax increase.

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

Mr. LEVIN. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. SCOTT), a member of the Financial Services Committee.

Mr. SCOTT of Georgia. Ladies and gentlemen of the Congress, the time is now for us to ask the one fundamental question before us: What is in the best interests of the American people at this time? By ''American people,'' I mean every American, from the top of the economic ladder to the bottom, but especially those at the bottom.

This is basically a 24-month stimulus bill, by getting money to those who need it most, who will put it in the marketplace the quickest, which will help us create jobs. Seventy percent of this entire $853 billion package will go to the low income and the middle income. There is no other way to put it.

And when you talk about rates, we dare not go home here today having raised taxes on the American people. We have got to cut the taxes, keep them down.

Ladies and gentlemen, you have to realize that at the lowest economic ladder, the lowest tax rate is 10 percent. If we don't move, those people at the bottom that we care about, especially us on the Democratic side, their taxes will go up 50 percent.

We've got to move this bill in the best interests of the American people.

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

Mr. LEVIN. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Wisconsin (Mr. KAGEN).

Mr. KAGEN. Mr. Chairman, tonight, well-meaning Members of Congress have been debating who will pay to clean up the mess left behind by President Bush's failed economic policies, policies that included two tax cuts to the richest Americans at the very same we were prosecuting two wars.

But we all know this: there is no free lunch. And yet the Senate is asking the House of Representatives to designate this bill as an emergency for purposes of pay-as-you-go, thereby failing to live within our means and driving our children deeper into debt.

The Senate also seeks to fix this emergency by immediately turning over $129 billion of money we don't have to the very wealthiest Americans, wrongly thinking that the Republican-inspired idea of trickle-down economics will work today when it failed miserably in the recent past.

Well, responsibility must begin somewhere. Let it begin here with me. The reality is there is no emergency that justifies handing out tax cuts to millionaires and billionaires at this time. Instead, we should bring our children home from wars overseas, and, after paying for these wars, then determine if we have any money left over for tax cuts to millionaires and billionaires.

America cannot afford tax cuts for the rich. We don't have the money. They do.

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

Mr. LEVIN. I now yield 2 minutes to the very distinguished gentleman from New York (Mr. WEINER).

Mr. WEINER. I thank the gentleman.

You know, it doesn't take a great deal of courage to come to the floor of the House and say I'm in favor of low taxes. Yes, I think we all want no taxes. We would all like to have no communal needs that we have. We would like to have no national defense.

We would like to have no concerns about clean water.

What we hear of the fight about in elections and, frankly, every single day on the floor is, Who do we stand for? Who are we defending?

On this side of the Chamber we believe that those people in the middle class and those struggling to make it, who each and every year for the past two decades have been getting pushed further and further down, need help.

On the other side of this Chamber are people who quite literally stood up all day today to say, I want to give tax cuts to people who make $1 million and $1 billion a year; and, wait for it, ladies and gentleman, we want to borrow the money from the Chinese to give it to them.

I want the wealthy to be as wealthy as they can be. I have no grudge against that. I want all of us to be that wealthy. But we should be a country that fights for those who really need the help. We should not be a country that says: You know what? If you're a billionaire, we want to give you a little bit more.

Who's going to pay the bill? Who is ultimately going to pay for this tax cut? It is going to be our children and our grandchildren. And to come to the floor and say, well, I want to help hard-working Americans, I have to tell you, when the top 1 percent in this country are making as much as the next 25 percent, I think I know who we want to help.

On this side, we want to help those middle class people and those struggling to make it, and my Republican friends all over this evening have been standing up for millionaires and billionaires. That is the fundamental choice that we have to make here.

I believe that this tax bill has fundamental flaws. If you believe that you should be borrowing from Social Security to pay for a payroll tax, you like this bill. But I know a lot of Americans don't believe that.

So I think what we should do, what we should do is make sure that we fix the estate portion of this, and then we should take a step back and say, you know what we should do? Let's stand up for the middle class. That is what the Democrats stand for.

Mr. CAMP. I yield 1½ minutes to the distinguished gentleman from New York (Mr. REED).

Mr. REED. Mr. Chairman, let me first note that this whole situation is an example of what is wrong with Washington. As a new Member, I think we have to stop continuously putting off difficult decisions until we are forced to make a decision in crisis mode as the clock clicks to zero hour. This vote has profound ramifications for every American, and now we are backed into a corner where the current tax rates expire on all taxpayers if we do nothing.

It didn't need to be this way. Shame on the politicians whose inaction over the decade forced us onto this precarious ledge. Shame on the leadership of the past 2 years who put us into this boxed corner.

Good policy cannot be handcuffed by this sort of last minute political guerilla warfare. The process which brought us to this point is inexcusable, so much so that the average middle class family in my district will pay more than $1,500 in increased taxes if we fail to act.

Our economic recovery in upstate New York continues to lag. Preventing the pending income and estate tax hikes that will hit every family and business in my district is paramount at this time. But once this bill is passed, we must begin in the next Congress to eradicate out-of-control spending. We cannot be put into this position again.

Mr. LEVIN. Mr. Chairman, it is now my privilege to yield 1 minute to the Speaker of the House, the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding, and I thank him for his leadership on fairness for growing the economy, for reducing the deficit and for creating jobs, because that is some of what is done in this bill.

I think I want to use my time to make some distinctions here. President Obama and the Democrats have supported initiatives to protect the middle class. We are fighting for the middle class. We are wanting to grow the economy and to create jobs and reduce the deficit, so we must subject whatever legislation that comes before us as to how it meets those tests.

This legislation on the Democratic side of the ledger does create jobs and the demand that creating jobs injects into the economy helps reduce the deficit. For example, unemployment insurance provisions that are in the legislation economists across the board tell us return more money to the economy than almost any initiative you can name. People spend that money quickly. These are people who are looking for work, people who have lost their jobs through no fault of their own. Their unemployment insurance is spent immediately, again injecting demand into the economy, creating jobs.

Low income tax credit, refundable.

□ 2240

Child tax credit; refundable. All of this placed in the hands of the working families in America, again, spent immediately, injecting demand, creating jobs. The college tuition tax credit, very important for America's working families and their children.

So here we are with a bill on one side of the ledger that benefits 155 million Americans. We have tax cuts for the middle class across the board. Everybody gets that tax cut. But in order for the middle class to get that tax cut, the Republicans insist that those who make the top 2 percent in our country get an extra tax cut, adding billions of dollars to the deficit and not creating any jobs. To add insult to injury, they have now added this estate tax provision—and, mind you, the Democratic side of the ledger benefits 155 million Americans. In order for the President to get those terms accepted, the Republicans insisted that $23 billion in benefits go to the 6,600 wealthiest families in America. 6,600 families holding up tax cuts for 155 million Americans. Is that fair? Does that meet any test of fairness that we have? Again, this $23 billion not creating jobs, this $23 billion increasing the deficit by 8 percent in the fiscal year.

Think of what we could do with that $23 billion. We could triple our research in cancer and diabetes. I think that means something to all Americans, including those 6,600 wealthiest families. We could give a $7,000 raise to every public school teacher in America. We could create, investing in new technology, 780,000 jobs—780,000 jobs. Instead, we're giving a bonanza to 6,600 of the wealthiest people in America who really don't need the help.

It's just amazing to hear our colleagues on the other side of the aisle talk about deficit reduction when everything on their side of the ledger increases the deficit and does not create jobs. Tax cuts to the wealthiest 2 percent; the most egregious of all, the estate tax provision that they have that benefits not 1 percent, not one-half of 1 percent, but one-quarter of 1 percent of the American people. We have to borrow that money from China and send the bill to our children and our grandchildren. And that is not good policy. It does not have a favorable impact on the deficit. It does not create jobs. It does not grow our economy. It does not stimulate growth in our country.

And so I hope that our colleagues will vote favorably for the Pomeroy amendment to bring some fairness and clarity to the estate tax issue. On that, 99.7 percent of all Americans are exempted. 99.7 percent of all Americans are exempted from paying estate tax under Pomeroy. But we had to get that upper 3 percent in this legislation in order to benefit 155 million Americans. These figures have to be engraved in our being—155 million. You can't have that unless 6,600. I've said it over and over.

And then, on top of all of that, on the Democratic side of the ledger we have the green initiative, 1603, that the Senate put in the bill. This is just a very positive provision for renewable energy—wind, solar, et cetera. But the Republicans said, That's the limit. We won't accept any more. And so all of the initiatives for innovation that have been passed the past few years that should have been extended, we said "no" to innovation, we said "no" to the future, we said "no" to keeping America number one for encouraging our competitiveness.

So if we're talking about growth, we have to talk about investments in the future. If we're talking about being number one, we have to have an innovation agenda to do it. The Republicans said "no" to that. They only said ''yes'' to tax cuts to the wealthiest.

As Mr. WEINER said, we recognize success. We admire success. We all want to be part of it. God bless them for having the wealth that they have, whether it is inherited or earned. We recognize success and what wealth does to create jobs, et cetera. But we also want to reward work. We want to reward work. So in order to reward work in this legislation, we had to have a big payoff to the top one-quarter percent of America's wealthiest families.

So for my colleagues, as they review this, this is very difficult. Nobody wants taxes to go up for the great middle class. In fact, everybody gets a tax cut in this. We just don't see why we have to give an extra tax cut to the wealthiest and then an extra, extra estate tax benefit to the top one-quarter percent.

As Members have to make up their mind about this, I hope that they will vote for the Pomeroy amendment to this legislation. They'll have to make their own decisions as to whether it is necessary to be held hostage, to pay a king's ransom, in order to help the middle class. We absolutely cannot allow taxes to go up come January 1.

The previous speaker said we have to look to how we were forced to this precarious ledge. Yes, let us look to how we were forced to this precarious ledge. This situation, the recession that we were in—the deep recession that we were in—President Obama was a job creator from day one with the Recovery Act and pulled us back from that recession. The financial crisis that they created, President Obama pulled us back from that. And, oh, by the way, remember the financial crisis? Remember the banks that all that money went to and they didn't extend credit? Now those same people are giving out over $100 billion in Christmas bonuses. And these Republicans in this House of Representatives are saying, We don't want you to be taxed to the proper extent on that $100 billion. More money given in bonuses on Wall Street. Think of it. Over $100 billion dollars. And we want to give them a free ride in terms of paying their fair share.

So if it comes to creating jobs, growing the economy, reducing the deficit, investing in growth and competitiveness and innovation to keep America number one, I applaud President Obama for his side of the ledger. I'm sorry that the price that has to be paid for it is so high. At a time when everybody is preaching the gospel of deficit reduction, the Republicans come in with an increase in the deficit to the tune of over $100 billion dollars for people in our country who need it the least and, again, where it does not create jobs.

So Members will have to make up their minds as to how we go forward on the bill. But I hope that all of them in their consideration of it will vote for the Pomeroy amendment, which addresses the most egregious—with stiff competition, mind you, in this bill—the most egregious provision when it comes to fairness, reducing the deficit, and not creating jobs.

I, again, commend the chairman of the Ways and Means Committee and all of our colleagues who have had to explain through all of the misrepresentations that have been made about what this legislation is about. And, again, I salute President Obama for getting in the bill what is in there. I'm sorry at the price that has to be paid by our children and grandchildren to the Chinese government to pay for the increase in the deficit that the Republicans insisted upon.

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

The majority party has had large bipartisan majorities in the Senate and the House and controlled the White House for the last 2 years. And as we know, in the House, the majority can pretty much do what they want, as was demonstrated with the trillion-dollar stimulus bill, as was demonstrated with ObamaCare.

□ 2250

There is some explaining to do.

Why wasn't this issue dealt with before the election? Why didn't the majority bring a bill to the floor before the election?

Now, as Americans face these tax increases, here we are just a few short days before the end of the year, and now, because there is a bipartisan compromise, which incidentally passed the Senate 81–19, I think there is a recognition that this is just no time to be playing games with our economy. The failure to block these tax increases would be a direct hit to families and small businesses and employers, and it would further delay our economic recovery.

For those reasons, I support this bill.

I reserve the balance of my time.

Mr. LEVIN. It is now my privilege to yield 1 minute to the distinguished gentleman from Iowa (Mr. BRALEY).

Mr. BRALEY of Iowa. Mr. Chairman, today, the House will vote on a bill that will explode the deficit by $858 billion. While this package includes several programs I have proudly supported, I cannot support the underlying bill.

As recently as last week, I voted to give every American a tax cut by making the middle class tax cuts permanent for the millions of American families, consumers, and small business owners who drive our economy. I have consistently voted to extend unemployment insurance to assist the families struggling in this difficult time.

Those were some of the good things included in this deal. Unfortunately, the merits of these good things do not outweigh the bad things in this deal. I cannot justify mortgaging our children's futures to provide a Christmas bonanza to the privileged few. I refuse to support increasing the deficit by at least $81 billion to provide a tax break to the wealthiest people in this country. I refuse to support a bill that would balloon the deficit by $23 billion to provide an average tax break of more than $1.5 million to only 6,600 families a year.

That is why I am voting ''no,'' and I urge you to do the same.

Americans spoke clearly on November 2. Congress must get serious about reducing the deficit and become better stewards of their tax dollars. After endless talk throughout this session about fiscal responsibility, the looming threat of a growing deficit and forcing America's next generation into crushing debt to China—a so-called tax deal has been produced. Today, this House will vote on a bill that will explode the deficit by $858 billion dollars.

While this package includes several programs I have proudly supported, I cannot support the underlying bill. As recently as last week, I voted to give every American a tax cut by making the middle-class tax cuts permanent for the millions of American families, consumers and small business owners who drive our economy. I have consistently voted to extend unemployment insurance to assist the families struggling in this difficult recession. I have voted to extend the Earned Income Tax Credit and Child Tax Credit to assist our Nation's low-income families who have a difficult enough time making ends meet as it is. I have consistently voted for ethanol and biodiesel tax credits that sustain the growth of our Nation's renewable energy industry and support the jobs of thousands of my constituents in Iowa.

Those were some of the good things included in this deal. Unfortunately, the merits of these good things do not outweigh the bad things in this deal. I cannot justify mortgaging our children's futures to provide a Christmas bonanza to the privileged few. I refuse to support increasing the deficit by at least $81 billion to provide a tax break to the wealthiest persons in this country. I refuse to support a bill that would balloon the deficit by $23 billion to provide an average tax break of more than $1.5 million to only 6,600 families a year. And I unequivocally refuse to threaten the long-term viability of social security with a shell game to pay for diminished social security contributions.

I'm voting "no" on this bad deal because we cannot keep kicking the can down the road when it comes to difficult decisions about the deficit, especially with a package that threatens the financial stability of our Nation. I urge my colleagues to join me in voting "no."

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

Mr. LEVIN. Mr. Chairman, I now yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. The Speaker was talking about how the Republicans held hostage 150 million Americans in favor of 6,600 families who will get this inflated break on their estate taxes. Who are those families?

The Koch Family: the primary funders of the tea party movement and other conservative causes, having a vast fortune estimated to be as much as $35 billion. Under the Republican, versus the Pomeroy amendment, that family would realize over $2 billion extra.

The Walton Family: Wal-Mart; seven descendants; a combined worth of $87 billion—more than some whole countries. His family will pay $7 billion less in taxes under the Republican proposal versus the Pomeroy.

The Gallo Family.

The Dorrance Family: the Campbell Soup giant with a combined wealth of $6.5 billion and a savings of $522 million.

The Mars Candy Company Family: $30 billion in wealth. Their estate taxes will go down $2.5 billion.

Are these the people this Congress is supposed to represent? Let's vote for Pomeroy.

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

Mr. LEVIN. It is now a real pleasure to yield 1 minute to the very distinguished gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Chairman, two pieces of legislation tell us a lot about the values of our Republican colleagues.

This bill will take $114 billion in revenues out of Social Security, helping them make the case ultimately, in a kind of self-fulfilling prophecy, that we can't pay everything we want.

Earlier this session, they voted overwhelmingly and killed a proposal to give each Social Security recipient $250—not $250,000 or $250 million, numbers with which they are more familiar—but $250. These are people who are going to be facing an increase in Medicare because we learned only in October that there would not be a cost-of-living increase.

We couldn't afford the $14 billion to give $250 to older people who are having trouble paying their heating bills, but they can afford $114 billion that will go to everybody, including to people who make $100,000 a year, who will get eight times $250. The values of the Republican Party are revealed by this.

By the way, we are in this situation because of dishonesty. When George Bush and the Republicans passed the tax cuts in 2001, they didn't want to admit the full account of how much it cost.

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

Mr. LEVIN. I yield the gentleman 1 additional minute.

Mr. FRANK of Massachusetts. Not simply are they showing their values, but they said, Oh, you're going to give $250 to Warren Buffett on Social Security.

They want to give $250,000 to Warren Buffett, which, to his credit, he doesn't want.

In fact, the reason we are in this bind is, in 2001 and 2003, George Bush and the Republican majorities wanted to pass very large tax cuts despite their professed concern about the deficit—and we now see from this bill that their slogan is ''deficit-schmeficit''—but they didn't want to admit how much it would cost, so the CBO couldn't give us the full value of the cost. They made very bad tax policy.

They did it. I voted against it.

They made major changes in the Tax Code to end after 10 years, and they did that Humpty Dumpty roller coaster with the estate tax. That wackiness was their effort to hide the true amount of the hole they were burning in the deficit, so they have only themselves to blame.

But let me return.

They couldn't afford $14 billion to give $250 payments to Social Security recipients—and overwhelmingly, they killed it when we tried to pass it—but they can take $114 billion out of Social Security.

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

Mr. LEVIN. It is now my real pleasure to yield 2½ minutes to a Member who has been very active on this issue, the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Mr. Chairman, with all the back and forth, what we really have before us are two problems facing America.

One is too few jobs: 9.8 percent of Americans who want work are out of work—15 million people. Millions more are so discouraged that they are the underemployed. We have got to find a way to put them back to work.

The second problem we have is too much debt. Without going into the history of how we went from a record surplus to a record deficit, we went from the Clinton tax rates to the Bush tax rates. We went from a surplus of 20 million jobs created to 8 million jobs lost. We have a debt now that is approaching $14 trillion, and with the passage of this bill, we will be approaching $15 trillion.

The question for us to the American people is:

If we are going to borrow a dollar for any reason, will there be a job bang for that dollar borrowed?

That dollar borrowed is coming from China. What this legislation will do is literally ask the American middle class to borrow $200 billion to pay for tax cuts for the wealthiest families. This is not an objection to people being wealthy, as has been said. They can be generous, and they can create jobs. It is about whether that dollar borrowed will produce a job for an out-of-work American—and it won't.

There are other alternatives to what is before us. We should not be borrowing money that won't be productive. What we should do is a very simple alternative that hasn't even been considered:

We can extend the middle class tax cuts, as President Obama wants to, but we can stop it at $250,000. We can invest the savings in deficit reduction and half in infrastructure development. We can, as Mr. FRANK said, provide a $250 one-time payment to the folks on Social Security, who haven't had a COLA increase in 2 years. We can have a piece of legislation that will borrow less, reduce the deficit, and create more jobs.

Our responsibility, fundamentally, is to the American middle class. One of the reasons they so fear this debt is because they know, at the end of the day, they will have to repay it—their sons, their daughters. The bondholders will be okay, but the middle class will pay.

□ 2300

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

We've heard a lot of debate on floor this evening, but let's look at what the employers and economists are saying about this legislation and this agreement.

The National Federation of Independent Business, the largest organization in the country representing small businesses: Senate passage of the tax compromise is a good step, the first step, to encourage the certainty that the small business community needs and has repeatedly asked for. Knowing their tax liability will remain low and including a workable estate tax compromise that will not threaten the family business are key components to a small business' ability to move forward, grow their business, and create jobs. Changes to this compromise would jeopardize the needed relief and certainty small businesses need. We encourage the House to take up this measure quickly and pass this bipartisan bill in its current form.

The Business Round Table says: Restoration of these provisions lifts an uncertainty for businesses that will improve their ability to employ more workers and grow the economy.

The U.S. Chamber of Commerce: Enacting this bipartisan framework forged by the President and Congress is one of the best steps Washington can take to eliminate the uncertainty that is preventing our employers from hiring, investing, and growing their businesses.

And what does economist Mark Zandi say, frequently cited by the Speaker as an important voice in economic matters: The fiscal policy compromise reached this week by the Obama administration and congressional Republicans would be good for the economy next year.

It is too risky to play games with the economy. We need to stop this massive tax increase in its tracks. Support this legislation in its current form. Oppose the Pomeroy amendment.

I yield back the balance of my time.

Mr. LEVIN. It is now my pleasure to yield the balance of my time to our distinguished majority leader, Mr. HOYER of Maryland.

Mr. HOYER. I thank the gentleman for yielding.

We have just come through a wrenching election. Wrenching, in large part, because of the pain being experienced by our constituents, some more than others. A pain that they're experiencing in part because they are unemployed or underemployed or working two or three jobs to support themselves and their families. We all heard that pain. We all heard that concern. At the same time as we heard the concern about the pain of economic uncertainty, we heard the concern and the fear about deficits and debt.

And so, my colleagues, we are confronted with two twin challenges: growing our economy and creating jobs, and confronting this gargantuan deficit that puts at risk our economy and the future of our children. The American public would hope that we would come together and pass that on which we can agree, that on which we can compromise.

This House, in fact, passed two pieces of legislation weeks ago and months ago. Months ago, we passed legislation which would give certainty, and my Republican colleagues talk about certainty and I agree with them. We need to give certainty to families, certainty to businesses, and, yes, certainty to those who are worried about estates. They ought to expect that of us, and we passed 12 months ago a continuation of then-existing law, $3.5 million per spouse or $7 million per couple exemption and a 45 percent rate.

But that languished in the United States Senate. It languished because, frankly, there was not a majority or at least not 40 votes to extend certainty. That was unfortunate, in my view, because I think that was an appropriate rate, and I will vote for it on this floor, embodied in the Pomeroy amendment.

And then we passed just a few days ago legislation which would say to all Americans, you will not receive any tax increase on the first $250,000 of your income if you're a married couple or $200,000 if you're an individual. All individuals, no matter how rich, no matter how poor, all individuals would have their tax capped, and very frankly, there were only a few Members on this floor on either side of the aisle who disagreed with that proposition.

But as too often happens because we don't get everything we want, we won't take something we want. That's not good for the American people, and it's not good for our country. And very frankly, only three or four Members on the Republican side of the aisle chose to vote for that legislation, notwithstanding the fact it carried out part of what they thought was appropriate, and we agreed. But it was not enough.

The President of the United States has a responsibility to all Americans, and like every President he can't get everything he wants. To that extent, he's like us. We don't get everything we want, and this bill does not represent everything I want. Those of you who have heard me debate time after time know how concerned I am about this debt and deficit, and you have seen me vote on this floor sometimes in the small minority against steps that I thought would exacerbate the budget deficit without a proper return.

This bill, the President of the United States believes, and I believe, will have a positive effect on the economy, and I think we need that. And unlike some of my colleagues, whose views I share but I have reached a different conclusion, I will vote for this bill because I don't want to see middle-income working people in America get a tax increase because I think that will be a depressant on an economy that needs to be lifted up.

But I am also concerned about the deficit, and I know we're going to borrow every nickel in this bill. I'm for PAYGO. My children, if you ask them, would say they're for PAYGO because they don't want to pay our bills. They're going to have their own bills. Unfortunately, the President and we were confronted with alternatives: Do we extend unemployment insurance when unemployment is at a 9.6 to 9.8 percent rate, or do we let them languish with no certainty? Not certainty about planning whether or not their $7 million estate can be excluded from taxes, but worrying about whether they can put food on the table tomorrow. But unemployment insurance has languished because we haven't had a deal on upper-income taxes or estate taxes being increased from $7 million to $10 million for a couple.

My friends on both sides of the aisle, we need to come together. We need to come together in dealing with this debt. We need to come together in dealing with tax reform. We need to come together in growing jobs. That ought to be the agenda of this next Congress and every Congress thereafter until we accomplish those objectives and the American people have the certainty and confidence that we want them to have.

□ 2310

Now, ladies and gentlemen on the Republican side, very frankly, I have not seen your economic philosophy work. Jack Kemp and I served on the Appropriations Committee, but I don't think supply side is working. Supply side, in my opinion, has the proposition that, if you do less, you get more. Nothing that I have done in life instructs me that, if I do less, I get more. And because of that, because of the concept, if you simply cut taxes on those who are the wealthiest in our society, somehow, magically, the deficit will be eliminated.

Not one year did that happen.

It happened, frankly, when we said the upper 1 percent was going to pay just a little more in 1993, and all of you opposed it—all of you, to a person. And you said it would destroy the economy. Your leader at that point in time—I'm not sure it was the majority leader at that time—Dick Armey said that this would tank the economy.

He was 180 degrees wrong.

In fact, we experienced the best economy we have seen in this country in my lifetime, with 22 million new jobs in 8 years—216,000 jobs per month in the private sector. But unfortunately, under the economic program that we adopted in 2001, we saw the worst economy, the worst job production since Herbert Hoover.

Now, I'm going to vote for this bill because I think it does help the economy, but we are paying too great a price for it because, very frankly, I don't need a tax cut. That's not to say I don't want a tax cut. But it will not affect my life, and it will not affect the economy. It will exacerbate the debt. That's not good for my children or for our country.

So I would urge all of us, as we vote on this piece of legislation—whatever decision we make—to understand the message that we all received about growing the economy. That is why the President has made this deal that a lot of us don't like, because we think that it was unnecessary to adversely affect the deficit with $700 billion.

And because we have limited it to 2 years—it's less than that in terms of just the upper income—we did not have to pay that price. But we needed to pay the price. We needed to borrow the money to get this economy moving, to get the middle income people having dollars in their pockets so they can grow the economy. And that's worth the price because we will not solve the deficit problem if we don't get our economy growing. We cannot depress at the same time we try to grow, but we grow in the short term, and we solve the deficit in a little longer term.

So I'm going to vote for the Pomeroy amendment. And then in the final analysis, I will vote for this bill. I believe that folks need certainty, as has been said.

I urge my colleagues, as we vote on this legislation, to commit ourselves on both sides of this aisle to do what America wants us to do—to come together as we did. In 1993, we didn't. Some people lost their jobs because they voted with courage and conviction and correctness.

Ladies and gentlemen, there probably is nobody on this floor who likes this bill; and therefore, the judgment is: Is it better than doing nothing? Some of the business groups believe that it will help. I hope they are right. Not only do I hope they are right, I hope if we pass this bill that they respond and create the jobs that we know they have the resources to do.

This is a jobs bill, in my view, which is why I will vote for it. It could be a better jobs bill if we invested the money that we are giving to the wealthiest in America in job growth. It is a bill that will help those who have been unemployed week after week after week and whose angst has grown and grown and grown.

Ladies and gentlemen, each of us will do our duty as we see it, but let us when we do so pledge that we will do better in the months and years to come.

Ms. HIRONO. Mr. Chair, I rise in reluctant opposition to H.R. 4853, the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act.

Two weeks ago, I voted for a better bill, the Middle Class Tax Relief Act, which passed the House but was not taken up by the Senate. That bill would have extended tax cuts for middle class taxpayers, including about

323,000 lower- and middle-income families in my congressional district who make less than $200,000 (under $250,000 for joint filers).

The bill that is on the floor today extends tax cuts on all income levels, including the wealthiest Americans, costing $407.6 billion. Under this bill, the millionaires and billionaires can sleep soundly, secure in the knowledge that their tax cuts will continue for at least another two years, while the unemployed get relief for only 13 months. Economists predict that many millions will continue to be unemployed beyond the 13 months.

This deal is weighted so heavily toward the richest few that the unemployed only receive 7 percent of the total package. We must fight for a better deal.

But my biggest concern has to do with a threat to the solvency of Social Security contained in the legislation. The so-called ''payroll tax holiday'' in H.R. 4853 raids the Social Security Trust Fund. Anyone who cares about Social Security should be scared by this. This provision reduces the Social Security payroll tax and self-employment tax by two percentage points in 2011. Payroll taxes provide dedicated funding for the Social Security Trust Fund, which is completely separate from the General Fund. Under this bill, these Social Security funds will be repaid by $112 billion from the General Fund. But this ''one-time'' infusion from the General Fund puts us on a slippery slope. While this payroll tax holiday expires in one year, there is a serious question as to whether expiration will occur. We can expect a bill to extend this payroll tax holiday because any other outcome would be characterized as a tax increase. A permanent decrease in the Social Security payroll tax will put the Social Security Trust Fund in jeopardy. Republicans will be one step closer to their stated goal of privatizing and dismantling Social Security's safety net. If we want to put more money in the hands of families, we could look at cutting a check for families from the General Fund, but weakening the funding source for Social Security is too risky.

In Hawaii, Social Security benefits serve as a lifeline for 220,000 seniors, disabled people, and dependents. Thousands of my constituents have urged me to preserve Social Security, and I have consistently acted to do so. Earlier this year, I spoke on the House floor in support of preserving this bedrock promise to our nation's seniors and fighting Republicans' plans to privatize or reduce benefits. I also signed a letter to the Fiscal Commission urging that any plans to reduce the deficit make no cuts to Social Security or change the retirement age.

This bill truly is a raw deal for American seniors. One of my constituents in Hilo calls the proposal a ''bomb of a cut to Social Security taxes.'' A majority of Americans oppose cutting Social Security payroll funding and are willing to pay more so that they can be assured that they will get benefits when they retire or become disabled. I don't make pledges lightly, but I pledge that I will vote to return dedicated Social Security payroll tax funding should it be brought up for a vote next year.

Further, this legislation gives an estate tax giveaway to only 6,600 families in our entire country, giving them each an average additional tax cut of more than $1.5 million. According to the Tax Policy Center, the new tax would affect the smallest number of estates in any year since 1934. This tax giveaway to the richest families in the country will cost us more than $68 billion, adding to our deficit without creating jobs or strengthening our economy.

The Levin/Pomeroy Amendment makes the bill a bit fairer by taxing estates at the 2009 rate of 45 percent and covering estates over $3.5 million, not the $5 million in the Senate bill. This amendment would save $23 billion. Extending estate tax relief for two years at the 2009 rate provides Americans with some certainty for estate planning in a way that is much more reasonable and fair than that proposed by the Senate bill.

The key components of this bill that I strongly support include the extension of tax cuts for the middle class and the extension of unemployment insurance for Americans who lost their jobs because of this difficult economy. In addition to my recent vote on extending tax cuts for the middle class, I voted to extend unemployment benefits seven times this year alone.

We've had numerous opportunities to extend the tax cuts for the middle class and extend unemployment benefits. The majority of Republicans voted against these proposals time and again.

On balance, I cannot in good conscience vote for this bill in its present form. The $858 billion price tag and true cost of the bill—tax cuts for the wealthiest Americans and the impact of the ''payroll tax holiday'' on Social Security—far outweigh the benefits. This bill is blackmail, holding the unemployed and middle class hostage to give a special deal to the millionaires and billionaires. We must fight for a better deal.

I urge my colleagues to oppose this legislation unless we are able to vote on a bill that genuinely helps the working families that we are here to represent.

Ms. CORRINE BROWN of Florida. Mr. Chair, I rise today in opposition to the irresponsible and immoral tax cuts for the wealthiest Americans included in this bill.

On this very night, senior citizens, disabled people, and poor families in public housing in Sanford, Florida are going without heat during one of the coldest spells in Florida's history. Yet, Congress is about to give billions to billionaires. There is a disconnect between tax cuts for the wealthy and the pain of everyday Americans that is shocking beyond belief.

If we cannot take care of our poorest citizens, why are we giving handouts to the richest? The elections told us that Americans are tired of giveaways to Wall Street and CEOs. But here we go again.

Why are we holding the middle class hostage to extending tax cuts for the top 2% of incomes? We can give away $700 Billion in income tax cuts, but we can't fix the heat in Sanford public housing.

On Christmas Eve, why are we giving a 25 Billion Dollar gift to forty thousand families, but giving nothing to millions of people who have been unemployed for more than 99 weeks?

The Bible teaches in Proverbs 21:13, ''if a man shuts his ears to the cry of the poor, he too will cry out and not be answered.''

I have never shut my ears to the cries of Americans who need help, but I will not vote for a bill that ties the fate of many to the wealth of a few.

Mr. VAN HOLLEN. Mr. Chair, after much deliberation, I rise in opposition to today's legislation.

To me, this has never been about the wisdom or necessity of compromise. Like most of my colleagues, I understand the need for compromise, and I fully appreciate the predicament the President found himself in.

While Democrats have been fighting to ensure tax rates do not go up on 98% of Americans, Senate Republicans have made it abundantly clear they are willing to raise taxes on every American this January unless they get a bonus tax break for the wealthiest in our society—and provide a tax-cut bonanza to a handful of super-rich estates.

In order to break the stalemate, the President concluded he needed a deal—a deal that had to balance two of our Nation's very real but competing imperatives: the need to accelerate economic growth, and the need to reduce our national debt.

Some elements of today's legislation strike the right balance. In particular, the middle class tax cuts, unemployment benefits and Recovery Act credits for working families are both economically justifiable and likely to achieve their intended effect.

Unfortunately, other provisions significantly miss the mark. According to the Congressional Budget Office, the $89 billion spent extending tax breaks for upper income earners is unlikely to create jobs. Moreover, I have significant concerns about the structure and long term consequences of the payroll tax holiday.

But the tipping point in this package is the estate tax. In an era of $1 trillion deficits, with our national debt approaching $14 trillion, barely two weeks after the publication of the bipartisan Fiscal Commission's ''Moment of Truth'' report, does anybody really think we should be borrowing $23 billion from China to give the wealthiest 6600 estates an average tax break of $1.7 million a year?

Think about it. $23 Billion. For the wealthiest 6600 estates a year. In a nation of over 300 million people. Without any benefit whatsoever for job creation or economic growth.

I would say to my colleagues on both sides of the aisle that if we can't look this moment squarely in the eye and conclude that now is not the time to be giving the top three tenths of one percent of Americans a multi-million tax break, we are clearly not serious about tackling the monumental fiscal challenges we face.

And I would remind my colleagues that these fiscal challenges are not theoretical. Earlier this week, Moody's warned that today's legislation increased the likelihood of a downgrade to the United States' Triple-A rating over the next two years. Bond prices have fallen sharply and yields now sit at six month highs. If we're not careful, the bond market could easily take away what today's legislation aims to provide.

Many of my Republican colleagues supporting today's legislation profess a commitment to fiscal discipline and balanced budgets, but turn a blind eye to deficit spending so long as it arises from tax cuts. This is not coincidence. The rationale for the inconsistency has been succinctly explained by conservative activist Grover Norquist, who once proclaimed: ''I don't want to abolish government. I simply want to reduce it to the size where I can drag it into the bathroom and drown it in the bathtub.''

After starving government, these same Republicans will undoubtedly be back in the 112th Congress demanding debilitating and draconian cuts in priority investments like education, clean energy and biomedical research. This playbook is as predictable as it is misguided.

Mr. Chair, we simply cannot afford to borrow billions of dollars to perpetuate wasteful and unwarranted tax breaks for our wealthiest citizens at a time of unprecedented and unsustainable national debt—tax breaks that do little for job creation and even less for the economy. I accept the need for a deal. But for our children and our grandchildren, I firmly believe there is a better deal to be had.

Ms. KILPATRICK of Michigan. Mr. Chair, I have been involved in politics for more than three decades. I am proud of my record of public service to the people of the great State of Michigan and to our Nation. Some of the proudest votes I have ever cast in my career have been in support of the economic stimulus package, health care reform, saving our manufacturing base by saving the auto industry, and preventing our banking system from dragging our economy into a full-blown depression. It is my point that we have not done enough to advertise the good things we have done for Americans.

The economic stimulus package provided 95 percent of all Americans with a tax cut, saved or created close to three million jobs, and allowed States and cities to use bonds to fill their budget deficits. Thanks to the revolution in health care by our health care law, the largest deficit reduction law in the history of the United States, all Americans will have access to health care for the first time in history. While this law becomes fully phased in by 2014, some of its mandates are working for Americans now, such as the fact that citizens cannot be denied health care coverage due to pre-existing conditions, filling in the Medicare Part D ''doughnut hole,'' and that insurance companies cannot deny your health insurance once you are ill. The bold Democratic program to save the auto industry, like the Troubled Asset Relief Program (TARP) not only cost taxpayers less than anticipated, taxpayers can potentially reap a profit from these programs. We have been efficient and effective with the peoples' purse.

We are now voting on a tax ''deal'' that President Barack Obama agreed to with Republicans to extend the 2001 and 2003 tax cuts started by former President George W. Bush. These tax cuts, which were not offset by responsible spending cuts and gave the majority of the tax cuts to the richest one percent of all Americans, were fiscally irresponsible when they were first proposed. They were so controversial and so fiscally unstable, the Republicans refused to make them permanent. It took then Vice President Dick Cheney to come to the Senate to break the 50–50 tie that stopped the bill from final passage.

I would like to take this opportunity to remind all Americans that we have had not one, not two, but if this bill passes, four major tax cuts at a time in which we are involved in not one, but two, wars. This is the first time in American history that we have had a war and we did not have a tax increase to help pay for that war.

I cannot, and will not, support this fiscally irresponsible bill. This bill is a horrible deal for Americans. Not only does it extend the Bush tax cuts, and the Republicans are willing to hold the extension of unemployment benefits to three million American families to get it done, as the late night infomercials like to say, ''wait, there's more.''

This bill hammers Social Security. Through this legislation's cut in the payroll tax, the tax that funds Social Security, the long-term stability and safety net for our senior citizens is in jeopardy. For every person who puts money into the Social Security program, two people take money out of it. If you think that this one-third cut to the payroll tax is going to come back in two years, don't count on it. The more that this fund is delayed, the more the Social Security program—a governmental program that has worked for more than seven decades, and which is the sole difference between life in a home or life on the street for over half of our senior citizens—is gutted.

This bill insufficiently helps the unemployed. Michigan has one of the Nation's highest rates of unemployment, and Michiganders desperately need unemployment insurance. But guess what? While this bill extends unemployment for those three million people who currently get it, it does nothing, not one thing at all, for the millions of unemployed workers who have exhausted their benefits under tier four. If you have been out of work more than 99 weeks—and plenty of Americans have been out of work that long through no fault of their own—this bill does not provide what I have been pushing for the last year. That is a new tier five level of unemployment benefits so that workers who have exhausted their federal and state benefits are able to feed their families and keep a roof over their head. If we are going to extend unemployment, let's extend it for all Americans.

This bill is a tax increase for most Americans. While this bill is a sure-shot tax cut for those people making or inheriting millions of dollars, for nearly 50 million hard working Americans, this bill is actually a tax increase. Workers who make less than $20,000 per year will see a tax increase. And by the way, if you are a federal worker, a worker who will see a pay freeze over the next two years, if your job has not been totally eliminated, you will see a tax increase. Finally, if you work for your state or city government, you will see your taxes increase because of this bill.

This bill is a woefully inefficient way to create jobs. The Congressional Budget Office and other non-partisan, objective organizations have widely stated that tax cuts is, by far, the most inefficient way to create jobs. At a total cost of over $900 billion, this bill is expected to lower unemployment by less than one percent. The most efficient way to create jobs in an economy in which businesses cannot create them? A federal direct-hire program. I offered such a program as an amendment to the Emergency Supplemental Appropriations bill, a program modeled after the successful Comprehensive Employment and Training Act (CETA) that would have immediately put more than one million people back to work. It was rejected earlier this year.

I proudly voted for the extension of tax breaks for Americans who make $250,000 or less. I also proudly voted to extend unemployment benefits for three million American families, and continued to fight for the addition of a tier five level of unemployment benefits. These two fiscally sound policies would help reduce our deficit and stabilize American families during the holiday season and beyond. Unfortunately, this was apparently not good enough for the Republicans, who overwhelmingly did not support the preservation of almost three million jobs in the economic stimulus package, the saving of American manufacturing through the auto loan program, or the more than $100 billion reduction in our deficit that will be the health care law once it is fully in effect.

I cannot, and will not, support this fiscally irresponsible bill. It is my hope and desire that the wisdom of the Congress prevails and we reject this legislation and start over with a bill that caps the top level of earnings at $250,000 and adds a tier five level for all of those individuals who are unemployed and have exhausted their state and federal benefits. Our children and grandchildren, who have to pay for these programs, are watching what we do.

Mr. WOLF. Mr. Chair, I support extending the 2001 and 2003 income tax cuts for all taxpayers, reducing or even eliminating the estate tax, and limiting the impact of the alternative minimum tax. If those were the only issues before us today, I would vote for that package to reduce the tax burden on Americans.

But this package is a bridge too far and I will vote no. With this package we are saying ''charge it.'' We aren't even making an attempt to pay for it. We are voting to add over $857 billion to our Nation's already massive, nearly $14 trillion debt. This is less than two weeks after the president's debt commission issued its a report called ''A Moment of Truth,'' which outlined the looming financial crisis that threatens the future of our country.

We're accumulating a trillion dollar deficit every year. This year, we are paying $202 billion a year in interest on our debt. That's nearly $4 billion a week.

By 2021, we will pay nearly $1 trillion a year solely to service the debt. One trillion.

That's nearly $19 billion a week or $2.7 billion a day. Two point seven billion dollars a day just to pay the interest. That is utterly unsustainable.

And money that goes to paying off the interest, let alone the principle, on the debt is money that will not be invested in road construction, or cancer research, or homeland security, or math and science education.

Over four years ago I came to the House floor to propose an independent bipartisan commission to address unsustainable federal spending. It would put everything on the table—entitlements, all other spending and tax policy. The SAFE Commission—short for Securing America's Future Economy—would operate in an authentic and transparent way, holding a series of public meetings across the country to hear from the American people. The commission would send its recommendations for a way forward to a sustainable economy to Congress, which would be required to vote up or down.

Senator GEORGE VOINOVICH, who is retiring this year and who has been a champion of fiscal integrity throughout his career in public service, was my partner in the Senate as sponsor of the SAFE bill. Congressman JIM COOPER and I also teamed in the 110th and this Congress to push the SAFE bill, garnering 118 cosponsors. Joining the effort in the Senate with Senator VOINOVICH were Senators LIEBERMAN, CONRAD and GREGG.

Senators CONRAD and GREGG introduced a similar bill calling for a deficit commission that became the blueprint for the President's National Commission on Fiscal Responsibility and Reform and on which both senators served. On December 3, a bipartisan majority of 11 of the 18 commission members voted to recommend a bold plan to Congress that would address our Nation's fiscal imbalance by cutting $4 trillion from the federal budget over the next decade. I commend Senators COBURN, CONRAD, CRAPO, DURBIN, GREGG, and Representative SPRATT for voting to advance the proposal. They recognize the seriousness of our fiscal situation and that the Congress needs to develop a plan for action.

The leaders of the bipartisan fiscal commission, Erskine Bowles and former Senator Alan Simpson, wrote to the president and leaders of Congress:

"Our growing national debt poses a dire threat to this Nation's future. Ever since the economic downturn, Americans have had to make tough choices about how to make ends meet. Now it's time for leaders in Washington to do the same."

Yet today, we see that once again, Washington is punting. Less than 80 hours after the commission's 11 to 7 bipartisan vote, "this compromise" was unveiled at a cost of nearly $1 trillion in borrowed money. The commission's chairmen told us that "the era of debt denial is over." Yet the legislation before us today clearly demonstrates that that is simply not the case.

To quote Senator COBURN's floor statement of December 8:

"What we need to do, Democrats and Republicans and our Independent colleagues, is recognize the depth and magnitude of our problem right now. There needs to be a great big time out. Who cares who is in charge if there is no country to run that can be salvaged? It doesn't matter.

"Economists worldwide and some of the brightest people at Harvard and MIT, the University of Texas, Pennsylvania, they don't sleep at night right now. They know we are on the razor-thin edge of falling over a cliff.

"The fact is, both parties have laid a trap for future generations by our inaction, our laziness, our arrogance, and a crass desire for power. We are waterboarding the next generation with debt. We are drowning them in obligations because we don't have the courage to come together and address or even debate a real solution. . . . The problem is so big and so urgent and so necessary that we ought to have [a] debate. We ought to make sure the American people know the significance of the problems facing us."

I couldn't agree more.

On Monday, Moody's Investment Service warned that this legislation jeopardizes America's coveted AAA credit rating, and could lead to a negative outlook in as little as two years. For the record, I am inserting its report.

If our credit rating is downgraded, the cost to borrow money will rise.

Everything, from a home loan to a car loan to tuition for college to a credit card bill to interest payments on the debt, will increase. We will be paying more to sustain, not to improve, our existing quality of life.

We need look no farther than Europe to see the destructive impact that results after a nation's financial crisis. There have been riots in Belgium, Spain, France, Ireland, England, Italy, and Latvia. Just Monday, Moody's threatened to further downgrade Spain's credit ratings. Will there be rioting in the streets here like we are now seeing abroad?

This House, and the Senate before us, is continuing on its profligate ways of adding billions of dollars to the nation's credit card, which has been issued by the banks of China and Saudi Arabia, among others.

More than 46 percent of the U.S. debt held by the public is in foreign hands. Saudi Arabia was home to the 9/11 terrorists. Saudi Arabia's Wahhabi brand of Islam is taught in some of the most radical mosques and madrassas around the world, including along the Pakistan/Afghanistan border. Saudi Arabia represses women and persecutes Christians and Jews.

Their textbooks are filled with hateful messages about minority faiths. Just last month a BBC expose' reveled that Saudi textbooks used for weekend education programs to teach about 5,000 Muslim children in Britain, contained claims that "some Jews were transformed into pigs and apes . . ." Further, the books, which again are Saudi national curriculum, contain "text and pictures showing the correct way to chop off the hands and feet of thieves." Is this a country we want to be beholden to?

Or what about communist China, our largest banker, which routinely violates the basic human rights and religious freedom of its own people where Catholic bishops, Protestant ministers and Tibetan monks are jailed for practicing their faith? I've seen how they plundered Tibet with my own eyes. China was once again in the spotlight recently when famed dissident Liu Xiaobo was awarded the Nobel Peace prize. China's response? Place Liu's wife under house arrest, stop other dissidents from attending the award ceremony in Oslo and place them under tight surveillance, and indefinitely postpone trade talks with Norway.

The U.S. intelligence community notes that China's attempts to penetrate U.S. agencies are the most aggressive of all foreign intelligence organizations. According to the FBI, Chinese intelligence services "pose a significant threat both to the national security and to the compromise of U.S. critical national assets." Weapons that entities of the People's Republic of China supplied to Iran were "found to have been transferred to terrorist organizations in Iraq and Afghanistan." China is a significant arms supplier and source of economic strength to the genocidal regime in Sudan. Do we really want China to be our banker?

In a February 2010 piece, Wall Street Journal columnist Gerald Seib wrote, "the Federal budget deficit has long since graduated from nuisance to headache to pressing national concern. Now, however, it has become so large and persistent that it is time to start thinking of it as something else entirely: A national security threat."

These foreign countries, with vastly different aims than our own, could end up negatively influencing U.S. foreign policy by threatening to dump our currency in the world market. Such actions would not be a historical anomaly.

Recall 1956 in the Suez Canal crisis, which some believed signaled the end of Britain and France as world powers. Egypt announced that it was going to nationalize the canal, which outraged the British and French, who then devised a plan to use military force to keep control. The U.S. wanted to avert conflict at any cost. And President Eisenhower threatened to sell the U.S. reserves of the British pound, which would essentially result in the collapse of the British currency. The British changed course, demonstrating the power, the impact, that economic manipulation can have on foreign policy.

Is it conceivable to imagine the Saudis threatening to dump our currency if we don't withdraw from the region? Is it conceivable to imagine China threatening to dump our currency if we don't stop pressing nuclear-armed North Korea?

Simply put, we are presently borrowing hundreds of billions of dollars from countries which pursue aims that are at odds with our national interest and values, both directly and indirectly.

The chairman of the Joint Chiefs of Staff has pointed to our nation's debt as a national security risk. It is expected that, as early as 2014, our nation will spend more on interest payments than was spent on the 2010 defense budget. In case you missed that, we will pay more to borrow money than we will pay to defend our freedom.

This is a package full of numerous perks to sweeten the deal. As the Wall Street Journal editorial, "The Hawkeye Handouts," noted on December 13, Republicans "should worry that the tax bill is turning into a special interest spectacle. The bill revives a $1 a gallon biodiesel tax credit at a cost of nearly $2 billion, and there's $202 million for 'incentives for alternative fuel,' $331 million for a 50% tax credit for maintaining railroad tracks, and so on. These credits are a form of special interest spending via the tax code, which is precisely the business as usual behavior that Republicans told tea party voters they wouldn't engage in."

Dan Eggen of the Washington Post reported yesterday that ". . . the ethanol provision . . . has cost taxpayers more than $21 billion since 2006. The Government Accountability Office recently concluded that the credit has had little impact in encouraging ethanol use or production, especially since the government already mandates rising levels of ethanol in gasoline and protects the corn ethanol industry through tariffs."

From farmers producing ethanol to Puerto Ricans making rum to film producers in Hollywood, there's something for everyone. Even worse, the payroll tax holiday raids, for the first time in our history, the Social Security trust fund, which is already going broke. No one comes away empty handed.

This is, as Charles Krauthammer wrote in the Washington Post on December 10, nothing more than a stimulus by another name—an unfunded stimulus that costs considerably more than the President's stimulus of 2009 that so many on my side of the aisle opposed.

Maya MacGuineas, president of the Committee for a Responsible Federal Budget, hit the nail on the head in an October 2009 National Journal article when she said, "It's like fiscal jenga, where people are piling on more and more debt, and finally, something's going to be the cause of it collapsing, but no one believes their thing is going to be the tipping point."

This package could be the "thing" that takes us closer to the tipping point.

Candidly, I have never been more concerned about our country's future. We see a nation whose young people are lagging behind their peers globally. We see a Senate debating a $1.1 trillion omnibus spending measure containing over 6,000 earmarks representing over $8 billion worth of spending. We see a Congress and a president embracing a tax package that risks our nation's highly valued AAA bond rating. All the while we see young men and women in uniform, in distant places like Afghanistan and Iraq, modeling the sort of sacrifice that few Americans even expect from their elected leaders any more.

Only through shared sacrifice can we hope to walk back from the precipice. But instead of asking for sacrifice, the measure before us today provides something for everyone. Maybe not as much as everyone wanted, but what was truly sacrificed? The word compromise implies that both sides in the negotiation give up something. No one gave up anything. Legislation of this magnitude must be balanced by reforms.

But instead of reforms we see recklessness. This legislation walks us further down the path to greater and greater deficits and debt that can only lead to a place none of us wants to go—a bankrupt America. I cannot in good conscience leave that type of country to my children and grandchildren.

At his 1796 farewell address, George Washington admonished his fellow countrymen: "We should avoid ungenerously throwing upon posterity the burden of which we ourselves ought to bear."

Enough is enough. I vote "no."

[From Moody's Weekly Credit Outlook, Dec. 13, 2010]

US TAX PACKAGE IS NEGATIVE FOR US CREDIT, BUT POSITIVE FOR ECONOMIC GROWTH

If the tax and unemployment-benefit package agreed to on 6 December by President Obama and congressional Republican leaders becomes law, it will boost economic growth in the next two years, but adversely affect the federal government budget deficit and debt level. From a credit perspective, the negative effects on government finance are likely to outweigh the positive effects of higher economic growth. Unless there are offsetting measures, the package will be credit negative for the US and increase the likelihood of a negative outlook on the US government's Aaa rating during the next two years

One motivation for the two-year extension of the current personal income tax rates (put in place in 2001 and 2003 and referred to as the ''Bush tax cuts'') is to prevent a setback to economic and employment growth that would result from higher taxes beginning on 1 January, the expiration date of the earlier tax cuts. Keeping the existing tax rates would not provide an impetus to growth, but raising them would have a negative effect. However, the package also includes, among other things, an extension of unemployment benefits for the long-term unemployed through 2011 and a two-percentage-point cut in the Social Security payroll tax. The latter two measures will give a boost to economic and employment growth in the coming two years, with some forecasters significantly raising their GDP growth numbers in 2011 and 2012.

Higher economic growth should have a positive effect on government revenues and reduce payments related to unemployment. However, the magnitude of this positive effect will be considerably less than the foregone revenue and increased benefit expenditure, resulting in substantially higher budget deficits than would have otherwise been the case. The Congressional Budget Office's most recent estimate of the deficit for fiscal year 2011 was $1.1 trillion, or 7% of GDP, assuming no expiration of the tax cuts, and $665 billion (4.2%) in fiscal year 2012. These deficits would raise the ratio of government debt to GDP to 68.5% by the end of fiscal year 2012, compared with 61.6% two years earlier.

The net cost of the proposed package of tax-cut extensions, payroll-tax reductions, unemployment benefits, and some other measures may be $700–$900 billion, raising the debt ratio to 72%–73%, depending on the effects on nominal economic growth. The government's ratio of debt to revenue, instead of declining rather steeply over the two years from about 420% at the end of fiscal year 2010, would decline considerably less to somewhere just under 400%. This is a very high ratio compared with both history and other highly rated sovereigns.

Thus, while higher growth and lower unemployment are clearly good for the economy, the package is negative for US government debt metrics. In addition, there is a risk that the two-year extension may be renewed at the end of 2012, given that that period coincides with a presidential election. A permanent extension of the tax cuts alone (without other measures) could result in a considerable increase in deficits and debt levels unless other measures to reduce deficits are adopted. The exhibit below illustrates that the fiscal balance in the coming decade would be considerably higher under such a scenario, all other things being equal, and this would result in a worsening of the government's debt position. A package of options put forth by the fiscal commission at the beginning of this month provides a menu of such measures that would reverse these trends, but their adoption remains uncertain.

Mr. PAUL. Mr. Chair, I recently voted again in favor of H.R. 4853, the Middle Class Tax Relief Act, legislation which ensures the continuation of the Bush-era tax cuts, fixes the AMT patch, and significantly reduces the burden of the estate tax in 2011. If no action had been taken by this Congress, all Americans would have had to pay higher income, dividend, estate, and capital gains taxes beginning on January 1, 2011. I will always vote to lower taxes at all levels, and I will never vote for tax increases.

Many opponents of this bill labor under the mistaken impression that it contains huge amounts of pork, earmarks, and other spending. What they are referring to is hundreds of billions of dollars worth of tax credits. Tax credits are not spending, they are not earmarks, they are not pork: they merely allow people to keep more of their own money. While the Administration's desire in extending these particular credits may be to placate certain constituencies or to spur consumption or investment into certain sectors of the economy, the morally correct position is to allow people to keep their hard-earned money. That money belongs to the people and businesses who earned it, not to the government. If one wants to make it more equitable, then the amount of tax credits should be increased to include everyone.

Characterizing the tax cuts as fiscally irresponsible, as other opponents of the bill have done, is equally misguided. Those who wish to see this deal defeated because it "adds nearly $900 billion to the National Debt" are punishing taxpayers for the profligacy of the government. The National Debt is nearly $14 trillion because of excessive spending, not because of tax cuts. Every dollar added to the National Debt is due to the government's inability to rein in spending, not because American taxpayers are paying too little of their salaries to the Federal Government. This is why I vote against all appropriations bills. Allowing taxes to rise and provide more money to the federal government would only serve to further feed the beast that is devouring this country.

This bill also reduces the burden of the estate tax, which according to law is set to return in 2011. This unconscionable tax is an insidious form of double taxation and comes into effect in 2011 with a 55 percent tax rate. Americans should not be penalized for accumulating savings during their lifetimes. The estate tax especially harms small and family-owned businesses, which often must be sold to pay the tax bill. H.R. 4853 reduces this death tax rate from 55 percent to 35 percent, and raises the exemption from $1 million to $5 million. While I would prefer to see this tax eliminated completely, this significant tax cut will help thousands of families.

Many people have urged that this tax bill be rejected and that Republicans come back in January to vote on a clean bill. Waiting until the next Congress would also mean that taxpayers would have much more of their salary withheld until any tax cuts could be made. While it is certainly possible to wait until January, we still have a Democratic Senate, and a Democratic president who would likely veto a clean tax bill. I too would prefer to see a completely clean bill, but that is not what we have been given. A vote against the bill before us today would be a vote to raise taxes on all Americans.

Much of the debate about this bill only serves to distract people from discussing substantive change and lead to argument about picayune minutiae. I believe we should abolish the income tax and eliminate the IRS altogether. Congress funded the government using excise taxes for more than 120 years without an income tax, and the Federal Government not surprisingly adhered much more closely to the constitutionally-defined limits of its powers during that time. Real tax reform can only happen when we insist on reducing the size of the Federal Government and reducing the pork in its bloated budget.

Mr. FRELINGHUYSEN. Mr. Chair, I rise in support of the Tax Relief Act of 2010 and urge its passage.

My Colleagues, the goal of this legislation is to prevent the imposition of the largest tax increase in the history of the world and to continue many valuable tax provisions that promote economic growth.

These goals are my goals. There Is never a good time to raise taxes, but I cannot think of a worse time to increase the tax burden on America's hard-working families and job-creating small businesses than in the middle of a weak recovery.

Like all Members, I have strongly supported extending the Bush tax rates, enacted in 2001 and 2003.

Like some of my Colleagues, I have supported extending these lower tax rates for everyone and making that extension permanent. That's why I introduced H.R. 4270 which would lock in these lower tax rates indefinitely.

The important legislation before us today includes many beneficial provisions. For example, the agreement:

Prevents tax increases on every American who pays income taxes.

Eliminates job-killing tax increases on small businesses.

Provides relief from the estate tax for family owned businesses.

Preserves the $1,000 per child tax credit and marriage penalty relief.

Blocks higher taxes on capital gains and dividends.

Protects at least 21 million households, including 1.6 million in New Jersey, from being hit by the Alternative Minimum Tax (AMT) in 2010.

Provides a one-year payroll tax cut that is worth $1,400 for the average New Jersey household.

I must acknowledge that I am not pleased that this bill prevents a tax hike on higher income Americans and small businessmen and women, which would have taken effect on New Year's Day 2011, for only two years.

Our economy does not run on temporary, stop-gap half-measures. In order to invest and grow their companies for the future—creating private sector jobs and opportunities in the process—businesses of all sizes need predictability in the tax code. They need certainty in order to plan their operations and workforce expansion. In order to spur job creation, all the tax rates should be extended as far as the eye can see!

The non-partisan Congressional Budget Office estimates that fully extending the 2001 and 2003 tax rates would add between 600,000 and 1.4 million private sector jobs in 2011 and between 900,000 and 2.7 million jobs in 2012. In addition, lower tax rates on capital gains and dividends will boost capital investment and spur economic growth.

I also have strong reservations about some of the spending included in this bill and some of the so-called tax extensions.

For example, the package extends the federal Unemployment insurance (UI) Program for another 13 months and maintains the current cap of 99 weeks of total benefits.

I understand that people need a helping hand and strongly support aiding unemployed Americans. However, the President has insisted that the cost of extending benefits be added to the country's $14 trillion debt. We can do better than this. The fact is that we CAN help the long-term unemployed AND pay for it.

Likewise, we should object to certain so-called "tax extenders" such as the renewed subsidies for the production and use of corn ethanol. For yet another year, $6 billion will be extracted from U.S. taxpayers to prop up the struggling ethanol industry while diverting valuable corn supplies from other worthwhile uses.

Despite these and other reasons, I will support this bipartisan agreement. I recognize that a "no" vote on this bill represents a "no" vote on the U.S. economy.

It would be nothing short of a disaster to allow the largest tax increase in U.S. history to crush American families and small business in two short weeks.

Mr. Chair, the larger debate surrounding extension of the lower Bush tax rates underscores the need for Congress to act decisively in the New Year to support private sector job creation, reduce government spending, lower our dangerous public debt and enact permanent tax reform.

Mr. YARMUTH. Mr. Chair, when most people borrow money—and go into debt—it's either for survival or for an investment that will pay off in the future.

Borrowing $114 billion from China to give massive tax breaks to the wealthiest Americans meets neither of those goals.

Over the last ten years, while economic growth has stalled and middle class wages have stagnated, the wealthy have been doing just fine. In fact, two-thirds of all the income gains made in this country over the last ten years have gone to the wealthiest one percent. And the top one percent now owns more financial wealth than the bottom 90 percent.

They clearly don't need any more help to get ahead.

This $114 billion tax giveaway to the rich is not an investment in our economy.

Just look at what happened in the decade that followed the passage of these cuts in 2001.

Even if you exclude the beginning of the recession, we saw the slowest economic growth since World War 2: fewer jobs created, fewer businesses started, fewer dollars injected into our economy.

So where did all that money go? Into the bank accounts of the wealthiest few. When their taxes were cut, they banked three times as much money than before. More money was stashed away rather than—as some would have you believe—put into business expansion or job creation.

That's why the Congressional Budget Office ranked an extension of these tax breaks LAST among the options we have to help grow the economy and create jobs.

There are things in this proposal that are about survival, like an extension of unemployment insurance to help the families hit hardest by this recession. There are investments, like the tax credits that will help small businesses expand.

But unfortunately—and ultimately—the long-term costs of this bill are far more damaging to our nation than these short-term gains.

Borrowing money to give tax cuts to the rich—tax cuts that are more than most families make in a year—is unconscionable.

Economics shows this is a dead-end. History proves it would be disastrous. And basic morality dictates that our priorities should focus on making our economy work for EVERYONE—not just the wealthy few.

I urge my colleagues to join me in standing against this proposal and its unacceptable price and yield back the remainder of my time.

Mr. BISHOP of Georgia. Mr. Chair, our economy is still very weak: over 75 percent of American workers are living paycheck-to-paycheck. The unemployment rate stands at 9.8 percent, and over eight million Americans are subsisting on unemployment insurance benefits while they search for work. In Georgia alone, the unemployment rate is over 10 percent. 67,000 additional Georgians filed for unemployment insurance last month. Despite these sobering numbers, our nation is on a dangerous path toward the largest tax increase in over a decade if we do not approve this vital legislation before us today.

We must not let this happen. We must change course. Our nation's workers, retirees, businesses, and job-seekers simply cannot afford the crushing burden of new taxes in today's economy. Raising taxes in this economic environment would stifle investment, slow down job creation, and put severe financial strain on businesses and individuals.

This bipartisan legislation confronts this reality. It temporarily continues the Bush Tax Cuts for the benefit of all Americans. It provides a desperately needed extension of unemployment insurance benefits. It reduces the crushing burden of the estate tax on our nation's family farms and businesses. And it puts money back into the paychecks of America's workers.

I urge my colleagues to take action and vote to send this legislation to the President's desk. Now is the time to act. We owe it to our constituents and to our nation not to let their taxes go up on New Year's Day.

Mr. WAXMAN. Mr. Chair, I will vote for this tax package that is before us tonight.

While there is absolutely no reason to justify or defend the extension of the Bush tax cuts for wealthy Americans, and the unconscionable tax treatment of wealthy estates—both of which were insisted upon by the Republicans—those egregious giveaways to those who need or deserve it least are, in fact, more than balanced by generous support for tens of millions of households across the country.

I will vote for the Pomeroy amendment to restore the estate tax to sensible levels. There is no justification for massive estate tax relief for the Nation's 6,600 wealthiest families, at a cost of $25 billion to America's taxpayers.

Despite continuing the Bush tax cuts for those earning over $250,000 per year, and despite the estate tax provisions, this initiative, forged by President Obama, does a lot of good.

We are extending unemployment insurance for 13 more months. It is desperately needed by those who simply cannot find jobs after being out of work for months.

We are providing continued income tax rate relief for two years for the middle class.

The payroll tax holiday is an enormously progressive reform at a time when it is most needed to boost take home pay.

The extension of the child tax credit and the tuition tax credit in particular will greatly assist income security for American families. The green energy tax provisions will help create jobs and promote clean energy technology.

The bottom line is: This economy needs more jobs. We need to get unemployment down and growth up. Working Americans need more cash in their pockets. The economy needs a major jolt to go forward.

This package delivers on these urgent needs.

While I take no pride in any vote to give unearned financial rewards to the very wealthiest among us, I cannot in good conscience be party to legislative deadlock that means only one thing: millions of people cut off from unemployment insurance before Christmas, and a big tax hit on the middle class and working Americans as the new year begins. If we do not act, they will suffer grievously. That must not be permitted to happen.

I must point out that the fact that the tax cuts last only two years and will not be permanently extended is a major plus for me. When our economy recovers, our high priority to reduce the deficit will require us to both cut spending and raise revenues. I am pleased the President has pledged that he will not further extend or make permanent the upper income tax cuts.

I support the President's proposals, and urge my colleagues to join in supporting this legislation.

Mr. VISCLOSKY. Mr. Chair, I rise in strong opposition to H.R 4853, legislation based on the agreement between the White House and Congressional Republican leaders that calls for borrowing nearly $1 trillion over the next two years.

Further, I am appalled that the unemployed are being held hostage in order to ram the flawed measure through Congress. And I have yet to find the equity in extending tax cuts for 24 months, but the solvency of the unemployment fund for 13 months.

I oppose borrowing nearly 1 trillion over the next two years when we have a debt today of $13.8 trillion.

I oppose borrowing nearly $1 trillion over the next two years when our projected deficit for Fiscal Year 2011 is $1.1 trillion.

I oppose borrowing nearly $1 trillion over the next two years when we will pay $438 billion in interest on the national debt this year alone. I can't imagine what this figure will look like when interest rates inevitably head higher.

I oppose borrowing nearly $1 trillion over the next two years for an agreement that fundamentally weakens Social Security through a payroll tax "holiday." The holiday means we will be paying less money than anticipated into Social Security, thus reducing its solvency. In fairness, we're told that the government will "find" the money to make up the loss. Where?

But what's the big deal if this is only temporary? If the debate around the expiration of the Bush tax cuts has taught us anything, it is that, fair or not, a so-called "temporary" tax cut can be quickly re-characterized as an impending tax hike.

If Members of Congress and the President do not have the intestinal fortitude to make thoughtful, tough, permanent decisions today, do you think they will with Presidential and Congressional elections looming next December? I believe the decisions made this week will become permanent, fundamentally weakening our country.

I oppose borrowing nearly $1 trillion over the next two years because we have a desperate need for investment in our nation's roads, bridges, ports, railroads, and water services. Just three months ago, the infrastructure in the state of Indiana received a grade of D+ from the Indiana section of the American Society of Civil Engineers in a report that identified a need for billions of dollars in safety and service upgrades. Next year, because of this agreement, we'll be told we just don't have any money left to invest.

Not all the provisions in this agreement are bad. There are many good ones, including making a decision about estate taxes. But they are not all of equal merit. better approach would have been to examine each tax provision and approve those that encouraged savings and investment the most, then pay for them, and make them permanent.

But no, let's hold the unemployed hostage. Let's borrow nearly $1 trillion over the next 2 years. Let's reduce the solvency of Social Security. Let's further disinvest in our nation's intellectual and economic infrastructure.

Robin Hood stole from the rich for others. We're stealing from our children for ourselves. My first grade teacher, Sister Marlene, would be ashamed.

I urge my colleagues to oppose this measure.

Mr. CONYERS. Mr. Chair, I regret that I must rise in opposition to the Middle Class Tax Relief Act of 2010. Today's legislation is fiscally irresponsible and recklessly extends Bush era tax cuts for the rich, the millionaires and billionaires, and establishes an extremely low estate tax rate. However, I am supportive of efforts to extend unemployment benefits.

To add insult to injury, this bill includes not one, but two bailouts for the ultra wealthy. In addition to extending income tax cuts for the rich, this bill reduces the estate tax from 55 percent to 35 percent next year. This second bailout will give a gigantic tax giveaway to a few thousand of the richest families in the country and add hundreds of billions to the national debt.

I was also dismayed an increase to the debt ceiling was not included in today's proposal. Congress will have to vote to increase the debt ceiling next year. Many in this body would like to hold the debt ceiling vote hostage and demand massive spending cuts and or make the Bush tax cuts permanent in exchange for their votes. We need to show the American people that tax cuts for the wealthy are not free and that they add huge amounts to the national debt.

Just a few weeks ago, this chamber voted separately to extend both middle class tax cuts and unemployment benefits to those who lost their jobs through no fault of their own. While I agree that we need to protect the most vulnerable, the unemployed and working families who need every cent during this time of economic malaise, it is irresponsible to continue Bush era tax rates for wealthy Americans, which are neither justified nor needed, for the next two years. Furthermore, there is no empirical evidence that tax cuts for rich have helped the economy in any tangible way. The Act will steal hundreds of billions of dollars of needed revenue for America's fiscal future.

This compromise bill also includes a two percent employee-side payroll tax cut that I fear will weaken the Social Security trust fund. Today's proposal would deny over $120 billion each year to the Social Security fund and make it easier for conservatives to weaken Social Security's revenue streams in the future. I support giving working Americans extra cash in their pay check, but it should not be taken away from the Social Security trust fund.

Last week, I stated that this tax compromise was a fight for the heart and soul of the Democratic Party. Democrats have always stood for the workers, the disenfranchised, and those who are denied the opportunity to compete for the blessings of the American Dream because of their race, creed, religion, or class. I fear that passage of this bill tonight will tarnish this proud legacy of our party and cause the 98 percent of Americans without estates or astronomical personal wealth to question which party will fight for them. If this bill passes, each and every member of this body should look themselves in the mirror and consider what we have lost in the name of compromise. I encourage my colleagues to reject this flawed bill."

Mr. DINGELL. Mr. Chair, H.R. 4853 was negotiated in the dead of night, and I am outraged by the take-it-or-leave tactics employed to ram this legislation through the House, no less in a lame-duck session. This is not how good legislation is produced, and I am convinced we will feel the repercussions of this for years.

In considering H.R. 4853, the Middle Class Tax Relief Act of 2010, members of the House of Representatives confront the tragic choice of extending unemployment benefits and current middle-class tax rates at the price of enormous tax give-aways to millionaires and fat cats on Wall Street. At a time when American corporations are making record earnings and giving million-dollar holiday bonuses, we are extending tax cuts for the wealthiest two percent of Americans for two years but extending unemployment insurance for only 13 months. This greatly frustrates me, and I believe we must do more to help working families. Equally distressing is the fact that this lop-sided agreement hides another, more insidious provision that could promise to do future violence to the federal program upon which millions of senior citizens in this country rely for their very existence, namely Social Security.

I am somewhat comforted, however, that H.R. 4853 clearly mandates the shortfall in revenue to the Social Security Trust Fund caused by the bill's one-year payroll tax holiday be made whole with a transfer from the Treasury's General Fund. This measure is designed ostensibly to provide Americans with more take-home pay to spend or save as they see fit, but it earns only my hesitant backing for fear that Republicans will attempt to make this provision permanent when it expires next year. Such a move can only be seen as the first step leading to what my colleagues on the other side of the aisle want most: privatizing Social Security.

While I maintain my strong reservations about portions of this tax package that benefit only the wealthiest two percent of all Americans, my colleagues and I cannot in good conscience return to our districts without having secured an extension of unemployment benefits and existing tax rates for middle-class families so aggrieved by the current recession. The good people of the 15th District need the stability of assured unemployment benefits to help get them through this holiday season, giving them time until they find stable employment.

Now is one of the times when it is ultimately better for our government leaders to come together on common ground where it can be found, instead of letting the perfect be the enemy of the good enough. In this case, the government is taking real action to stimulate the economy and help those desperately in need. Democrats are making the choice to protect millions of Americans struggling to keep food on the table and keep the heat on while searching hard for a job. According to the Center for American Progress, the tax deal would save or create 2.2 million jobs through 2012. In Michigan, the importance of the unemployment extension cannot be overstated. In November 2011, almost 300,000 Michiganders will lose their unemployment benefits without federal action. These are real numbers, and this is real money that will have a positive impact on our economy at a time when it is desperately needed.

Absent a better choice, I will vote in favor of H.R. 4853. I do so as Dean of this House and the proud son of a man who helped pass the Social Security Act but demand my colleagues' sacred vow that this bill's payroll tax holiday never again be extended. To do so would be an indefensible assault on the economic and social progress achieved by generations of working-class Americans. I assure you, Madam Speaker and my colleagues on the other side of the aisle, I will do everything in power to make sure Social Security is protected from rascality and available for not only current recipients, but also their children and grandchildren.

Mr. BRALEY of Iowa. Mr. Chair, Americans spoke clearly on November second. Congress must get serious about reducing the deficit and become better stewards of their tax dollars. After endless talk throughout this session about fiscal responsibility, the looming threat of a growing deficit and forcing America's next generation into crushing debt to China—a so-called tax deal has been produced. Today this House will vote on a bill that will explode the deficit by $858 billion dollars.

While this package includes several programs I have proudly supported, I cannot support the underlying bill. As recently as last week I voted to give every American a tax cut by making the middle class tax cuts permanent for the millions of American families, consumers and small business owners who drive our economy. I have consistently voted to extend unemployment insurance to assist the families struggling in this difficult recession. I have voted to extend the Earned Income Tax Credit and Child Tax Credit to assist our nation's low-income families who have a difficult enough time making ends meet as it is. I have consistently voted in for ethanol and biodiesel tax credits that sustain the growth of our nation's renewable energy industry and support the jobs of thousands of my constituents in Iowa.

Those were some of the good things included in this deal. Unfortunately, the merits of these good things do not outweigh the bad things in this deal. I cannot justify mortgaging our children's futures to provide a Christmas bonanza to the privileged few. I refuse to support increasing the deficit by at least $81 billion to provide a tax break to the wealthiest persons in this country. I refuse to support a bill that would balloon the deficit by $23 billion to provide an average tax break of more than $1.5 million to only 6,600 families a year. And I unequivocally refuse to threaten the long-term viability of social security with a shell game to pay for diminished social security contributions.

I'm voting "no" on this bad deal because we cannot keep kicking the can down the road when it comes to difficult decisions about the deficit, especially with a package that threatens the financial stability of our nation. I urge my colleagues to join me in voting "no."

Ms. ZOE LOFGREN of California. Mr. Chair, I rise today to express my concerns regarding the Tax Relief, Unemployment Insurance Reauthorization and Job Creation Act of 2010.

The American economy is slowly recovering from the worst recession we've seen since the Great Depression. While there has been some improvement, the economy is still fragile, and we need to ensure that our tax policy for the near future supports job growth if we are to continue on this path of recovery.

Unfortunately, the tax package that the Senate has sent us today does not support the creation of new jobs.

The United States is quickly being surpassed by other countries in infrastructure and clean energy investments. Rather than supporting tax policies to reverse this trend, the Senate's tax package focuses on tax cuts for the wealthiest in our population and old energy sources that do not present great possibilities for our future.

While the American Recovery and Reinvestment Act (ARRA) made important strides in closing that gap, this legislation is a step backwards. The Senate's tax package includes a one year extension of the Treasury Grant Program enacted in section 1603 of ARRA that allows renewable energy companies to receive a cash grant in lieu of either the production or investment tax credit. The Program was designed to allow renewable energy projects to continue while investor demands for tax credits lagged in a sluggish economy. Unfortunately, a one year extension is insufficient to ensure a steady stream of investment in renewable energy projects and may stall the momentum we've built in creating a strong, green economy.

Further, the tax package fails to include the Advanced Energy Manufacturing Tax Credit from ARRA, a program that was immensely useful. The tax credit was created to expand domestic clean energy manufacturing. America needs to rebuild its manufacturing base to compete in the global marketplace. The Manufacturing Tax Credit is crucial to laying a foundation for the United States to be a leader in the clean energy manufacturing industry.

The failure to extend these critical programs will have negative economic impact across the country and in my district in San Jose. As a Member from Silicon Valley, I represent many renewable energy and energy efficiency companies that are currently utilizing these credits to create jobs and stimulate the economy. By not including robust renewable energy programs as part of our tax policy, we are failing to invest in our economic future, and for that reason, I am unable to vote for the Tax Relief, Unemployment Insurance Reauthorization and Job Creation Act of 2010.

Mr. JORDAN of Ohio. Mr. Chair, despite the clear message sent by the American people in November, the Obama Administration and the Pelosi Congress continue to borrow and spend like there is no tomorrow.

In another attempt to bring some fiscal responsibility back to this Congress, I submitted an amendment yesterday in the House Rules Committee that would seek $149 billion in cuts to offset the $95 billion in new spending in H.R. 4853, the so-called Middle Class Tax Relief Act of 2010.

While I am glad to see this bill temporarily stop the Democrats from raising the income tax rates of every American, I am disappointed that it includes a massive increase in the estate tax that will hurt the families, farmers and small business owners in my district and across America.

I am further disappointed that the new spending in this bill will add to the deficit, further burdening our children and grandchildren with debt that must be repaid. We cannot continue to grow our debt and by loading well-intentioned bills with billions of extra dollars in borrowing and spending.

My amendment would do what the American people are demanding we do: stop the out-of-control federal spending! By returning non-defense appropriations spending to FY 2008 levels, we will realize an immediate savings of $80 billion. By repealing the remaining stimulus funds, we save another $69 billion.

Tacking more spending on to bills is a hallmark of Washington politics. It has landed us in record-high debt. We must break away from this trap with a commitment to passing clean bills and eliminating excess waste.

Add at the end of the bill the following:

TITLE ____—APPROPRIATIONS AT LOWER PREVIOUS FISCAL YEAR LEVELS

That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2011, and for other purposes, namely:

SEC. ____. (a) The amounts provided in the appropriations Acts for fiscal year 2008 referred to in section 101 of division A of Public Law 110–329 and under the authority and conditions provided in such Acts for projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise provided for, that were conducted in fiscal years 2008 and 2010, and for which appropriations, funds, or other authority were made available in such Acts.

(b) If the amount provided for a project or activity by subsection (a) would be higher than the amount provided in appropriation Acts for fiscal year 2010, such project or activity shall be funded at the lower such amount.

SEC. ____. There is hereby enacted into law the provisions of the following:

(1) The Department of Defense Appropriations Act, 2011, as reported in the 111th Congress by the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

(2) The Department of Homeland Security Appropriations Act, 2011, as reported in the 111th Congress by the Subcommittee on Homeland Security of the Committee on Appropriations of the House of Representatives.

(3) The Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2011, as passed in the 111th Congress by the House of Representatives.

SEC. ____. Appropriations made by section ____ shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. ____. Unless otherwise provided for in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this joint resolution shall be available through September 30, 2011.

SEC. ____. For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2010, and for activities under the Food and Nutrition Act of 2008, activities shall be continued at the rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act for fiscal year 2010, to be continued through the date specified in section 104.

SEC. ____. Funds appropriated by this joint resolution may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

SEC. ____. None of the funds made available in this joint resolution may be used to carry out any program under, promulgate any regulation pursuant to, or defend against any lawsuit challenging any provision of, Public Law 111–148 or Public Law 111–152 or any amendment made by either such Public Law.

SEC. ____. None of the funds made available in this joint resolution may be used for a congressional earmark as defined in clause 9(e) of rule XXI of the Rules of the House of Representatives.

Further, add at the end of the bill the following:

TITLE ____—ARRA RESCISSION AND REPEALS

SEC. ___. ARRA RESCISSION AND REPEALS.

(a) RESCISSION.—Of the discretionary appropriations made available in division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), all unobligated balances are rescinded.

(b) REPEALS.—Subtitles B and C of title II and titles III through VII of division B of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) are repealed.

Mr. STARK. Mr. Chair, I rise today to oppose H.R. 4853, the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010.

Santa Claus is arriving early for a handful of wealthy individuals and industries this year. Wall Street should be throwing a parade today. They can certainly afford one after the President failed to uphold one of his signature campaign promises of letting tax breaks for the rich expire as planned.

We hear a lot of hand wringing about the deficit, but this ''compromise'' extends all of the Bush tax cuts for the next 2 years, adding hundreds of billions to the deficit so that millionaires won't have to pay their fair share of taxes. It also includes billions of deficit financed tax favors to special interests. No one who votes for this package has any credibility left when talking about the deficit.

This bill is skewed toward the very wealthy. According to the Tax Policy Center, the biggest share of the tax cuts will go to the richest families, many with incomes of several million dollars. Households in the top 1 percent of income will see an average tax break that is higher than the annual income of nearly 80 percent of American families. The distribution of the tax savings is disproportionate and just unfair. The wealthiest 20 percent of taxpayers are going to get 60 percent of the tax savings from this extension.

The handouts to the ultra-rich will follow them to the grave. Thousands of millionaires will now be able to die with the confidence that their assets will not be impacted by the estate tax. Without Congressional action, the 44,000 wealthiest families would have paid the estate tax in 2011. Now that the administration has agreed to the most generous estate tax plan in recent history—a $5 million exemption and 35 percent rate—only the wealthiest 3,600 estates are expected to pay the estate tax in 2011. The theme here is clear: the rich will continue to hold more and more wealth and power in this country while the middle class is warned that it will have to accept cuts to Social Security and Medicare in order to balance the budget.

Every business interest imaginable will get their piece of the pie. The corn ethanol industry, which is already guaranteed a robust market by the federal government, will continue to be showered with subsidies to the tune of $6 billion a year. You would be mistaken if you think this handout helps farmers. It is actually paid to the oil companies that blend the ethanol—BP claimed over $500 million from the credit in 2008 alone. And the list goes on. Owners of NASCAR speedways will be able to accelerate their tax write-offs faster than other businesses, rum makers will get an extension of tariff rebates and Hollywood studios will get tax breaks when they produce movies and television shows.

There are good things for working families in this agreement, but they pale in comparison to the gifts to the upper class. Extended Unemployment Insurance benefits will be continued for 13 months and spare millions of Americans from losing their income, allowing them to keep food on their tables and a roof over their heads. Extending improvements made to the Earned Income Tax Credit and the Child Tax Credit made by the Recovery Act also makes sense and will help many families.

A payroll tax holiday will put money into the pockets of people who need it most, but I worry what this will mean for the future of Social Security. The provision also unfairly leaves out thousands of federal workers and teachers in my state of California. It is sad that we have to hand out several hundred billion dollars worth of benefits for millionaires just to find the votes to help working families make ends meet.

Two weeks ago I voted for the Middle Class Tax Relief Act of 2010 that would have extended tax cuts for middle class Americans. I also voted to extend Unemployment Benefits for working people. Those are the bills we should be sending to the President. But the legislation before us today is a colossus, burying those benefits for Americans struggling to keep a roof over their heads underneath billions in blatant handouts to the wealthiest taxpayers. I urge my colleagues to defeat this legislation.

Mr. PRICE of North Carolina. Mr. Chair, I rise in qualified support of this tax cut agreement. I do so only after carefully weighing its positive elements against its severe flaws and with a realistic sense of the dire consequences should the measure fail.

This conclusion says as much about the gamesmanship of our colleagues on the other side of the aisle—and, I'm afraid, about what we can expect in the next Congress—as it does about the contents of the legislation. No program or priority has been too sacred for House and Senate Republicans to hold hostage in their fervor to extend President Bush's tax cuts for the wealthiest Americans, regardless of how many hard-working families have had to suffer in the process. Programs that have always enjoyed strong bipartisan support—such as unemployment insurance and small business tax credits—have suddenly become ''Democratic'' priorities, fair game to be stonewalled by Republicans until they could squeeze every last concession out of this deal.

The disconnect between what they say and what they do should be painfully obvious to the American people. How does their support for tax cuts for millionaires and billionaires square with their stated priorities of balancing the budget and growing the economy? Spending $130 billion over the next 2 years alone on tax cuts for the richest 2 percent of Americans—without paying for a cent of it—is certainly a strange way to demonstrate their fiscal discipline. And it's also the least effective step we can take to spur the economy. If economic recovery were really the goal, they would have extended unemployment insurance the first chance they had, because nothing plows money back into the economy more effectively.

If this is where the Republican Party's true priorities lie, then I have never been prouder to be a Democrat. I have never been prouder to stand up for hard-working Americans who have lost their jobs and cannot find a new one by assuring them that their unemployment insurance will not expire. I have never been prouder to stand up for middle-class families who have seen their savings depleted and cannot afford to have their taxes raised during an economic downturn. To stand up for small businesses by giving them the certainty and support they need to grow and prosper. And to stand up for future generations by allowing expensive tax cuts that benefit only the wealthiest while doing nothing to stimulate the economy to expire on schedule, so that we can finally get back on track toward a balanced budget.

Two weeks ago, this House approved, with my strong support, a bill that would have done all of these things. This earlier version of the legislation before us today would have given all American families a permanent tax cut on the first $250,000 of their income, including capital gains and dividends; it would have extended AMT relief, the enhanced EITC, and the enhanced child tax credit; and it would have maintained critical expensing provisions to encourage small businesses to invest. Simply put, this bill would have provided tax relief to those who need it most, and with the maximum economic impact. Yet our Republican colleagues dismissed it as a ''symbolic'' vote.

Since then, the measure has been amended substantially to reflect the negotiations that have occurred between the White House and Congressional leaders. The result is a much more expansive package that has many positive elements but also major negative ones. It is also an expensive package, adding over $850 billion to the deficit over the next decade. This cost is only justifiable to the extent that the legislation is both effective as an economic stimulus and equitable in its benefits, and each of its provisions should be subjected to these criteria.

On the positive side, the measure will extend unemployment insurance through the end of next year. This is both a moral obligation and a sound economic decision: there is perhaps no greater return on our investment in the short run than to ensure that Americans who have lost their jobs and cannot find another one can continue to make ends meet. At the same time, they put almost all of this money back into the economy, maintaining aggregate demand for goods and services—in stark contrast to tax cuts for the wealthy.

The agreement maintains the historically low tax rates that lower- and middle-income Americans have enjoyed for the past decade for 2 more years. While doing so will not be cheap, we cannot afford to raise taxes on working families during the current downturn, and the stimulative impact of these extensions will be significant. It also extends several tax credits targeted directly at lower- and middle-income Americans, including the refundable child tax credit, the enhanced Earned Income Tax Credit, and important credits or deductions for child care, education, and other essential services. The fact that the child tax credit is refundable for low-income people whose income tax liability is limited will provide a particularly important boost to them and to our economic recovery.

In addition, the package offers critical relief to small businesses, including an extension of the bonus depreciation provision included in the Recovery Act, a 2-year extension of the Research and Development tax credit so critical to the Research Triangle, and several important renewable energy incentives. These and other provisions will provide business owners with the stability and support they need to expand their operations, hire new workers, and continue the economic recovery.

Finally, the legislation includes a payroll tax holiday that will result in a lower tax burden for all American workers next year. Some respected advocates, in North Carolina and elsewhere, have argued that this provision could in fact hurt lower-income workers, compared to the Making Work Pay tax credit that expires this year. Some have also claimed that this provision would threaten Social Security by temporarily reducing payments to the Social Security trust fund.

To be clear, if I had my choice I would prefer to be voting for an extension of Making Work Pay instead of a payroll tax holiday—but that is not the choice we face today. The choice is between a payroll tax holiday and nothing, and the simple fact is that if we do nothing, then lower-income workers will be much worse off than they are now: their income taxes will be higher; they will lose the many other benefits this bill provides, such as enhanced EITC; and they won't receive any form of payroll tax relief. Moreover, because the benefits of a payroll tax holiday will be more broadly shared, the stimulative impact of a payroll tax holiday will be more broadly felt. And as for its impact on Social Security, both the President and the AARP have assured us that the diversion of funds will be both temporary and repaid in full. There are reasons to be concerned about threats to Social Security's future, but this should not be one of them.

Now, these positive elements must be weighed carefully against the major concessions that were made to Republicans during the negotiations that produced this bill. I am referring, of course, to the extension of the Bush tax cuts on income over $250,000, which will add over $100 billion to the deficit over the next 2 years while doing almost nothing to stimulate the economy. This is not simply my personal opinion or the view of the Democratic Party: it is a fact confirmed by the Congressional Budget Office and any number of respected economists, and well understood by the American people. As I have already stated, the fact that the Republican leadership held this entire package hostage so that millionaires could get an average tax break of $100,000 per year tells us exactly where their true priorities lie: Tax cuts for the wealthy are clearly the "holy grail" of their economic policy, to which all other policy outcomes are subjugated.

I am equally disappointed by the inclusion of an estate tax proposal that is little more than a gratuitous giveaway to some 6,600 wealthy families. We hear a lot of dire warnings about the impact of the estate tax on small farmers and business owners, but even to the extent that they would be affected, the compromise estate tax proposal passed by the House last December was more than sufficient to protect them. Now, we are considering a proposal that costs $23 billion more than the 2009 proposal and will have no economic impact at all aside from letting a few thousand millionaires and billionaires keep even more of their inherited wealth—an average windfall of $3.5 million per family.

As the details of these provisions have become known, I have actively engaged in discussions here and at home, doing everything within my power to oppose the inclusion of giveaways to the wealthiest Americans in the package. I have joined my colleagues in sending two separate letters to the House leadership opposing the inclusion of upper-income tax cuts and a third letter arguing against the gratuitous estate tax provision, and last week I voted for the House's middle class tax cut package which omitted these giveaways. I have also signed several letters arguing for a more sensible package of energy incentives in the legislation, including a reduction of the ethanol credit that was added by the Senate at the last minute. I was a strong supporter of the 2009 estate tax compromise offered by Representative EARL POMEROY, which unfortunately failed to pass the Senate, and I will be voting for it again tonight.

While I am deeply disappointed that these efforts have not been more successful, we are now called upon to evaluate this package as it is, not as we would like it to be. The bottom line is that the positive impact of this package for working- and middle-class Americans and our economic recovery outweighs its negative impact on the deficit and its unjust giveaways to the wealthy.

We must also consider the consequences of failing to enact this legislation today. Deferring action on these expiring tax provisions until next year would not only create chaos for American taxpayers; it would also likely result in a package that is nowhere near as generous or as equitable, given the extreme views of the incoming Republican majority on many of its provisions. Republicans leaders openly state that their chief concern in the 112th Congress is not economic recovery, not putting Americans back to work, but ensuring President Obama is a one-term President. While their stated goals may be grossly misguided and narrow, mine will not be. Scuttling this package would mean foregoing what will likely be our last opportunity to provide any stimulus to the economy, given that the Republicans have made clear their opposition to additional aid to states, infrastructure investments, and other countercyclical programs. The need to maintain demand and stimulate growth has not fully abated—this economy is not yet out of the woods. The question is not whether the package before us is the most effective one conceivable—it is not—but whether we will do anything to keep the recovery going before the next Congress shuts the door entirely.

Under these circumstances, I support this legislation despite its flaws. I cannot in good conscience cast a "no" vote that, were it to prevail, would expose working Americans to tax increases and end the EITC and child credit provisions that have benefitted so many people. I cannot in good conscience cast a vote that would rip away the safety net for those not yet able to find work, and in the process hobble an economic recovery. We risk all of these if this bill fails. Our good conscience also causes us to question this bill's violations of tax fairness and fiscal prudence; I have worked and will continue to work to change these things. But tonight we must vote while we have the chance to do so, and on the only vehicle available to us, to protect the vast majority of our constituents and to bring this economy back to health.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the Senate amendment shall be considered for amendment under the 5-minute rule.

The Clerk will designate the Senate amendment.

The text of the amendment is as follows:

Senate amendment:

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the "Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010".

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

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

TITLE I—TEMPORARY EXTENSION OF TAX RELIEF

SEC. 101. TEMPORARY EXTENSION OF 2001 TAX RELIEF.

(a) TEMPORARY EXTENSION.—

(1) IN GENERAL.—Section 901 of the Economic Growth and Tax Relief Reconciliation Act of 2001 is amended by striking ''December 31, 2010'' both places it appears and inserting ''December 31, 2012''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect as if included in the enactment of the Economic Growth and Tax Relief Reconciliation Act of 2001.

(b) SEPARATE SUNSET FOR EXPANSION OF ADOPTION BENEFITS UNDER THE PATIENT PROTECTION AND AFFORDABLE CARE ACT.—

(1) IN GENERAL.—Subsection (c) of section 10909 of the Patient Protection and Affordable Care Act is amended to read as follows:

''(c) SUNSET PROVISION.—Each provision of law amended by this section is amended to read as such provision would read if this section had never been enacted. The amendments made by the preceding sentence shall apply to taxable years beginning after December 31, 2011.''.

(2) CONFORMING AMENDMENT.—Subsection (d) of section 10909 of such Act is amended by striking ''The amendments'' and inserting ''Except as provided in subsection (c), the amendments''.

SEC. 102. TEMPORARY EXTENSION OF 2003 TAX RELIEF.

(a) IN GENERAL.—Section 303 of the Jobs and Growth Tax Relief Reconciliation Act of 2003 is amended by striking ''December 31, 2010'' and inserting ''December 31, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the enactment of the Jobs and Growth Tax Relief Reconciliation Act of 2003.

SEC. 103. TEMPORARY EXTENSION OF 2009 TAX RELIEF.

(a) AMERICAN OPPORTUNITY TAX CREDIT.—

(1) IN GENERAL.—Section 25A(i) is amended by striking ''or 2010'' and inserting '', 2010, 2011, or 2012''.

(2) TREATMENT OF POSSESSIONS.—Section 1004(c)(1) of the American Recovery and Reinvestment Tax Act of 2009 is amended by striking ''and 2010'' each place it appears and inserting '', 2010, 2011, and 2012''.

(b) CHILD TAX CREDIT.—Section 24(d)(4) is amended—

(1) by striking ''2009 AND 2010'' in the heading and inserting ''2009, 2010, 2011, AND 2012'', and

(2) by striking ''or 2010'' and inserting '', 2010, 2011, or 2012''.

(c) EARNED INCOME TAX CREDIT.—Section 32(b)(3) is amended—

(1) by striking ''2009 AND 2010'' in the heading and inserting ''2009, 2010, 2011, AND 2012'', and

(2) by striking ''or 2010'' and inserting '', 2010, 2011, or 2012''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2010.

TITLE II—TEMPORARY EXTENSION OF INDIVIDUAL AMT RELIEF

SEC. 201. TEMPORARY EXTENSION OF INCREASED ALTERNATIVE MINIMUM TAX EXEMPTION AMOUNT.

(a) IN GENERAL.—Paragraph (1) of section 55(d) is amended—

(1) by striking ''$70,950'' and all that follows through ''2009'' in subparagraph (A) and inserting ''$72,450 in the case of taxable years beginning in 2010 and $74,450 in the case of taxable years beginning in 2011'', and

(2) by striking ''$46,700'' and all that follows through ''2009'' in subparagraph (B) and inserting ''$47,450 in the case of taxable years beginning in 2010 and $48,450 in the case of taxable years beginning in 2011''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2009.

(c) REPEAL OF EGTRRA SUNSET.—Title IX of the Economic Growth and Tax Relief Reconciliation Act of 2001 (relating to sunset of provisions of such Act) shall not apply to title VII of such Act (relating to alternative minimum tax).

SEC. 202. TEMPORARY EXTENSION OF ALTERNATIVE MINIMUM TAX RELIEF FOR NONREFUNDABLE PERSONAL CREDITS.

(a) IN GENERAL.—Paragraph (2) of section 26(a) is amended—

(1) by striking ''or 2009'' and inserting ''2009, 2010, or 2011'', and

(2) by striking ''2009'' in the heading thereof and inserting ''2011''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2009.

TITLE III—TEMPORARY ESTATE TAX RELIEF

SEC. 301. REINSTATEMENT OF ESTATE TAX; REPEAL OF CARRYOVER BASIS.

(a) IN GENERAL.—Each provision of law amended by subtitle A or E of title V of the Economic Growth and Tax Relief Reconciliation Act of 2001 is amended to read as such provision would read if such subtitle had never been enacted.

(b) CONFORMING AMENDMENT.—On and after January 1, 2011, paragraph (1) of section 2505(a) of the Internal Revenue Code of 1986 is amended to read as such paragraph would read if section 521(b)(2) of the Economic Growth and Tax Relief Reconciliation Act of 2001 had never been enacted.

(c) SPECIAL ELECTION WITH RESPECT TO ESTATES OF DECEDENTS DYING IN 2010.—Notwithstanding subsection (a), in the case of an estate of a decedent dying after December 31, 2009, and before January 1, 2011, the executor (within the meaning of section 2203 of the Internal Revenue Code of 1986) may elect to apply such Code as though the amendments made by subsection (a) do not apply with respect to chapter 11 of such Code and with respect to property acquired or passing from such decedent (within the meaning of section 1014(b) of such Code). Such election shall be made at such time and in such manner as the Secretary of the Treasury or the Secretary's delegate shall provide. Such an election once made shall be revocable only with the consent of the Secretary of the Treasury or the Secretary's delegate. For purposes of section 2652(a)(1) of such Code, the determination of whether any property is subject to the tax imposed by such chapter 11 shall be made without regard to any election made under this subsection.

(d) EXTENSION OF TIME FOR PERFORMING CERTAIN ACTS.—

(1) ESTATE TAX.—In the case of the estate of a decedent dying after December 31, 2009, and before the date of the enactment of this Act, the due date for—

(A) filing any return under section 6018 of the Internal Revenue Code of 1986 (including any election required to be made on such a return) as such section is in effect after the date of the enactment of this Act without regard to any election under subsection (c),

(B) making any payment of tax under chapter 11 of such Code, and

(C) making any disclaimer described in section 2518(b) of such Code of an interest in property passing by reason of the death of such decedent, shall not be earlier than the date which is 9 months after the date of the enactment of this Act.

(2) GENERATION-SKIPPING TAX.—In the case of any generation-skipping transfer made after December 31, 2009, and before the date of the enactment of this Act, the due date for filing any return under section 2662 of the Internal Revenue Code of 1986 (including any election required to be made on such a return) shall not be earlier than the date which is 9 months after the date of the enactment of this Act.

(e) EFFECTIVE DATE.—Except as otherwise provided in this section, the amendments made by this section shall apply to estates of decedents dying, and transfers made, after December 31, 2009.

SEC. 302. MODIFICATIONS TO ESTATE, GIFT, AND GENERATION-SKIPPING TRANSFER TAXES.

(a) MODIFICATIONS TO ESTATE TAX.—

(1) $5,000,000 APPLICABLE EXCLUSION AMOUNT.—Subsection (c) of section 2010 is amended to read as follows:

''(c) APPLICABLE CREDIT AMOUNT.—

''(1) IN GENERAL.—For purposes of this section, the applicable credit amount is the amount of the tentative tax which would be determined under section 2001(c) if the amount with respect to which such tentative tax is to be computed were equal to the applicable exclusion amount.

''(2) APPLICABLE EXCLUSION AMOUNT.—

''(A) IN GENERAL.—For purposes of this subsection, the applicable exclusion amount is $5,000,000.

''(B) INFLATION ADJUSTMENT.—In the case of any decedent dying in a calendar year after 2011, the dollar amount in subparagraph (A) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for such calendar year by substituting 'calendar year 2010' for 'calendar year 1992' in subparagraph (B) thereof.

If any amount as adjusted under the preceding sentence is not a multiple of $10,000, such amount shall be rounded to the nearest multiple of $10,000.''.

(2) MAXIMUM ESTATE TAX RATE EQUAL TO 35 PERCENT.—Subsection (c) of section 2001 is amended—

(A) by striking ''Over $500,000'' and all that follows in the table contained in paragraph (1) and inserting the following:

''Over $500,000.	$155,800, plus 35 percent of the excess of such amount over $500,000.'',

(B) by striking ''(1) IN GENERAL.—'', and

(C) by striking paragraph (2).

(b) MODIFICATIONS TO GIFT TAX.—

(1) RESTORATION OF UNIFIED CREDIT AGAINST GIFT TAX.—

(A) IN GENERAL.—Paragraph (1) of section 2505(a), after the application of section 301(b), is amended by striking ''(determined as if the applicable exclusion amount were $1,000,000)''.

(B) EFFECTIVE DATE.—The amendment made by this paragraph shall apply to gifts made after December 31, 2010.

(2) MODIFICATION OF GIFT TAX RATE.—On and after January 1, 2011, subsection (a) of section 2502 is amended to read as such subsection would read if section 511(d) of the Economic Growth and Tax Relief Reconciliation Act of 2001 had never been enacted.

(c) MODIFICATION OF GENERATION-SKIPPING TRANSFER TAX.—In the case of any generation-skipping transfer made after December 31, 2009, and before January 1, 2011, the applicable rate determined under section 2641(a) of the Internal Revenue Code of 1986 shall be zero.

(d) MODIFICATIONS OF ESTATE AND GIFT TAXES TO REFLECT DIFFERENCES IN CREDIT RESULTING FROM DIFFERENT TAX RATES.—

(1) ESTATE TAX.—

(A) IN GENERAL.—Section 2001(b)(2) is amended by striking ''if the provisions of subsection (c) (as in effect at the decedent's death)'' and inserting ''if the modifications described in subsection (g)''.

(B) MODIFICATIONS.—Section 2001 is amended by adding at the end the following new subsection:

''(g) MODIFICATIONS TO GIFT TAX PAYABLE TO REFLECT DIFFERENT TAX RATES.—For purposes of applying subsection (b)(2) with respect to 1 or more gifts, the rates of tax under subsection (c) in effect at the decedent's death shall, in lieu of the rates of tax in effect at the time of such gifts, be used both to compute—

''(1) the tax imposed by chapter 12 with respect to such gifts, and

''(2) the credit allowed against such tax under section 2505, including in computing—

''(A) the applicable credit amount under section 2505(a)(1), and

''(B) the sum of the amounts allowed as a credit for all preceding periods under section 2505(a)(2).''.

(2) GIFT TAX.—Section 2505(a) is amended by adding at the end the following new flush sentence:

''For purposes of applying paragraph (2) for any calendar year, the rates of tax in effect under section 2502(a)(2) for such calendar year shall, in lieu of the rates of tax in effect for preceding calendar periods, be used in determining the amounts allowable as a credit under this section for all preceding calendar periods.''.

(e) CONFORMING AMENDMENT.—Section 2511 is amended by striking subsection (c).

(f) EFFECTIVE DATE.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to estates of decedents dying, generation-skipping transfers, and gifts made, after December 31, 2009.

SEC. 303. APPLICABLE EXCLUSION AMOUNT INCREASED BY UNUSED EXCLUSION AMOUNT OF DECEASED SPOUSE.

(a) IN GENERAL.—Section 2010(c), as amended by section 302(a), is amended by striking paragraph (2) and inserting the following new paragraphs:

''(2) APPLICABLE EXCLUSION AMOUNT.—For purposes of this subsection, the applicable exclusion amount is the sum of—

''(A) the basic exclusion amount, and

''(B) in the case of a surviving spouse, the deceased spousal unused exclusion amount.

''(3) BASIC EXCLUSION AMOUNT.—

''(A) IN GENERAL.—For purposes of this subsection, the basic exclusion amount is $5,000,000.

''(B) INFLATION ADJUSTMENT.—In the case of any decedent dying in a calendar year after 2011, the dollar amount in subparagraph (A) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for such calendar year by substituting 'calendar year 2010' for 'calendar year 1992' in subparagraph (B) thereof.

If any amount as adjusted under the preceding sentence is not a multiple of $10,000, such amount shall be rounded to the nearest multiple of $10,000.

''(4) DECEASED SPOUSAL UNUSED EXCLUSION AMOUNT.—For purposes of this subsection, with respect to a surviving spouse of a deceased spouse dying after December 31, 2010, the term 'deceased spousal unused exclusion amount' means the lesser of—

''(A) the basic exclusion amount, or

''(B) the excess of—

''(i) the basic exclusion amount of the last such deceased spouse of such surviving spouse, over

''(ii) the amount with respect to which the tentative tax is determined under section 2001(b)(1) on the estate of such deceased spouse.

''(5) SPECIAL RULES.—

''(A) ELECTION REQUIRED.—A deceased spousal unused exclusion amount may not be taken into account by a surviving spouse under paragraph (2) unless the executor of the estate of the deceased spouse files an estate tax return on which such amount is computed and makes an election on such return that such amount may be so taken into account. Such election, once made, shall be irrevocable. No election may be made under this subparagraph if such return is filed after the time prescribed by law (including extensions) for filing such return.

''(B) EXAMINATION OF PRIOR RETURNS AFTER EXPIRATION OF PERIOD OF LIMITATIONS WITH RESPECT TO DECEASED SPOUSAL UNUSED EXCLUSION AMOUNT.—Notwithstanding any period of limitation in section 6501, after the time has expired under section 6501 within which a tax may be assessed under chapter 11 or 12 with respect to a deceased spousal unused exclusion amount, the Secretary may examine a return of the deceased spouse to make determinations with respect to such amount for purposes of carrying out this subsection.

''(6) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out this subsection.''.

(b) CONFORMING AMENDMENTS.—

(1) Paragraph (1) of section 2505(a), as amended by section 302(b)(1), is amended to read as follows:

''(1) the applicable credit amount in effect under section 2010(c) which would apply if the donor died as of the end of the calendar year, reduced by''.

(2) Section 2631(c) is amended by striking ''the applicable exclusion amount'' and inserting ''the basic exclusion amount''.

(3) Section 6018(a)(1) is amended by striking ''applicable exclusion amount'' and inserting ''basic exclusion amount''.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to estates of decedents dying and gifts made after December 31, 2010.

(2) CONFORMING AMENDMENT RELATING TO GENERATION-SKIPPING TRANSFERS.—The amendment made by subsection (b)(2) shall apply to generation-skipping transfers after December 31, 2010.

SEC. 304. APPLICATION OF EGTRRA SUNSET TO THIS TITLE.

Section 901 of the Economic Growth and Tax Relief Reconciliation Act of 2001 shall apply to the amendments made by this title.

TITLE IV—TEMPORARY EXTENSION OF INVESTMENT INCENTIVES

SEC. 401. EXTENSION OF BONUS DEPRECIATION; TEMPORARY 100 PERCENT EXPENSING FOR CERTAIN BUSINESS ASSETS.

(a) IN GENERAL.—Paragraph (2) of section 168(k) is amended—

(1) by striking ''January 1, 2012'' in subparagraph (A)(iv) and inserting ''January 1, 2014'', and

(2) by striking ''January 1, 2011'' each place it appears and inserting ''January 1, 2013''.

(b) TEMPORARY 100 PERCENT EXPENSING.—Subsection (k) of section 168 is amended by adding at the end the following new paragraph:

''(5) SPECIAL RULE FOR PROPERTY ACQUIRED DURING CERTAIN PRE-2012 PERIODS.—In the case of qualified property acquired by the taxpayer (under rules similar to the rules of clauses (ii) *and (iii) of paragraph (2)(A)) after September 8, 2010, and before January 1, 2012, and which is placed in service by the taxpayer before January 1, 2012 (January 1, 2013, in the case of property described in subparagraph (2)(B) or (2)(C)), paragraph (1)(A) shall be applied by substituting '100 percent' for '50 percent'.''.*

(c) EXTENSION OF ELECTION TO ACCELERATE THE AMT CREDIT IN LIEU OF BONUS DEPRECIATION.—

(1) EXTENSION.—Clause (iii) of section 168(k)(4)(D) is amended by striking ''or production'' and all that follows and inserting ''or production—

''(I) after March 31, 2008, and before January 1, 2010, and

''(II) after December 31, 2010, and before January 1, 2013,

shall be taken into account under subparagraph (B)(ii) thereof,''.

(2) RULES FOR ROUND 2 EXTENSION PROPERTY.—Paragraph (4) of section 168(k) is amended by adding at the end the following new subparagraph:

''(I) SPECIAL RULES FOR ROUND 2 EXTENSION PROPERTY.—

''(i) IN GENERAL.—In the case of round 2 extension property, this paragraph shall be applied without regard to—

''(I) the limitation described in subparagraph (B)(i) thereof, and

''(II) the business credit increase amount under subparagraph (E)(iii) thereof.

''(ii) TAXPAYERS PREVIOUSLY ELECTING ACCELERATION.—In the case of a taxpayer who made the election under subparagraph (A) for its first taxable year ending after March 31, 2008, or a taxpayer who made the election under subparagraph (H)(ii) for its first taxable year ending after December 31, 2008—

''(I) the taxpayer may elect not to have this paragraph apply to round 2 extension property, but

''(II) if the taxpayer does not make the election under subclause (I), in applying this paragraph to the taxpayer the bonus depreciation amount, maximum amount, and maximum increase amount shall be computed and applied to eligible qualified property which is round 2 extension property.

The amounts described in subclause (II) shall be computed separately from any amounts computed with respect to eligible qualified property which is not round 2 extension property.

''(iii) TAXPAYERS NOT PREVIOUSLY ELECTING ACCELERATION.—In the case of a taxpayer who neither made the election under subparagraph (A) for its first taxable year ending after March 31, 2008, nor made the election under subparagraph (H)(ii) for its first taxable year ending after December 31, 2008—

''(I) the taxpayer may elect to have this paragraph apply to its first taxable year ending after December 31, 2010, and each subsequent taxable year, and

''(II) if the taxpayer makes the election under subclause (I), this paragraph shall only apply to eligible qualified property which is round 2 extension property.

''(iv) ROUND 2 EXTENSION PROPERTY.—For purposes of this subparagraph, the term 'round 2 extension property' means property which is eligible qualified property solely by reason of the extension of the application of the special allowance under paragraph (1) pursuant to the amendments made by section 401(a) of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (and the application of such extension to this paragraph pursuant to the amendment made by section 401(c)(1) of such Act).''.

(d) CONFORMING AMENDMENTS.—

(1) The heading for subsection (k) of section 168 is amended by striking ''JANUARY 1, 2011'' and inserting ''JANUARY 1, 2013''.

(2) The heading for clause (ii) of section 168(k)(2)(B) is amended by striking ''PRE-JANUARY 1, 2011'' and inserting ''PRE-JANUARY 1, 2013''.

(3) Subparagraph (D) of section 168(k)(4) is amended—

(A) by striking clauses (iv) and (v),

(B) by inserting ''and'' at the end of clause (ii), and

(C) by striking the comma at the end of clause (iii) and inserting a period.

(4) Paragraph (5) of section 168(l) is amended—

(A) by inserting ''and'' at the end of subparagraph (A),

(B) by striking subparagraph (B), and

(C) by redesignating subparagraph (C) as subparagraph (B).

(5) Subparagraph (C) of section 168(n)(2) is amended by striking ''January 1, 2011'' and inserting ''January 1, 2013''.

(6) Subparagraph (D) of section 1400L(b)(2) is amended by striking ''January 1, 2011'' and inserting ''January 1, 2013''.

(7) Subparagraph (B) of section 1400N(d)(3) is amended by striking ''January 1, 2011'' and inserting ''January 1, 2013''.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to property placed in service after December 31, 2010, in taxable years ending after such date.

(2) TEMPORARY 100 PERCENT EXPENSING.—The amendment made by subsection (b) shall apply to property placed in service after September 8, 2010, in taxable years ending after such date.

SEC. 402. TEMPORARY EXTENSION OF INCREASED SMALL BUSINESS EXPENSING.

(a) DOLLAR LIMITATION.—Section 179(b)(1) is amended by striking ''and'' at the end of subparagraph (B) and by striking subparagraph (C) and inserting the following new subparagraphs:

''(C) $125,000 in the case of taxable years beginning in 2012, and

''(D) $25,000 in the case of taxable years beginning after 2012.''.

(b) REDUCTION IN LIMITATION.—Section 179(b)(2) is amended by striking ''and'' at the end of subparagraph (B) and by striking subparagraph (C) and inserting the following new subparagraphs:

''(C) $500,000 in the case of taxable years beginning in 2012, and

''(D) $200,000 in the case of taxable years beginning after 2012.''.

(c) INFLATION ADJUSTMENT.—Subsection (b) of section 179 is amended by adding at the end the following new paragraph:

''(6) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of any taxable year beginning in calendar year 2012, the $125,000 and $500,000 amounts in paragraphs (1)(C) and (2)(C) shall each be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, by substituting 'calendar year 2006' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING.—

''(i) DOLLAR LIMITATION.—If the amount in paragraph (1) as increased under subparagraph (A) is not a multiple of $1,000, such amount shall be rounded to the nearest multiple of $1,000.

''(ii) PHASEOUT AMOUNT.—If the amount in paragraph (2) as increased under subparagraph (A) is not a multiple of $10,000, such amount shall be rounded to the nearest multiple of $10,000.''.

(d) COMPUTER SOFTWARE.—Section 179(d)(1)(A)(ii) is amended by striking ''2012'' and inserting ''2013''.

(e) CONFORMING AMENDMENT.—Section 179(c)(2) is amended by striking ''2012'' and inserting ''2013''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2011.

TITLE V—TEMPORARY EXTENSION OF UNEMPLOYMENT INSURANCE AND RELATED MATTERS

SEC. 501. TEMPORARY EXTENSION OF UNEMPLOYMENT INSURANCE PROVISIONS.

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

(A) by striking ''November 30, 2010'' each place it appears and inserting ''January 3, 2012'';

(B) in the heading for subsection (b)(2), by striking ''NOVEMBER 30, 2010'' and inserting ''JANUARY 3, 2012''; and

(C) in subsection (b)(3), by striking ''April 30, 2011'' and inserting ''June 9, 2012''.

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

(A) by striking ''December 1, 2010'' each place it appears and inserting ''January 4, 2012''; and

(B) in subsection (c), by striking ''May 1, 2011'' and inserting ''June 11, 2012''.

(3) Section 5 of the Unemployment Compensation Extension Act of 2008 (Public Law 110–449; 26 U.S.C. 3304 note) is amended by striking ''April 30, 2011'' and inserting ''June 10, 2012''.

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

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

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

''(G) the amendments made by section 501(a)(1) of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010; and''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Unemployment Compensation Extension Act of 2010 (Public Law 111–205).

SEC. 502. TEMPORARY MODIFICATION OF INDICATORS UNDER THE EXTENDED BENEFIT PROGRAM.

(a) INDICATOR.—Section 203(d) of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note) is amended, in the flush matter following paragraph (2), by inserting after the first sentence the following sentence: ''Effective with respect to compensation for weeks of unemployment beginning after the date of enactment of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (or, if later, the date established pursuant to State law), and ending on or before December 31, 2011, the State may by law provide that the determination of whether there has been a state 'on' or 'off' indicator beginning or ending any extended benefit period shall be made under this subsection as if the word 'two' were 'three' in subparagraph (1)(A).''.

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

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph:

''(2) Effective with respect to compensation for weeks of unemployment beginning after the date of enactment of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (or, if later, the date established pursuant to State law), and ending on or before December 31, 2011, the State may by law provide that the determination of whether there has been a state 'on' or 'off' indicator beginning or ending any extended benefit period shall be made under this subsection as if the word 'either' were 'any', the word ''both'' were 'all', and the figure '2' were '3' in clause (1)(A)(ii).''.

SEC. 503. TECHNICAL AMENDMENT RELATING TO COLLECTION OF UNEMPLOYMENT COMPENSATION DEBTS.

(a) IN GENERAL.—Section 6402(f)(3)(C), as amended by section 801 of the Claims Resolution

Act of 2010, is amended by striking ''is not a covered unemployment compensation debt'' and inserting ''is a covered unemployment compensation debt''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in section 801 of the Claims Resolution Act of 2010.

SEC. 504. TECHNICAL CORRECTION RELATING TO REPEAL OF CONTINUED DUMPING AND SUBSIDY OFFSET.

(a) IN GENERAL.—Section 822(2)(A) of the Claims Resolution Act of 2010 is amended by striking ''or'' and inserting ''and''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the provisions of the Claims Resolution Act of 2010.

SEC. 505. ADDITIONAL EXTENDED UNEMPLOYMENT BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.

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

(1) by striking ''June 30, 2010'' and inserting ''June 30, 2011''; and

(2) by striking ''December 31, 2010'' and inserting ''December 31, 2011''.

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

TITLE VI—TEMPORARY EMPLOYEE PAYROLL TAX CUT

SEC. 601. TEMPORARY EMPLOYEE PAYROLL TAX CUT.

(a) IN GENERAL.—Notwithstanding any other provision of law—

(1) with respect to any taxable year which begins in the payroll tax holiday period, the rate of tax under section 1401(a) of the Internal Revenue Code of 1986 shall be 10.40 percent, and

(2) with respect to remuneration received during the payroll tax holiday period, the rate of tax under 3101(a) of such Code shall be 4.2 percent (including for purposes of determining the applicable percentage under sections 3201(a) and 3211(a)(1) of such Code).

(b) COORDINATION WITH DEDUCTIONS FOR EMPLOYMENT TAXES.—

(1) DEDUCTION IN COMPUTING NET EARNINGS FROM SELF-EMPLOYMENT.—For purposes of applying section 1402(a)(12) of the Internal Revenue Code of 1986, the rate of tax imposed by subsection 1401(a) of such Code shall be determined without regard to the reduction in such rate under this section.

(2) INDIVIDUAL DEDUCTION.—In the case of the taxes imposed by section 1401 of such Code for any taxable year which begins in the payroll tax holiday period, the deduction under section 164(f) with respect to such taxes shall be equal to the sum of—

(A) 59.6 percent of the portion of such taxes attributable to the tax imposed by section 1401(a) (determined after the application of this section), plus

(B) one-half of the portion of such taxes attributable to the tax imposed by section 1401(b).

(c) PAYROLL TAX HOLIDAY PERIOD.—The term ''payroll tax holiday period'' means calendar year 2011.

(d) EMPLOYER NOTIFICATION.—The Secretary of the Treasury shall notify employers of the payroll tax holiday period in any manner the Secretary deems appropriate.

(e) TRANSFERS OF FUNDS.—

(1) TRANSFERS TO FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND.—There are hereby appropriated to the Federal Old-Age and Survivors Trust Fund and the Federal Disability Insurance Trust Fund established under section 201 of the Social Security Act (42 U.S.C. 401) amounts equal to the reduction in revenues to the Treasury by reason of the application of subsection (a). Amounts appropriated by the preceding sentence shall be transferred from the general fund at such times and in such manner as to replicate to the extent possible the transfers which would have occurred to such Trust Fund had such amendments not been enacted.

(2) TRANSFERS TO SOCIAL SECURITY EQUIVALENT BENEFIT ACCOUNT.—There are hereby appropriated to the Social Security Equivalent Benefit Account established under section 15A(a) of the Railroad Retirement Act of 1974 (45 U.S.C. 231n–1(a)) amounts equal to the reduction in revenues to the Treasury by reason of the application of subsection (a)(2). Amounts appropriated by the preceding sentence shall be transferred from the general fund at such times and in such manner as to replicate to the extent possible the transfers which would have occurred to such Account had such amendments not been enacted.

(3) COORDINATION WITH OTHER FEDERAL LAWS.—For purposes of applying any provision of Federal law other than the provisions of the Internal Revenue Code of 1986, the rate of tax in effect under section 3101(a) of such Code shall be determined without regard to the reduction in such rate under this section.

TITLE VII—TEMPORARY EXTENSION OF CERTAIN EXPIRING PROVISIONS

Subtitle A—Energy

SEC. 701. INCENTIVES FOR BIODIESEL AND RENEWABLE DIESEL.

(a) CREDITS FOR BIODIESEL AND RENEWABLE DIESEL USED AS FUEL.—Subsection (g) of section 40A is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(b) EXCISE TAX CREDITS AND OUTLAY PAYMENTS FOR BIODIESEL AND RENEWABLE DIESEL FUEL MIXTURES.—

(1) Paragraph (6) of section 6426(c) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(2) Subparagraph (B) of section 6427(e)(6) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(c) SPECIAL RULE FOR 2010.—Notwithstanding any other provision of law, in the case of any biodiesel mixture credit properly determined under section 6426(c) of the Internal Revenue Code of 1986 for periods during 2010, such credit shall be allowed, and any refund or payment attributable to such credit (including any payment under section 6427(e) of such Code) shall be made, only in such manner as the Secretary of the Treasury (or the Secretary's delegate) shall provide. Such Secretary shall issue guidance within 30 days after the date of the enactment of this Act providing for a one-time submission of claims covering periods during 2010. Such guidance shall provide for a 180-day period for the submission of such claims (in such manner as prescribed by such Secretary) to begin not later than 30 days after such guidance is issued. Such claims shall be paid by such Secretary not later than 60 days after receipt. If such Secretary has not paid pursuant to a claim filed under this subsection within 60 days after the date of the filing of such claim, the claim shall be paid with interest from such date determined by using the overpayment rate and method under section 6621 of such Code.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to fuel sold or used after December 31, 2009.

SEC. 702. CREDIT FOR REFINED COAL FACILITIES.

(a) IN GENERAL.—Subparagraph (B) of section 45(d)(8) is amended by striking ''January 1, 2010'' and inserting ''January 1, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to facilities placed in service after December 31, 2009.

SEC. 703. NEW ENERGY EFFICIENT HOME CREDIT.

(a) IN GENERAL.—Subsection (g) of section 45L is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to homes acquired after December 31, 2009.

SEC. 704. EXCISE TAX CREDITS AND OUTLAY PAYMENTS FOR ALTERNATIVE FUEL AND ALTERNATIVE FUEL MIXTURES.

(a) IN GENERAL.—Sections 6426(d)(5), 6426(e)(3), and 6427(e)(6)(C) are each amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(b) EXCLUSION OF BLACK LIQUOR FROM CREDIT ELIGIBILITY.—The last sentence of section 6426(d)(2) is amended by striking ''or biodiesel'' and inserting ''biodiesel, or any fuel (including lignin, wood residues, or spent pulping liquors) derived from the production of paper or pulp''.

(c) SPECIAL RULE FOR 2010.—Notwithstanding any other provision of law, in the case of any alternative fuel credit or any alternative fuel mixture credit properly determined under subsection (d) or (e) of section 6426 of the Internal Revenue Code of 1986 for periods during 2010, such credit shall be allowed, and any refund or payment attributable to such credit (including any payment under section 6427(e) of such Code) shall be made, only in such manner as the Secretary of the Treasury (or the Secretary's delegate) shall provide. Such Secretary shall issue guidance within 30 days after the date of the enactment of this Act providing for a one-time submission of claims covering periods during 2010. Such guidance shall provide for a 180-day period for the submission of such claims (in such manner as prescribed by such Secretary) to begin not later than 30 days after such guidance is issued. Such claims shall be paid by such Secretary not later than 60 days after receipt. If such Secretary has not paid pursuant to a claim filed under this subsection within 60 days after the date of the filing of such claim, the claim shall be paid with interest from such date determined by using the overpayment rate and method under section 6621 of such Code.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to fuel sold or used after December 31, 2009.

SEC. 705. SPECIAL RULE FOR SALES OR DISPOSITIONS TO IMPLEMENT FERC OR STATE ELECTRIC RESTRUCTURING POLICY FOR QUALIFIED ELECTRIC UTILITIES.

(a) IN GENERAL.—Paragraph (3) of section 451(i) is amended by striking ''January 1, 2010'' and inserting ''January 1, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to dispositions after December 31, 2009.

SEC. 706. SUSPENSION OF LIMITATION ON PERCENTAGE DEPLETION FOR OIL AND GAS FROM MARGINAL WELLS.

(a) IN GENERAL.—Clause (ii) of section 613A(c)(6)(H) is amended by striking ''January 1, 2010'' and inserting ''January 1, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2009.

SEC. 707. EXTENSION OF GRANTS FOR SPECIFIED ENERGY PROPERTY IN LIEU OF TAX CREDITS.

(a) IN GENERAL.—Subsection (a) of section 1603 of division B of the American Recovery and Reinvestment Act of 2009 is amended—

(1) in paragraph (1), by striking ''2009 or 2010'' and inserting ''2009, 2010, or 2011'', and

(2) in paragraph (2)—

(A) by striking ''after 2010'' and inserting ''after 2011'', and

(B) by striking ''2009 or 2010'' and inserting ''2009, 2010, or 2011''.

(b) CONFORMING AMENDMENT.—Subsection (j) of section 1603 of division B of such Act is

amended by striking ''2011'' and inserting ''2012''.

SEC. 708. EXTENSION OF PROVISIONS RELATED TO ALCOHOL USED AS FUEL.

(a) EXTENSION OF INCOME TAX CREDIT FOR ALCOHOL USED AS FUEL.—

(1) IN GENERAL.—Paragraph (1) of section 40(e) is amended—

(A) by striking ''December 31, 2010'' in subparagraph (A) and inserting ''December 31, 2011'', and

(B) by striking ''January 1, 2011'' in subparagraph (B) and inserting ''January 1, 2012''.

(2) REDUCED AMOUNT FOR ETHANOL BLENDERS.—Subsection (h) of section 40 is amended by striking ''2010'' both places it appears and inserting ''2011''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to periods after December 31, 2010.

(b) EXTENSION OF EXCISE TAX CREDIT FOR ALCOHOL USED AS FUEL.—

(1) IN GENERAL.—Paragraph (6) of section 6426(b) is amended by striking ''December 31, 2010'' and inserting ''December 31, 2011''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to periods after December 31, 2010.

(c) EXTENSION OF PAYMENT FOR ALCOHOL FUEL MIXTURE.—

(1) IN GENERAL.—Subparagraph (A) of section 6427(e)(6) is amended by striking ''December 31, 2010'' and inserting ''December 31, 2011''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to sales and uses after December 31, 2010.

(d) EXTENSION OF ADDITIONAL DUTIES ON ETHANOL.—

(1) IN GENERAL.—Headings 9901.00.50 and 9901.00.52 of the Harmonized Tariff Schedule of the United States are each amended in the effective period column by striking ''1/1/2011'' and inserting ''1/1/2012''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on January 1, 2011.

SEC. 709. ENERGY EFFICIENT APPLIANCE CREDIT.

(a) DISHWASHERS.—Paragraph (1) of section 45M(b) is amended by striking ''and'' at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting a comma, and by adding at the end the following new subparagraphs:

''(C) $25 in the case of a dishwasher which is manufactured in calendar year 2011 and which uses no more than 307 kilowatt hours per year and 5.0 gallons per cycle (5.5 gallons per cycle for dishwashers designed for greater than 12 place settings),

''(D) $50 in the case of a dishwasher which is manufactured in calendar year 2011 and which uses no more than 295 kilowatt hours per year and 4.25 gallons per cycle (4.75 gallons per cycle for dishwashers designed for greater than 12 place settings), and

''(E) $75 in the case of a dishwasher which is manufactured in calendar year 2011 and which uses no more than 280 kilowatt hours per year and 4 gallons per cycle (4.5 gallons per cycle for dishwashers designed for greater than 12 place settings).''.

(b) CLOTHES WASHERS.—Paragraph (2) of section 45M(b) is amended by striking ''and'' at the end of subparagraph (C), by striking the period at the end of subparagraph (D) and inserting a comma, and by adding at the end the following new subparagraphs:

''(E) $175 in the case of a top-loading clothes washer manufactured in calendar year 2011 which meets or exceeds a 2.2 modified energy factor and does not exceed a 4.5 water consumption factor, and

''(F) $225 in the case of a clothes washer manufactured in calendar year 2011—

''(i) which is a top-loading clothes washer and which meets or exceeds a 2.4 modified energy factor and does not exceed a 4.2 water consumption factor, or

''(ii) which is a front-loading clothes washer and which meets or exceeds a 2.8 modified energy factor and does not exceed a 3.5 water consumption factor.''.

(c) REFRIGERATORS.—Paragraph (3) of section 45M(b) is amended by striking ''and'' at the end of subparagraph (C), by striking the period at the end of subparagraph (D) and inserting a comma, and by adding at the end the following new subparagraphs:

''(E) $150 in the case of a refrigerator manufactured in calendar year 2011 which consumes at least 30 percent less energy than the 2001 energy conservation standards, and

''(F) $200 in the case of a refrigerator manufactured in calendar year 2011 which consumes at least 35 percent less energy than the 2001 energy conservation standards.''.

(d) REBASING OF LIMITATIONS.—

(1) IN GENERAL.—Paragraph (1) of section 45M(e) is amended—

(A) by striking ''$75,000,000'' and inserting ''$25,000,000'', and

(B) by striking ''December 31, 2007'' and inserting ''December 31, 2010''.

(2) EXCEPTION FOR CERTAIN REFRIGERATORS AND CLOTHES WASHERS.—Paragraph (2) of section 45M(e) is amended—

(A) by striking ''subsection (b)(3)(D)'' and inserting ''subsection (b)(3)(F)'', and

(B) by striking ''subsection (b)(2)(D)'' and inserting ''subsection (b)(2)(F)''.

(3) GROSS RECEIPTS LIMITATION.—Paragraph (3) of section 45M(e) is amended by striking ''2 percent'' and inserting ''4 percent''.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by subsections (a), (b), and (c) shall apply to appliances produced after December 31, 2010.

(2) LIMITATIONS.—The amendments made by subsection (d) shall apply to taxable years beginning after December 31, 2010.

SEC. 710. CREDIT FOR NONBUSINESS ENERGY PROPERTY.

(a) EXTENSION.—Section 25C(g)(2) is amended by striking ''2010'' and inserting ''2011''.

(b) RETURN TO PRE-ARRA LIMITATIONS AND STANDARDS.—

(1) IN GENERAL.—Subsections (a) and (b) of section 25C are amended to read as follows:

''(a) ALLOWANCE OF CREDIT.—In the case of an individual, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the sum of—

''(1) 10 percent of the amount paid or incurred by the taxpayer for qualified energy efficiency improvements installed during such taxable year, and

''(2) the amount of the residential energy property expenditures paid or incurred by the taxpayer during such taxable year.

''(b) LIMITATIONS.—

''(1) LIFETIME LIMITATION.—The credit allowed under this section with respect to any taxpayer for any taxable year shall not exceed the excess (if any) of $500 over the aggregate credits allowed under this section with respect to such taxpayer for all prior taxable years ending after December 31, 2005.

''(2) WINDOWS.—In the case of amounts paid or incurred for components described in subsection (c)(2)(B) by any taxpayer for any taxable year, the credit allowed under this section with respect to such amounts for such year shall not exceed the excess (if any) of $200 over the aggregate credits allowed under this section with respect to such amounts for all prior taxable years ending after December 31, 2005.

''(3) LIMITATION ON RESIDENTIAL ENERGY PROPERTY EXPENDITURES.—The amount of the credit allowed under this section by reason of subsection (a)(2) shall not exceed—

''(A) $50 for any advanced main air circulating fan,

''(B) $150 for any qualified natural gas, propane, or oil furnace or hot water boiler, and

''(C) $300 for any item of energy-efficient building property.''.

(2) MODIFICATION OF STANDARDS.—

(A) IN GENERAL.—Paragraph (1) of section 25C(c) is amended by striking ''2000'' and all that follows through ''this section'' and inserting ''2009 International Energy Conservation Code, as such Code (including supplements) is in effect on the date of the enactment of the American Recovery and Reinvestment Tax Act of 2009''.

(B) WOOD STOVES.—Subparagraph (E) of section 25C(d)(3) is amended by striking '', as measured using a lower heating value''.

(C) OIL FURNACES AND HOT WATER BOILERS.—

(i) IN GENERAL.—Paragraph (4) of section 25C(d) is amended to read as follows:

''(4) QUALIFIED NATURAL GAS, PROPANE, OR OIL FURNACE OR HOT WATER BOILER.—The term 'qualified natural gas, propane, or oil furnace or hot water boiler' means a natural gas, propane, or oil furnace or hot water boiler which achieves an annual fuel utilization efficiency rate of not less than 95.''.

(ii) CONFORMING AMENDMENT.—Clause (ii) of section 25C(d)(2)(A) is amended to read as follows:

''(ii) a qualified natural gas, propane, or oil furnace or hot water boiler, or''.

(D) EXTERIOR WINDOWS, DOORS, AND SKYLIGHTS.—

(i) IN GENERAL.—Subsection (c) of section 25C is amended by striking paragraph (4).

(ii) APPLICATION OF ENERGY STAR STANDARDS.—Paragraph (1) of section 25C(c) is amended by inserting ''an exterior window, a skylight, an exterior door,'' after ''in the case of'' in the matter preceding subparagraph (A).

(E) INSULATION.—Subparagraph (A) of section 25C(c)(2) is amended by striking ''and meets the prescriptive criteria for such material or system established by the 2009 International Energy Conservation Code, as such Code (including supplements) is in effect on the date of the enactment of the American Recovery and Reinvestment Tax Act of 2009''.

(3) SUBSIDIZED ENERGY FINANCING.—Subsection (e) of section 25C is amended by adding at the end the following new paragraph:

''(3) PROPERTY FINANCED BY SUBSIDIZED ENERGY FINANCING.—For purposes of determining the amount of expenditures made by any individual with respect to any property, there shall not be taken into account expenditures which are made from subsidized energy financing (as defined in section 48(a)(4)(C)).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2010.

SEC. 711. ALTERNATIVE FUEL VEHICLE REFUELING PROPERTY.

(a) EXTENSION OF CREDIT.—Paragraph (2) of section 30C(g) is amended by striking ''December 31, 2010'' and inserting ''December 31, 2011.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2010.

Subtitle B—Individual Tax Relief

SEC. 721. DEDUCTION FOR CERTAIN EXPENSES OF ELEMENTARY AND SECONDARY SCHOOL TEACHERS.

(a) IN GENERAL.—Subparagraph (D) of section 62(a)(2) is amended by striking ''or 2009'' and inserting ''2009, 2010, or 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2009.

SEC. 722. DEDUCTION OF STATE AND LOCAL SALES TAXES.

(a) IN GENERAL.—Subparagraph (I) of section 164(b)(5) is amended by striking ''January 1, 2010'' and inserting ''January 1, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2009.

SEC. 723. CONTRIBUTIONS OF CAPITAL GAIN REAL PROPERTY MADE FOR CONSERVATION PURPOSES.

(a) IN GENERAL.—Clause (vi) of section 170(b)(1)(E) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(b) CONTRIBUTIONS BY CERTAIN CORPORATE FARMERS AND RANCHERS.—Clause (iii) of section 170(b)(2)(B) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made in taxable years beginning after December 31, 2009.

SEC. 724. ABOVE-THE-LINE DEDUCTION FOR QUALIFIED TUITION AND RELATED EXPENSES.

(a) IN GENERAL.—Subsection (e) of section 222 is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2009.

SEC. 725. TAX-FREE DISTRIBUTIONS FROM INDIVIDUAL RETIREMENT PLANS FOR CHARITABLE PURPOSES.

(a) IN GENERAL.—Subparagraph (F) of section 408(d)(8) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(b) EFFECTIVE DATE; SPECIAL RULE.—

(1) EFFECTIVE DATE.—The amendment made by this section shall apply to distributions made in taxable years beginning after December 31, 2009.

(2) SPECIAL RULE.—For purposes of subsections (a)(6), (b)(3), and (d)(8) of section 408 of the Internal Revenue Code of 1986, at the election of the taxpayer (at such time and in such manner as prescribed by the Secretary of the Treasury) any qualified charitable distribution made after December 31, 2010, and before February 1, 2011, shall be deemed to have been made on December 31, 2010.

SEC. 726. LOOK-THRU OF CERTAIN REGULATED INVESTMENT COMPANY STOCK IN DETERMINING GROSS ESTATE OF NONRESIDENTS.

(a) IN GENERAL.—Paragraph (3) of section 2105(d) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to estates of decedents dying after December 31, 2009.

SEC. 727. PARITY FOR EXCLUSION FROM INCOME FOR EMPLOYER-PROVIDED MASS TRANSIT AND PARKING BENEFITS.

(a) IN GENERAL.—Paragraph (2) of section 132(f) is amended by striking ''January 1, 2011'' and inserting ''January 1, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to months after December 31, 2010.

SEC. 728. REFUNDS DISREGARDED IN THE ADMINISTRATION OF FEDERAL PROGRAMS AND FEDERALLY ASSISTED PROGRAMS.

(a) IN GENERAL.—Subchapter A of chapter 65 is amended by adding at the end the following new section:

''SEC. 6409. REFUNDS DISREGARDED IN THE ADMINISTRATION OF FEDERAL PROGRAMS AND FEDERALLY ASSISTED PROGRAMS.

''(a) IN GENERAL.—Notwithstanding any other provision of law, any refund (or advance payment with respect to a refundable credit) made to any individual under this title shall not be taken into account as income, and shall not be taken into account as resources for a period of 12 months from receipt, for purposes of determining the eligibility of such individual (or any other individual) for benefits or assistance (or the amount or extent of benefits or assistance) under any Federal program or under any State or local program financed in whole or in part with Federal funds.

''(b) TERMINATION.—Subsection (a) shall not apply to any amount received after December 31, 2012.''.

(b) CLERICAL AMENDMENT.—The table of sections for such subchapter is amended by adding at the end the following new item:

''Sec. 6409. Refunds disregarded in the administration of Federal programs and federally assisted programs.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts received after December 31, 2009.

Subtitle C—Business Tax Relief

SEC. 731. RESEARCH CREDIT.

(a) IN GENERAL.—Subparagraph (B) of section 41(h)(1) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(b) CONFORMING AMENDMENT.—Subparagraph (D) of section 45C(b)(1) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred after December 31, 2009.

SEC. 732. INDIAN EMPLOYMENT TAX CREDIT.

(a) IN GENERAL.—Subsection (f) of section 45A is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2009.

SEC. 733. NEW MARKETS TAX CREDIT.

(a) IN GENERAL.—Paragraph (1) of section 45D(f) is amended—

(1) by striking ''and'' at the end of subparagraph (E),

(2) by striking the period at the end of subparagraph (F), and

(3) by adding at the end the following new subparagraph:

''(G) $3,500,000,000 for 2010 and 2011.''.

(b) CONFORMING AMENDMENT.—Paragraph (3) of section 45D(f) is amended by striking ''2014'' and inserting ''2016''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to calendar years beginning after 2009.

SEC. 734. RAILROAD TRACK MAINTENANCE CREDIT.

(a) IN GENERAL.—Subsection (f) of section 45G is amended by striking ''January 1, 2010'' and inserting ''January 1, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to expenditures paid or incurred in taxable years beginning after December 31, 2009.

SEC. 735. MINE RESCUE TEAM TRAINING CREDIT.

(a) IN GENERAL.—Subsection (e) of section 45N is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2009.

SEC. 736. EMPLOYER WAGE CREDIT FOR EMPLOYEES WHO ARE ACTIVE DUTY MEMBERS OF THE UNIFORMED SERVICES.

(a) IN GENERAL.—Subsection (f) of section 45P is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments made after December 31, 2009.

SEC. 737. 15-YEAR STRAIGHT-LINE COST RECOVERY FOR QUALIFIED LEASEHOLD IMPROVEMENTS, QUALIFIED RESTAURANT BUILDINGS AND IMPROVEMENTS, AND QUALIFIED RETAIL IMPROVEMENTS.

(a) IN GENERAL.—Clauses (iv), (v), and (ix) of section 168(e)(3)(E) are each amended by striking ''January 1, 2010'' and inserting ''January 1, 2012''.

(b) CONFORMING AMENDMENTS.—

(1) Clause (i) of section 168(e)(7)(A) is amended by striking ''if such building is placed in service after December 31, 2008, and before January 1, 2010,''.

(2) Paragraph (8) of section 168(e) is amended by striking subparagraph (E).

(3) Section 179(f)(2) is amended—

(A) by striking ''(without regard to the dates specified in subparagraph (A)(i) thereof)'' in subparagraph (B), and

(B) by striking ''(without regard to subparagraph (E) thereof)'' in subparagraph (C).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2009.

SEC. 738. 7-YEAR RECOVERY PERIOD FOR MOTORSPORTS ENTERTAINMENT COMPLEXES.

(a) IN GENERAL.—Subparagraph (D) of section 168(i)(15) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2009.

SEC. 739. ACCELERATED DEPRECIATION FOR BUSINESS PROPERTY ON AN INDIAN RESERVATION.

(a) IN GENERAL.—Paragraph (8) of section 168(j) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2009.

SEC. 740. ENHANCED CHARITABLE DEDUCTION FOR CONTRIBUTIONS OF FOOD INVENTORY.

(a) IN GENERAL.—Clause (iv) of section 170(e)(3)(C) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made after December 31, 2009.

SEC. 741. ENHANCED CHARITABLE DEDUCTION FOR CONTRIBUTIONS OF BOOK INVENTORIES TO PUBLIC SCHOOLS.

(a) IN GENERAL.—Clause (iv) of section 170(e)(3)(D) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made after December 31, 2009.

SEC. 742. ENHANCED CHARITABLE DEDUCTION FOR CORPORATE CONTRIBUTIONS OF COMPUTER INVENTORY FOR EDUCATIONAL PURPOSES.

(a) IN GENERAL.—Subparagraph (G) of section 170(e)(6) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made in taxable years beginning after December 31, 2009.

SEC. 743. ELECTION TO EXPENSE MINE SAFETY EQUIPMENT.

(a) IN GENERAL.—Subsection (g) of section 179E is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2009.

SEC. 744. SPECIAL EXPENSING RULES FOR CERTAIN FILM AND TELEVISION PRODUCTIONS.

(a) IN GENERAL.—Subsection (f) of section 181 is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to productions commencing after December 31, 2009.

SEC. 745. EXPENSING OF ENVIRONMENTAL REMEDIATION COSTS.

(a) IN GENERAL.—Subsection (h) of section 198 is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to expenditures paid or incurred after December 31, 2009.

SEC. 746. DEDUCTION ALLOWABLE WITH RESPECT TO INCOME ATTRIBUTABLE TO DOMESTIC PRODUCTION ACTIVITIES IN PUERTO RICO.

(a) IN GENERAL.—Subparagraph (C) of section 199(d)(8) is amended—

(1) by striking ''first 4 taxable years'' and inserting ''first 6 taxable years''; and

(2) by striking ''January 1, 2010'' and inserting ''January 1, 2012''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2009.

SEC. 747. MODIFICATION OF TAX TREATMENT OF CERTAIN PAYMENTS TO CONTROLLING EXEMPT ORGANIZATIONS.

(a) IN GENERAL.—Clause (iv) of section 512(b)(13)(E) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments received or accrued after December 31, 2009.

SEC. 748. TREATMENT OF CERTAIN DIVIDENDS OF REGULATED INVESTMENT COMPANIES.

(a) IN GENERAL.—Paragraphs (1)(C) and (2)(C) of section 871(k) are each amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2009.

SEC. 749. RIC QUALIFIED INVESTMENT ENTITY TREATMENT UNDER FIRPTA.

(a) IN GENERAL.—Clause (ii) of section 897(h)(4)(A) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall take effect on January 1, 2010. Notwithstanding the preceding sentence, such amendment shall not apply with respect to the withholding requirement under section 1445 of the Internal Revenue Code of 1986 for any payment made before the date of the enactment of this Act.

(2) AMOUNTS WITHHELD ON OR BEFORE DATE OF ENACTMENT.—In the case of a regulated investment company—

(A) which makes a distribution after December 31, 2009, and before the date of the enactment of this Act; and

(B) which would (but for the second sentence of paragraph (1)) have been required to withhold with respect to such distribution under section 1445 of such Code,

such investment company shall not be liable to any person to whom such distribution was made for any amount so withheld and paid over to the Secretary of the Treasury.

SEC. 750. EXCEPTIONS FOR ACTIVE FINANCING INCOME.

(a) IN GENERAL.—Sections 953(e)(10) and 954(h)(9) are each amended by striking ''January 1, 2010'' and inserting ''January 1, 2012''.

(b) CONFORMING AMENDMENT.—Section 953(e)(10) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years of foreign corporations beginning after December 31, 2009, and to taxable years of United States shareholders with or within which any such taxable year of such foreign corporation ends.

SEC. 751. LOOK-THRU TREATMENT OF PAYMENTS BETWEEN RELATED CONTROLLED FOREIGN CORPORATIONS UNDER FOREIGN PERSONAL HOLDING COMPANY RULES.

(a) IN GENERAL.—Subparagraph (C) of section 954(c)(6) is amended by striking ''January 1, 2010'' and inserting ''January 1, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years of foreign corporations beginning after December 31, 2009, and to taxable years of United States shareholders with or within which any such taxable year of such foreign corporation ends.

SEC. 752. BASIS ADJUSTMENT TO STOCK OF S CORPS MAKING CHARITABLE CONTRIBUTIONS OF PROPERTY.

(a) IN GENERAL.—Paragraph (2) of section 1367(a) is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made in taxable years beginning after December 31, 2009.

SEC. 753. EMPOWERMENT ZONE TAX INCENTIVES.

(a) IN GENERAL.—Section 1391 is amended—

(1) by striking ''December 31, 2009'' in subsection (d)(1)(A)(i) and inserting ''December 31, 2011''; and

(2) by striking the last sentence of subsection (h)(2).

(b) INCREASED EXCLUSION OF GAIN ON STOCK OF EMPOWERMENT ZONE BUSINESSES.—Subparagraph (C) of section 1202(a)(2) is amended—

(1) by striking ''December 31, 2014'' and inserting ''December 31, 2016''; and

(2) by striking ''2014'' in the heading and inserting ''2016''.

(c) TREATMENT OF CERTAIN TERMINATION DATES SPECIFIED IN NOMINATIONS.—In the case of a designation of an empowerment zone the nomination for which included a termination date which is contemporaneous with the date specified in subparagraph (A)(i) of section 1391(d)(1) of the Internal Revenue Code of 1986 (as in effect before the enactment of this Act), subparagraph (B) of such section shall not apply with respect to such designation if, after the date of the enactment of this section, the entity which made such nomination amends the nomination to provide for a new termination date in such manner as the Secretary of the Treasury (or the Secretary's designee) may provide.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to periods after December 31, 2009.

SEC. 754. TAX INCENTIVES FOR INVESTMENT IN THE DISTRICT OF COLUMBIA.

(a) IN GENERAL.—Subsection (f) of section 1400 is amended by striking ''December 31, 2009'' each place it appears and inserting ''December 31, 2011''.

(b) TAX-EXEMPT DC EMPOWERMENT ZONE BONDS.—Subsection (b) of section 1400A is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(c) ZERO-PERCENT CAPITAL GAINS RATE.—

(1) ACQUISITION DATE.—Paragraphs (2)(A)(i), (3)(A), (4)(A)(i), and (4)(B)(i)(I) of section 1400B(b) are each amended by striking ''January 1, 2010'' and inserting ''January 1, 2012''.

(2) LIMITATION ON PERIOD OF GAINS.—

(A) IN GENERAL.—Paragraph (2) of section 1400B(e) is amended—

(i) by striking ''December 31, 2014'' and inserting ''December 31, 2016''; and

(ii) by striking ''2014'' in the heading and inserting ''2016''.

(B) PARTNERSHIPS AND S-CORPS.—Paragraph (2) of section 1400B(g) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2016''.

(d) FIRST-TIME HOMEBUYER CREDIT.—Subsection (i) of section 1400C is amended by striking ''January 1, 2010'' and inserting ''January 1, 2012''.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to periods after December 31, 2009.

(2) TAX-EXEMPT DC EMPOWERMENT ZONE BONDS.—The amendment made by subsection (b) shall apply to bonds issued after December 31, 2009.

(3) ACQUISITION DATES FOR ZERO-PERCENT CAPITAL GAINS RATE.—The amendments made by subsection (c) shall apply to property acquired or substantially improved after December 31, 2009.

(4) HOMEBUYER CREDIT.—The amendment made by subsection (d) shall apply to homes purchased after December 31, 2009.

SEC. 755. TEMPORARY INCREASE IN LIMIT ON COVER OVER OF RUM EXCISE TAXES TO PUERTO RICO AND THE VIRGIN ISLANDS.

(a) IN GENERAL.—Paragraph (1) of section 7652(f) is amended by striking ''January 1, 2010'' and inserting ''January 1, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to distilled spirits brought into the United States after December 31, 2009.

SEC. 756. AMERICAN SAMOA ECONOMIC DEVELOPMENT CREDIT.

(a) IN GENERAL.—Subsection (d) of section 119 of division A of the Tax Relief and Health Care Act of 2006 is amended—

(1) by striking ''first 4 taxable years'' and inserting ''first 6 taxable years'', and

(2) by striking ''January 1, 2010'' and inserting ''January 1, 2012''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2009.

SEC. 757. WORK OPPORTUNITY CREDIT.

(a) IN GENERAL.—Subparagraph (B) of section 51(c)(4) is amended by striking ''August 31, 2011'' and inserting ''December 31, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to individuals who begin work for the employer after the date of the enactment of this Act.

SEC. 758. QUALIFIED ZONE ACADEMY BONDS.

(a) IN GENERAL.—Section 54E(c)(1) is amended—

(1) by striking ''2008 and'' and inserting ''2008,'', and

(2) by inserting ''and $400,000,000 for 2011'' after ''2010,''.

(b) REPEAL OF REFUNDABLE CREDIT FOR QZABS.—Paragraph (3) of section 6431(f) is amended by inserting ''determined without regard to any allocation relating to the national zone academy bond limitation for 2011 or any carryforward of such allocation'' after ''54E)'' in subparagraph (A)(iii).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to obligations issued after December 31, 2010.

SEC. 759. MORTGAGE INSURANCE PREMIUMS.

(a) IN GENERAL.—Clause (iv) of section 163(h)(3)(E) is amended by striking ''December 31, 2010'' and inserting ''December 31, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to amounts paid or accrued after December 31, 2010.

SEC. 760. TEMPORARY EXCLUSION OF 100 PERCENT OF GAIN ON CERTAIN SMALL BUSINESS STOCK.

(a) IN GENERAL.—Paragraph (4) of section 1202(a) is amended—

(1) by striking ''January 1, 2011'' and inserting ''January 1, 2012'', and

(2) by inserting ''AND 2011'' after ''2010'' in the heading thereof.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to stock acquired after December 31, 2010.

Subtitle D—Temporary Disaster Relief Provisions

PART

Subpart A—New York Liberty Zone

SEC. 761. TAX-EXEMPT BOND FINANCING.

(a) IN GENERAL.—Subparagraph (D) of section 1400L(d)(2) is amended by striking ''January 1, 2010'' and inserting ''January 1, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to bonds issued after December 31, 2009.

Subpart B—GO Zone

SEC. 762. INCREASE IN REHABILITATION CREDIT.

(a) IN GENERAL.—Subsection (h) of section 1400N is amended by striking ''December 31, 2009'' and inserting ''December 31, 2011''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to amounts paid or incurred after December 31, 2009.

SEC. 763. LOW-INCOME HOUSING CREDIT RULES FOR BUILDINGS IN GO ZONES.

Section 1400N(c)(5) is amended by striking ''January 1, 2011'' and inserting ''January 1, 2012''.

SEC. 764. TAX-EXEMPT BOND FINANCING.

(a) IN GENERAL.—Paragraphs (2)(D) and (7)(C) of section 1400N(a) are each amended by striking ''January 1, 2011'' and inserting ''January 1, 2012''.

(b) CONFORMING AMENDMENTS.—Sections 702(d)(1) and 704(a) of the Heartland Disaster Tax Relief Act of 2008 are each amended by striking ''January 1, 2011'' each place it appears and inserting ''January 1, 2012''.

SEC. 765. BONUS DEPRECIATION DEDUCTION APPLICABLE TO THE GO ZONE.

(a) IN GENERAL.—Paragraph (6) of section 1400N(d) is amended—

(1) by striking ''December 31, 2010'' both places it appears in subparagraph (B) and inserting ''December 31, 2011'', and

(2) by striking ''January 1, 2010'' in the heading and the text of subparagraph (D) and inserting ''January 1, 2012''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2009.

TITLE VIII—BUDGETARY PROVISIONS

SEC. 801. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, jointly submitted for printing in the Congressional Record by the Chairmen of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on this conference report or amendment between the Houses.

SEC. 802. EMERGENCY DESIGNATIONS.

(a) STATUTORY PAYGO.—This Act is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111–139; 2 U.S.C. 933(g)) except to the extent that the budgetary effects of this Act are determined to be subject to the current policy adjustments under sections 4(c) and 7 of the Statutory Pay-As-You-Go Act.

(b) SENATE.—In the Senate, this Act is designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(c) HOUSE OF REPRESENTATIVES.—In the House of Representatives, every provision of this Act is expressly designated as an emergency for purposes of pay-as-you-go principles except to the extent that any such provision is subject to the current policy adjustments under section 4(c) of the Statutory Pay-As-You-Go Act of 2010.

The Acting CHAIR. No amendment is in order except the amendment printed in the report accompanying House Resolution 1766, which may be offered only by Representative LEVIN of Michigan or his designee and shall not be debatable.

AMENDMENT OFFERED BY MR. LEVIN

Mr. LEVIN. I have an amendment at the desk.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment printed in House Report 111–682 offered by Mr. LEVIN:

Strike title III and insert the following:

TITLE III—TEMPORARY ESTATE TAX RELIEF

SEC. 301. REINSTATEMENT OF ESTATE TAX; REPEAL OF CARRYOVER BASIS.

(a) IN GENERAL.—Each provision of law amended by subtitle A or E of title V of the Economic Growth and Tax Relief Reconciliation Act of 2001 is amended to read as such provision would read if such subtitle had never been enacted.

(b) CONFORMING AMENDMENT.—On and after January 1, 2011, paragraph (1) of section 2505(a) of the Internal Revenue Code of 1986 is amended to read as such paragraph would read if section 521(b)(2) of the Economic Growth and Tax Relief Reconciliation Act of 2001 had never been enacted.

(c) SPECIAL ELECTION WITH RESPECT TO ESTATES OF DECEDENTS DYING IN 2010.—Notwithstanding subsection (a), in the case of an estate of a decedent dying after December 31, 2009, and before January 1, 2011, the executor (within the meaning of section 2203 of the Internal Revenue Code of 1986) may elect to apply such Code as though the amendments made by subsection (a) do not apply with respect to chapter 11 of such Code and with respect to property acquired or passing from such decedent (within the meaning of section 1014(b) of such Code). Such election shall be made at such time and in such manner as the Secretary of the Treasury or the Secretary's delegate shall provide. Such an election once made shall be revocable only with the consent of the Secretary of the Treasury or the Secretary's delegate. For purposes of section 2652(a)(1) of such Code, the determination of whether any property is subject to the tax imposed by such chapter 11 shall be made without regard to any election made under this subsection.

(d) EXTENSION OF TIME FOR PERFORMING CERTAIN ACTS.—

(1) ESTATE TAX.—In the case of the estate of a decedent dying after December 31, 2009, and before the date of the enactment of this Act, the due date for—

(A) filing any return under section 6018 of the Internal Revenue Code of 1986 (including any election required to be made on such a return) as such section is in effect after the date of the enactment of this Act without regard to any election under subsection (c),

(B) making any payment of tax under chapter 11 of such Code, and

(C) making any disclaimer described in section 2518(b) of such Code of an interest in property passing by reason of the death of such decedent,

shall not be earlier than the date which is 9 months after the date of the enactment of this Act.

(2) GENERATION-SKIPPING TAX.—In the case of any generation-skipping transfer made after December 31, 2009, and before the date of the enactment of this Act, the due date for filing any return under section 2662 of the Internal Revenue Code of 1986 (including any election required to be made on such a return) shall not be earlier than the date which is 9 months after the date of the enactment of this Act.

(e) EFFECTIVE DATE.—Except as otherwise provided in this section, the amendments made by this section shall apply to estates of decedents dying, and transfers made, after December 31, 2009.

SEC. 302. MODIFICATIONS TO ESTATE, GIFT, AND GENERATION-SKIPPING TRANSFER TAXES.

(a) MODIFICATIONS TO ESTATE TAX.—

(1) $3,500,000 APPLICABLE EXCLUSION AMOUNT.—Subsection (c) of section 2010 is amended to read as follows:

''(c) APPLICABLE CREDIT AMOUNT.—

''(1) IN GENERAL.—For purposes of this section, the applicable credit amount is the amount of the tentative tax which would be determined under section 2001(c) if the amount with respect to which such tentative tax is to be computed were equal to the applicable exclusion amount.

''(2) APPLICABLE EXCLUSION AMOUNT.—

''(A) IN GENERAL.—For purposes of this subsection, the applicable exclusion amount is $3,500,000.

''(B) INFLATION ADJUSTMENT.—In the case of any decedent dying in a calendar year after 2011, the dollar amount in subparagraph (A) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for such calendar year by substituting 'calendar year 2010' for 'calendar year 1992' in subparagraph (B) thereof.

If any amount as adjusted under the preceding sentence is not a multiple of $10,000, such amount shall be rounded to the nearest multiple of $10,000.''.

(2) MAXIMUM ESTATE TAX RATE EQUAL TO 45 PERCENT.—Subsection (c) of section 2001 is amended—

(A) by striking ''Over $1,500,000'' and all that follows in the table contained in paragraph (1) and inserting the following:

''Over $1,500,000	$555,800 plus 45 percent of the excess of such amount over $1,500,000.'',

(B) by striking ''(1) IN GENERAL.—'', and

(C) by striking paragraph (2).

(b) MODIFICATIONS OF GIFT TAX RATE.—

(1) IN GENERAL.—On and after January 1, 2011, subsection (a) of section 2502 is amended to read as such subsection would read if section 511(d) of the Economic Growth and Tax Relief Reconciliation Act of 2001 had never been enacted.

(2) APPLICABLE EXCLUSION AMOUNT FOR GIFT TAX.—

(A) INFLATION ADJUSTMENT.—Section 2505 is amended by adding at the end the following new subsection:

''(d) INFLATION ADJUSTMENT.—In the case of any calendar year after 2011, the dollar amount in subsection (a)(1) shall be increased by an amount equal to—

''(1) such dollar amount, multiplied by

''(2) the cost-of-living adjustment determined under section 1(f)(3) for such calendar year by substituting 'calendar year 2010' for 'calendar year 1992' in subparagraph (B) thereof.

If any amount as adjusted under the preceding sentence is not a multiple of $10,000, such amount shall be rounded to the nearest multiple of $10,000.''.

(B) EFFECTIVE DATE.—The amendment made by this paragraph shall apply to calendar years beginning after 2011.

(c) MODIFICATION OF GENERATION-SKIPPING TRANSFER TAX.—In the case of any generation-skipping transfer made after December 31, 2009, and before January 1, 2011, the applicable rate determined under section 2641(a) of the Internal Revenue Code of 1986 shall be zero.

(d) MODIFICATIONS OF ESTATE AND GIFT TAXES TO REFLECT DIFFERENCES IN CREDIT RESULTING FROM DIFFERENT TAX RATES.—

(1) ESTATE TAX.—

(A) IN GENERAL.—Section 2001(b)(2) is amended by striking ''if the provisions of subsection (c) (as in effect at the decedent's death)'' and inserting ''if the modifications described in subsection (g)''.

(B) MODIFICATIONS.—Section 2001 is amended by adding at the end the following new subsection:

''(g) MODIFICATIONS TO GIFT TAX PAYABLE TO REFLECT DIFFERENT TAX RATES.—For purposes of applying subsection (b)(2) with respect to 1 or more gifts, the rates of tax under subsection (c) in effect at the decedent's death shall, in lieu of the rates of tax in effect at the time of such gifts, be used both to compute—

''(1) the tax imposed by chapter 12 with respect to such gifts, and

''(2) the credit allowed against such tax under section 2505, including in computing—

''(A) the applicable credit amount under section 2505(a)(1), and

''(B) the sum of the amounts allowed as a credit for all preceding periods under section 2505(a)(2).''.

(2) GIFT TAX.—Section 2505(a) is amended by adding at the end the following new flush sentence:

''For purposes of applying paragraph (2) for any calendar year, the rates of tax in effect under section 2502(a)(2) for such calendar year shall, in lieu of the rates of tax in effect for preceding calendar periods, be used in determining the amounts allowable as a credit under this section for all preceding calendar periods.''.

(e) CONFORMING AMENDMENT.—Section 2511 is amended by striking subsection (c).

(f) EFFECTIVE DATE.—Except as otherwise provided in this section, the amendments made by this section shall apply to estates of decedents dying, generation-skipping transfers, and gifts made, after December 31, 2009.

SEC. 303. APPLICATION OF EGTRRA SUNSET TO THIS TITLE.

Section 901 of the Economic Growth and Tax Relief Reconciliation Act of 2001 shall apply to the amendments made by this title.

The Acting CHAIR. The amendment is not debatable.

The question is on the amendment offered by the gentleman from Michigan.

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

RECORDED VOTE

Mr. LEVIN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 194, noes 233, answered ''present'' 1, not voting 11, as follows:

[Roll No. 646]

AYES—194

Ackerman
Andrews
Arcuri
Baca
Baird
Baldwin
Berman
Bishop (NY)
Blumenauer
Boccieri
Bordallo
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Carnahan
Carson (IN)
Castor (FL)
Childers
Christensen
Chu
Clarke
Cleaver
Clyburn
Cohen
Conyers
Cooper
Courtney
Crowley
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Ellison
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Gonzalez
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Harman
Hastings (FL)
Heinrich
Higgins
Hill
Himes
Hinchey
Hirono
Hodes
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Matsui
McCollum
McDermott
McGovern
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Pallone
Pascrell
Payne
Perlmutter
Perriello
Peters
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rangel
Richardson
Rodriguez
Rothman (NJ)
Roybal-Allard
Rush
Sablan
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Woolsey
Wu
Yarmuth

NOES—233

Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Brady (TX)
Bright
Broun (GA)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Cardoza
Carney
Carter
Cassidy
Castle
Chaffetz
Chandler
Clay
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Costa
Costello
Crenshaw
Critz
Cuellar
Culberson
Davis (AL)
Davis (KY)
Davis (TN)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Djou
Dreier
Duncan
Edwards (TX)
Ehlers
Ellsworth
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Giffords
Gingrey (GA)
Gohmert
Goodlatte
Gordon (TN)
Graves (GA)
Graves (MO)
Griffith
Guthrie
Hall (TX)
Halvorson
Hare
Harper
Hastings (WA)
Heller
Hensarling
Herger
Herseth Sandlin
Hinojosa
Hoekstra
Holden
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kagen
King (IA)
King (NY)
Kingston
Kirkpatrick (AZ)
Kissell
Kline (MN)
Kosmas
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Mollohan
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Ortiz
Owens
Pastor (AZ)
Paul
Paulsen
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rahall
Reed
Rehberg
Reichert
Reyes
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Royce
Ruppersberger
Ryan (WI)
Salazar
Scalise
Schmidt
Schock
Schrader
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Space
Stearns
Stutzman
Sullivan
Teague
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Walz
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Young (AK)

ANSWERED ''PRESENT''—1

Lipinski

NOT VOTING—11

Berry
Brown (SC)
Gerlach
Granger
Johnson, E. B.
Marchant
McCarthy (NY)
Pierluisi
Ryan (OH)
Wamp
Young (FL)

☐ 2341

Messrs. BRIGHT and HARE changed their vote from ''aye'' to ''no.''

Ms. BORDALLO, Mrs. NAPOLITANO and Mr. SMITH of Washington changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. ORTIZ. Mr. Chair, on rollcall Nos. 644, 645, and 646, I was inadvertently detained. Had I been present, I would have voted ''yes.''

The Acting CHAIR. There being no further amendment in order, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ALTMIRE) having assumed the chair, Mr. SCHIFF, Acting Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the Senate amendment to the House amendment to the Senate amendment to the bill (H.R. 4853) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes, and, pursuant to House Resolution 1766, reported the Senate amendment back to the House.

The SPEAKER pro tempore. Pursuant to section 4 of House Resolution 1766, pending is a motion that the House concur in the Senate amendment to the House amendment to the Senate amendment.

The question is on the motion.

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 SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to concur in the Senate amendment will be followed by a 5-minute vote on the motion to suspend the rules on House Resolution 20, if ordered.

The vote was taken by electronic device, and there were—ayes 277, noes 148, not voting 8, as follows:

[Roll No. 647]

AYES—277

Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachus
Barrett (SC)
Barrow
Bartlett
Bean
Berkley
Berman
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell

Boucher
Boustany
Brady (PA)
Brady (TX)
Bright
Brown-Waite, Ginny
Buchanan
Burton (IN)
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chandler
Childers
Clay
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Costa
Courtney
Crenshaw
Critz
Crowley
Cuellar
Culberson
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Delahunt
Dent
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Djou
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (TX)
Ehlers
Ellsworth
Emerson
Etheridge
Fallin
Fattah
Foster
Frelinghuysen
Gallegly
Gerlach
Giffords
Gonzalez
Goodlatte
Gordon (TN)
Graves (MO)
Green, Al
Griffith
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (WA)
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinojosa
Hodes
Holden
Hoyer
Hunter
Inglis
Israel
Issa
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones
Kennedy
Kildee
King (NY)
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Latham
LaTourette
Latta
Lee (NY)
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Lowey
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Maffei
Maloney
Manzullo
Markey (CO)
Marshall
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Mollohan
Moore (KS)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Oberstar
Olson
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Perriello
Peters
Peterson
Petri
Pitts
Platts
Polis (CO)
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Reed
Reichert
Richardson
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schock
Schwartz
Scott (GA)
Sensenbrenner
Sessions
Sestak
Sherman
Shimkus
Shuler
Shuster
Sires
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Space
Spratt
Stearns
Stutzman
Sutton
Teague
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Titus
Tsongas
Turner
Upton
Walden
Walz
Wasserman Schultz
Watt
Waxman
Westmoreland
Whitfield
Wilson (OH)
Wittman
Young (AK)

NOES—148

Ackerman
Bachmann
Baird
Baldwin
Barton (TX)
Becerra
Bilirakis
Blumenauer
Boyd
Braley (IA)
Broun (GA)
Brown, Corrine
Burgess
Butterfield
Campbell
Capuano
Chaffetz
Chu
Clarke
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costello
Cummings
Dahlkemper
DeFazio
DeGette
DeLauro
Doggett
Edwards (MD)
Ellison
Engel
Eshoo
Farr
Filner
Flake
Fleming
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Fudge
Garamendi
Garrett (NJ)
Gingrey (GA)
Gohmert
Graves (GA)
Grayson
Green, Gene
Grijalva
Hastings (FL)
Heinrich
Hinchey
Hirono
Hoekstra
Holt
Honda
Inslee
Jackson (IL)
Jackson Lee (TX)
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kilpatrick (MI)
Kilroy
Kind
King (IA)
Kingston
Lamborn
Larson (CT)
Lee (CA)
Lewis (GA)
Linder
Lofgren, Zoe
Luján
Lynch
Mack
Markey (MA)
Matsui
McCollum
McCotter
McDermott
McGovern
Melancon
Michaud
Miller (NC)
Miller, George
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Nadler (NY)
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Payne
Pence
Perlmutter
Pingree (ME)
Poe (TX)
Pomeroy
Rangel
Rehberg
Reyes
Rodriguez
Rogers (AL)
Roybal-Allard
Rush
Sánchez, Linda T.
Sanchez, Loretta
Schmidt
Schrader
Scott (VA)
Serrano
Shadegg
Shea-Porter
Simpson
Slaughter
Smith (WA)
Speier
Stark
Stupak
Sullivan
Tanner
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Van Hollen
Velázquez
Visclosky
Waters
Watson
Weiner
Welch
Wilson (SC)
Wolf
Woolsey
Wu
Yarmuth

NOT VOTING—8

Berry
Brown (SC)
Granger
Johnson, E. B.
Marchant
McCarthy (NY)
Wamp
Young (FL)

□ 0000

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CALLING ON STATE DEPARTMENT TO LIST VIETNAM AS A RELIGIOUS FREEDOM VIOLATOR

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution (H. Res. 20) calling on the State Department to list the Socialist Republic of Vietnam as a ''Country of Particular Concern'' with respect to religious freedom, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. POLIS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and insert any extraneous material into the RECORD on H.R. 4853.

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

There was no objection.

REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. POLIS, from the Committee on Rules, submitted a privileged report (Rept. No. 111–685) on the resolution (H. Res. 1771) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules and providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PLATTS (at the request of Mr. BOEHNER) for until 3 p.m. today on account of attending the funeral for Dallastown Mayor Beverly Scott.

SENATE ENROLLED BILLS SIGNED

The Speaker announced her signature to enrolled bills of the Senate of the following titles:

S. 1405. An act to redesignate the Longfellow National Historic Site, Massachusetts, as the ''Longfellow House-Washington's Headquarters National Historic Site''.

S. 1774. An act for the relief of Hotaru Nakama Ferschke.

S. 4010. An act for the relief of Shigeru Yamada.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 12 o'clock and 5 minutes a.m.), the House adjourned until today, Friday, December 17, 2010, 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:

10956. A letter from the Director, National Institute of Food and Agriculture, Department of Agriculture, transmitting the Department's final rule — Establishment of New Agency; Revision of Delegations of Authority (RIN#: A-0521-AA63) received December 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10957. A letter from the Chairman, Council of Economic Advisers, transmitting fifth report regarding the American Recovery and Reinvestment Act through the third quarter of 2010; to the Committee on Appropriations.

10958. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Restriction on Ball and Roller Bearings (DFARS

Case 2006-D029) (RIN: 0750-AG57) received December 6, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

10959. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Restrictions on the Use of Mandatory Arbitration Agreements (DFARS Case 2010-D004) (RIN: 0750-AG70) received December 6, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

10960. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Angola pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

10961. A letter from the Chief, Public Safety & Homeland Security Bureau, Federal Communications Commission, transmitting the Commission's final rule — Improving Public Safety Communications in the 800 MHz Band, New 800 MHz Band Plan for Puerto Rico and the U.S. Virgin Islands [WT Docket: 02-55] received December 6, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10962. A letter from the Policy Advisor/Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of the Amateur Service Rules Governing Vanity and Club Station Call Signs, Petition for Rule Making: Amateur Radio Service (Part 97), Petition to Change Part 97.19(c)(2) of the Amateur Radio Service Rules [WT Docket No.: 09-209] received December 6, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10963. A letter from the Chief, Policy and Rules Division, Federal Communications Commission, transmitting the Commission's final rule — Unlicensed Operation in the TV Broadcast Bands, Additional Spectrum for Unlicensed Devices Below 900 MHz and in the 3 GHz Band [ET Docket No.: 04-186] [ET Docket No.: 02-380] received December 6, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10964. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's sixth annual report on Ethanol Market Concentration, pursuant to Section 1501(a)(2) of the Energy Policy Act of 2005; to the Committee on Energy and Commerce.

10965. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Model Application for Plant-Specific Adoption of TSTF-431, Revision 3, ''Change In Technical Specifications End States (BAW-2441)'', For Babcock & Wilcox Reactor Plants Using The Consolidated Line Item Improvement Process received December 6, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10966. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Miscellaneous Administrative Changes [NRC-2009-0085] (RIN: 3150-AH49) received December 6, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10967. A letter from the Secretary, Department of Commerce, transmitting Periodic Report on the National Emergency Caused by the Lapse of the Export Administration Act of 1979 for February 26, 2010 — August 25, 2010; to the Committee on Foreign Affairs.

10968. A letter from the Assistant Attorney General, Department of Justice, transmitting the Semiannual Management Report to Congress for April 1, 2010 through September 30, 2010 and the Inspector General's Semiannual Report for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

10969. A letter from the Chairman, Federal Communications Commission, transmitting Commission's Fiscal Year 2010 Agency Financial Report; to the Committee on Oversight and Government Reform.

10970. A letter from the Director, Congressional Affairs, Federal Election Commission, transmitting the Commission's semiannual report from the office of the Inspector General for the period April 1, 2010 through September 30, 2010, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

10971. A letter from the Chairman, National Capital Planning Commission, transmitting the Commission's Performance and Accountability Report for FY 2010; to the Committee on Oversight and Government Reform.

10972. A letter from the Inspector General, Nuclear Regulatory Commission, transmitting the Commission's Fiscal Year 2010 Commercial and Inherently Governmental Activities Inventories; to the Committee on Oversight and Government Reform.

10973. A letter from the Director, Office of Management and Budget, transmitting proposed legislation to enact a freeze on civilian basic pay for federal employees; to the Committee on Oversight and Government Reform.

10974. A letter from the Board Members, Railroad Retirement Board, transmitting the Board's Performance and Accountability Report for Fiscal Year 2010, including the Office of Inspector General's Auditor's Report; to the Committee on Oversight and Government Reform.

10975. A letter from the Chairman, Securities and Exchange Commission, transmitting the Semiannual Report of the Inspector General and a separate management report for the period April 1, 2010 through September 30, 2010, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

10976. A letter from the Human Resources Specialist, United States Tax Court, transmitting annual category rating report for the years 2008 and 2009; to the Committee on Oversight and Government Reform.

10977. A letter from the Clerk, United States Court of Appeals for the Fifth Circuit, transmitting an opinion of the United States Court of Appeals for the Fifth Circuit No. 08-51299 United States v. Ravis Neal Key (March 5, 2010); to the Committee on the Judiciary.

10978. A letter from the Administrator, FEMA, Department of Homeland Security, transmitting notification that funding under Title V, subsection 503(b)(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, has exceeded $5 million for the cost of response and recovery efforts for FEMA-3315-EM in the Commonwealth of Massachusetts, pursuant to 42 U.S.C. 5193; to the Committee on Transportation and Infrastructure.

10979. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Bulk Solid Hazardous Materials: Harmonization with the International Martime Solid Bulk Cargoes (IMSBC) Code [Docket No.: USCG-2009-0091] (RIN: 1628-AB47) received December 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10980. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Atlantic Intracoastal Waterway, Beaufort, SC [Docket No.: USCG-2009-1075] (RIN: 1625-AA09) received December 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10981. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; IJSBA World Finals, Lower Colorado River, Lake Havasu, AZ [Docket No.: USCG-2010-0509] (RIN: 1625-AA00) received December 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10982. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Interstate 5 Bridge Repairs, Columbia River, Portland, OR [Docket No.: USCG-2010-0895] (RIN: 1625-AA00) received December 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10983. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; New York Air Show at Jones Beach State Park, Atlantic Ocean off of Jones Beach, Wantagh, NY [Docket No.: USCG-2010-0138] (RIN: 1625-AA00) received December 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10984. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Notification of Arrival in U.S. Ports; Certain Dangerous Cargoes [Docket No.: USCG-2004-19963] (RIN: 1625-AA93) received December 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10985. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; Monongahela River, Pittsburgh, PA [Docket No.: USCG-2010-0534] (RIN: 1625-AA08) received December 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10986. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zones; Captain of the Port Buffalo Zone; Technical amendment [Docket No.: USCG-2010-0821] (RIN: 1625-AA87) received December 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10987. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Reserved Channel, Boston Harbor, Boston, MA [Docket No.: USCG-2010-0886] (RIN: 1625-AA00) received December 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10988. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Patuxent River, Solomons, MD [Docket No.: USCG-2010-0383] (RIN: 1625-AA08) received December 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10989. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fireworks for USS GRAVELY Commissioning Ceremony, Cape Fear River, Wilmington, NC [Docket No.: USCG-2010-0917] (RIN: 1625-AA00) received December 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10990. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone: Passenger Vessels, Sector Southeastern New England Captain of the Port Zone [USCG-2010-0864] (RIN: 1625-AA87) received December 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10991. A letter from the Administrator, Research and Innovative Technology Administration, Department of Transportation, transmitting the Transportation Statistics Annual Report 2009, pursuant to 49 U.S.C. 111(f); to the Committee on Transportation and Infrastructure.

10992. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report on the Fiscal Year 2007 Low Income Home Energy Assistance Program in accordance with section 2610 of the Omnibus Budget Reconciliation Act (OBRA) of 1981, as amended; jointly to the Committees on Energy and Commerce and Education and Labor.

10993. A letter from the Secretary, Department of Health and Human Services, transmitting letter concerning the report mandated by Section 131(d) of the Medicare Improvements for Patients and Providers Act (MIPPA); jointly to the Committees on Energy and Commerce and 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. WAXMAN: Committee on Energy and Commerce. H.R. 4678. A bill to require foreign manufacturers of products imported into the United States to establish registered agents in the United States who are authorized to accept service of process against such manufacturers, and for other purposes; with an amendment (Rept. 111–683, Pt. 1). Ordered to be printed.

Mr. CONYERS: Committee on the Judiciary. H.R. 1064. A bill to provide for evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention to help build individual, family, and community strength and resiliency to ensure that youth lead productive, safe, healthy, gang-free, and law-abiding lives; with an amendment (Rept. 111–688, Pt. 1). Ordered to be printed.

[Filed on December 17 (legislative day of December 16), 2010]

Mr. McGOVERN: Committee on Rules. House Resolution 1771. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, and providing for consideration of motions to suspend the rules (Rept. 111–684). Referred to the House Calendar.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. FRANK: Committee on Financial Services. H.R. 3817. A bill to provide the Securities and Exchange Commission with additional authorities to protect investors from violations of the securities laws, and for other purposes; with an amendment, (Rept. 111–687, Pt. 1); referred to the Committee on Judiciary for a period ending not later than December 17, 2010, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(k) of rule X.

Mr. FRANK: Committee on Financial Services. H.R. 3818. A bill to amend the Investment Advisers Act of 1940 to require advisers of certain unregistered investment companies to register with and provide information to the Securities and Exchange Commission, and for other purposes, with an amendment; (Rept. 111–686, Pt. 1); referred to the Committee on Agriculture for a period ending not later than December 17, 2010, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(a) of rule X.

Mr. FRANK: Committee on Financial Services. H.R. 3890. A bill to amend the Securities Exchange Act of 1934 to enhance oversight of nationally recognized statistical rating organizations, and for other purposes; with an amendment; (Rept. 111–685, Pt. 1); referred to the Committee on Judiciary for a period ending not later than December 17, 2010, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(k) of rule X.

TIME LIMITATION OF REFERRED BILLS

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 1064. Referral to the Committees on Education and Labor, Energy and Commerce, and Financial Services for a period ending not later than December 17, 2010.

H.R. 4678. Referral to the Committees on Ways and Means and Agriculture extended for a period ending not later than December 17, 2010.

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. DICKS:

H.R. 6527. A bill to provide the Quileute Indian Tribe Tsunami and Flood Protection, and for other purposes; to the Committee on Natural Resources.

By Mr. WALZ (for himself and Mrs. MYRICK):

H.R. 6528. A bill to provide for improvement of field emergency medical services, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MOORE of Kansas:

H.R. 6529. A bill to amend title 31, United States Code, to provide for a Federal license for reinsurers, and for other purposes; to the Committee on Financial Services.

By Mr. INSLEE (for himself, Mrs. BONO MACK, Ms. ESHOO, Mr. COLE, Mr. KILDEE, Mr. DEFAZIO, and Mr. GRIJALVA):

H.R. 6530. A bill to amend the Communications Act of 1934 to establish a position for a representative of Indian Tribes on the Joint Board overseeing the implementation of universal service, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GARRETT of New Jersey (for himself, Mr. KING of New York, and Ms. ROS-LEHTINEN):

H.R. 6531. A bill to amend the Securities Investor Protection Act of 1970 to determine a customer's net equity based on the customer's last statement, to prohibit certain recoveries, to change how trustees are appointed, and for other purposes; to the Committee on Financial Services.

By Mr. ELLISON:

H.R. 6532. A bill to amend the International Emergency Economic Powers Act to establish certain procedures with respect to blocking property of charities; to the Committee on Foreign Affairs.

By Mr. DOYLE (for himself and Mr. TERRY):

H.R. 6533. A bill to implement the recommendations of the Federal Communications Commission report to the Congress regarding low-power FM service, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DOYLE (for himself, Mr. BARTON of Texas, Mr. ACKERMAN, Mr. ADLER of New Jersey, Mr. ALTMIRE, Mr. ARCURI, Mr. BACA, Mr. BERRY, Mr. BISHOP of Georgia, Mr. BISHOP of New York, Mr. BOCCIERI, Mr. BOSWELL, Mr. BRADY of Pennsylvania, Mr. CARNAHAN, Mr. CHANDLER, Ms. CLARKE, Mr. CLAY, Mr. COHEN, Mr. CONNOLLY of Virginia, Mr. CONYERS, Mr. COOPER, Mr. COSTELLO, Mr. COURTNEY, Mr. CRITZ, Mr. CROWLEY, Mr. CUMMINGS, Mrs. DAHLKEMPER, Mr. DELAHUNT, Mr. DONNELLY of Indiana, Ms. EDWARDS of Maryland, Mr. ELLISON, Mr. FARR, Mr. FATTAH, Ms. FUDGE, Mr. GORDON of Tennessee, Mr. GENE GREEN of Texas, Mr. GUTIERREZ, Mr. HALL of New York, Mrs. HALVORSON, Mr. HARE, Mr. HASTINGS of Florida, Mr. HEINRICH, Ms. HERSETH SANDLIN, Mr. BARTLETT, Mrs. BIGGERT, Mr. BILBRAY, Mrs. BLACKBURN, Mr. BLUNT, Mr. BOEHNER, Mr. BROWN of South Carolina, Mr. BUYER, Mrs. CAPITO, Mr. CAO, Mr. CARTER, Mr. CASTLE, Mr. COBLE, Mr. COFFMAN of Colorado, Mr. COLE, Mr. CONAWAY, Mr. DENT, Mrs. EMERSON, Mr. FLEMING, Mr. FORTENBERRY, Ms. FOXX, Mr. FRANKS of Arizona, Mr. FRELINGHUYSEN, Mr. GARRETT of New Jersey, Mr. GERLACH, Mr. GOHMERT, Mr. GOODLATTE, Mr. GRAVES of Georgia, Mr. GUTHRIE, Mr. HALL of Texas, Mr. HERGER, Mr. KING of New York, Mr. KING of Iowa, Mr. KINGSTON, Mr. KLINE of Minnesota, Mr. LAMBORN, Mr. LATOURETTE, Mr. LEE of New York, Mr. LOBIONDO, Mr. MANZULLO, Mr. MCCAUL, Mr. HILL, Mr. HODES, Mr. HOLDEN, Mr. HOLT, Mr. INSLEE, Mr. ISRAEL, Mr. JACKSON of Illinois, Mr. KANJORSKI, Ms. KAPTUR, Mr. KILDEE, Ms. KILROY, Mr. KIND, Mr. KRATOVIL, Mr. KUCINICH, Mr. LIPINSKI, Mrs. LOWEY, Mr. LUJÁN, Mr. MAFFEI, Mrs. MALONEY, Ms. MARKEY of Colorado, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCINTYRE, Mr. MCMAHON, Mr. MEEKS of New York, Mr. MILLER of North Carolina, Mr. MOORE of Kansas, Ms. MOORE of Wisconsin, Mr. MURPHY of Connecticut, Mr. PATRICK J. MURPHY of Pennsylvania, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Mr. NYE, Mr. OBERSTAR, Mr. ORTIZ, Mr. OWENS, Mr. PASTOR of Arizona, Mr. PERRIELLO, Mr. PIERLUISI, Mr. POLIS, Mr. POMEROY, Mr. QUIGLEY, Mr. REYES, Ms. RICHARDSON, Mr. ROSS, Mr. ROTHMAN of New Jersey, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. RYAN of Ohio, Mr. SALAZAR, Mr. SARBANES, Mr. MCCOTTER, Mr. MCKEON, Mr. MICA, Mrs. MILLER of Michigan, Mr. MILLER of Florida, Mr. TIM MURPHY of Pennsylvania, Mr. PAULSEN, Mr. PETRI, Mr. PITTS, Mr. PLATTS, Mr. PRICE of Georgia, Mr. REICHERT, Mr. ROHRABACHER, Mr. ROONEY, Mr. SCALISE, Mr. SCHOCK, Mr. SESSIONS, Mr. SHIMKUS, Mr. SHUSTER, Mr. SMITH of New Jersey, Mr. SMITH of Texas, Mr. STEARNS, Mr. SULLIVAN, Mr. TIAHRT, Mr. TIBERI, Mr. TURNER, Mr. UPTON, Mr. WALDEN, Mr. WAMP, Mr. WITTMAN, Mr. SCHAUER, Mr. SCOTT of Georgia, Ms. SCHWARTZ, Mr. SERRANO, Mr. SHERMAN, Mr. SHULER, Ms. SLAUGHTER, Ms. SPEIER, Mr. STUPAK, Ms. SUTTON, Mr. TAYLOR, Mr. TEAGUE, Mr. THOMPSON of California, Ms. TITUS, Mr. TONKO, Mr. TOWNS, Ms. TSONGAS, Mr. VAN HOLLEN, Ms. VELÁZQUEZ, Mr. VISCLOSKY, Mr. WALZ, Mr. WAXMAN, Mr. WEINER, Mr. WELCH, Ms. WOOLSEY, and Mr. YARMUTH):

H.R. 6534. A bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the National Baseball Hall of Fame; to the Committee on Financial Services, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUSH:

H.R. 6535. A bill to advance the mutual interests of the United States and Africa with respect to the promotion of trade and investment and the advancement of socioeconomic development and opportunity, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GENE GREEN of Texas:

H.R. 6536. A bill to authorize the Department of Labor's voluntary protection program and to expand the program to include more small businesses; to the Committee on Education and Labor.

By Mr. LEWIS of Georgia:

H.R. 6537. A bill to amend titles XVIII and XIX of the Social Security Act and other Acts to improve Medicare and other benefits for beneficiaries with kidney disease, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MACK:

H.R. 6538. A bill to prevent pending tax increases and to permanently repeal the estate tax; to the Committee on Ways and Means.

By Mr. WEINER:

H.R. 6539. A bill to amend the Food and Nutrition Act of 2008 to promote nutrition, to increase access to food, and for other purposes; to the Committee on Agriculture.

By Mrs. LOWEY (for herself, Mr. BERMAN, Ms. ROS-LEHTINEN, and Mr. TURNER):

H. Con. Res. 335. Concurrent resolution honoring the exceptional achievements of Ambassador Richard Holbrooke and recognizing the significant contributions he has made to United States national security, humanitarian causes, and peaceful resolutions of international conflict; to the Committee on Foreign Affairs.

By Mr. TURNER:

H. Res. 1770. A resolution honoring the passing of the Honorable Richard Charles Albert Holbrooke, a top ranking United States diplomat, magazine editor, author, professor, Peace Corps official, and investment banker; to the Committee on Foreign Affairs.

By Mr. GARRETT of New Jersey (for himself, Mr. BISHOP of Utah, Mr. CONAWAY, Mr. BROUN of Georgia, Mr. FRANKS of Arizona, Mr. MCHENRY, Ms. FOXX, Mr. TIAHRT, Mr. COFFMAN of Colorado, Mr. BRADY of Texas, Mr. NEUGEBAUER, Mr. OLSON, Mrs. SCHMIDT, Mr. LATTA, Mr. PITTS, Mrs. BACHMANN, Mr. FLEMING, Mr. REED, Mr. ROONEY, Mr. WILSON of South Carolina, Mr. STEARNS, Mr. BURTON of Indiana, Mr. CAMPBELL, Mr. GRAVES of Georgia, Mr. ROE of Tennessee, and Mr. HERGER):

H. Res. 1772. A resolution amending the Rules of the House of Representatives to require House officers and employees to take annual factual training on the Constitution; to the Committee on Rules.

By Mr. MURPHY of Connecticut (for himself, Mr. LARSON of Connecticut, Mr. COURTNEY, Ms. DELAURO, and Mr. HIMES):

H. Res. 1773. A resolution recognizing the need to improve physical access to many United States postal facilities for all people in the United States in particular disabled citizens; to the Committee on Oversight and Government Reform, and in addition to the Committees on Education and Labor, the Judiciary, Energy and Commerce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROS-LEHTINEN (for herself, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, and Mr. SIRES):

H. Res. 1774. A resolution recognizing Cuban-Americans in the United States; to the Committee on Oversight and Government Reform.

ADDITIONAL SPONSORS

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

H.R. 796: Mr. MCCOTTER.

H.R. 1034: Ms. SUTTON and Mr. WILSON of South Carolina.

H.R. 1475: Ms. NORTON.

H.R. 2262: Mr. WAXMAN.

H.R. 3765: Mr. ISSA and Mr. KINGSTON.

H.R. 3907: Ms. GIFFORDS.

H.R. 4946: Mr. GARRETT of New Jersey.

H.R. 5575: Mr. BACHUS and Mr. JONES.

H.R. 5807: Mr. MORAN of Virginia.

H.R. 5833: Mr. FRANK of Massachusetts.

H.R. 6045: Mr. OLVER.

H.R. 6074: Mr. ANDREWS.

H.R. 6147: Ms. ZOE LOFGREN of California and Mr. MCGOVERN.

H.R. 6241: Ms. NORTON and Mr. ISRAEL.

H.R. 6377: Mr. THOMPSON of California.

H.R. 6415: Mr. CONAWAY.

H.R. 6459: Mr. RUPPERSBERGER and Mr. MURPHY of New York.

H.R. 6513: Mrs. MCMORRIS RODGERS.

H.R. 6521: Mrs. SCHMIDT, Mr. SMITH of New Jersey, Mr. WOLF, Mr. PLATTS, Mrs. EMERSON, Mr. LOBIONDO, and Mr. REICHERT.

H.J. Res. 97: Mr. CALVERT.

H.J. Res. 100: Mr. COLE.

H.J. Res. 103: Mr. COFFMAN of Colorado.

H. Con. Res. 331: Mr. GONZALEZ and Mr. PASCRELL.

H. Res. 1122: Mr. HONDA and Ms. DEGETTE.

H. Res. 1377: Mrs. DAVIS of California and Mr. CARDOZA.

H. Res. 1461: Mr. GUTHRIE, Mr. MCINTYRE, Ms. LORETTA SANCHEZ of California, Mr. BAIRD, Mr. KENNEDY, Mr. MCGOVERN, Mr. HONDA, Ms. ZOE LOFGREN of California, Mr. COSTA, Mr. RADANOVICH, Mr. PASCRELL, Mr. MORAN of Virginia, and Ms. LINDA T. SÁNCHEZ of California.

H. Res. 1709: Mr. REYES and Mr. DAVIS of Illinois.

H. Res. 1722: Mr. ROTHMAN of New Jersey.

H. Res. 1762: Mr. PETERS.