opportunity, to work to ensure that kids get the best education in the world so we can drive the economic engine of today and tomorrow, invent new technologies, propel future generations of American ingenuity and leadership.

This kind of political gridlock in this do-nothing Congress does not help America move forward. This bill’s singular goal is to delay and ultimately prevent workers from voting in workplace elections. These rights have helped to create the American middle class. In the last century, we can keep payroll taxes at their current level. It’s time for Congress to take up the President’s Jobs Act, which includes extending the middle class tax cut. The American Jobs Act, which Republicans still refuse to consider, includes job-creating proposals, including rebuilding our schools, tax breaks for small businesses to create jobs, and modernizing our air traffic control system.

It’s time for this Congress to stand up for the American people, to offer solutions, to get serious about getting our economy back on track instead of just scoring political points that appear to be the base.

I urge a “no” vote on this rule and the underlying bill, and I yield back the balance of my time.

Ms. FOXX. Mr. Speaker, I want to point out that I neglected to say earlier the response of one of my colleagues who said we hadn’t passed any House bills, that those were bipartisan bills that passed. Every one of the jobs bills that we have passed has bipartisan support, and I am sad to see the American people want us to be bipartisan, and I hope that they have noticed in the debate today that the vitriol about this bill has not come from our side of the aisle.

House Republicans are committed to reducing government red tape as a way to encourage job creation. The rule before us today provides for consideration of yet another bill to reduce government interference in job creation by reinstating the traditional standards for union organizing elections and ensuring that employers’ and employees’ voices are heard.

Therefore, I urge my colleagues to vote for this rule and the underlying bill.

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

Mr. BLUMENAUER. Mr. Speaker, I am disappointed by the House passage of H. Res. 470, which ensures that the so-called “Workforce Democracy and Fairness Act” will receive a vote in the House of Representatives. This legislation is anti-democratic, anti-union, and anti-middle class. If enacted, H. Res. 3094 would allow companies to indefinitely delay workers elections, allowing companies to choose when and how workers will vote to form a union. The legislation encourages wasteful litigation and overrides the current National Labor Relations Board decision-making process, replacing it with one that will be more expensive and difficult to navigate, that will take longer to finalize, and that fails to protect the rights of workers.

Passage of H. Res. 470 once again demonstrates that the Republican majority is failing to support American workers and American families. While I am proud to have voted against H. Res. 470, I am disappointed by its passage.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in opposition to H. Res. 470, the Rule providing for consideration of H.R. 3094, the Workforce Democracy and Fairness Act.

The misleadingly named Workforce Democracy and Fairness Act has one overriding goal—to frustrate workers’ right to vote in a union election.

Seventy-six years ago, this body passed the National Labor Relations Act, which stated: “It is declared to be the policy of the United States to . . . encourage[e] the practice and procedure of collective bargaining . . . for the purpose of . . . [t]he full and free exercise of the right of self-organization . . . , and to protect the interests of workers.”

The legislation being considered today would undermine the very intent of the NLRA by setting aside decades of labor jurisprudence set by the National Labor Relations Board (NLRB) and our nation’s courts, and replace it with new and untested processes that would cause uncertainty, delay elections, and prevent rather than encourage collective bargaining.

The Workforce Democracy and Fairness Act would do this by mandating a set of waiting periods and a full, pre-election hearing over any issue that is raised by a party.

For instance, no election would be allowed to occur no sooner than 35 days after the filing of a petition. However, there is no limit on how long an election may be delayed.

Delay gives unscrupulous employers more time to use any means, legal or illegal, to prevent employees from exercising their hard won rights to organize in the workplace.

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Delay gives unscrupulous employers more time to use any means, legal or illegal, to prevent workers from exercising their right to organize in the workplace.

The proposed bill is yet another corporate no-win that will undercut our economy back on track instead of encouraging job creation. The rule be-
Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 394) to amend title 28, United States Code, to clarify the jurisdiction of the Federal courts, and for other purposes, with Senate amendments thereto, to the end that the House concur in Senate amendment No. 1 and concur in Senate amendment No. 2 with the amendment I have placed at the desk.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the Senate amendments and the proposed House amendment.

The Clerk reads as follows:

Senate amendments:
On page 9, line 17, strike “(1454)” and insert “(1454).”

House amendment to Senate amendment No. 2:
Add at the end the following:

SECTION 104. TECHNICAL AMENDMENT.
Section 1455(g) of title 28, United States Code, is amended by striking “subsections (b) and (c)” and inserting “subsection (b) of this section and paragraph (1) of section 1455(b).”

Amend the table of contents of the bill by striking the item relating to section 104 and inserting the following:

SEC. 104. TECHNICAL AMENDMENT.

SEC. 2. FINDINGS.
Congress finds that—
(1) section 2107 of title 28, United States Code, and rule 4 of the Federal Rules of Appellate Procedure provide that the time to appeal most civil actions is 30 days, but that the appeal time for all parties is 60 days when the parties in the civil action include the United States, a United States officer, or a United States agency;
(2) the 60-day period should apply if one of the parties is—
(A) the United States;
(B) a United States agency;
(C) a United States officer or employee sued in an official capacity;
or
(D) a current or former United States officer or employee sued in an individual capacity for an act or omission occurring in connection with duties performed on behalf of the United States;
(3) section 2074 of title 28, United States Code, and rule 4 of the Federal Rules of Appellate Procedure—
(A) is not limited to civil actions in which a legal officer of the United States represents the relevant officer or employee when the judgment or order is entered or in which the United States files the appeal for that officer or employee; and
(B) includes all civil actions in which the representation of the United States is provided by a Federal legal officer acting in an official capacity, such as civil actions in which a Member, officer, or employee of the Senate or the House of Representatives is represented by the Office of Senate Legal Counsel or the Office of General Counsel of the House of Representatives;
(4) the civil actions to which the 60-day periods should apply include all civil actions in which a legal officer of the United States represents the relevant officer or employee; and
(5) the application of the 60-day period in section 2107 of title 28, United States Code, and rule 4 of the Federal Rules of Appellate Procedure—
(A) is not limited to civil actions in which representation of the United States is provided by the Department of Justice; and
(B) includes all civil actions in which the representation of the United States is provided by a Federal legal officer acting in an official capacity, such as civil actions in which a Member, officer, or employee of the Senate or the House of Representatives is represented by the Office of Senate Legal Counsel or the Office of General Counsel of the House of Representatives;

SEC. 3. TIME FOR APPEALS TO COURT OF APPEALS.
Section 2107 of title 28, United States Code, is amended by striking subsection (b) and inserting the following:

“(b) In any such action, suit, or proceeding, the time as to all parties shall be 60 days from such entry if one of the parties is—

(1) the United States;
(2) a United States agency;
(3) a United States officer or employee sued in an official capacity; or
(4) a current or former United States officer or employee sued in an individual capacity for an act or omission occurring in connection with duties performed on behalf of the United States, including all instances in which the United States represents that officer or employee when the judgment, order, or decree is entered or files the appeal for that officer or employee.”.

SEC. 4. EFFECTIVE DATE.
The amendment made by this Act shall take effect on December 1, 2011.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROPOSING A BALANCED BUDGET AMENDMENT TO THE CONSTITUTION
The SPEAKER pro tempore. Pursuant to section 2 of House Resolution 466, proceedings will now resume on the motion to suspend the rules and pass the joint resolution (H.J. Res. 2) proposing a balanced budget amendment to the Constitution of the United States, as amended.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. When proceedings were postponed on Thursday, November 17, 2011, 2 hours and 42½ minutes of debate remained on the motion.

The gentleman from Virginia (Mr. GOODLATTE) has 1 hour and 27 ¼ minutes remaining, and the gentleman from Michigan (Mr. CONYERS) has 1 hour and 15 minutes remaining.

Without objection, the gentleman from Texas (Mr. SMITH) will control the time of the gentleman from Virginia (Mr. GOODLATTE).

There was no objection.

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

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Mem-
bers may have 5 legislative days within which to revise and extend their remarks and include extraneous material on House Joint Resolution 2, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentle-
man from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself 2 minutes.

Yesterday, we began debate on the balanced budget amendment, debate that I hope culminates in a bi-
partisan two-thirds vote in its favor. The American people of all political stripes and from all walks of life de-
mand we pass this amendment. Recent polling by CNN indicates that a con-
stitutional amendment to require a balanced Federal budget garners more than 70 percent support among men, women, whites, nonwhites, every age group, every income level, and people from every region of the country. Why do Americans overwhelmingly support a balanced budget amendment? Be-
cause they understand that unending Federal deficits wreck our economy and steal prosperity from future gene-
grations.

President Obama has set the wrong kind of budget precedent. Our national debt has increased faster under his administra-
tion than under any other President in history. This runaway government spending paralyzes the job market, erodes confidence among America’s employers, and has caused the worst economic recovery since the Great Dep-
ression.

The balanced budget amendment is not an untested idea. Forty-nine States