

catch-22, where on the one hand they would be forced to follow the letter of the law, knowing that they would not have the workers that would allow them to continue in the generation's old farming business that they have or, on the other hand, as patriotic Americans in their own way, nonetheless be forced to break the law in order to retain their livelihood. That's unacceptable. That is shortsighted. That is self-defeating. And it is something that we should not allow.

Now it's easy to get up here and do a Special Order and talk about how I would solve the problem. It's much more difficult to have a completed solution to a problem. And I understand that. I in no way suggest that this is easy or it will come quickly. But I do believe we have men and women of goodwill, of patriotic hearts, who can and are prepared to work on this issue. And I would hope that the President of the United States, now almost in his second term, would understand the seriousness of the issue, the immenseness of the challenge facing us, and would understand that in the best interest of the United States it would behoove us to work together to solve the problem. I'm not sure what I'm going to do be doing in the next year, but I do know that I want to be involved in the debate, and hopefully I can applaud my colleagues that remain here as they succeed in dealing with this very difficult problem.

So, Mr. Speaker, I thank my colleagues for listening to me and I encourage my colleagues to deal with this issue in the spirit of goodwill that I know they have.

I yield back the balance of my time.

RIGHTING THE WRONGS IN AMERICA

The SPEAKER pro tempore (Mr. BARLETTA). Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. It's uplifting to hear my friend, DAN LUNGREN from California. What an amazing public servant he has been. I fought battles with the man. I know his heart. And he's going to be sorely missed. He cares so deeply about this country.

Such is the lot of people whose country has leadership decided by elections. Sometimes good things happen, sometimes they don't. But democracy ensures that a people are governed no better than they deserve. So whether someone liked President Reagan or President George H.W. Bush or President Bill Clinton or President George W. Bush or President Barack Obama, the truth is that at the time they were elected President, we as a Nation overall got the President we deserved at that time.

One of the most impressive speeches I've ever heard was given by Senator Barack Obama at the Democratic Convention. And I love the way he talked

about America, coming back as one America. Not a red America or a blue America, but America. Just one country. And it was one of the things that I drew great hope from on 9/12/2001 as people around the country gathered around, as we did in our local east Texas town, and people of all races and ages and gender, and we all held hands and we sang hymns and patriotic songs. And I looked around the circle and was deeply moved because I knew that day there were no hyphenated Americans, there were just Americans. And we were together. And everybody standing there in that square holding hands, we shared the love for our country. We wanted to see it strong. We wanted to see it recover from that devastating blow from people intent on evil, based on hatred.

That senator that wanted one America has presided in such a way that we seem more divided than ever—more people on food stamps, more people below the poverty level, more people struggling than ever before. We were told if the \$900 billion giveaway stimulus proposal—porkulus some called it—if that was passed, we would be recovering very quickly. And if we did not pass that stimulus, porkulus, whatever you want to call it, if we didn't pass that bill in early 2009, the country might well reach unemployment rates as high as 8, 8.5 percent, as I recall. Well, guess what? We passed it and things got worse. It was a terrible bill. It was not the way you fix an economy in danger, suffering.

□ 1620

What's so tragic right now, Mr. Speaker, is how many people across America are struggling, out of work. I'm not just talking manual laborers or older workers, I mean all ages, well-educated, poorly educated. We've got people out of work around this country that are really in desperate straits. Some take different approaches. I was shown numbers that indicated at one point that when people are unemployed, many of them will look full time for employment, for substitute employment, but on average may have 30 minutes a week—for an average—until the last 2 weeks of the unemployment benefits, and at that time it may go as high as an average of 10 hours or so of the last 2 weeks looking for employment.

This President is demanding that we extend unemployment benefits for another year for those who have been unemployed for a year. We also know that in his JOBS Act—it was really a JOBS Act for lawyers because they created a new protected class called the unemployed; so that if you had been unemployed for 2 years and you go apply for a job and the employer looking for a worker considers the fact that you didn't look for a job for 2 years and instead hired somebody that had been out of work for a month and was desperately spending all his or her time looking for employment, if you consid-

ered the fact that somebody had been unemployed, how long they had been unemployed, then you would be sued under the President's proposed bill.

So it was going to be a great boon to trial lawyers, to plaintiffs' lawyers because they would be suing on behalf of every unemployed worker who went and looked for a job for the first time in a couple of years. I mean, you could have that kind of scenario, not look for a job for a year or two, go look for a job, and then turn your case over to a lawyer to sue anybody that didn't hire you because you didn't show any particular motivation, and most employers want motivated employees.

So we know that the President has made this proposal; he wants to extend unemployment for another year. Just to show what a worthless organization—they're smart people; they're very good people; they're a good organization, but their rules are so pitiful, so unrealistic, so unmoored to the foundation of good economic projections—we have the Congressional Budget Office, CBO. They come in, and apparently—I was reading an AP story. I didn't see the CBO numbers themselves, but the story said that, according to CBO projections, extending unemployment for another year for those that have been unemployed for a year now would cost \$30 billion. But the great thing is that \$30 billion of paying people to remain unemployed would create 300,000 jobs. So what a great thing for America, for our economy if you spend \$30 billion and create 300,000 jobs. Until you start looking at the numbers and you go, Wait a minute. Wait a minute. We're spending \$30 billion. We're told if we do that it will create 300,000 jobs? Well, that's not very smart. That's \$100,000 that we would be spending for every job we create.

What kind of math is being utilized by the White House and by CBO? I mean, how stupid are Americans? Oh, yeah, great idea. Let's let the government spend another \$100,000 to create one job that may not be but a part-time job, pay \$20,000 or so. Well, I'll bet if we offered people across America, made an offer, we want to create 300,000 jobs this month and so we're looking for bids. Who will come to work for less than \$100,000? I'll bet you would get 300,000 people working very quickly for a whole lot less than \$100,000 a job.

So that kind of math is what has gotten us in trouble. It's why we need an alternative to CBO scoring that deals realistically with what we're engaged in, because it's only when we have a scoring system for bills that is wedded to legitimacy and historical reality that we will begin to have better legislation. Because when you have a group that has such ridiculous rules to score bills that it will come in and say ObamaCare, yes, it will cost \$1.1 trillion, and then they have their Director called to the Oval Office and reminded, apparently, that the President promised it would cost less than \$1 trillion

and they rescore it and come back with \$800 billion—with a wink and a nod, apparently—and then after it passes, they come back and say, Oh, you know what, it was actually more than a trillion. Now we're told maybe \$1.6 trillion—who knows, 1.8, maybe 2.0. Who knows. But any entity whose margin of error for scoring bills in Congress is plus or minus 100 percent margin of error does not need to be allowed to do any more scoring. We need to do a competition of it. It's what Americans do well. When we compete as a nation, when we have people in America competing, we do better. So let's have competition for scoring bills.

I was having a wonderful discussion with one of the best economic minds in the country, Arthur Laffer, and I said I was hoping that maybe we could get someone else to score bills—Moody's, S&P, others. My office had checked with Moody's. They said they don't score bills. He said, They will if you pay them, and I bet you you could get it done for a whole lot less than what it cost to keep CBO going.

So think about that. We start having a competition for scoring bills so that we can get legitimate bills, not one where America is promised it will cost \$800 billion only to find out it's going to be more than twice that amount even before it really comes into fruition. We need competitive scoring. Then, over a few years of time, we will begin to see who's more accurate and who's not. We will be able to score the scorers. Because until that time, we will continue to limp along and have ridiculous mathematics like CBO telling us that ObamaCare will cost \$800 billion and shortly later coming back and saying it's probably going to be \$1.6 trillion. A margin of error of 100 percent is intolerable. It's time for a different means of scoring.

Let's have competition. I think that you would end up having some of the universities in the country have their—whether it's economic or finance departments. Texas A&M has a great department that does a lot of projections and calculations. I know there are schools around the country that do that. We could make a competition. And the better you are at scoring, perhaps the more you get paid for scoring bills because you're more accurate. Make it a competition. Because in the meantime, having an entity that scores bills, that is used to condemn a bill or raise a bill to the heights, is bringing us down to economic ruin. It's one of the little parts of the puzzle that needs fixing.

□ 1630

So we have a President who continues to be vague on what he will accept to avoid what people are calling the fiscal cliff. Well, I might remind people that the fiscal cliff was gone over in August of 2011. Some have already forgotten. We were told if we didn't have a debt ceiling increase by August 2, we were going over the finan-

cial cliff. It was financial Armageddon. Everything would melt down. It was all going to be just this horrible financial melee. It was a disaster. We could not allow ourselves to get to August 2 without having a debt ceiling increase.

Some of us made proposals, and we took a look at what was being proposed. And we said, Are you kidding, a supercommittee? That's not going to do any good. They will never be allowed to reach an agreement. Some of us were told, Well, of course they'll reach an agreement because if they don't, there will be these massive amounts of devastating cuts to our defense and devastating cuts to Medicare. They'd never allow \$300 billion or so to be cut from Medicare on the other side of the Capitol here. And I reminded my friends they just cut \$700 billion from Medicare for ObamaCare.

This President and the Senate were pitting our seniors against younger workers in America. They're pitting our seniors on Social Security and Medicare against younger workers. What kind of President, what kind of party, what kind of Senate does such a thing? Why would you pit younger workers against our seniors? But that's what occurred with the debt ceiling bill.

That's what occurred with the 2 percent cut to the Social Security tax. It sounded like a great idea, and now we find out 2 years later, actually, that 2 percent reduction in the amount of money that workers pay into Social Security, it was a very small amount, relatively speaking, to the amount of debt the United States and workers are having to run up because of the poor economy.

But we were told, Oh, it may save them \$60, \$80 a month. It may be such a great thing. And yet \$60, \$80—as important as that is to any individual worker—meant that last year, for the first time, the Social Security taxes coming in did not cover the Social Security checks going out. It meant that this administration pushed through a bill with Leader REID down in the Senate pushing the way for it. It meant that seniors' checks were not covered by the Social Security taxes being paid by at least 5 percent.

There were projections then that it was a 5 percent shortfall last year, and this year it's going to be a 14, 15 percent shortfall. That wasn't supposed to happen for several years. Republicans and Democrats were debating in years past—since I've been here in the last 8 years—about how, no, that wouldn't happen until 2018. Others said, no, that won't happen until 2048. Well, it happened last year in 2011. The money coming in from Social Security tax did not cover Social Security payments. And so what's the proposal by this President and Leader REID? It's, let's gut Social Security even further. Let's make it bankrupt even quicker.

Listen, what's going on? I know we all have the goal of making America stronger, but we're seeing that what is

happening is hurting the economy. It's making America weaker. And for all of the talk this fall about, gee, we may have turned the corner economically if it weren't for our czar, the Federal Reserve czar, Bernanke, creating money out of thin air, then the economy would be even worse than it is today. But I think the President owes Mr. Bernanke a great thank you for helping him win reelection by creating so much money out of nothing.

But the trouble with that is next year Americans will pay a very severe price, as we see inflation start to take hold. But the President, Mr. Bernanke, they knew that that inflation wouldn't really kick in now before the election. So it helped him win reelection. And then we would get into next year, and then the inflation would start kicking in. And then with a poor economy and inflation, we're back to the end of the Carter years.

And with the President having cut the permits down in half for drilling on Federal land from what they were under the Bush administration, he was able to receive the benefits of the permits done during the Bush years so he could say, Look, we're producing more on Federal land. Isn't that great. Well, yes, but now we're going to start seeing the consequences of cutting in half the number of permits during the Obama administration's first term; and there will be a price to pay in our energy costs over the next 4 years.

We hear people saying over and over and over again Americans must pay their fair share. The rich must pay their fair share. Everyone must pay their fair share. And on that, I am in 100 percent agreement with our President, with Leader REID at the other end of this building, with my friends across the aisle, the Democrats here who want everybody to pay their fair share. I'm in 100 percent agreement. We absolutely should do that, make everybody pay their fair share.

You know, lots of folks use the metaphor, Let's make sure everybody has some skin in the game. Well, if you really want to have everyone pay their fair share, there is an easy answer; and, fortunately, it would drive this economy to brand-new heights. It would drive this country and our economy to a new economic renaissance. It would be incredible. And all of our friends around the country who are suffering, who don't have even \$3 a gallon to pay for gasoline, it would help them when they can't handle the rent going up and the groceries going up. It would help them as we saw the economy become more vibrant because after 4 years, if Tim Geithner were really honest, he would come forward and say, as Secretary of Treasury Morgenthau did in 1940 when he wrote:

We have spent more money than any country in history, and we have nothing to show for it but more debt.

That's what a Secretary of the Treasury who wanted to be honest would say after 4 years of the most incredible

spending beyond anything that Secretary Morgenthau, under Roosevelt, could have ever dreamed.

Well, here's a good answer. When you hear the term "fair share," think flat tax. You want people to pay their fair share, make a flat tax.

Now, the President has had his friend Warren Buffett, one of many of the megarich in this country—in fact, the megarich Wall Street apparently support the President four to one over Republicans. It's one of the great, amazing misconceptions in America. Wall Street executives and their spouses donate four to one to Democrats over Republicans. So I would like to see the fat cat Democrats and the fat cat Republicans all pay their fair share. I'm tired of hearing Warren Buffett say he doesn't pay as much a rate as his secretary and he wishes the rich were taxed more.

□ 1640

What hypocrisy is that? Holy cow. It's really easy. We've made it easy. Just write the check to the U.S. Government, IRS, however you want to. We'll cash it however you want to write it.

You want everybody to pay their fair share? Let's pay taxes at a flat tax rate. The great thing about a flat tax is when you make more, you pay more; when you make less, you pay less. The other thing about a flat tax, it doesn't just need to be a flat tax on income; it ought to be a flat tax across the board.

Some think there should be no deductions. I'm in favor of two. A brilliant mind, even though he went to Harvard, Arthur Laffer, has an idea, and he's talking in terms of two good deductions: a mortgage interest deduction and charitable deductions. Frankly, I don't want to see a cap on charitable deductions, because that plays right into this administration's desire to have government be the end-all, be-all charity, even though as we've seen from Katrina under a Republican administration and we've seen from Sandy under a Democratic administration, the Federal Government is not the best answer for getting help quickly enough to people. It was the private sector that got gas, water, and help most quickly to people who suffered from Hurricane Katrina and from Hurricane Sandy. But a proposal to cap charitable contributions as deductions would end up killing charities and forcing people to come begging, Oh, please, government, would you please give me a morsel, give me another crumb. So whichever party happens to be in power gets more power, Republican or Democrat, we've got to stop that cycle of dependency. We have got to help people reach their God-given potential.

When you hear about fair share, you want an equal percentage tax, let's have one for Warren Buffett and the same rate for his secretary. Let's make the income tax, the corporate tax, the capital gains tax, the gift tax, the estate tax, let's just make them all 15

percent across the board. I'll never have a problem with an estate tax, but it is outrageous to make people sell the family farm or sell the business or get in hock up to their ears for something their parents have worked a lifetime to build up. People like Warren Buffet, the ultrarich, they're not going to have to worry about the estate tax because they're able to pay megabucks for lawyers and brilliant financial analysts to come up with a way—usually involving life insurance and different things—to take care of their estate tax. So it's not the megarich.

When people say they're going after the rich fat cats, England did that in 2009. An article last week pointed out that in 2009, England increased to 50 percent, in addition to all the other taxes they have, the tax against people making 1 million pounds or more, and that next year England went from having 16,000 people who were making 1 million pounds or more a year to 6,000. They dropped from 16,000 people making more than 1 million pounds a year to 6,000. That's an incredible drop, a two-thirds loss. So there was no additional income made—or, it's not made—it's taken. There was no additional income taken by raising the taxes on the rich because they're too elusive to nail down.

So you might as well set up a system that doesn't keep punishing the middle class. The truth is, when you raise taxes on the ultrarich and you keep spending to match that—and actually this administration and some friends in this Congress want to keep raising the amount we spend instead of getting realistic. When you keep doing that, what you hurt is the middle class. They're the ones that suck it up because the middle class—when you work at a store or a factory or a mechanic's garage, any of the places that the middle class work, when you work there, you can't just pick up your factory if you're a worker and move wherever you want where the taxes are less. The owners of the factory can, they can move. They don't have to pay the higher tax. The workers can't. As you see what happened in England, when that happens everywhere, when you raise taxes on the ultrarich, they move because they can. And who has to suck up all that extra money that has to be provided for, that the government doesn't have? It's the middle class that does.

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

ADJOURNMENT

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

The motion was agreed to; accordingly (at 4 o'clock and 45 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, December 5, 2012, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

8568. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fenprophathrin; Pesticide Tolerances [EPA-HQ-OPP-2009-0644; FRL-9366-1] received November 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8569. A letter from the Under Secretary, Department of Defense, transmitting account balance in the Defense Cooperation Account as of September 30, 2012; to the Committee on Armed Services.

8570. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Delaware; Control of Stationary Generator Emissions [EPA-R03-OAR-2012-0619; FRL-9754-9] received November 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8571. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Health and Safety Data Reporting; Addition of Certain Chemicals [EPA-HQ-OPPT-2011-0363; FRL-9355-9] (RIN: 2070-AJ89) received November 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8572. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Allegheny County Incorporation by Reference of Pennsylvania's Consumer Products Regulations [EPA-R03-OAR-2012-0797; FRL-9755-2] received November 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8573. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of Florida; Regional Haze State Implementation Plan [EPA-R04-OAR-2010-0935; FRL-9755-8] received November 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8574. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; California; Determinations of Attainment for the 1997 8-Hour Ozone Standard [EPA-R09-OAR-2011-0492; FRL-9757-1] received November 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8575. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans; City of Albuquerque-Bernalillo County, New Mexico; Interstate Transport Affecting Visibility and Regional Haze Rule Requirements for Mandatory Class I Areas [EPA-R06-OAR-2008-0702; FRL-9755-5] received November 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8576. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District