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No. 47

House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC.

March 24, 2010.

I hereby appoint the Honorable JACKIE SPEIER 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: "Take care, my brothers and sisters, lest any of you have an evil and unfaithful spirit and fall away from the living God.

"Encourage one another daily, while it is still 'today'; so that no one grows hardened by the deceit of sin.

"All of us have become partners of the Lord, only if we maintain to the very end that confidence which we brought when we first began.

"For Scripture tells us, 'Today, if you should hear His voice, harden not your hearts . . .'

"As His faithful ones, look after the Father's house—and we are that house. Through Him, the whole fabric is bound together and grows into a holy temple in the Lord—and we are that house."

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. SIREs 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 15 minute requests for 1-minute speeches on each side of the aisle.

FUNDING FOR PUBLIC TRANSPORTATION

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

Mr. SIREs. Madam Speaker, I rise today in support of allowing public transit agencies to flex their Federal transit funding for operating expenses. Current law forbids transit systems in areas with a population of over 200,000 to use funds for operating. This has forced transit agencies across the country to cut services at a time when people are using transit more than ever. In 2008, transit use reached its highest level in five decades. In my home State of New Jersey, you can take a bus to any part of our State, and there are nearly 1,000 miles of rail line. Building this dynamic transportation system took years to develop, yet routes are being slashed because of the high cost of operating expenses.

All across our Nation, public transportation routes are being closed, and it is critical that we find a solution for our constituents. Congressman CARNAHAN has introduced a bill, H.R. 2746, that would allow public transit agen-

cies to use some of their Federal funding for operating expenses. I am proud to cosponsor this bill, and I urge my colleagues to support this legislation that gives transit agencies the flexibility necessary to continue their great service.

JOB CREATION

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

Mr. WILSON of South Carolina. Madam Speaker, 219 liberals on the other side of the aisle may have passed a government health care takeover, but the American people still have a voice to tell their lawmakers to repeal these job-killing mandates and finally focus on job creation proposals.

Congress spent the better part of an entire year obsessed with cutting deals for a health care takeover full of tax increases and mandates while unemployment increased by over 3 million people. Let me repeat. For months, 219 lawmakers ignored the clear message that the American people sent about this job-killing takeover—that they didn't want it—and after arm twisting, proceeded to ram it through anyway.

When is Congress going to get it right? The American people want us to be debating job creation policies. They want to know when private sector jobs will be created, instead of 16,500 more IRS government jobs that this health care takeover will create. It's high time we give the people some answers for jobs.

In conclusion, God bless our troops, and we will never forget September 11th in the Global War on Terrorism.

SENIORS BENEFIT FROM HEALTH CARE REFORM

(Mrs. DAHLKEMPER asked and was given permission to address the House

□ 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.



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for 1 minute and to revise and extend her remarks.)

Mrs. DAHLKEMPER. Madam Speaker, the new health care reform legislation will strengthen Medicare for the 118,000 beneficiaries in my district and for 45 million individuals across this country. Seniors in Medicare will receive free preventative care under this new reform and no copays for preventative services.

Every year, almost 13,000 seniors in my district are forced to pay the full cost of their prescription drugs because of the Medicare part D doughnut hole. Under the new reform, they will receive a \$250 rebate to pay for these prescriptions this year, and the doughnut hole will completely close by 2020. The new health care reform strengthens Medicare and ensures that our seniors get the quality, affordable care they deserve.

THE REALITY OF HEALTH CARE REFORM

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

Mr. FLAKE. Madam Speaker, when the President signed the health care reform bill into law, he noted, "The overheated rhetoric of reform will finally confront the reality of reform." He's right.

Here is the reality: Insurance companies will now be required to accept children with preexisting conditions and carry adults up to the age of 26 on their parents' policies. New policies will have to cover preventative care without copays. Such requirements may or may not be in the public interest, but health insurance that is no longer a hedge against risk cannot accurately be called health insurance. Health insurance companies are now more like public utilities.

Keep in mind that individual mandates requiring the purchase of insurance to broaden the pool will not kick in for 4 years. New competition is not required, nor is there any serious effort to deal with legal liability. In other words, there is no downward pressure on cost, only upward pressure.

Madam Speaker, in this body we can pass all the laws that we want, but we cannot suspend the laws of economics, nor can we phase them in. Americans should now be prepared for higher premiums.

That, Madam Speaker, is the reality of reform.

REMEMBERING BOB ROHDENBURG

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

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise today to commemorate the life of Bob Rohdenburg who passed away on Saturday, March 6 of this year. Bob had been a dedicated pastor at the Garden Grove

Unified Methodist Church and an Orange County Congregation Community Organization, or OCCCO, as we know it, board member for many years. He remained passionate about justice and the role of the church in public life until the very end. He was particularly passionate about the accessibility of health care for everyone, having witnessed the dysfunction of the health care system through his son's experience as a doctor and, of course, his own experience as a patient.

He traveled to Washington, D.C., on more than one occasion to share his faith and his vision with our elected officials. Bob challenged OCCCO both with his vision and with the depth of his faith reflections.

He had a profound role in shaping OCCCO, and he was a positive influence on the members of his church and beyond. He will be deeply missed. I send my deepest condolences to his wife Cynthia, his daughter Denise, his son Paul and his granddaughter.

ISRAEL'S RIGHT TO DECIDE WHERE HER PEOPLE SHALL LIVE

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

Mr. POE of Texas. Madam Speaker, the United States Government wants to dictate where the people of the sovereign State of Israel are allowed to live. Now who do we think we are? Israel is our ally, not our subject. What if Prime Minister Netanyahu said that our people weren't allowed to live in certain parts of D.C.? That makes about as much sense. The American people support Israel and the U.S. Government better get onboard. The people I represent are not "embarrassed" or "humiliated" by the actions of Israel.

Israel has the right to determine where their people live, including in Jerusalem. Also under international law, Israel is not obligated to give back land won in a defensive war. But they tried anyway. When Israel gave back land for peace, it didn't work. They still don't have peace. There will be no peace until the terrorists come to the peace table because the terrorists don't want peace. They want to drive Israel into the sea. Peace will come in the Middle East when the terrorists are defeated.

And that's just the way it is.

EARMARK REFORM

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

Mr. QUIGLEY. Madam Speaker, in January, President Obama stood in this Chamber and made an important request. He called on Congress to "continue down the path of earmark reform" as an important way to spend smarter and rebuild the public's trust. We simply cannot afford to wait any longer for real earmark reform.

Last year, I introduced House Resolution 614 which prohibits earmarks for

for-profit entities. Last week, the Appropriations Committee took up the premise of this resolution by establishing a 1-year moratorium on earmarks for for-profits. We must make this ban permanent and act in an open and responsible manner, allowing for public scrutiny of all requests.

Moving forward, each dollar spent must benefit the American people, not some special interest. Our work today will help us build a safer and stronger community tomorrow. Now is the time to answer the President's call.

HEALTH CARE, JOBS AND THE ECONOMY

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

Mr. ROGERS of Alabama. Today I rise to express how disappointed I am in this institution and the Presidency with what happened this last weekend. When we are in a Nation that is suffering from terrible unemployment and a dramatically poor economic position, to have this House and the President sign into law a job-killing piece of legislation that would put this Nation on the path to socialized medicine is unconscionable. Unfortunately, the country is going to suffer from now until the November elections when the Democrat majority will meet the consequences of their vote on Sunday.

However, in the meantime, I urge the President and Speaker PELOSI to start working on the economy and jobs and trying to get people back to work. I don't know how they can sleep at night knowing that they haven't addressed this up till now, but we've got to start working on the economy, get cash back into the markets for small businesses and put people back to work.

REBOUNDED

(Mrs. MALONEY asked and was given permission to address the House for 1 minute.)

Mrs. MALONEY. Madam Speaker, this chart was produced by the Joint Economic Committee, and it shows the constant process of the creation and loss of jobs that occurs in our economy. The solid black line shows the number of private sector jobs created. The dotted line shows the number of private sector jobs lost. When the economy is expanding, as it did under Clinton, the job creation line just kept going up.

At point A, the beginning of the Bush administration, you can see that the number of jobs created is much lower than during the Clinton administration; and in 2008, you can see that it literally fell off the cliff.

As Nobel Prize-winning economist Joseph Stiglitz has suggested, job creation during the Bush expansion was artificially inflated by the housing

bubble and the false wealth that it created. As a result, we faced a rapid decline in job creation when the housing bubble burst.

Point B represents the beginning of a new administration with new policies and different results. The lines change direction rather sharply.

Madam Speaker, this is the picture of progress.

□ 1015

PATIENT-CENTERED HEALTH REFORM

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

Mrs. BLACKBURN. Madam Speaker, it is so interesting to be a Member of the U.S. House of Representatives at this time. One of the things that makes it most interesting is the issues that we have to deal with, and it boils down to making choices: what are you going to support and what are you going to oppose.

The Republicans have supported health reform that would be patient centered. What we saw transpire in this House last weekend was a bill that is government centered and government first. There was a choice of how to move forward with health care, and decisions were made. The Democrat majority chose to put government at the top of health care decisions, government in charge of deciding what kind of health care you can access, what kind of insurance product you can buy, what will be available to buy by the time we get to the year 2013.

Those are not decisions that government should make. Those are decisions that should be made by individuals, by small businesses, by employers. And as our phones continue to ring as people find out more and more about the reconciliation bill, they say reconsider, pull the bill back and focus on the economy, focus on jobs and get this Nation on the right track.

HEALTH CARE REFORM

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

Mr. YARMUTH. Madam Speaker, in the wake of the phenomenal accomplishment we made this weekend, my constituent and Senator, MITCH MCCONNELL, said, We have a new slogan for the fall, "Repeal and Replace." Well, that really doesn't surprise because while we have been legislating for the American people, our opponents on the Republican side have been doing little more than sloganeering.

I hope MITCH MCCONNELL does come home to Kentucky this year and tells parents like my niece, whose 1-year-old son was rejected for insurance because he had had an ear infection, that we are going to repeal that provision that guarantees kids be protected against being disqualified for preexisting con-

ditions. I hope he says we are going to repeal the provision that says that 15,000 small businesses in my district alone, and in his district, his hometown, will be denied that tax credit providing insurance for their employees. I hope he says that we are going to repeal that provision that narrows the doughnut hole for about 100,000 Medicare beneficiaries.

I say I have a slogan to combat "Repeal and Replace," "Just Wait and See."

HEALTH CARE REFORM

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

Mr. HALL of New York. Madam Speaker, I am so proud to have been here this week when we finally answered the call of the American people to reform the health care system. This is not a government takeover. People woke up on Monday to find they still have their doctors, if they have one; and they still have an insurance policy, if they have one. And, in fact, medical stocks went up on the stock market.

Because of our actions here, people with preexisting conditions will be protected from their insurance companies. Seniors will see the cost of their prescription drugs drop. All plans for all Americans will offer free, preventative care. Small businesses will now get tax credits to provide health care to their employees, and 32 million Americans currently uninsured will have access to high-quality, affordable health care.

I have heard the horror stories from my constituents. Many of them have told me that their insurance company refused to pay for treatment that their doctor ordered, or dropped them once they got sick and needed that coverage the most. Their stories inspired me to keep fighting for health reform, and I am proud to say that this body delivered.

HAPPY BIRTHDAY, JUSTICE O'CONNOR

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

Ms. GIFFORDS. Madam Speaker, today I rise to recognize the accomplishments of Justice Sandra Day O'Connor, the first woman to serve on the United States Supreme Court.

Just last week, the House unanimously passed a resolution in recognition of her distinguished career during Women's History Month. Justice O'Connor truly embodies the Arizona spirit of hard work and rugged individualism.

After growing up on her family's ranch, the Lazy B located in the high deserts of Arizona, she quickly achieved success. Justice O'Connor graduated cum laude from Stanford University in 1950 and in the top three of her class at Stanford University Law School. Justice O'Connor began her ca-

reer in public service as the Arizona Assistant Attorney General in 1965 and went on to the State legislature. She became the first woman in the country to serve as a Senate Majority Leader. Justice O'Connor was catapulted into our Nation's limelight when President Ronald Reagan nominated her to the United States Supreme Court in 1981. She served 24 terms on the Supreme Court in a centrist role with her commitment to uphold law and our Constitution. Just last year she was awarded the Presidential Medal of Freedom by President Barack Obama, the highest recognition for any civilian.

Today we honor Justice Sandra Day O'Connor because this Friday we celebrate her 80th birthday. This resolution is a small birthday gift to a daughter of Arizona from a grateful Nation that she so proudly served.

UNDO FLAWED HEALTH BILL

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

Mr. BOOZMAN. Madam Speaker, America is a democracy, not a monarchy; but you wouldn't know it by the way the American people's voices have been ignored by President Obama, Speaker PELOSI, and Senator REID. The American people are angry. They are not adequately represented in Washington. As representatives of the people, it is necessary that we fix this bill and give Americans what they want: quality and affordable health care reform, not increased taxes and sweetheart deals.

We must fight to repeal and replace this bill. We must fight to uphold the Constitution of the United States. I am here today to speak for the people of Arkansas and the people of America who are overwhelmingly in opposition to the flawed health care bill. We see how the government is infringing on our rights. The American people have had enough and want to see legal action. I too am concerned that this bill is unconstitutional, and I am supportive of States challenging this flawed health care bill. We must abide by States' rights. This bill is just another violation of those rights and it is something we must undo.

HEALTH CARE REFORM

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

Mr. POLIS. Madam Speaker, I rise today, in celebration of the historic passage of health care reform for our country. I am going to quote from our Declaration of Independence: All men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness. That to secure these rights, governments are instituted among men.

Yes, it is the purpose of our government that we the people have set up to

secure the rights to life, liberty and the pursuit of happiness. The pursuit of life, the right of living, to be able to live and get the right medical care you need shouldn't depend on whether you had cancer as a 25-year-old, shouldn't depend on whether you had a stroke when you were a kid. These are not somebody's fault; it can happen to anybody. And just because of a preexisting condition, you should not be denied coverage.

That is what this bill means for America. Our Founding Fathers would be proud today that we stood up for the principle to protect the lives of all Americans by ensuring that all Americans can access affordable, quality health care.

HEALTH CARE REFORM

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

Mr. OWENS. Madam Speaker, our middle class families and small business owners need fast action if they are to pull themselves out of the recession. The health care legislation that passed the House floor Sunday evening does just that. Beginning this week, health care reform will begin to impact my district in upstate New York. My constituents' number one concern is to create jobs. For our small business owners, tax credits of up to 35 percent of insurance costs are now available, allowing them to free up funds to hire new employees and expand.

The bill will help our seniors pay for their medication, closing the Medicare part D doughnut hole within a decade, and improve the system for over 100,000 Medicare beneficiaries in our communities. No longer will our neighbors have to worry about losing or being denied quality insurance because they get sick. The bill will end rescissions and denials based on preexisting conditions. The bill will make our health care more efficient, providing new investment in training programs for primary care professionals and fund 12 new health care facilities in upstate New York. Health care reform will set our college graduates off on the right foot, allowing 65,000 young adults in my district to obtain coverage through their parents' plan until they are 26.

HEALTH CARE REFORM

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

Ms. TITUS. Madam Speaker, yesterday marked a historic day as President Obama signed the reform legislation that will give families more control over their health care and the same kind of choices that Members of Congress have.

Yet before the ink was even dry on the President's signature, Republicans pledged they would repeal health care reform if given the opportunity. Reform that will end discrimination from

preexisting conditions, Republicans would repeal it. Reform that will close the prescription drug doughnut hole that so many seniors fall into, Republicans would repeal it. Reform that will give the largest health care tax cut in history to families and small businesses to purchase insurance, Republicans would repeal it.

Yesterday we took an important step forward with commonsense reform that will improve coverage for over 1.1 million people in southern Nevada. Nevada's families cannot afford a return to the status quo of skyrocketing costs, of living every day with the fear that they are just one illness or one injury away from losing it all. We cannot repeal that.

HEALTH CARE REFORM

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

Mr. COHEN. Madam Speaker, it has been interesting listening to the other side of the aisle talk today. One gentleman got up and talked about the health care bill in a cold and calculating fashion that made me think that he wanted the trains to run on time. Never did he consider the fact that the Congressional Budget Office said that this is the largest deficit-reducing bill in the history of the United States, over a trillion dollars in the second 10 years, and \$123 billion in the first 10 years.

Another said it is patient centered, patient centered. It sounds nice, Madam Speaker. What that means is that if the patient has money now, they can get health care; and if the patient doesn't, they don't get health care. And if you don't get health care and you don't get wellness programs and you don't get prevention programs, you die. You don't get mammograms and you don't get colonoscopies. You don't find out if you have cancer, and you die. Patient centered, very cold and calculating.

They say we need to fix this bill. They never explained what part of the bill they liked. They were against it all. Daniel Webster said to do something worthy to be remembered. What the other side did was say you lie, baby killer, and encourage outsiders that almost brought about civil unrest.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind Members not to traffic the well when other Members are speaking.

HEALTH REFORM HELPS SMALL BUSINESSES

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

Mr. MURPHY of New York. Madam Speaker, I rise today as someone who

has been building and starting small businesses for my entire adult life. The small businesses in my district have been asking me for a long time what will this health insurance reform do for them. I think it is very important that we make it clear to them, for our small businesses that are less than 50 people, it will not require that they provide insurance but rather it will help if they are trying to provide insurance.

For our small businesses, they will be able to get tax incentives to help them pay for that insurance that they are trying to buy for their employees. It will allow them to band together and purchase as a group in a block on an exchange, much like they do with their local chambers of commerce today, to try to get purchasing power against those big insurance companies so they can hold their costs down.

It will also help solve one of the biggest costs they face. Today my small business owners know that they pay the cost of all of the people who use the emergency room for care and can't pay the bills. That is all shifted to our small businesses. With this legislation, that will go away, providing a big help in terms of keeping their costs down and helping our small businesses provide insurance to their employees.

This bill is going to help our small businesses and help all Americans.

HEALTH BILL IS BAD MEDICINE

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

Ms. FOXX. Madam Speaker, our colleagues on the other side of the aisle have voted for a bill that is a government takeover of the health care system of this country. They talk about all of the good things that they see in the bill that Republicans want to repeal. Republicans want to replace the bad parts of this bill with good things.

The main message of this bill is that it is going to tax us for 10 years for benefits for 6 years. The tax increases begin immediately, the benefits in most cases don't begin for 4 more years, and that is not good news for the American people. We need to put the people in charge of their own health care. We do not need government bureaucrats making decisions for us. This is a bad bill. It is bad medicine for the United States. It is bad medicine for our people, and we are going to do everything we can to replace the bad aspects of the bill with good things.

□ 1030

MAKE MY DAY

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

Mr. FILNER. My Republican friends need to chill out. The previous speaker said this is a government takeover of a health care system. Come on. Let it go. We've got a private system here. We've

got a private system of insurance. We've got private hospitals, we've got private doctors. This system is a private system. What government take-over is there?

She keeps talking about a government bureaucrat getting between you and your doctor. What we have now is an insurance bureaucrat between us and our health providers. What we do is remove that. And if you want to repeal this bill, make my day. Try to repeal it.

Repeal the fact that small businesses are going to get tax credits right away. Repeal the fact that our children, who have preexisting conditions, will be able to be insured right away. Repeal the fact that we won't have any more preexisting conditions to prevent health insurance.

Make my day.

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.

MAJOR CHARLES R. SOLTES, JR., O.D. DEPARTMENT OF VETERANS AFFAIRS BLIND REHABILITA- TION CENTER

Mr. FILNER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4360) to designate the Department of Veterans Affairs blind rehabilitation center in Long Beach, California, as the "Major Charles R. Soltes, Jr., O.D. Department of Veterans Affairs Blind Rehabilitation Center".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4360

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NAME OF DEPARTMENT OF VET- ERANS AFFAIRS BLIND REHABILITA- TION CENTER, LONG BEACH, CALI- FORNIA.

The Department of Veterans Affairs blind rehabilitation center in Long Beach, California, shall after the date of the enactment of this Act be known and designated as the "Major Charles R. Soltes, Jr., O.D. Department of Veterans Affairs Blind Rehabilitation Center". Any reference to such blind rehabilitation center in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the "Major Charles R. Soltes, Jr., O.D. Department of Veterans Affairs Blind Rehabilitation Center".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. FILNER) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. FILNER. Madam 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 on H.R. 4360.

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

There was no objection.

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

I rise today to offer my support for H.R. 4360, a bill to name the VA Blind Rehabilitation Center in Long Beach, California, after the distinguished Iraq veteran Charles R. Soltes.

Mr. Soltes valiantly served his country in the United States Army as a major in the 426th Civil Affairs Battalion in Mosul, Iraq. He died on October 13, 2004, from wounds sustained in a blast conducting a combat patrol in Mosul. He was only 36 years old.

Major Soltes was a graduate of the New England College of Optometry and later completed his residency at Brooke Army Medical Center that focused on ocular trauma, acute eye conditions, medical contact lens applications, and glaucoma care. At West Point, he served as director of the optometry residency program. In 1998, Major Soltes became clinical director of the Irvin Vision Institute, a refractive surgery specialty center where he served until his voluntary deployment in Iraq. He was the first military optometrist to be killed in action while serving as a public health officer in Iraq.

He leaves behind a wife and three young children. Also an optometrist, Major Soltes' wife, Dr. Sally Houg Dang, currently treats blinded veterans as a way to honor her husband.

Naming a VA facility after this hero and a strong veterans advocate is a proper honor for an honorable soldier who made the ultimate sacrifice for his Nation.

I reserve the balance of my time.

Mr. BOOZMAN. Madam Speaker, I rise in support of H.R. 4360, a bill to designate the Department of Veterans Affairs Blind Rehabilitation Center in Long Beach, California, as the Major Charles R. Soltes, Jr., O.D. Department of Veterans Affairs Blind Rehabilitation Center.

Naming the future blind rehabilitation center currently in its final stages of construction in Long Beach, California, after Major Charles R. Soltes, Jr., is an appropriate expression of our support for our blind veterans.

In 2004 while deployed in Iraq, Major Soltes was serving in the 426th Civil Affairs Battalion in the U.S. Army when the vehicle he was traveling in was struck by an improvised explosive device, costing him his life.

He was the first Army optometrist to be killed in action while on Active Duty, but the legacy Major Soltes leaves behind remains strong with the veteran community, particularly among our blinded veterans. The VA

estimates that approximately 157,000 veterans in the United States are legally blind, and over 1 million additional veterans are suffering from debilitating low vision.

Approximately 60 percent of veterans with known combat-related traumatic brain injury and 30 percent with non-combat TBI report visual symptoms. As eye injuries continue to plague our servicemembers overseas, these numbers will continue to rise. And the work of optometrists like Major Soltes will become increasingly important.

In closing, I would like to express my deepest condolences and heartfelt appreciation to Major Soltes' family for their sacrifice. It's my sincerest wish that through the facility, the service and sacrifice of Major Soltes will not be forgotten, and his dedication to country and mankind will live on in the increased health and well-being of our Nation's blinded veterans.

I yield to the gentleman from California (Mr. ROHRABACHER) as much time as he might consume.

Mr. ROHRABACHER. Madam Speaker, today I rise in honor of an American patriot for his service and his sacrifice to our country, Major Charles Robert Soltes of Irvine, California, the son of Colonel Soltes, who is now retired. Major Soltes had a distinguished career in the United States Army as well as in the city of Irvine, I might add, where he practiced medicine. It was in Irvine where he entered into private practice as an optometrist and set down his roots to raise a family.

Dr. Soltes subsequently joined the Army Reserve and was deployed to Iraq in 2004. He worked tirelessly as a public health officer in the 426th Civil Affairs Battalion building and upgrading hospitals for the Iraqi people.

On his way back from a hospital visit, his convoy was attacked by an improvised explosive device, and Major Soltes was killed on October 13, 2004. He was the first Army optometrist to be killed in action while on Active Duty. As such, it seems fitting that we honor him and his family by naming a soon-to-be-completed Veterans Affairs blind rehabilitation center in Long Beach, California, at the veterans hospital there, which is in my congressional district.

Once this facility is completed, the blind rehabilitation center, it will work to deliver the same compassion and care that Dr. Soltes dedicated his entire career and gave his life for. This new 24-bed inpatient-outpatient facility, which is expected to be completed this year, will be the first purpose-built blind rehabilitation center in the national Veterans Administration, and as I say, it's located in my district, for which I have great pride.

Dr. Soltes was a graduate of New England College of Optometry. He entered the U.S. Army Medical Service Corps in 1994 and treated members of the military here in the United States as well as abroad. He was well liked and respected by his colleagues. One of

his superiors, Colonel Adams, whom he met while he was going through officer basic training at Fort Sam Houston, Texas, said of him, "He was a tremendous young man. He volunteered to go into Civil Affairs, and every email he sent was upbeat and positive, and he felt he was making a real difference in the lives of the Iraqi people."

Today, by naming this new facility after him, we are ensuring that Major Soltes' spirit lives on. Every time a patient's quality of life improves, Major Soltes, his dedication to service, will be continued.

To Major Soltes and his family, we salute you. And with this act of Congress, we forever remember the sacrifice Major Soltes gave. Whether giving their most vibrant and youthful years of service to their country or laying down their lives so that we and our children can sleep safely at night, we must remember all who gave some, and some, like Major Soltes, who gave all.

I appreciate my colleagues' understanding in this issue in bringing it up today. Thank you.

Mr. BOOZMAN. Again, Madam Chair, in closing, this is a special honor for me as an optometrist who practiced for many, many years, to be celebrating a colleague who paid so dearly, he and his family. We're so proud of him—myself, as a member of the Veterans Affairs Committee, but also as an optometrist. And I know that the profession of optometry is very, very proud of his efforts. And we will be thinking of his family, but I urge all of my colleagues to support this bill.

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

Mr. FILNER. Madam Speaker, I think it was most appropriate that the manager on the Republican side was our House optometrist, Mr. BOOZMAN. So thank you for your expertise that you always give us on the committee.

I urge my colleagues to unanimously support H.R. 4360.

Ms. RICHARDSON. Madam Speaker, as an original cosponsor, I rise today in support of H.R. 4360, which designates the Department of Veterans Affairs Blind Rehabilitation Center in Long Beach, California, the "Major Charles R. Soltes, Jr., O.D. Department of Veterans Affairs Blind Rehabilitation Center." The naming of the Veterans Affairs Long Beach Blind Rehabilitation Center in honor of Major Soltes is a fitting tribute to the dual service Major Soltes rendered the Nation as a soldier and a doctor of optometry.

I thank Chairman FILNER for his leadership in bringing this bill to the floor. I would also like to thank Congressman CAMPBELL for sponsoring this bill.

Madam Speaker, growing up in a military family, Charles Robert "Rob" Soltes, Jr., always possessed a love of country and an appreciation of the importance of service and sacrifice. Major Soltes also had a gift for medicine and a passion for helping others. It was that sense of duty and passion that enabled him to excel at Norwich University, from which he graduated and was commissioned as a 2nd lieutenant in the U.S. Army. Major Soltes went on to attend optometry school in Boston, where he met his wife.

Major Soltes took his passion for medicine to the military when he joined the Army Reserve in 1990. He served on active duty as an optometrist from 1994–1999. In 2004, he was called to duty in Iraq, where he was a member of the 7214th Medical Support Unit, which was charged with helping to rebuild the public health infrastructure in Iraq. On October 13, 2004, Major Soltes was tragically killed when an explosive device hit his convoy as it traveled back from a local Army hospital.

It is entirely fitting that we take this opportunity to honor this fallen soldier who left us too soon. Major Soltes embodied all that Americans can ask for in heroes—courage, love of country, selflessness. Major Soltes touched many lives, but he will be missed most by his family. He was a devoted father and a loving husband. No matter how much time his military service and professional obligations demanded, he always put family first. They will miss him, as we all do. However, by passing this bill today, we can ensure that he will not be forgotten.

Madam Speaker, I urge my colleagues to join me in supporting H.R. 4360.

Mr. CAMPBELL. Madam Speaker, I rise today in support of H.R. 4360, to designate the Department of Veterans Affairs Blind Rehabilitation Center in Long Beach, California, as the "Major Charles R. Soltes, Jr., O.D. Department of Veterans Affairs Blind Rehabilitation Center." I was honored to introduce this legislation to recognize a true American Hero who was a constituent of mine from Irvine, CA.

Major Soltes, 36, was the first military optometrist to be killed in action while on active duty. He was serving as a Public Health Officer with the 426th Civil Affairs Battalion, U.S. Army Reserve in Mosul, Iraq, assisting in the restoration of the medical infrastructure. On October 13, 2004, he was killed while returning from a hospital visit when his convoy was attacked with an improvised explosive device.

The son of an Army officer and Vietnam veteran, Major Soltes was a graduate of Norwich University, a military school in Vermont, and the New England College of Optometry. He entered the U.S. Army Medical Service Corps in 1994 as an Army optometrist and provided eye care services to service men and women at home and abroad. Major Soltes served in Texas, the Republic of Korea, and at the United States Military Academy at West Point.

During his military service, Major Soltes completed a residency at the prestigious Brooke Army Medical Center. He earned adjunct faculty appointments at the University of Houston College of Optometry, the State University of New York State College of Optometry, and the Northeastern State University College of Optometry. At the United States Military Academy at West Point, Major Soltes served as director of the Optometry Residency Program. In 1998, he earned his fellowship in the American Academy of Optometry. After completing his military duties in 1999, he moved to Irvine, CA, where he started a private practice, joined the Army Reserve and became the clinical director at Irvine Vision Institute, a refractive surgery specialty center in Irvine, CA.

Major Soltes leaves behind his wife, Sally Huong Dang, O.D., and three sons, Ryan, Brandan, and Robert Harrison. Major Soltes is also survived by his father, COL (retired) Charles R. Soltes, Sr., his mother, Nancy

Soltes, and two siblings, Carolyn Soltes Matthies, and Jeffrey Soltes.

Madam Speaker, I am pleased this legislation has received wide bipartisan support with 73 cosponsors including Speaker NANCY PELOSI and Chairman of the House Committee on Veterans Affairs, BOB FILNER. It also has broad support outside of Congress from groups such as the American Optometric Association to the following Veteran Service Organizations: Blind Veterans Association, Vietnam Veterans of America, American Legion, Veterans of Foreign Wars, Paralyzed Veterans of America, AMVETS, POW/MIA, Military Order of the Purple Heart, Disabled American Veterans, and Jewish War Veterans.

I have had the opportunity to meet with Major Soltes's widow, Dr. Sally Dang and their three outstanding sons. This is a family of such immense strength, but also of pride for their husband and father, his life, his accomplishments, his service and his sacrifice. Dr. Dang recounted that if her husband had the opportunity to come back and serve again, he would do it without hesitation. When we name this center for Major Soltes today, we honor his family, his memory, and his military service, but also his service as a doctor who helped people see more clearly. Fittingly, Dr. Dang is also a practicing optometrist.

May this honor today help us all to see—to see better with our eyes, of course, and to help those veterans suffering with blindness. But also, to see the selfless and wonderful people upon whom our freedoms as a people rest. Major Soltes lies amongst them. May God bless his family and his memory.

Mr. FILNER. I yield back the balance of my time.

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, H.R. 4360.

The question was taken.

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

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

The yeas and nays were ordered.

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

FEDERAL AVIATION ADMINISTRATION EXTENSION ACT OF 2010

Mr. COSTELLO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4915) 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.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4915

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 "Federal Aviation Administration Extension Act of 2010".

SEC. 2. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.

(a) **FUEL TAXES.**—Subparagraph (B) of section 4081(d)(2) of the Internal Revenue Code of 1986 is amended by striking “March 31, 2010” and inserting “July 3, 2010”.

(b) **TICKET TAXES.**—
(1) **PERSONS.**—Clause (ii) of section 4261(j)(1)(A) of the Internal Revenue Code of 1986 is amended by striking “March 31, 2010” and inserting “July 3, 2010”.

(2) **PROPERTY.**—Clause (ii) of section 4271(d)(1)(A) of such Code is amended by striking “March 31, 2010” and inserting “July 3, 2010”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on April 1, 2010.

SEC. 3. EXTENSION OF AIRPORT AND AIRWAY TRUST FUND EXPENDITURE AUTHORITY.

(a) **IN GENERAL.**—Paragraph (1) of section 9502(d) of the Internal Revenue Code of 1986 is amended—

(1) by striking “April 1, 2010” and inserting “July 4, 2010”; and

(2) by inserting “or the Federal Aviation Administration Extension Act of 2010” before the semicolon at the end of subparagraph (A).

(b) **CONFORMING AMENDMENT.**—Paragraph (2) of section 9502(e) of such Code is amended by striking “April 1, 2010” and inserting “July 4, 2010”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on April 1, 2010.

SEC. 4. EXTENSION OF AIRPORT IMPROVEMENT PROGRAM.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—Section 48103(7) of title 49, United States Code, is amended to read as follows:

“(7) \$3,024,657,534 for the period beginning on October 1, 2009, and ending on July 3, 2010.”

(2) **OBLIGATION OF AMOUNTS.**—Sums made available pursuant to the amendment made by paragraph (1) may be obligated at any time through September 30, 2010, and shall remain available until expended.

(3) **PROGRAM IMPLEMENTATION.**—For purposes of calculating funding apportionments and meeting other requirements under sections 47114, 47115, 47116, and 47117 of title 49, United States Code, for the period beginning on October 1, 2009, and ending on July 3, 2010, the Administrator of the Federal Aviation Administration shall—

(A) first calculate funding apportionments on an annualized basis as if the total amount available under section 48103 of such title for fiscal year 2010 were \$4,000,000,000; and

(B) then reduce by 11 percent—
(i) all funding apportionments calculated under subparagraph (A); and
(ii) amounts available pursuant to sections 47117(b) and 47117(f)(2) of such title.

(b) **PROJECT GRANT AUTHORITY.**—Section 47104(c) of such title is amended by striking “March 31, 2010,” and inserting “July 3, 2010.”

SEC. 5. EXTENSION OF EXPIRING AUTHORITIES.

(a) Section 40117(l)(7) of title 49, United States Code, is amended by striking “April 1, 2010,” and inserting “July 4, 2010.”

(b) Section 44302(f)(1) of such title is amended—

(1) by striking “March 31, 2010,” and inserting “July 3, 2010,”; and

(2) by striking “June 30, 2010,” and inserting “September 30, 2010.”

(c) Section 44303(b) of such title is amended by striking “June 30, 2010,” and inserting “September 30, 2010.”

(d) Section 47107(s)(3) of such title is amended by striking “April 1, 2010,” and inserting “July 4, 2010.”

(e) Section 47115(j) of such title is amended by striking “April 1, 2010,” and inserting “July 4, 2010.”

(f) Section 47141(f) of such title is amended by striking “March 31, 2010,” and inserting “July 3, 2010.”

(g) Section 49108 of such title is amended by striking “March 31, 2010,” and inserting “July 3, 2010.”

(h) Section 161 of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 47109 note) is amended by striking “April 1, 2010,” and inserting “July 4, 2010.”

(i) Section 186(d) of such Act (117 Stat. 2518) is amended by striking “April 1, 2010,” and inserting “July 4, 2010.”

(j) The amendments made by this section shall take effect on April 1, 2010.

SEC. 6. FEDERAL AVIATION ADMINISTRATION OPERATIONS.

Section 106(k)(1)(F) of title 49, United States Code, is amended to read as follows:

“(F) \$7,070,158,159 for the period beginning on October 1, 2009, and ending on July 3, 2010.”

SEC. 7. AIR NAVIGATION FACILITIES AND EQUIPMENT.

Section 48101(a)(6) of title 49, United States Code, is amended to read as follows:

“(6) \$2,220,252,132 for the period beginning on October 1, 2009, and ending on July 3, 2010.”

SEC. 8. RESEARCH, ENGINEERING, AND DEVELOPMENT.

Section 48102(a)(14) of title 49, United States Code, is amended to read as follows:

“(14) \$144,049,315 for the period beginning on October 1, 2009, and ending on July 3, 2010.”

SEC. 9. EXTENSION AND FLEXIBILITY FOR CERTAIN ALLOCATED SURFACE TRANSPORTATION PROGRAMS.

(a) **SHORT TITLE.**—This section may be cited as the “Surface Transportation Extension Modification Act of 2010”.

(b) **MODIFICATION OF ALLOCATION RULES.**—Section 411(d) of the Surface Transportation Extension Act of 2010 is amended—

(1) in paragraph (1)—
(A) in the matter preceding subparagraph (A)—
(i) by striking “1301, 1302,”; and
(ii) by striking “1198, 1204,”; and
(B) in subparagraph (A)—
(i) in the matter preceding clause (i) by striking “apportioned under sections 104(b) and 144 of title 23, United States Code,” and inserting “specified in section 105(a)(2) of title 23, United States Code (except the high priority projects program),”; and
(ii) in clause (ii) by striking “apportioned under such sections of such Code” and inserting “specified in such section 105(a)(2) (except the high priority projects program);”

(2) in paragraph (2)—
(A) in the matter preceding subparagraph (A)—
(i) by striking “1301, 1302,”; and
(ii) by striking “1198, 1204,”; and
(B) in subparagraph (A)—
(i) in the matter preceding clause (i) by striking “apportioned under sections 104(b) and 144 of title 23, United States Code,” and inserting “specified in section 105(a)(2) of title 23, United States Code (except the high priority projects program),”; and
(ii) in clause (ii) by striking “apportioned under such sections of such Code” and inserting “specified in such section 105(a)(2) (except the high priority projects program);”

(3) by adding at the end the following:
“(5) **PROJECTS OF NATIONAL AND REGIONAL SIGNIFICANCE AND NATIONAL CORRIDOR INFRASTRUCTURE IMPROVEMENT PROGRAMS.**—
“(A) **REDISTRIBUTION AMONG STATES.**—Notwithstanding sections 1301(m) and 1302(e) of

SAFETEA—LU (119 Stat. 1202 and 1205), the Secretary shall apportion funds authorized to be appropriated under subsection (b) for the projects of national and regional significance program and the national corridor infrastructure improvement program among all States such that each State’s share of the funds so apportioned is equal to the State’s share for fiscal year 2009 of funds apportioned or allocated for the programs specified in section 105(a)(2) of title 23, United States Code.

“(B) **DISTRIBUTION AMONG PROGRAMS.**—Funds apportioned to a State pursuant to subparagraph (A) shall be—

“(i) made available to the State for the programs specified in section 105(a)(2) of title 23, United States Code (except the high priority projects program), and in the same proportion for each such program that—
“(I) the amount apportioned to the State for that program for fiscal year 2009; bears to
“(II) the amount apportioned to the State for fiscal year 2009 for all such programs; and
“(ii) administered in the same manner and with the same period of availability as funding is administered under programs identified in clause (i).”

(c) **EXPENDITURE AUTHORITY FROM HIGHWAY TRUST FUND.**—Paragraph (1) of section 9503(c) of the Internal Revenue Code of 1986, as amended by the Surface Transportation Extension Act of 2010, is amended by striking “in effect on the date of the enactment of such Act)” and inserting “in effect on the later of the date of the enactment of such Act or the date of the enactment of the Surface Transportation Extension Modification Act of 2010)”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall take effect upon the enactment of the Surface Transportation Extension Act of 2010 and shall be treated as being included in that Act at the time of the enactment of that Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. COSTELLO) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes. The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. COSTELLO. I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 4915.

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

There was no objection. Mr. COSTELLO. I yield myself as much time as I may consume.

Madam Speaker, I rise in support of H.R. 4915, the Federal Aviation Administration Extension Act of 2010. Last week, the House passed H.R. 4853, also entitled the Federal Aviation Administration Extension Act of 2010, to extend aviation program taxes and the Airport and Airways Trust Fund expenditure authority through July 3rd, 2010, and to modify the formula by which highway funds would otherwise be distributed under the HIRE Act.

Earlier this week, the Federal Aviation Administration requested a technical correction to H.R. 4853 as passed by the House. The FAA needs this technical correction to ensure sufficient airport improvement program funds are allocated to AIP formula grants rather than AIP discretionary grants.

Madam Speaker, the House has previously passed two FAA reauthorization bills in 2007 and again in 2009. We have been waiting on the other body to act. Finally on Monday, the Senate passed its FAA bill, H.R. 1586, using an unrelated House-passed tax bill.

□ 1045

Madam Speaker, tomorrow the House intends to take up the Senate bill, H.R. 1586 and amend it. We will insert the text of the House FAA reauthorization bill, H.R. 915, and the bipartisan House aviation safety bill, H.R. 3371, the Airline Safety and Pilot Training Act of 2009, which is one of the strongest aviation safety bills in decades.

The purpose of the House taking action to amend H.R. 1586 is to ensure that important provisions we included in H.R. 915 and H.R. 3371 to improve aviation safety, to provide consistency and collective bargaining rights throughout the express carrier industry, to increase the Passenger Facility Charge to assist airports in meeting their capital needs, to create jobs and to modernize our air traffic control system, are maintained throughout the conference with the Senate.

The Aviation Subcommittee held over 20 hearings on the reauthorization bill and the safety issues. In addition, we had five roundtables to discuss aviation safety in the reauthorization bill with everyone from the FAA to everyone in the aviation community.

H.R. 915 is a comprehensive bill. It will provide approximately \$53.5 billion to modernize our air traffic control system, fund airport development, research programs, small community service, and Federal aviation operating expenses.

Our bill reflects a continued effort toward ensuring our aviation system remains the safest in the world. In the FAA forecast, the airlines are expected to carry more than 1 billion passengers in the year 2021, up from almost 760 million in 2008. To deal with this growth, strengthen our economy, and create jobs, H.R. 915 provides historic funding levels for FAA's capital programs. This includes \$12.3 billion for the Airport Improvement Program, nearly \$10.1 billion for the FAA's Facilities & Equipment fund, and \$685.4 million for Research, Engineering, and Development. The bill also provides \$30.3 billion for FAA operations over the next 3 years.

These funding levels will accelerate the implementation of NextGen, enable the FAA to replace and repair existing facilities and equipment, improve airport development, and provide for the implementation of high-priority, safety-related systems.

Let me mention the importance of NextGen. Both the full committee and the Aviation Subcommittee has spent a great deal of time trying to move the Next Generation Air Transportation System forward. NextGen is critical to the future of aviation, not only for safety reasons, but also to reduce con-

gestion delays and save time as well as fuel. We have operated now under a ground-based radar system for far too many years. We need to move forward with the NextGen system so that we can implement a satellite-based system in order to make the improvements that are necessary.

In H.R. 915, we also changed the organizational structure of the FAA's Joint Planning and Development Office, the body charged with planning NextGen. To increase the authority and visibility of the JPDO, H.R. 915 elevates the Director of the JPDO to the status of Associate Administrator for NextGen within the FAA to be appointed by and reporting directly to the FAA Administrator. To increase accountability and coordination of NextGen planning and implementation, the bill requires the JPDO to develop a work plan that details, on a year-to-year basis, specific NextGen-related deliverables and milestones required by the FAA and its partner agencies.

Like the 2007 bill, we increased the Passenger Facility Charge cap from \$4.50 to \$7 to those airports who choose to implement the increase, to help airports choose and those who participate in the program to meet their capital needs. According to the FAA, every airport currently collecting \$4 to \$4.50 under the PFC, if they raise it to \$7, it will generate \$1.3 billion in additional revenue every year for airport development, which strengthens our economy and creates additional jobs at a time that both are critically needed.

The legislation provides significant increases in AIP funding for smaller airports that rely on AIP for capital financing. The ability to raise the PFC and the increase in the AIP funding provides financing for airport capital development that will help reduce delays.

The bill also dramatically increases funding for and improves the Essential Air Service program and reauthorizes a small community Air Service Development Program through 2012.

Here at home and across the globe, more is being done to reduce energy consumption and emissions. The FAA and the aviation community continues to be a leader in greening its operations. We further those efforts by establishing the CLEEN Engine and Airframe Technology Partnership and the Green Towers program, which was modeled after what is currently being done at O'Hare International Airport in Chicago.

The United States has the safest air transportation system in the world; however, we must not become complacent about our past success. To keep proper oversight over the FAA and safety, the FAA, under the H.R. 915 legislation, directs the FAA to increase the number of aviation safety inspectors, initiate study on fatigue, and requires the FAA to inspect part 145 certified foreign repair stations at least twice a year.

The legislation does not increase or place new user fees on users of airspace.

We believe that the Airport and Airway Trust Fund revenues, coupled with the additional revenue from the recommended general aviation fuel tax increase and a reasonable general fund contribution will be sufficient to provide for the historic capital funding levels required to modernize the air traffic control system.

Madam Speaker, this legislation before us today is critically important to the FAA.

With that, I reserve the balance of my time.

Mr. PETRI. Madam Speaker, in May of last year, the House passed H.R. 915, the FAA Reauthorization Act of 2009. Earlier this week, the Senate passed its own FAA reauthorization bill, and, therefore, the two Chambers will soon begin negotiations to reconcile the bills. However, that process will take some time. Given that the current FAA extension expires at the end of this month, we need to again extend the FAA's taxes and authorities to allow time to get a final conferenced FAA bill.

While the House considered and passed an FAA extension bill just last week, we are again considering an FAA extension in order to address a minor technical matter in the earlier bill that would have impacted the FAA's ability to fund airport projects during the next 3 months. Therefore, this bill, H.R. 4915, makes the technical correction and also extends the taxes, programs, and funding of the FAA to July 3 of this year.

This bill will ensure that our National Airspace System continues to operate and that the FAA continues funding important airport projects while the Congress reconciles the two reauthorization bills.

Like the bill considered last week, the bill before us also includes a provision that will change the way funding is distributed for the Projects of National and Regional Significance program and the National Corridor Infrastructure Program in the surface transportation extension that was signed into law last week. Currently, 56 percent of the funds for those two programs are directed to just four States, and 22 States will receive no funding at all. This fix ensures that the funding for those two programs is distributed to all States through the existing Federal-Aid Highway formula.

With that, I urge my colleagues to support H.R. 4915.

I reserve the balance of my time.

Mr. COSTELLO. Madam Speaker, I yield 2 minutes to a valued member of the subcommittee, Congressman CAPUANO.

Mr. CAPUANO. I thank the gentleman for calling me valued. It's nice to be valued. He didn't say how much, but we will leave it alone—high value.

Madam Speaker, I rise today to express my support for this legislation

and look forward to it. This legislation is long overdue. It's something that we have been working on now for, well, as long as I can recall. It has lots of important issues in there in the FAA and it also has an additional fix. As I see it, it's not even about the amount of money for the Commonwealth of Massachusetts. From my perspective, it is about an equitable issue. That's really all it is. It's a matter of equity.

We were put in a position to pass a bill that had other good job provisions in it that did not have equitable provisions in it, but we did it because this economy needs a boost. And like every bill we ever vote on anything, there is some good and some bad. So that particular bill, in my opinion, had some bad things in it.

This bill has good things for the FAA, has good things for the country, has good things for all of us who fly, but it also had some provisions in there that will level the playing field for the people of this country, and that's why I wanted to come over this morning.

Again, there are times when I usually get called on to ask when there is a fight going on. In this particular instance, there is no fight here. I am not sure exactly who the fight is with, and I am a little uncomfortable speaking when we are all on the same side, but it's nice for a change. I won't get used to it too often, but I do enjoy it on occasion when it happens, so I wanted to come over and express my support.

Mr. PETRI. I want our colleague from Massachusetts to know that he is valued on both sides of the aisle.

With that, I yield such time as he may consume to the esteemed ranking member of our committee, Mr. MICA, from Florida.

Mr. MICA. Thank you for yielding.

Madam Speaker and my colleagues, if everyone isn't totally confused by what's going on with the FAA legislation, it will be a miracle, but let me just try to take, for a moment, Madam Speaker and my colleagues, a little time to explain to Members and staff and you, Madam Speaker, where we are and how we got here.

Now, what we are considering now is not a new FAA bill but the extension of the old FAA bill. In fact, the FAA bill, when I was chairman of the Aviation Subcommittee in 2003, in May of that year, we introduced a bill that became law 6 months later and was signed by the President the end of 2003. That bill has been in effect, that authorization which authorizes all the policy, all the projects for FAA, has been in effect, and it expired in September of 2007. Since September of 2007, we have not had a new FAA bill. What we have done is a series of extensions of the 2003-passed bill.

Now, last week, we were here doing the 12th extension of the FAA bill, and we passed that measure and we sent it over to the other body. The other body took that legislation and they passed it, but a little mistake was made, I understand, in the formula for AIP fund-

ing, so that's why we are back here the 13th time passing an extension of a bill that expired in 2007.

Mr. OBERSTAR. Would the gentleman yield?

Mr. MICA. Yes, I would be glad to yield.

Mr. OBERSTAR. That makes the gentleman from Florida, Madam Speaker, the author of the longest surviving authorization of FAA programs.

Mr. MICA. Yes. I wish I didn't have that honor. But as the gentleman who just spoke is now our chairman, was the chairman of the Aviation Subcommittee when I came to Congress, and I met him first in 1993, he knows the importance of getting this authorization done.

Now, meanwhile, back at the ranch, Madam Speaker and Members of Congress, the FAA bill that the House passed last May has been over in the other body being considered. Of course, other things have gotten in the way and, finally, I believe, last night, they passed the FAA bill. But the other body didn't use our legislation that we had passed in May. They took a Ways and Means bill and they tacked on the provisions that they want, and it's coming back to the House of Representatives, and tentatively scheduled before the Rules Committee is that full bill. What we are debating now is just an extension to get us to July 3, because they are sending back—they are playing a little bit of games with the entire bill.

□ 1100

They took our bill out. They put other provisions in on a Ways and Means bill, which really raises questions as to our jurisdiction because we're the Transportation Committee, although I know the chairman is planning to tack our bill, our full bill back on, hopefully, in the Rules Committee and then bring that back to the floor.

So this little ping-pong game of the FAA reauthorization is not over by any means. I'm hoping and praying that this authorization extension that gets us to July 3 is accepted without change over in the other body because, as we know, there was a highway bill extension to December 31 put on a jobs bill last week.

But when we passed that in the House and the President signed it into law, it's my understanding it contains a provision that the other body put in; and four people, four individual States, rather, benefit by the provisions of that taking the highway trust fund money for special projects of national significance, and four States get 58 percent of the money. Now, we didn't want that in the bill when it passed.

Mr. OBERSTAR obtained agreement from Mr. REID and Ms. PELOSI that we would change that, and we actually had a provision to change that in this bill, this extension.

Now I'm getting confused. But, in fact, that provision is in this bill that would give every State equitable dis-

tribution of those highway funds. So that's why we support it on the Republican side.

Mr. OBERSTAR's been working to get this done. We don't want four States to benefit. We don't want all the money to be put in the discretionary fund and then distributed at the will of a few bureaucrats. We want everyone to be treated equitably.

So there's at stake both the extension of the FAA authorization until July 3. There is the reformulation of the highway money that goes through December 31 in this measure. So that's why we must pass this.

But this is not, I repeat, this is not the FAA bill that we do need to pass that Mr. COSTELLO, Mr. PETRI spoke about.

Now, Madam Speaker, if that hasn't confused everyone, every single Member outside the committee and members of the public and everyone else who may be interested in this, I don't know what will confuse them. But that, folks, is basically where we are, and that's why we need to pass this extension. Hopefully, we won't see this for the 14th time, hoping and praying; but it may be possible because they like to play games as this process moves forward to the benefit of some, not everyone. We don't want that to happen.

So I urge your passage of this extension. Don't confuse it with the FAA bill which still will be around the corner.

And I thank our ranking member, I thank Mr. COSTELLO for their continued work, and my counterpart, the chairman, Mr. OBERSTAR, for their work in bringing this forward.

Mr. COSTELLO. Madam Speaker, at this time I would yield to my friend from Maryland (Mr. CUMMINGS) 3 minutes.

Mr. CUMMINGS. Madam Speaker, I rise today in strong support of the FAA Extension Act 2010, H.R. 4915, which would provide a short-term extension of existing FAA authorization legislation.

I want to thank the subcommittee chairman, Mr. COSTELLO, for his outstanding leadership constantly and on this legislation.

This legislation, and just picking up where Mr. MICA left off, also includes provisions that would ensure that an equitable distribution is made during the extension of the SAFETEA-LU surface transportation authorization of money designated for the Projects of National and Regional Significance and the National Corridor Infrastructure Improvement programs.

These programs established in the 2005 SAFETEA-LU legislation were intended to provide discretionary funds to major projects. However, the SAFETEA-LU conference committee designated the projects to receive funding under the programs.

As we have worked to develop a longer-term extension for SAFETEA-LU, the issue of how to apportion the

approximately \$932 million provided for these programs during the extension period has been of critical concern to our committee.

Under provisions developed by the Senate and included in the HIRE Act, this funding would continue to be provided to those few States in which projects were designated by SAFETEA-LU. Under this allocation, four States, four States, would receive 58 percent of the available funding; 22 States would receive no funding, and the remaining States would receive varying levels of funding. Such a distribution is not equitable, particularly given that the designated projects were time-limited.

Chairman OBERSTAR has worked with the Senate majority leader and Speaker PELOSI to devise a more equitable funding distribution, and the legislation before us today includes the agreement they have resolved. Under this agreement, the funding would be distributed to all States pursuant to existing formulas for major highway programs. And at a time when State transportation budgets are experiencing significant cuts, an equitable distribution of available Federal funding is appropriate to ensure that each State can continue to address its most pressing mobility needs.

I applaud Chairman OBERSTAR, Speaker PELOSI and Leader REID for their work on this measure, and I urge adoption.

Mr. PETRI. Madam Speaker, I have no further requests for time. I reserve the balance of my time.

Mr. COSTELLO. Madam Speaker, at this time, I would yield 2 minutes to a member of the subcommittee, the gentleman from Missouri (Mr. CARNAHAN).

Mr. CARNAHAN. Madam Speaker, as a member of the Transportation and Infrastructure Committee and the Aviation Subcommittee, and representing the St. Louis region where aviation has been vital in our history and our economy, I rise today in strong support of passage of H.R. 4915, the Federal Aviation Administration Extension Act of 2010.

Although I believe a long-term reauthorization of the FAA is long overdue, I'm happy to see the Senate finally pass an FAA reauthorization bill earlier, so we are one step closer to passage of a much-needed long-term reauthorization.

I'm also happy to see this legislation include the provision to amend the HIRE Act so that all States, including my home State of Missouri, can receive funding under the Projects of National and Regional Significance and the National Corridors Program, rather than just 29 States. Both of these programs are designed to be competitive and discretionary programs under SAFETEA-LU where all States could fairly compete for funding.

I want to thank Chairman OBERSTAR, Chairman COSTELLO, Ranking Members MICA and PETRI for their work to bring about this compromise to move this forward so that States like Missouri

can receive funding under these programs, not only those States that had designated appropriations in SAFETEA-LU.

It is critical for all States to be treated the same, to have these opportunities. This is an important compromise as we continue to work toward a long-term surface transportation bill that is so vital to our economy and growing out of this recession our country has been working through. This is important for jobs.

I congratulate our leadership and our Members and recommend this bill to all of our Members.

Mr. PETRI. Madam Speaker, I continue to reserve.

Mr. COSTELLO. Madam Speaker, at this time I yield 3 minutes to the distinguished chairman of the full committee, Chairman OBERSTAR.

Mr. OBERSTAR. I thank the gentleman for yielding and compliment Mr. COSTELLO on the splendid job he has done in crafting the FAA authorization bill, and the partnership with Mr. PETRI, and also with Mr. MICA, the Republican leader on the committee who once chaired the aviation subcommittee. And together we have fashioned a really solid bill for the future. We passed it in two Congresses. It's well past time for the Senate to act on this bill, and finally they did, 93-0.

However, the current program, the current law, as I expressed in my colloquy with Mr. MICA, is the longest standing FAA authorization bill, simply because we haven't passed the next authorization.

The House has done its job, as it always does, in two Congresses. We first passed this bill in 2007, and were blocked by the White House that threatened veto over certain provisions of the bill. But the Senate never even took it up. We never got close to conference, so we passed it again last year. And now we need an extension.

And we passed the extension, but the FAA came back to us and said, well, before this extension is enacted, we request a technical correction to a provision of the bill relating to formula grants. Within the Airport Improvement Program, this technical correction ensures that sufficient funds will be allocated to formula grants, rather than discretionary grants. And without the correction, FAA said they discovered that there could be insufficient funds to cover formula apportionments after July 4 of this year. So we're taking up this technical correction, sending it over to the other body, in addition to the bill we passed last week.

Now, there is another matter of importance that we've attached to this bill, and that is the correction to the HIRE Act that the House passed, Senate passed, and then we found that when the Senate moved their bill, there was a disruption—I'll be kind about this—to the formula, which has already been discussed by other speakers. Mr. MICA has talked about it; Mr. CUMMINGS just recently, in which four

States get 58 percent of the funds, 22 States get nothing. The other 20 states get scraps. That's not right. And we need to—and we're correcting that in this bill.

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

Mr. COSTELLO. Madam Speaker, I yield 1 additional minute to Mr. OBERSTAR.

Mr. OBERSTAR. So we're sending that back to the other body. Majority Leader REID had cleared the correction that we're sending back with the appropriate members of the Senate committee leadership and the Senate floor leadership, but somehow this correction has gotten bogged down.

I also urge the other body to act on H.R. 4786, which we passed March 10, to correct an additional problem created by the filibuster in the Senate that caused highway authorization to lapse and 1,922 Federal Highway Administration career employees to lose their salaries. They, through no fault of their own, get a 20 percent cut in their bi-weekly pay check. That's unreasonable.

Now we've sent over a bill to the other body with a very clear payment restructuring.

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

Mr. COSTELLO. I yield 1 additional minute to Chairman OBERSTAR.

Mr. OBERSTAR. And the Secretary of Transportation said that he has made the shift within the administrative account, but cannot make the payment because he needs authority from Congress to do so. So we quickly drafted the bill with their technical input, moved the bill, with great bipartisan support, great enthusiasm over here; but then there is a Member of the other body who is holding it up, saying he wants it paid for.

Well, the Congressional Budget Office has certified to us in writing that there is no cost, there is no need for a pay-for. There is no need for an offset. We said that at the time we moved this bill. We had received it informally from CBO. We now have it in writing from CBO. So there is no need to hold up justice for these 1,922 employees who, through no fault of their own, just standing there doing their jobs, were cut off from their pay because of one person's filibuster over in the other body.

It's time to do justice for these people. Don't hold them up for a month if this goes on longer. This is just patently unjust. I urge the Senate to act on this bill.

□ 1115

Mr. PETRI. I yield 1 minute to the Representative from Nevada, a member of the subcommittee, Ms. TITUS.

Ms. TITUS. Madam Speaker, I thank the gentleman for the courtesy of yielding.

I rise today in support of this legislation and in support of the provision

that includes “to distribute funds for the projects of national significance and National Corridor Grant programs through existing formulas.”

Under the HIRE Act, funds for these programs went to only 29 States based on whether they had earmarked projects under SAFETEA-LU. Some States were big winners, and others were big losers. Twenty-two States would receive no funding at all, including my State of Nevada. California, Illinois, Louisiana, and Washington, however, would get \$543 million of the \$932 million allocated. The legislation we are considering today would correct this inequity.

In Nevada, it would mean an additional \$7.7 million for transportation programs. It is an important piece of legislation, and I urge its passage.

Mr. COSTELLO. Madam Speaker, I would ask how much time we have remaining.

The SPEAKER pro tempore. The gentleman from Illinois has 1 minute. The gentleman from Wisconsin has 9½ minutes.

Mr. COSTELLO. Madam Speaker, let me say, with the action taken by the Senate on Monday of this week, we are one step closer to having an FAA reauthorization bill. It is an important piece of legislation. As I stated earlier, the industry generates nearly \$900 billion in economic activity annually that represents 9 percent of our GDP and employs millions of American people.

As our Nation struggles with high unemployment, it is necessary that we pass this legislation and move forward so that we can improve safety, improve congestion, and reduce delays.

I reserve the balance of my time.

Mr. PETRI. I join my colleagues in urging a speedy passage of the measure before us.

I yield back the balance of my time.

Mr. COSTELLO. Madam Speaker, I want to thank both Chairman OBERSTAR, Mr. MICA, and Mr. PETRI, and I would urge passage of H.R. 4915, the Federal Aviation Administration Extension Act of 2010.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. COSTELLO) that the House suspend the rules and pass the bill, H.R. 4915.

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.

PROVIDING FOR CONSIDERATION OF H.R. 4899, DISASTER RELIEF AND SUMMER JOBS ACT OF 2010

Mr. PERLMUTTER. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1204 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1204

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4899) making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

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

Mr. PERLMUTTER. Madam Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentlewoman from North Carolina (Ms. FOXX). All time yielded during consideration of the rule is for debate only. I yield myself such time as I may consume.

GENERAL LEAVE

Mr. PERLMUTTER. I also ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Resolution 1204.

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

There was no objection.

Mr. PERLMUTTER. Madam Speaker, House Resolution 1204 provides for consideration of the Disaster Relief and Summer Jobs Act of 2010 under a closed rule. The rule provides for 1 hour of debate equally divided and controlled by the chair and ranking minority member of the Appropriations Committee. The rule waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The rule provides that the bill shall be considered as read. And, finally, the rule provides one motion to recommit the bill, with or without instructions.

Madam Speaker, we are quickly approaching the beginning of disaster season in the United States. While many natural disasters occur without warning, we can say with certainty that tornadoes, hurricanes, wildfires, and flooding will damage communities across our Nation in the coming 6 months.

Just this week, the residents of North Dakota and Minnesota are breathing a sigh of relief as the Red River flood crested. In my own State of Colorado, throughout our history we have suffered our fair share of destruction by wildfire, tornados, hailstorms, and flooding. In the gentlewoman Ms. FOXX's district, for instance, a major disaster was declared just this year due to severe winter storms and flooding.

We don't know where and we don't know when natural disasters will occur, but our Federal response and re-

lief officials must prepare nonetheless. And when those disasters do happen, Members of Congress will tour the devastation in their district and tell their constituents hurt by the disaster, “I will do everything I can to help you recover from this event.”

Today's bill is the most important thing they can do to help in the recovery and relief efforts. There will be emergency response professionals who worked overtime and need to be reimbursed. There are Federal search and rescue teams which will have to be mobilized. FEMA will have to rebuild public infrastructure and remove debris. FEMA will have to provide temporary shelter to families displaced by the disaster. And, under the Stafford Act, these are all responsibilities of FEMA. There is just no getting around it.

Already this year there have been 18 disasters and three emergency funds in seven States, and the disaster relief fund is about to be exhausted. Given the domestic and international efforts FEMA has undertaken this year, the disaster relief fund will be exhausted within the next month. So this bill replenishes the disaster relief fund with \$5 billion.

This funding can only be used for disaster relief; it cannot be shifted into other accounts. And if it is not spent this year, it will be retained for the fund next year.

Because relief also requires the Federal Government to assist affected small businesses to resume operations, the bill also provides for \$60 million to be funded to the Small Business Administration. And, finally, the bill invests \$600 million into job training and employment services.

This is a vital investment to build upon the progress we have made in the past year to put America back to work.

Because this investment is not an emergency, it is paid for with unobligated Recovery Act dollars. But make no mistake, this bill is about robust emergency response capabilities. Natural disasters don't care about congressional district boundaries. They can happen anywhere in our country.

I hope Members see the importance of this bill and make the right vote to ensure FEMA and our Federal disaster relief and recovery officials have the resources they need to help your States save lives and rebuild.

I reserve the balance of my time.

Ms. FOXX. Madam Speaker, I thank my colleague for yielding. I yield myself such time as I may consume.

Madam Speaker, despite what the Democrats may say about this bill, my colleagues could be well served to recognize how this bill represents little more than a continuation of the arrogant approach to governing that has pervaded this body since they took control 3 years ago. Let's start by considering the process for which this rule and bill are coming before us today.

This legislation, which spends \$5.7 billion to replenish a FEMA disaster relief account and fund a Department

of Labor Summer Jobs program—“jobs” in quotes—was introduced last Sunday, March 21, and was before the Rules Committee the following day.

In February of 2009, shortly after President Obama assumed office, *The Hill* newspaper quoted a group of Democrats as saying that, “Committees must function thoroughly and inclusively, and cooperation must ensue between the parties and the Houses to ensure that our legislative tactics enable rather than impede progress. In general, we must engender an atmosphere that allows partisan games to cease and collaboration to succeed. We are looking forward to working with you to restore this institution.”

So much for good intentions.

Despite their best attempts to divert attention from the simple truth, it is worth remembering the pledge made in 2006 by the then-minority Democrats to ensure regular order for legislation, promising that, “Bills should be developed following full hearings and open subcommittee and committee mark-ups, with appropriate referrals to other committees. Members should have at least 24 hours to examine a bill prior to consideration at the subcommittee level. Bills should generally come to the floor under a procedure that allows open, full, and fair debate, consisting of a full amendment process that grants the minority the right to offer its alternatives, including a substitute.”

Oh, how quickly we forget.

You know, \$5.7 billion used to be a lot of money. But the ruling Democrats, who have apparently no concept of the value of money, have completely thrown that idea right out of the window.

In fairness to my liberal colleagues, working with such large numbers starts to get confusing. After all, who pays attention to all those zeroes? We hardly ever hear the word “million” anymore, and it hasn’t been that long ago that Everett Dirksen said, “A million here, a million there, and pretty soon you are talking about real money.”

I saw an article today in one of the newspapers from my district where they talked about the fact that they thought they weren’t going to have money for a summer job program. Now, it looks like they are going to have it. And the article said, “Last year, 129 businesses that used this program benefited from free labor provided by Uncle Sam.”

We have established in the minds of many Americans that Federal dollars are somehow or another manna from heaven. They are not manna from heaven. Somebody has to pay this bill. It’s not free. There is no free lunch. Every dime we are spending has to be borrowed. The American people understand that, and they are sick and tired of it.

Many of our colleagues support PAYGO, which, they argue, forces Congress to “pay for” certain spending increases with tax increases. This bill is

a perfect example of the sham that is PAYGO.

First off, PAYGO applies only to certain kinds of nondiscretionary spending, so they exhaust themselves spending on social welfare programs without so much as a PAYGO speed bump.

When looking for another reason to increase taxes, they simply look for an excuse to increase automatic spending. That way, they tell their tax-conscious constituents that their hands were tied as the rules forced them to support the tax increases. Never take responsibility for your actions.

What happens when the spending proposals are so much that even liberals can’t tax their way out of them? A few of their tricks include budgetary gimmicks, like inserting an exception into the rules, or, my favorite, simply declare the spending to be an emergency.

□ 1130

The bill we have before us today designates, as an emergency, \$5.1 billion in spending for a FEMA account that could and should be funded through the regular appropriations process. As I raised in the Rules Committee the other day, we recommend to people that they have 3 months of income in an account in case they have an emergency, but this is funding in anticipation. And it means we’re borrowing money and we’re paying interest on that borrowed money.

The excuses from my colleagues just are endless. Spending increases are so common that they have become all too predictable. Observers of this debate are likely to hear one of the most tired excuses intended to dodge responsibility for their unconscionable spending binge. When all else fails, they always fall back on the reliable excuses, Well, George Bush did it, or, You did it before.

As a teacher, I never let my students get away with childish excuses like this. This is Congress. People elected us to be responsible for the decisions we make. It is true that Republicans spent far too much while in the majority, but the Democrat response is simply to triple down on the mistakes of the past and return to the same old blame game that’s led this government into the budgetary malaise that we’re facing today. While they say they’re simply responding to the mess made by the previous administration, the Democrats would have you believe that this mess was created because George Bush didn’t spend enough.

The American people need strong leadership. They need effective leadership. They need leadership that ends the petty, partisan blame game and accepts responsibility for governance. This bill exemplifies how the ruling Democrats fail to offer any of these fundamental leadership traits. That’s why this country desperately needs a change in congressional leadership. We need to vote “no” on the rule, and “no” on the underlying bill.

With that, Madam Speaker, I reserve the balance of my time.

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

I have listened to the gentlelady, and I guess I’m very surprised by her argument that with FEMA’s funding running out within the next 2 weeks, that the Republican side of the aisle would argue against any funding for future disasters that we know are going to come. For instance, in Representative FOXX’s district just this past month, a disaster was declared because of flooding and severe winter weather. These are the counties that were declared a disaster: Alleghany, Ashe, Avery, Buncombe, Burke, Caldwell, Haywood, and on and on and on. I looked through the list.

We have had 16 or 17 disasters declared already this year across the country. Luckily, none of them were in Colorado. I looked at last year. We had dozens and dozens all across the country, including others in North Carolina. None were in Colorado. But I can tell you, Coloradans understand that this is a national issue. This is something that we take care of as citizens, as Americans across the country, because we’re in this together. It isn’t just, Let’s wait until the whole thing runs out and then scurry around and try to figure out what to do. We are dealing with disasters.

When I’m listening to my friend from North Carolina, it’s like she wants to have Katrina happen all over again, where we’re not prepared, the country is not prepared to deal with a massive emergency. That’s what this is all about. It is about funding FEMA so that it can respond to the emergencies that we know are going to arise. And so all of this conversation about procedural tricks and “You aren’t getting this done,” this is about funding the emergency management of this country. I’m surprised, especially when North Carolina just enjoyed the ability to take advantage of this—well, nobody would enjoy having to draw on the disaster relief. I take that back. That was an improper statement. What they did is they had the disaster relief fund available to them to deal with the troubles they suffered during this past winter.

So I can’t see any merit to the argument that’s being made that the issue is not before us properly. It’s a five-page bill. The other side of the aisle, the Republicans, have been complaining about big bills, too hard to read, take too long. This is five pages that says we’re going to fund our emergency management administration so that we can deal with the disasters that we know are going to come.

With that, I would reserve the balance of my time.

Ms. FOXX. I appreciate my colleague pointing out the fact that we did have some areas in North Carolina. Indeed, two of the counties that he mentioned were in my district, because of the rain that we had recently. But, you know, declaring a disaster and allocating money to those counties are two different things.

I would bet—and I'm sorry I don't have time to do it while we're here on the floor, but I bet it'll be 18 months before any of those people see a dime of the money because the bureaucracy is so incompetent in terms of responding to people. So the money won't be given out for a long, long time from those disasters, unfortunately, because usually when there is a disaster, people need help right away, but it doesn't get done.

We could have gone through regular order on this. There's no reason not to have gone through regular order. But what you wanted to do was get this jobs money out there, is my guess, so that you could declare jobs being created through more government funding.

Madam Speaker, I was in the Congress when Katrina hit, and here's what happened. We were on August break. Katrina hits on Saturday, Sunday, Monday. The Speaker of the House, Mr. Hastert, had a conference call on Wednesday of that week and he said, I either can call everybody back into session and we will allocate the \$10 billion that needs to be allocated for Katrina right now, in an emergency, or we can have unanimous consent, no one will come forward and object. I will bring a few people back in. We'll take care of this need immediately. That's exactly what happened. Everybody knew there was an emergency, and we reacted to it.

I don't understand my colleague saying we are not prepared for a massive disaster. If we aren't, with all the money that we spend on things, then we have a major problem. I think we are prepared for major disasters. We showed that on 9/11. We showed it with Katrina. So this is a straw dog. That's all it is.

Now, given the best efforts of the Democrats to create jobs, starting with the stimulus last year, perhaps this bill would be better titled: The Disaster Relief and Summer Government Jobs Act of 2010. As has been so well articulated in a March 3 Washington Times editorial, "From immigration to clean energy to expanding the social safety net, there's no better way to grease the skids for new government programs in Washington nowadays than to declare them job-producing bills, then watch supporters line up and potential opposition crumble."

The piece goes on to cite multiple examples of how Democrats claim their proposals will create jobs, but what they never seem to mention is where these jobs are coming from. Ends up, many of the Democrat policies do create jobs after all—government jobs—and they do so by stealing jobs from the private sector. And don't just take my word for it. Let's look at the evidence.

As you can see, this chart shows the net job gains or losses by major sector from February of 2009 to February 2010. It illustrates how the private sector lost 3.9 million jobs over the past year

while government grew by a total 293,000 jobs. Again, the American people are understanding this and they're getting sick and tired of it. They don't want to be paying high taxes to be put in debt until infinity in order to create more government jobs, generally paying twice as much as the private sector jobs do.

The Senate health care overhaul, replete with its backroom deals, mandates of dubious constitutional standing, and a dozen tax increases that break the President's tax pledge, is now law. It remains to be seen how this health care overhaul will be implemented, but one White House advisor said it must be implemented "effectively, efficiently, and with great accountability." If that sounds familiar, it's because last year the White House was saying the same thing about the stimulus bill. It turns out the trillion-dollar boondoggle wasn't nearly as stimulative as advertised. Job creation, not so much. This is the proof.

Our colleagues continually say that we don't represent things accurately. I know we can argue about numbers, but these are not Republican numbers. These are numbers that are true.

Madam Speaker, this bill is not going to do anything to create more jobs. It's going to continue to hurt the economy. With that, I will reserve the balance of my time.

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

A couple of things. I'm very surprised that my friend from North Carolina would hold up the response to Katrina as the model for how we respond to emergencies. There couldn't be anything farther from the truth in that respect. It was a terrible mess, a terrible response. I don't think anybody in this country would say otherwise. The country was not prepared under the Bush administration. This Congress was not prepared. This is about preparing for emergencies. Right now, even though the flood has crested in North Dakota and Minnesota, it still is a state of emergency. Those States near the river are under water. So there is an emergency occurring even as we speak.

Now, my good friend from North Carolina has her posters. Of course, we have ours. Now let's take a look at what really is going on in the economy.

Under the Bush administration, we had tremendous job loss beginning in 2007, but certainly in the fall of 2008.

Ms. FOXX. Would the gentleman yield?

Mr. PERLMUTTER. Let me explain my poster and then you and I can debate our posters.

This is private payroll. Drops like a rock until January 2009, which is the greatest loss of jobs. During that month, some 780,000 jobs—780,000 jobs lost in January 2009. Twenty thousand jobs lost one year into the Obama administration in January 2010. It's too many. It's not right, but it's a heck of a lot better than 780,000 jobs lost in the last month of the Bush administration.

So my friend complains about the status of jobs, but this country was in free fall when it came to the economy, the financial system, and jobs. That has turned around. We have so much farther to go, and that's part of what this bill does. It provides for summer jobs and training for many of those people who have been out of work. We have got to get those people back to work. But we turned around. You see this sea of red, jobs being lost again and again, month after month. Still, it has improved dramatically in the last year.

So, I would entertain my friend's question.

Ms. FOXX. Well, my question is: Who was in charge of the Congress beginning in January of 2007, when the economy started going south?

Mr. PERLMUTTER. The Democrats. Well, you say when the economy started going south. The economy started going south, I would say to my friend, in September of 2008, when, because of very lax regulations on Wall Street, the bottom fell out of the financial system and jobs were lost at an ever-increasing number. And so the Bush administration, by its lax regulation, cost thousands and millions of jobs across this country, and that's what we're trying to stop.

We've been able to slow it down, Madam Speaker. Now it's time to start adding jobs. And part of this bill provides for job training. It provides for summer jobs, as well as dealing with the disaster relief that has to be managed for the rest of this season of tornadoes and fires and floods. And we're in a flood right now in North Dakota and Minnesota. We have to address that and we have to fill that emergency fund so we can address these things promptly and without any delay, as I believe occurred with Katrina down in Louisiana.

With that, I will reserve the balance of my time.

□ 1145

Ms. FOXX. Madam Speaker, I thank my colleague very much for yielding and answering my questions. I didn't say anything about FEMA and its response to Hurricane Katrina. I think if you will look back at my comments, it was that Congress was able to respond immediately when there was a need, which is what we believe should happen.

Mr. PERLMUTTER. Will the gentleman yield?

Ms. FOXX. I yield to the gentleman from Colorado.

Mr. PERLMUTTER. Well, responding after the hurricane hits isn't fast enough. This is about knowing these things are coming and dealing with them in advance.

With that, I yield back to my friend.

Ms. FOXX. I thank my colleague.

What I don't understand, if this is what the Democrats want to do, why don't we have an emergency reserve fund? Again, we advise families to prepare for emergencies. That's what we

should do in the government. We should go through regular order. We should have debate. We should have some idea of where money is going to need to be spent in advance in terms of how we respond at the Federal level.

This is more government knowing the answer to everything and government control from the Federal level. That's exactly what this is. Is it going to create jobs? Well, yes. It's going to create some summer jobs for young people, but it's not going to affect that job picture that my colleague talked about. Neither did the stimulus. The stimulus was passed. We were told by the White House, by the Congress, "Pass this and unemployment will not exceed 8 percent." Unemployment has been right at 10 percent for months and months and months. In fact, again, the only thing that's been stimulated has been the government, and that's not where we need to be going.

The American people don't want more government. They want more jobs. The recent health care overhaul and last year's stimulus bill illustrate the Congress is very good at growing government; not so good at spurring job growth.

The simple truth is that if the Democrats really wanted to stimulate youth employment, there's one sensible, effective policy change that could do so without spending a dime.

As articulated in a March 10 Wall Street Journal editorial:

"The recent act of Congress that has caused the most economic hardship goes to the May 2007 law raising the minimum wage in three stages to \$7.25 an hour from \$5.15. Rarely has a law hurt more vulnerable people more quickly. A higher minimum wage has the biggest impact on those with the least experience or the fewest skills. That means in particular those looking for entry-level jobs, especially teenagers. And sure enough, as nearly all economic models predict, the higher minimum has wreaked havoc with teenage job seekers, well beyond what you would expect even in a recession."

The editorial continues by comparing:

"the three-stage increase in the minimum wage with the jobless rate for teens age 16 to 19 since 2007. The first increase, to \$5.85 from \$5.15, after a decade of no increases and when the overall joblessness rate was below 5 percent and the teen rate was 14.9 percent. The demand for labor was sufficiently strong in many areas that most employers were probably willing to absorb the higher wage.

"But as the minimum wage increased even as the overall job market began to worsen, the damage to teen job seekers became more severe. By the time the third increase to \$7.25 from \$6.55 took effect in July 2009, the teen jobless rate was 24.3 percent, and by October, it peaked at 27.6 percent before dropping to 26.4 percent in January.

"The story is even worse for black teens, who often have lower than aver-

age education levels or live in areas with fewer job prospects. Their jobless rate climbed from 38.5 percent before the third wage hike to 49.8 percent in November 2009, before falling back to 43.8 percent in January. For black male teens, the rate climbed to 52.2 percent in December from 39.2 percent in July. The difference between the jobless rates for black teens and the entire population widened by six percentage points from June 2007 to January 2010. Even assuming those rates fall as the job market improves this year, they will remain destructively high.

"The third increase was especially ill-timed because it hit while the recession was ending but before employers have felt confident to rehire. To raise the cost of unskilled labor precisely when the jobless rate is heading toward 10 percent is an act of almost willful economic stupidity." Madam Speaker, I want to remind the Speaker that I am quoting. "A Congress that has spent \$862 billion to create jobs thus managed with its wage increase to harm tens of thousands of entry-level job seekers. And it did so in the name of 'compassion' and a 'living wage.' In many cases that wage has since become zero.

"The evidence is clear that increasing the minimum wage is an expensive and misguided way to try to move working families out of poverty. According to the Employment Policies Institute, 85 percent of people who earn the minimum wage aren't the primary bread winner in a family.

"Most readers remember the work habits they learned from their first job. Showing up on time, being courteous to customers, learning how to use technology—such habits are often more valuable than the actual paycheck. Studies have confirmed that when teens work during summer months or after school, they have higher lifetime earnings than those who don't work. So raising the minimum wage may inadvertently reduce lifetime earnings.

"Most Democrats won't bend on the minimum wage because it is a core union demand, but free thinkers ought to at least consider the teenage job problem. The long-term danger is that we are building in a higher level of structural unemployment as our least skilled workers find it harder to climb onto the first rung of the job market."

This will not solve problems. It creates more.

With that, Madam Speaker, I reserve the balance of my time.

Mr. PERLMUTTER. Madam Speaker, first I would ask how much time remains on both sides.

The SPEAKER pro tempore. The gentleman from Colorado has 19½ minutes. The gentlewoman from North Carolina has 11½ minutes.

Mr. PERLMUTTER. Having no further speakers, I will reserve the balance of my time.

Ms. FOXX. I now yield such time as he may consume to our colleague from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentle lady for yielding.

Listening to this debate in my office, I just had to come down here because it sounds like this debate is taking place in a vacuum here, like we didn't do anything else this past week. It's been noted that we're providing extra money for FEMA, some for projects that are in the pipeline already, some for disasters that we know will occur. You could put that aside and realize that we're spending I think it's \$600 million—\$600 million, new money, every dime of which will be borrowed. Because we're running a deficit, every dime will be borrowed.

Now you may say, "All this is being taken from the stimulus." We borrowed the stimulus. We borrowed the stimulus money. We are borrowing nearly 40 percent of the money that we're spending here at the Federal level. So they'll say, "Oh, yes. This is being taken from another program that's already funded." But you have to realize we're borrowing that money, too. So \$600 million to create temporary jobs for kids in the summertime, apparently, with no notion that we may have put a lot of people out of work with what we just did earlier this week.

You know, we pass a lot of laws here. We're good at that. But we aren't very good at suspending the laws of economics. We can't do that. We can pretend that we can, but we can't do it. We can't suspend the laws of economics, and we can't phase them in, either. So when you announce that you're going to tax investment capital, that means there's less investment capital to actually invest in job creating activities. So the job creating sector is smaller than it was before. Whenever you take money into government from the job creating sector, when you tax investment capital, like the health care reform that we did, that means there's going to be less capital for job creation.

Also, when you look at this health care bill itself, the President said when he signed the bill into law that the time for overheated rhetoric is over and that the rhetoric will now be confronted with reality. Well, let me tell you what the reality is right now. The reality is higher insurance premiums. So if it's not bad enough out there with a lack of jobs, Americans all over are going to face much higher insurance premiums by virtue of the legislation we just passed. You have to understand that all of the pressures right now are to drive costs upward. There's no downward pressure economically on insurance premiums at the moment because any cost controls either don't exist at all; there's no medical liability reform; and broadening the pool of people who will come into any insurance pool doesn't happen or is not on the mandatory side several years from now.

All you have are requirements that preexisting conditions for children now be covered; that individuals, adults up

to age 26 can stay on their parents' policy; preventative care now has to be covered with no deductibles or copays. Now those may or may not be good policies. That's not what I'm arguing here. But when you do that, insurance is no longer a hedge against risk. We've just obliterated what insurance is supposed to be, and insurance companies will now be treated like public utilities where government simply regulates them. And all the pressure is upward. There's no downward economic pressure on price. So what we'll see in the next several months is insurance premiums jumping up.

I just want to say right now, we shouldn't be surprised when that happens because we can't suspend the laws of economics. We can pass laws, but there are certain laws that are there that we can't change, and those will be slapping us in the face here soon. So when we come to the floor, it's all well and good to talk about FEMA funding. But I wish we would talk a little about \$600 million also that's going to be spent—borrowed—whether it's taken from another existing program or not, we're borrowing that money as well. We're borrowing more money, adding to the deficit, adding to the debt.

Mr. PERLMUTTER. I yield myself so much time as I might consume.

I'm so glad that my friend Arizona was roused from his office because of our conversation about FEMA to come down and talk about health insurance. So I appreciate his statement that higher insurance premiums are going to be the reality. That's the reality today. That was the reality yesterday. That was the reality the day before that. That was the reality in California when they wanted to take the rates up 40 percent, I would say to my friend. That was the reality last year. That was the reality the year before. If we keep doing the same thing, we're going to get the same answers. You have to change things at some point, is what I would say to my friend from Arizona.

I would also say to my friend from Arizona, to argue against eliminating discrimination against preexisting conditions, which is what I thought I heard you say, touches pretty much everybody's life in America. Somebody, either a close friend, a family member, a neighbor of everybody in this Chamber today, whether on the floor or in the gallery, has somebody who they know closely has a preexisting condition, and that is something that has to be addressed.

Mr. FLAKE. Will the gentleman yield?

Mr. PERLMUTTER. Not yet.

So I would say to my friend that I appreciate him coming up here to talk to us about health insurance premiums which are constantly on the rise. We've got to deal with folks who suffer from preexisting conditions and can't find assistance otherwise when it comes to their health insurance. Personally—and I have said many times that I think it's a violation of the 14th

Amendment, the Equal Protection Clause of the 14th Amendment by not allowing people to have equal access to insurance. And part of what was addressed by the historic bill that was signed yesterday by the President is that those people can get insurance. Those folks who have preexisting conditions can get insurance. We can have portability, the ability to go from one job to another, not be locked into a job for fear of losing our insurance.

I appreciated the comments. You'll get another chance. I'm sure the gentlewoman has a lot of time, so she'll yield to you.

□ 1200

The other thing I wanted to say to my good friend because he brought up the economics, in the last 18 months of the Bush administration, this country lost about \$17 trillion in wealth: in homes; in 401(k)s and pension plans; and in jobs. Since last year, the country, each one of us, in our little way, each one of us has gained about \$5 trillion back. Our 401(k)s have improved; our pensions have improved; there has been a stabilizing of home prices; and jobs, as we talked about earlier, are starting to come back after being lost at an unbelievable rate under the Bush administration. So the stock market is up by 4,000 points in the last year. It lost 7,500 points in the last 18 months of the Bush administration.

We are not anywhere near where we need to be, but I say to my friend who is complaining about the laws of economics, that those laws seem to be working in a positive sense now.

I yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL) who will actually speak about the bill that is before us which is about FEMA funding and job training.

Mr. PASCRELL. Madam Speaker, I thank the gentleman for yielding, and I rise in strong support of the rule and the underlying legislation, H.R. 4899, the Disaster Relief and Summer Jobs Act of 2010. I want to commend the Rules Committee, Chairman OBEY and the rest of the Appropriations Committee for bringing this legislation to the floor. This legislation further shows the Democratic majority's commitment to supporting jobs for the American people. Jobs for over 300,000 young people this summer are supported and fully offset in this legislation.

Last weekend, the 8th Congressional District of New Jersey, along with many other communities throughout the State, were hit with a severe nor'easter that caused near record flooding throughout the Passaic River basin. The rising waters, combined with downed trees and power lines, have led to the closing of many roads and bridges. Over 2,500 residents were forced to evacuate; and State, county and local first responders continued their great work to help safeguard life and property.

The flooding has damaged over 3,000 homes. I went back on Monday to see

for myself. I took 3 hours and came right back. Over 400 businesses were devastated. A preliminary damage assessment estimates the loss to the public sector alone to be almost \$10 million. That is the public sector.

On Monday when I briefly returned to my district to see for myself, FEMA was there on schedule, and we hope there will be a very short period between the time they present their information to the Governor of the State of New Jersey and then he will make his appeal to the Federal Government. That is how FEMA should work. We just got notice, in fact, yesterday that the snow disaster that occurred in the southern part of the State is just being responded to, so these are bureaucratic nightmares, particularly to those people forced out of their homes.

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

Mr. PERLMUTTER. I yield the gentleman another 30 seconds.

Mr. PASCRELL. It is critical that we approve the \$5.1 billion included in this emergency legislation to allow FEMA to continue its work helping areas of the country like northern New Jersey recover from these natural disasters.

I urge an "aye" vote on the rule and the underlying bill.

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

Ms. FOXX. Madam Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentlelady for yielding. What got me to the floor was not to talk about FEMA, but when the gentleman brought out a chart about the economy and jobs, that is what I wanted to talk about.

The gentleman mentioned preexisting conditions. What I said was this may or may not be good public policy to deal with that. I think it is, but we ought to deal with it in a responsible way. The Republican plan was to assist jobs in having high-risk pools for those with preexisting conditions to go into. And that way you simply don't even pretend you are suspending the laws of economics and telling the insurance companies you can't raise your rates because we have suspended the laws of economics. You recognize that is a cost and that is a subsidy that will have to be borne, but you do it honestly, not this way, not the way we did it by saying, hey, we are just going to pass a law, have everybody covered, and assume we have suspended the laws of economics and insurance rates will not go up.

The gentleman mentioned that insurance rates have been rising over the years; you bet they have. And part of the reason for which is we have shielded insurance companies from competition. We don't allow them to sell insurance across State lines. And nowhere in this legislation do we allow them to do that. We also don't allow individuals to have the same purchasing power that companies have so you can't as an individual with pretax dollars go out

and shop for health insurance. So we have shielded them from competition, and of course rates are going to go up. But they are going to go up rapidly now because we have imposed these costs upon them.

Again, when we talk about jobs, this seem to be the mantra now. If we can't allow the job-creating sector to create jobs by having a reasonable tax and regulatory environment out there, then we are just going to create government jobs. So that is what we are doing here. We are going to be borrowing \$600 million because even if it is in another program, we are going to be borrowing that money, too. We are going to be borrowing \$600 million and saying to people, we are going to create more temporary government jobs throughout the summer. That is not the answer to our economic woes.

Ms. FOXX. Madam Speaker, I yield myself the balance of my time to close.

We keep talking about the economic situation in this country because it is extraordinarily important to all of us, and all of these bills that are being passed are exacerbating the problem. As my colleague from Arizona said and we have said over and over, you cannot repeal the laws of economics. Our colleagues across the aisle think they can.

Right now, just the interest on U.S. debt in FY 2010 is going to be \$425 billion. That's like paying interest on a credit card and never ever paying off the principal. The enormous burden of the interest cost on our debt takes money out of the economy for future generations and diverts funds from being used for other more pressing priorities. In addition, the U.S. dependence on borrowing money to fund our budget deficit places our Nation in the precarious situation of being beholden to foreign nations like China to finance our Federal spending. High national debt also diminishes confidence in an economy.

As even President Obama said in November 2009: I think it is important to recognize if we keep on adding to the debt, even in the midst of this recovery, that some people can lose confidence in the U.S. economy in a way that can actually lead to a double-dip recession.

The President and our colleagues on the other side of the aisle talk a good game, and then they do the opposite. Despite their rhetoric of fiscal responsibility, the President's budget more than doubles the debt, drives spending to a new record of \$3.8 trillion in fiscal year 2011, pushing the deficit to a new record of \$1.6 trillion in FY 2010, and raises taxes by over \$2 trillion through 2020 by the administration's own estimates.

The President's FY 2011 budget doubles the debt in 5 years and triples it by 2019 from FY 2008 levels. It pushes the debt to \$9.3 trillion this year, or 63.6 percent of gross domestic product, the largest debt in history and the largest debt as a share of our economy in 59 years. Despite the Senate's pas-

sage of a \$1.9 trillion increase in the debt limit, Congress would need to increase this limit again before October 1, 2011, under the President's budget. The interest bill on the debt would more than quadruple by the end of the decade, reaching \$840 billion in 2020.

The budget boosts the deficit to a record level this year, \$1.6 trillion, or 10.6 percent, of GDP. This is the largest deficit as a share of the economy since World War II. Deficits never fall below \$700 billion, never below 3.6 percent of GDP, and end the decade at more than \$1 trillion.

Even with a decline in spending due to the repayment of most TARP funds and the eventual spend-out of stimulus funds, spending reaches a record level of \$3.8 trillion in FY 2011. The budget does not include the spending impact of the administration's cap-and-trade proposal. Even so, spending is still 23.7 percent of the economy at the end of the decade when the historical average has always been 20 percent.

Madam Speaker, we are in a critical time in our country. Economists have told me that unless we stop spending in a very short period of time, we are going to become like a Third World nation. What has set us apart for so long from the rest of the world has been the rule of law and the fact that we have been fiscally conservative. The American people are fiscally conservative; they expect their government to be so. We are putting this country in danger and Republicans are sounding the call. We want to help the American people, but we know the best way we can do that is for the Federal Government to get out of the way and let the entrepreneurial spirit and the freedom that has always characterized this country allow people to do what is the right thing to do for our economy. This direction is wrong. We are going to continue to say that it is wrong, and we know the American people understand that.

I urge my colleagues to vote "no" on this rule, to vote "no" on the underlying bill. We don't need to create more government jobs. We need to let people have control of their lives and of their money. They will bring the economy back.

I yield back the balance of my time.

Mr. PERLMUTTER. Madam Speaker, I just would remind my friend from North Carolina and the other Members of her party that when you cut taxes for the wealthiest of Americans, as was done under the Bush administration and the Republican Congress, prosecute two wars without paying for them, and have absolutely no regulation of Wall Street, you get a financial disaster. We are talking about natural disasters, but they created a financial disaster that we saw caused the loss of millions of jobs beginning in 2008.

We need to reverse that, and that is precisely what is happening. The job loss has gone from 780,000 jobs lost in January 2009, the last month that George Bush was in office, to 20,000 jobs

lost in January 2010. Not good enough, but a lot better. The stock market lost 7,500 points; and in the last year, it has gained 4,000 points back. Not where we want to be, but a heck of a lot better.

There was \$17 trillion lost by each American in their home, in their pension, in their 401(k)s and in their jobs in the last 18 months of the George Bush administration. We have gained \$5 trillion back. Not good enough, but a heck of a lot better.

Finally, the fourth quarter of 2008, the last quarter of the Bush administration, the steepest drop in the gross domestic product, what this country produces, really since the Depression, 6 percent drop, gained 5.7 percent in the fourth quarter of 2009. It hasn't gotten us back to even, but it is a lot better. That is what is going on. And what we want to do on our side of the aisle is get those Americans back to work who lost their jobs. That is what this bill is about, the \$600 million for job training, for summer jobs. It is to get people back to work.

When we get people back to work, when this country has employment that is better than today, then we can really take a good look at the debt, as they suggest, because that is true, we need to look at the debt that exists in this country; but we have to get people back to work.

Now, let's talk about what is the guts of the bill that is before us, and that is to fund disaster relief. The disaster relief fund for FEMA is just about out of money, and we need to fund that so we can deal with the disasters that are existing today in North Dakota, in Minnesota, New Jersey, North Carolina, but also the ones that we know are coming over the course of the next 6 or 8 months.

So the bill provides for FEMA funding. It provides for job training and summer jobs. And, Madam Speaker, this bill that is before us is about saving lives. It is about dealing with disasters. We need to be prepared and that is the whole purpose. We can't have any more Katrinas. We need to do our best to try to deal with those disasters that we know are coming.

I urge a "yes" vote on the previous question and on the rule.

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

The previous question was ordered.

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

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

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

The yeas and nays were ordered.

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

□ 1215

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

Mr. PERLMUTTER. Madam Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 257

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Wednesday, March 24, 2010, through Monday, March 29, 2010, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, April 13, 2010, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Thursday, March 25, 2010, through Wednesday, March 31, 2010, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, April 12, 2010, or such other time on that day as may be specified in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on House Concurrent Resolution 257 will be followed by 5-minute votes on adopting House Resolution 1204 and suspending the rules and adopting House Resolution 917.

The vote was taken by electronic device, and there were—yeas 236, nays 175, not voting 18, as follows:

[Roll No. 178]

YEAS—236

Ackerman	Boyd	Connolly (VA)
Andrews	Brady (PA)	Conyers
Baca	Braley (IA)	Cooper
Baird	Bright	Costa
Baldwin	Brown, Corrine	Costello
Barrow	Butterfield	Courtney
Bartlett	Capps	Crowley
Bean	Capuano	Cuellar
Becerra	Carnahan	Dahlkemper
Berkley	Carson (IN)	Davis (CA)
Berman	Castor (FL)	Davis (IL)
Berry	Chaffetz	Davis (TN)
Bilbray	Chandler	DeFazio
Bishop (GA)	Childers	DeGette
Bishop (NY)	Chu	DeLauro
Blumenauer	Clarke	DeLauro
Boccieri	Clay	Dicks
Boren	Cleaver	Dingell
Boswell	Clyburn	Doggett
Boucher	Cohen	Doyle

Driehaus	Langevin	Rangel
Edwards (MD)	Larsen (WA)	Richardson
Edwards (TX)	Larson (CT)	Rodriguez
Ehlers	Lee (CA)	Ross
Ellison	Levin	Rothman (NJ)
Engel	Lewis (GA)	Roybal-Allard
Etheridge	Lipinski	Ruppersberger
Farr	Loeb sack	Rush
Fattah	Lofgren, Zoe	Ryan (OH)
Filner	Lowey	Salazar
Flake	Lujan	Sánchez, Linda T.
Foster	Lynch	Sanchez, Loretta
Frank (MA)	Maffei	Sarbanes
Fudge	Maloney	Schakowsky
Garamendi	Markey (MA)	Schiff
Giffords	Marshall	Schrader
Gohmert	Matheson	Schwartz
Gonzalez	Matsui	Scott (GA)
Gordon (TN)	McCarthy (NY)	Scott (VA)
Grayson	McCollum	Serrano
Green, Al	McDermott	Shea-Porter
Green, Gene	McGovern	Sherman
Grijalva	McHenry	Sires
Gutierrez	McIntyre	Skelton
Hall (NY)	McNerney	Slaughter
Halvorson	Meek (FL)	Smith (WA)
Hare	Meeks (NY)	Snyder
Harman	Melancon	Space
Hastings (FL)	Michaud	Speier
Heinrich	Miller (NC)	Spratt
Herse th Sandlin	Miller, George	Stark
Higgins	Mollohan	Stupak
Hinche y	Moore (KS)	Sutton
Hinojosa	Moore (WI)	Tanner
Hirono	Moran (VA)	Taylor
Hodes	Murphy (CT)	Teague
Holden	Nadler (NY)	Thompson (CA)
Holt	Napolitano	Thompson (MS)
Honda	Neal (MA)	Tierney
Hoyer	Nye	Titus
Inslee	Oberstar	Tonko
Israel	Obey	Towns
Jackson (IL)	Olson	Tsongas
Jackson Lee (TX)	Oliver	Van Hollen
Johnson (GA)	Ortiz	Velázquez
Johnson (IL)	Owens	Visclosky
Johnson, E. B.	Pallone	Walz
Jones	Pascarell	Wasserman
Kagen	Pastor (AZ)	Schultz
Kanjorski	Paul	Watson
Kaptur	Payne	Watt
Kennedy	Perlmutter	Waxman
Kildee	Peters	Weiner
Kilroy	Peterson	Welch
Kind	Pingree (ME)	Wilson (OH)
Kirkpatrick (AZ)	Polis (CO)	Woolsey
Kissell	Pomeroy	Wu
Klein (FL)	Price (NC)	Yarmuth
Kucinich	Quigley	
	Rahall	

NAYS—175

Aderholt	Coffman (CO)	Issa
Adler (NJ)	Cole	Jenkins
Akin	Conaway	Johnson, Sam
Altmire	Crenshaw	Jordan (OH)
Arcuri	Culberson	King (IA)
Austria	Davis (KY)	King (NY)
Bachmann	Dent	Kingston
Bachus	Diaz-Balart, M.	Kirk
Barrett (SC)	Donnelly (IN)	Kline (MN)
Barton (TX)	Dreier	Kosmas
Biggett	Duncan	Kratovil
Bilirakis	Ellsworth	Lamborn
Bishop (UT)	Emerson	Lance
Blackburn	Fallin	Latham
Blunt	Fleming	LaTourette
Boehner	Forbes	Latta
Bonner	Fortenberry	Lee (NY)
Boozman	Fox	Lewis (CA)
Boustany	Franks (AZ)	Linder
Brady (TX)	Frelinghuysen	LoBiondo
Broun (GA)	Gallegly	Lucas
Brown (SC)	Garrett (NJ)	Luetkemeyer
Buchanan	Gingrey (GA)	Lummis
Burgess	Goodlatte	Lungren, Daniel E.
Burton (IN)	Granger	Manzullo
Buyer	Graves	Marchant
Calvert	Griffith	Markey (CO)
Camp	Guthrie	McCarthy (CA)
Campbell	Hall (TX)	McCauley
Cantor	Harper	McClintock
Cao	Hastings (WA)	McCotter
Capito	Heller	McKeon
Carney	Hensarling	McMahon
Carter	Herger	McMorris
Cassidy	Himes	Rodgers
Castle	Hunter	Mica
Coble	Inglis	

Miller (FL)	Rehberg	Smith (NE)
Miller (MI)	Reichert	Smith (NJ)
Miller, Gary	Roe (TN)	Smith (TX)
Minnick	Rogers (AL)	Souder
Mitchell	Rogers (KY)	Stearns
Moran (KS)	Rogers (MI)	Sullivan
Murphy (NY)	Rohrabacher	Terry
Murphy, Tim	Rooney	Thompson (PA)
Myrick	Ros-Lehtinen	Thornberry
Neugebauer	Roskam	Tiahrt
Nunes	Royce	Tiberi
Paulsen	Ryan (WI)	Turner
Pence	Scalise	Upton
Perriello	Schauer	Walden
Petri	Schmidt	Wamp
Pitts	Sensenbrenner	Westmoreland
Platts	Sessions	Whitfield
Poe (TX)	Sestak	Wilson (SC)
Posey	Shadegg	Wittman
Price (GA)	Shimkus	Wolf
Putnam	Shuster	Young (AK)
Radanovich	Simpson	Young (FL)

NOT VOTING—18

Alexander	Diaz-Balart, L.	Murphy, Patrick
Bono Mack	Eshoo	Reyes
Brown-Waite,	Gerlach	Schock
Ginny	Hill	Shuler
Cardoza	Hoekstra	Waters
Cummings	Kilpatrick (MI)	
Davis (AL)	Mack	

□ 1246

Messrs. SMITH of Texas and ARCURI changed their vote from “yea” to “nay.”

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 4899, DISASTER RELIEF AND SUMMER JOBS ACT OF 2010

The SPEAKER pro tempore. The unfinished business is the vote on adoption of House Resolution 1204, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 233, nays 191, not voting 5, as follows:

[Roll No. 179]

YEAS—233

Ackerman	Carson (IN)	Driehaus
Altmire	Castor (FL)	Edwards (MD)
Andrews	Chandler	Edwards (TX)
Arcuri	Chu	Ellison
Baca	Clarke	Engel
Baldwin	Clay	Eshoo
Barrow	Cleaver	Etheridge
Bean	Clyburn	Farr
Becerra	Cohen	Fattah
Berkley	Connolly (VA)	Finer
Berman	Conyers	Foster
Berry	Cooper	Frank (MA)
Bishop (GA)	Costa	Fudge
Bishop (NY)	Costello	Garamendi
Blumenauer	Courtney	Giffords
Boccieri	Crowley	Gonzalez
Boren	Cuellar	Gordon (TN)
Boswell	Cummings	Grayson
Boucher	Davis (CA)	Green, Al
Brady (PA)	Davis (IL)	Green, Gene
Braley (IA)	Davis (TN)	Grijalva
Bright	DeFazio	Gutierrez
Brown, Corrine	DeGette	Hall (NY)
Butterfield	DeLauro	Hare
Capuano	Dicks	Harman
Carnahan	Dingell	Hastings (FL)
Carney	Doggett	Heinrich
Cassidy	Doyle	Higgins
Castle		Himes
Coble		

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

NOT VOTING—5

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining on the vote.

□ 1256

Mr. DONNELLY of Indiana changed his vote from “yea” to “nay.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECOGNIZING THE FLORIDA KEYS SCENIC HIGHWAY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 917, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. PERRIELLO) that the House suspend the rules and agree to the resolution, H. Res. 917, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 420, nays 2, not voting 7, as follows:

[Roll No. 180]

YEAS—420

Aderholt	Davis (KY)	Kingston	Ackerman	Bishop (UT)	Campbell
Adler (NJ)	Dent	Kirk	Aderholt	Blackburn	Cantor
Akin	Diaz-Balart, L.	Kirkpatrick (AZ)	Adler (NJ)	Blumenauer	Cao
Alexander	Diaz-Balart, M.	Kline (MN)	Akin	Blunt	Capito
Austria	Donnelly (IN)	Kratovil	Alexander	Bocieri	Capps
Bachmann	Dreier	Lamborn	Altmire	Boehner	Capuano
Bachus	Duncan	Lance	Andrews	Bonner	Carnahan
Baird	Ehlers	Latham	Arcuri	Bono Mack	Carney
Barrett (SC)	Ellsworth	LaTourette	Austria	Boozman	Carson (IN)
Bartlett	Emerson	Latta	Baca	Boren	Carter
Barton (TX)	Fallin	Lee (NY)	Bachmann	Boswell	Cassidy
Biggart	Flake	Lewis (CA)	Bachus	Boucher	Castle
Bilbray	Fleming	Linder	Baird	Boustany	Castor (FL)
Bilirakis	Forbes	LoBiondo	Baldwin	Boyd	Chaffetz
Bishop (UT)	Fortenberry	Lucas	Barrett (SC)	Brady (PA)	Chandler
Blackburn	Fox	Luetkemeyer	Barrow	Brady (TX)	Childers
Blunt	Franks (AZ)	Lummis	Bartlett	Braley (IA)	Chu
Boehner	Frelinghuysen	Lungren, Daniel	Barton (TX)	Bright	Clarke
Bonner	Gallely	E.	Bean	Brown (GA)	Clay
Bono Mack	Garrett (NJ)	Mack	Becerra	Brown (SC)	Cleaver
Boozman	Gerlach	Manzullo	Berkley	Brown, Corrine	Clyburn
Boustany	Gingrey (GA)	Marchant	Berman	Buchanan	Coble
Boyd	Gohmert	McCarthy (CA)	Berry	Burgess	Coffman (CO)
Brady (TX)	Goodlatte	McCaul	Biggart	Burton (IN)	Cohen
Broun (GA)	Granger	McClintock	Bilbray	Butterfield	Cole
Brown (SC)	Graves	McCotter	Bilirakis	Buyer	Conaway
Buchanan	Griffith	McHenry	Bishop (GA)	Calvert	Connolly (VA)
Burgess	Guthrie	McKeon	Bishop (NY)	Camp	Conyers
Burton (IN)	Hall (TX)	McMorris			
Buyer	Halvorson	Rodgers			
Calvert	Harper	Mica			
Camp	Hastings (WA)	Miller (FL)			
Campbell	Heller	Miller (MI)			
Cantor	Hensarling	Miller, Gary			
Capito	Herger	Minnick			
Carter	Herseth Sandlin	Mitchell			
Cassidy	Hill	Moran (KS)			
Castle	Hunter	Murphy (NY)			
Chaffetz	Inglis	Murphy, Tim			
Childers	Issa	Myrick			
Coble	Jenkins	Neugebauer			
Coffman (CO)	Johnson (IL)	Nunes			
Cole	Johnson, Sam	Olson			
Conaway	Jones	Paul			
Crenshaw	Jordan (OH)	Paulsen			
Culberson	King (IA)	Pence			
Dahlkemper	King (NY)	Petri			

Stupak	Tonko	Watt
Sullivan	Towns	Waxman
Sutton	Tsongas	Weiner
Tanner	Turner	Welch
Taylor	Upton	Westmoreland
Teague	Van Hollen	Whitfield
Terry	Velázquez	Wilson (OH)
Thompson (CA)	Visclosky	Wilson (SC)
Thompson (MS)	Walden	Wittman
Thompson (PA)	Walz	Wolf
Thornberry	Wamp	Woolsey
Tiahrt	Wasserman	Wu
Tiberi	Schultz	Yarmuth
Tierney	Waters	Young (FL)
Titus	Watson	

NAYS—2

Linder Young (AK)

NOT VOTING—7

Brown-Waite,	Davis (AL)	Kilpatrick (MI)
Ginny	Hoekstra	Slaughter
Cardoza	Honda	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute left remaining on this vote.

□ 1304

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

SMALL BUSINESS AND INFRASTRUCTURE JOBS TAX ACT OF 2010

Mr. LEVIN. Madam Speaker, pursuant to House Resolution 1205, I call up the bill (H.R. 4849) to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, extend the Build America Bonds program, provide other infrastructure job creation tax incentives, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Ms. MCCOLLUM). Pursuant to House Resolution 1205, the amendment in the nature of a substitute printed in the bill modified by the amendment printed in House Report 111-455 is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 4849

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the “Small Business and Infrastructure Jobs Tax 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:

Sec. 1. Short title; etc.

TITLE I—SMALL BUSINESS TAX INCENTIVES

Subtitle A—General Provisions

Sec. 101. Temporary exclusion of 100 percent of gain on certain small business stock.

Subtitle B—Limitations and Reporting on Certain Penalties

Sec. 111. Limitation on penalty for failure to disclose certain information.

Sec. 112. Annual reports on penalties and certain other enforcement actions.

Subtitle C—Other Provisions

Sec. 121. Nonrecourse small business investment company loans from the Small Business Administration treated as amounts at risk.

Sec. 122. Increase in amount allowed as deduction for start-up expenditures.

TITLE II—INFRASTRUCTURE INCENTIVES

Sec. 201. Extension of Build America Bonds.

Sec. 202. Exempt-facility bonds for sewage and water supply facilities.

Sec. 203. Extension of exemption from alternative minimum tax treatment for certain tax-exempt bonds.

Sec. 204. Elective payments in lieu of low income housing credits.

Sec. 205. Extension and additional allocations of recovery zone bond authority.

Sec. 206. Allowance of new markets tax credit against alternative minimum tax.

TITLE III—REVENUE PROVISIONS

Sec. 301. Limitation on treaty benefits for certain deductible payments.

Sec. 302. Treatment of securities of a controlled corporation exchanged for assets in certain reorganizations.

Sec. 303. Repeal of special rules for interest and dividends received from persons meeting the 80-percent foreign business requirements.

Sec. 304. Information reporting for rental property expense payments.

Sec. 305. Application of levy to payments to Federal vendors relating to property.

Sec. 306. Application of continuous levy to tax liabilities of certain Federal contractors.

Sec. 307. Required minimum 10-year term, etc., for grantor retained annuity trusts.

Sec. 308. Increase in information return penalties.

Sec. 309. Crude tall oil ineligible for cellulosic biofuel producer credit.

Sec. 310. Time for payment of corporate estimated taxes.

TITLE IV—EXTENSION OF EMERGENCY CONTINGENCY FUND FOR STATE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAMS

Sec. 401. 1-year extension of the emergency contingency fund for state temporary assistance for needy families programs.

TITLE I—SMALL BUSINESS TAX INCENTIVES

Subtitle A—General Provisions

SEC. 101. TEMPORARY EXCLUSION OF 100 PERCENT OF GAIN ON CERTAIN SMALL BUSINESS STOCK.

(a) IN GENERAL.—Subsection (a) of section 1202 is amended by adding at the end the following new paragraph:

“(4) SPECIAL 100 PERCENT EXCLUSION.—In the case of qualified small business stock acquired after March 15, 2010, and before January 1, 2012—

“(A) paragraph (1) shall be applied by substituting ‘100 percent’ for ‘50 percent’,

“(B) paragraph (2) shall not apply, and

“(C) paragraph (7) of section 57(a) shall not apply.”.

(b) CONFORMING AMENDMENTS.—Paragraph (3) of section 1202(a) is amended—

(1) by striking “after the date of the enactment of this paragraph and before January 1, 2011” and inserting “after February 17, 2009, and before March 16, 2010”, and

(2) by striking “SPECIAL RULES FOR 2009 AND 2010” in the heading and inserting “SPECIAL 75 PERCENT EXCLUSION”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to stock acquired after March 15, 2010.

Subtitle B—Limitations and Reporting on Certain Penalties

SEC. 111. LIMITATION ON PENALTY FOR FAILURE TO DISCLOSE CERTAIN INFORMATION.

(a) IN GENERAL.—Subsection (b) of section 6707A is amended to read as follows:

“(b) AMOUNT OF PENALTY.—

“(1) IN GENERAL.—Except as otherwise provided in this subsection, the amount of the penalty under subsection (a) with respect to any reportable transaction shall be 75 percent of the decrease in tax shown on the return as a result of such transaction (or which would have resulted from such transaction if such transaction were respected for Federal tax purposes).

“(2) MAXIMUM PENALTY.—The amount of the penalty under subsection (a) with respect to any reportable transaction for any taxable year shall not exceed—

“(A) in the case of a listed transaction, \$200,000 (\$100,000 in the case of a natural person), or

“(B) in the case of any other reportable transaction, \$50,000 (\$10,000 in the case of a natural person).

“(3) MINIMUM PENALTY.—The amount of the penalty under subsection (a) with respect to any transaction for any taxable year shall not be less than \$10,000 (\$5,000 in the case of a natural person).”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to penalties assessed after December 31, 2006.

SEC. 112. ANNUAL REPORTS ON PENALTIES AND CERTAIN OTHER ENFORCEMENT ACTIONS.

(a) IN GENERAL.—The Commissioner of Internal Revenue, in consultation with the Secretary of the Treasury, shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate an annual report on the penalties assessed by the Internal Revenue Service during the preceding year under each of the following provisions of the Internal Revenue Code of 1986:

(1) Section 6662A (relating to accuracy-related penalty on understatements with respect to reportable transactions).

(2) Section 6700(a) (relating to promoting abusive tax shelters).

(3) Section 6707 (relating to failure to furnish information regarding reportable transactions).

(4) Section 6707A (relating to failure to include reportable transaction information with return).

(5) Section 6708 (relating to failure to maintain lists of advisees with respect to reportable transactions).

(b) ADDITIONAL INFORMATION.—The report required under subsection (a) shall also include information on the following with respect to each year:

(1) Any action taken under section 330(b) of title 31, United States Code, with respect to any reportable transaction (as defined in section 6707A(c) of the Internal Revenue Code of 1986).

(2) Any extension of the time for assessment of tax enforced, or assessment of any amount under such an extension, under paragraph (10) of section 6501(c) of the Internal Revenue Code of 1986.

(c) DATE OF REPORT.—The first report required under subsection (a) shall be submitted not later than December 31, 2010.

Subtitle C—Other Provisions

SEC. 121. NONRECOURSE SMALL BUSINESS INVESTMENT COMPANY LOANS FROM THE SMALL BUSINESS ADMINISTRATION TREATED AS AMOUNTS AT RISK.

(a) IN GENERAL.—Subparagraph (B) of section 465(b)(6) is amended to read as follows:

“(B) QUALIFIED NONRECOURSE FINANCING.—For purposes of this paragraph—

“(i) IN GENERAL.—The term ‘qualified non-recourse financing’ means any financing—

“(I) which is qualified real property financing or qualified SBIC financing,

“(II) except to the extent provided in regulations, with respect to which no person is personally liable for repayment, and

“(III) which is not convertible debt.

“(ii) QUALIFIED REAL PROPERTY FINANCING.—The term ‘qualified real property financing’ means any financing which—

“(I) is borrowed by the taxpayer with respect to the activity of holding real property,

“(II) is secured by real property used in such activity, and

“(III) is borrowed by the taxpayer from a qualified person or represents a loan from any Federal, State, or local government or instrumentality thereof, or is guaranteed by any Federal, State, or local government.

“(iii) QUALIFIED SBIC FINANCING.—The term ‘qualified SBIC financing’ means any financing which—

“(I) is borrowed by a small business investment company (within the meaning of section 301 of the Small Business Investment Act of 1958), and

“(II) is borrowed from, or guaranteed by, the Small Business Administration under the authority of section 303(b) of such Act.”.

(b) CONFORMING AMENDMENTS.—Subparagraph (A) of section 465(b)(6) is amended—

(1) by striking “in the case of an activity of holding real property,”, and

(2) by striking “which is secured by real property used in such activity”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to loans and guarantees made after the date of the enactment of this Act.

SEC. 122. INCREASE IN AMOUNT ALLOWED AS DEDUCTION FOR START-UP EXPENDITURES.

(a) IN GENERAL.—Subsection (b) of section 195 is amended by adding at the end the following new paragraph:

“(3) INCREASED LIMITATION FOR TAXABLE YEARS BEGINNING IN 2010 OR 2011.—In the case of any taxable year beginning in 2010 or 2011, paragraph (1)(A)(ii) shall be applied—

“(A) by substituting ‘\$20,000’ for ‘\$5,000’, and

“(B) by substituting ‘\$75,000’ for ‘\$50,000’.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2009.

TITLE II—INFRASTRUCTURE INCENTIVES

SEC. 201. EXTENSION OF BUILD AMERICA BONDS.

(a) IN GENERAL.—Subparagraph (B) of section 54AA(d)(1) is amended by striking “January 1, 2011” and inserting “April 1, 2013”.

(b) EXTENSION OF PAYMENTS TO ISSUERS.—

(1) IN GENERAL.—Subsection (a) of section 6431 is amended by striking “January 1, 2011” and inserting “April 1, 2013”.

(2) CONFORMING AMENDMENTS.—Subsection (g) of section 54AA is amended—

(A) by striking “January 1, 2011” and inserting “April 1, 2013”, and

(B) by striking “QUALIFIED BONDS ISSUED BEFORE 2011” in the heading and inserting “CERTAIN QUALIFIED BONDS”.

(c) REDUCTION IN PERCENTAGE OF PAYMENTS TO ISSUERS.—Subsection (b) of section 6431 is amended—

(1) by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”,

(2) by striking “35 percent” and inserting “the applicable percentage”, and

(3) by adding at the end the following new paragraph:

“(2) APPLICABLE PERCENTAGE.—For purposes of this subsection, the term ‘applicable percentage’ means the percentage determined in accordance with the following table:

“In the case of a qualified bond issued during calendar year:	The applicable percentage is:
2009 or 2010	35 percent
2011	33 percent
2012	31 percent
2013	30 percent”.

(d) CURRENT REFUNDINGS PERMITTED.—Subsection (g) of section 54AA is amended by adding at the end the following new paragraph:

“(3) TREATMENT OF CURRENT REFUNDING BONDS.—

“(A) IN GENERAL.—For purposes of this subsection, the term ‘qualified build America bond’ includes any bond (or series of bonds) issued to refund a qualified build America bond if—

“(i) the average maturity date of the issue of which the refunding bond is a part is not later than the average maturity date of the bonds to be refunded by such issue,

“(ii) the amount of the refunding bond does not exceed the outstanding amount of the refunded bond, and

“(iii) the refunded bond is redeemed not later than 90 days after the date of the issuance of the refunding bond.

“(B) APPLICABLE PERCENTAGE.—In the case of a refunding bond referred to in subparagraph (A), the applicable percentage with respect to such bond under section 6431(b) shall be the lowest percentage specified in paragraph (2) of such section.

“(C) DETERMINATION OF AVERAGE MATURITY.—For purposes of subparagraph (A)(i), average maturity shall be determined in accordance with section 147(b)(2)(A).”.

(e) CLARIFICATION RELATED TO LEVEES AND FLOOD CONTROL PROJECTS.—Subparagraph (A) of section 54AA(g)(2) is amended by inserting “(including capital expenditures for levees and other flood control projects)” after “capital expenditures”.

SEC. 202. EXEMPT-FACILITY BONDS FOR SEWAGE AND WATER SUPPLY FACILITIES.

(a) BONDS FOR WATER AND SEWAGE FACILITIES EXEMPT FROM VOLUME CAP ON PRIVATE ACTIVITY BONDS.—

(1) IN GENERAL.—Paragraph (3) of section 146(g) is amended by inserting “(4), (5),” after “(2).”.

(2) CONFORMING AMENDMENT.—Paragraphs (2) and (3)(B) of section 146(k) are both amended by striking “(4), (5), (6),” and inserting “(6)”.

(b) TAX-EXEMPT ISSUANCE BY INDIAN TRIBAL GOVERNMENTS.—

(1) IN GENERAL.—Subsection (c) of section 7871 is amended by adding at the end the following new paragraph:

“(4) EXCEPTION FOR BONDS FOR WATER AND SEWAGE FACILITIES.—Paragraph (2) shall not apply to an exempt facility bond 95 percent or more of the net proceeds (as defined in section 150(a)(3)) of which are to be used to provide facilities described in paragraph (4) or (5) of section 142(a).”.

(2) CONFORMING AMENDMENT.—Paragraph (2) of section 7871(c) is amended by striking “paragraph (3)” and inserting “paragraphs (3) and (4)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to obligations issued after the date of the enactment of this Act.

SEC. 203. EXTENSION OF EXEMPTION FROM ALTERNATIVE MINIMUM TAX TREATMENT FOR CERTAIN TAX-EXEMPT BONDS.

(a) IN GENERAL.—Clause (vi) of section 57(a)(5)(C) is amended—

(1) by striking “January 1, 2011” in subclause (I) and inserting “January 1, 2012”, and

(2) by striking “AND 2010” in the heading and inserting “, 2010, AND 2011”.

(b) ADJUSTED CURRENT EARNINGS.—Clause (iv) of section 56(g)(4)(B) is amended—

(1) by striking “January 1, 2011” in subclause (I) and inserting “January 1, 2012”, and

(2) by striking “AND 2010” in the heading and inserting “, 2010, AND 2011”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to obligations issued after December 31, 2010.

SEC. 204. ELECTIVE PAYMENTS IN LIEU OF LOW INCOME HOUSING CREDITS.

(a) IN GENERAL.—Chapter 65 (relating to abatements, credits, and refunds) is amended by adding at the end the following new subchapter:

“Subchapter C—Direct Payment Provisions

“Sec. 6451. Elective payments in lieu of low income housing credit for bond-financed buildings.

“SEC. 6451. ELECTIVE PAYMENTS IN LIEU OF LOW INCOME HOUSING CREDIT FOR BOND-FINANCED BUILDINGS.

“(a) IN GENERAL.—Any person making an election under this section with respect to any qualified bond-financed low-income building originally placed in service by such person during the taxable year shall be treated as making a payment, against the tax imposed by subtitle A for the taxable year, equal to the direct payment amount with respect to such building. Such payment shall be treated as made on the later of the due date of the return of such tax or the date on which such return is filed.

“(b) QUALIFIED BOND-FINANCED LOW-INCOME BUILDING.—For purposes of this section, the term ‘qualified bond-financed low-income building’ means any qualified low-income building to which paragraph (1) of section 42(h) does not apply by reason of paragraph (4)(B) of such section.

“(c) DIRECT PAYMENT AMOUNT.—For purposes of this section, the term ‘direct payment amount’ means, with respect to any building, 25.5 percent of the qualified basis of such building.

“(d) SPECIAL RULES FOR CERTAIN NON-TAXPAYERS.—

“(1) DENIAL OF PAYMENT.—Subsection (a) shall not apply with respect to any building placed in service by—

“(A) any governmental entity, or

“(B) any organization described in section 501(c) or 401(a) and exempt from tax under section 501(a).

“(2) SPECIAL RULES FOR PARTNERSHIPS AND S CORPORATIONS.—In the case of property originally placed in service by a partnership or an S corporation—

“(A) the election under subsection (a) may be made only by such partnership or S corporation,

“(B) such partnership or S corporation shall be treated as making the payment referred to in subsection (a) only to the extent of the proportionate share of such partnership or S corporation as is owned by persons who would be treated as making such payment if the building were placed in service by such persons, and

“(C) the return required to be made by such partnership or S corporation under section 6031 or 6037 (as the case may be) shall be treated as a return of tax for purposes of subsection (a).

For purposes of subparagraph (B), rules similar to the rules of section 168(h)(6) (other than subparagraph (F) thereof) shall apply.

“(e) COORDINATION WITH LOW INCOME HOUSING CREDIT.—In the case of any property with respect to which an election is made under this section, no credit shall be determined under section 42 with respect to such building for any taxable year.

“(f) OTHER DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

“(1) OTHER DEFINITIONS.—Terms used in this section which are also used in section 42 shall have the same meaning for purposes of this section as when used in such section.

“(2) APPLICATION OF RECAPTURE RULES, ETC.—Except as otherwise provided by the Secretary, rules similar to the rules of section 42 shall apply, including the recapture rules of section 42(j).

“(3) PROVISION OF INFORMATION.—A person shall not be treated as having elected the application of this section unless the taxpayer provides such information as the Secretary may require for purposes of verifying the proper amount to be treated as a payment under subsection (a) and evaluating the effectiveness of this section.

“(4) EXCLUSION FROM GROSS INCOME.—Any credit or refund allowed or made by reason of this section shall not be includible in gross income or alternative minimum taxable income.

“(g) TERMINATION.—Subsection (a) shall not apply with respect to any building placed in service during a taxable year beginning after December 31, 2010.”

(b) CONFORMING AMENDMENTS.—

(1) Subparagraph (A) of section 6211(b)(4) is amended by inserting “and subchapter C of chapter 65 (including any payment treated as made under such subchapter)” after “6431”.

(2) Subparagraph (B) of section 6425(c)(1) is amended—

(A) by striking “the credits” and inserting “the sum of—

“(i) the credits”;

(B) by striking the period at the end of clause (i) thereof (as amended by this paragraph) and inserting “, plus”, and

(C) by adding at the end the following new clause:

“(ii) the credits allowed (and payments treated as made) under subchapter C.”

(3) Paragraph (3) of section 6654(f) is amended—

(A) by striking “the credits” and inserting “the sum of—

“(A) the credits”;

(B) by striking the period at the end of subparagraph (A) thereof (as amended by this paragraph) and inserting “, and”, and

(C) by adding at the end the following new subparagraph:

“(B) the credits allowed (and payments treated as made) under subchapter C of chapter 65.”

(4) Subparagraph (B) of section 6655(g)(1) is amended—

(A) by striking “the credits” and inserting “the sum of—

“(i) the credits”;

(B) by striking the period at the end of clause (i) thereof (as amended by this paragraph) and inserting “, plus”, and

(C) by adding at the end the following new clause:

“(ii) the credits allowed (and payments treated as made) under subchapter C of chapter 65.”

(5) Paragraph (2) of section 1324(b) of title 31, United States Code, is amended by inserting “, or from the provisions of subchapter C of chapter 65 of such Code” before the period at the end.

(6) The table of subchapters for chapter 65 is amended by adding at the end the following new item:

SUBCHAPTER C. DIRECT PAYMENT PROVISIONS

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to buildings placed in service after the date of the enactment of this Act.

SEC. 205. EXTENSION AND ADDITIONAL ALLOCATIONS OF RECOVERY ZONE BOND AUTHORITY.

(a) EXTENSION OF RECOVERY ZONE BOND AUTHORITY.—Section 1400U-2(b)(1) and section 1400U-3(b)(1)(B) are each amended by striking “January 1, 2011” and inserting “January 1, 2012”.

(b) ADDITIONAL ALLOCATIONS OF RECOVERY ZONE BOND AUTHORITY BASED ON UNEMPLOYMENT.—Section 1400U-1 is amended by adding at the end the following new subsection:

“(c) ALLOCATION OF 2010 RECOVERY ZONE BOND LIMITATIONS BASED ON UNEMPLOYMENT.—

“(1) IN GENERAL.—The Secretary shall allocate the 2010 national recovery zone economic development bond limitation and the 2010 na-

tional recovery zone facility bond limitation among the States in the proportion that each such State’s 2009 unemployment number bears to the aggregate of the 2009 unemployment numbers for all of the States.

“(2) MINIMUM ALLOCATION.—The Secretary shall adjust the allocations under paragraph (1) for each State to the extent necessary to ensure that no State (prior to any reduction under paragraph (3)) receives less than 0.9 percent of the 2010 national recovery zone economic development bond limitation and 0.9 percent of the 2010 national recovery zone facility bond limitation.

“(3) ALLOCATIONS BY STATES.—

“(A) IN GENERAL.—Each State with respect to which an allocation is made under paragraph (1) shall reallocate such allocation among the counties and large municipalities (as defined in subsection (a)(3)(B)) in such State in the proportion that each such county’s or municipality’s 2009 unemployment number bears to the aggregate of the 2009 unemployment numbers for all the counties and large municipalities (as so defined) in such State.

“(B) 2010 ALLOCATION REDUCED BY AMOUNT OF PREVIOUS ALLOCATION.—Each State shall reduce (but not below zero)—

“(i) the amount of the 2010 national recovery zone economic development bond limitation allocated to each county or large municipality (as so defined) in such State by the amount of the national recovery zone economic development bond limitation allocated to such county or large municipality under subsection (a)(3)(A) (determined without regard to any waiver thereof), and

“(ii) the amount of the 2010 national recovery zone facility bond limitation allocated to each county or large municipality (as so defined) in such State by the amount of the national recovery zone facility bond limitation allocated to such county or large municipality under subsection (a)(3)(A) (determined without regard to any waiver thereof).

“(C) WAIVER OF SUBALLOCATIONS.—A county or municipality may waive any portion of an allocation made under this paragraph. A State may by law treat a county or municipality as waiving any portion of an allocation made under this paragraph if there is a reasonable expectation that such allocation would not otherwise be used.

“(D) SPECIAL RULE FOR A MUNICIPALITY IN A COUNTY.—In the case of any large municipality any portion of which is in a county, such portion shall be treated as part of such municipality and not part of such county.

“(4) 2009 UNEMPLOYMENT NUMBER.—For purposes of this subsection, the term ‘2009 unemployment number’ means, with respect to any State, county or municipality, the number of individuals in such State, county, or municipality who were determined to be unemployed by the Bureau of Labor Statistics for December 2009.

“(5) 2010 NATIONAL LIMITATIONS.—

“(A) RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS.—The 2010 national recovery zone economic development bond limitation is \$10,000,000,000. Any allocation of such limitation under this subsection shall be treated for purposes of section 1400U-2 in the same manner as an allocation of national recovery zone economic development bond limitation.

“(B) RECOVERY ZONE FACILITY BONDS.—The 2010 national recovery zone facility bond limitation is \$15,000,000,000. Any allocation of such limitation under this subsection shall be treated for purposes of section 1400U-3 in the same manner as an allocation of national recovery zone facility bond limitation.”

(c) AUTHORITY OF STATE TO WAIVE CERTAIN 2009 ALLOCATIONS.—Subparagraph (A) of section 1400U-1(a)(3) is amended by adding at the end the following: “A State may by law treat a county or municipality as waiving any portion of an allocation made under this subparagraph if there is a reasonable expectation that such allocation would not otherwise be used.”

SEC. 206. ALLOWANCE OF NEW MARKETS TAX CREDIT AGAINST ALTERNATIVE MINIMUM TAX.

(a) IN GENERAL.—Subparagraph (B) of section 38(c)(4) is amended by redesignating clauses (v) through (viii) as clauses (vi) through (ix), respectively, and by inserting after clause (iv) the following new clause:

“(v) the credit determined under section 45D, but only with respect to credits determined with respect to qualified equity investments (as defined in section 45D(b)) initially made before January 1, 2012.”

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to qualified equity investments (as defined in section 45D(b) of the Internal Revenue Code of 1986) initially made after March 15, 2010.

TITLE III—REVENUE PROVISIONS

SEC. 301. LIMITATION ON TREATY BENEFITS FOR CERTAIN DEDUCTIBLE PAYMENTS.

(a) IN GENERAL.—Section 894 (relating to income affected by treaty) is amended by adding at the end the following new subsection:

“(d) LIMITATION ON TREATY BENEFITS FOR CERTAIN DEDUCTIBLE PAYMENTS.—

“(1) IN GENERAL.—In the case of any deductible related-party payment, any withholding tax imposed under chapter 3 (and any tax imposed under subpart A or B of this part) with respect to such payment may not be reduced under any treaty of the United States unless any such withholding tax would be reduced under a treaty of the United States if such payment were made directly to the foreign parent corporation.

“(2) DEDUCTIBLE RELATED-PARTY PAYMENT.—For purposes of this subsection, the term ‘deductible related-party payment’ means any payment made, directly or indirectly, by any person to any other person if the payment is allowable as a deduction under this chapter and both persons are members of the same foreign controlled group of entities.

“(3) FOREIGN CONTROLLED GROUP OF ENTITIES.—For purposes of this subsection—

“(A) IN GENERAL.—The term ‘foreign controlled group of entities’ means a controlled group of entities the common parent of which is a foreign corporation.

“(B) CONTROLLED GROUP OF ENTITIES.—The term ‘controlled group of entities’ means a controlled group of corporations as defined in section 1563(a)(1), except that—

“(i) ‘more than 50 percent’ shall be substituted for ‘at least 80 percent’ each place it appears therein, and

“(ii) the determination shall be made without regard to subsections (a)(4) and (b)(2) of section 1563.

A partnership or any other entity (other than a corporation) shall be treated as a member of a controlled group of entities if such entity is controlled (within the meaning of section 954(d)(3)) by members of such group (including any entity treated as a member of such group by reason of this sentence).

“(4) FOREIGN PARENT CORPORATION.—For purposes of this subsection, the term ‘foreign parent corporation’ means, with respect to any deductible related-party payment, the common parent of the foreign controlled group of entities referred to in paragraph (3)(A).

“(5) REGULATIONS.—The Secretary may prescribe such regulations or other guidance as are necessary or appropriate to carry out the purposes of this subsection, including regulations or other guidance which provide for—

“(A) the treatment of two or more persons as members of a foreign controlled group of entities if such persons would be the common parent of such group if treated as one corporation, and

“(B) the treatment of any member of a foreign controlled group of entities as the common parent of such group if such treatment is appropriate taking into account the economic relationships among such entities.”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments made after the date of the enactment of this Act.

SEC. 302. TREATMENT OF SECURITIES OF A CONTROLLED CORPORATION EXCHANGED FOR ASSETS IN CERTAIN REORGANIZATIONS.

(a) IN GENERAL.—Section 361 (relating to non-recognition of gain or loss to corporations; treatment of distributions) is amended by adding at the end the following new subsection:

“(d) SPECIAL RULES FOR TRANSACTIONS INVOLVING SECTION 355 DISTRIBUTIONS.—In the case of a reorganization described in section 368(a)(1)(D) with respect to which stock or securities of the corporation to which the assets are transferred are distributed in a transaction which qualifies under section 355—

“(1) this section shall be applied by substituting ‘stock other than nonqualified preferred stock (as defined in section 351(g)(2))’ for ‘stock or securities’ in subsections (a) and (b)(1), and

“(2) the first sentence of subsection (b)(3) shall apply only to the extent that the sum of the money and the fair market value of the other property transferred to such creditors does not exceed the adjusted bases of such assets transferred (reduced by the amount of the liabilities assumed (within the meaning of section 357(e))).”

(b) CONFORMING AMENDMENT.—Paragraph (3) of section 361(b) is amended by striking the last sentence.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to exchanges after the date of the enactment of this Act.

(2) TRANSITION RULE.—The amendments made by this section shall not apply to any exchange pursuant to a transaction which is—

(A) made pursuant to an agreement which was binding on March 15, 2010, and at all times thereafter,

(B) described in a ruling request submitted to the Internal Revenue Service on or before such date, or

(C) described on or before such date in a public announcement or in a filing with the Securities and Exchange Commission.

SEC. 303. REPEAL OF SPECIAL RULES FOR INTEREST AND DIVIDENDS RECEIVED FROM PERSONS MEETING THE 80 PERCENT FOREIGN BUSINESS REQUIREMENTS.

(a) REPEAL OF SPECIAL RULE TREATING INTEREST AS UNITED STATES SOURCE.—Paragraph (1) of section 861(a) is amended by striking subparagraph (A) and by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively.

(b) REPEAL OF EXCEPTION TO TAX ON DIVIDENDS RECEIVED BY NONRESIDENT ALIENS.—Paragraph (2) of section 871(i) is amended by striking subparagraph (B) and by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively.

(c) CONFORMING AMENDMENTS.—

(1) Section 861 is amended by striking subsection (c) and by redesignating subsections (d), (e), and (f) as subsections (c), (d), and (e), respectively.

(2) Paragraph (9) of section 904(h) is amended to read as follows:

“(9) TREATMENT OF CERTAIN DOMESTIC CORPORATIONS.—In the case of any dividend treated as not from sources with the United States under section 861(a)(2)(A), the corporation paying such dividend shall be treated for purposes of this subsection as a United States-owned foreign corporation.”

(3) Subsection (c) of section 2104 is amended in the last sentence by striking “or to a debt obligation of a domestic corporation” and all that follows and inserting a period.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 2010.

(2) GRANDFATHER RULE FOR OUTSTANDING DEBT OBLIGATIONS.—

(A) IN GENERAL.—The amendments made by this section shall not apply to payments of interest on obligations issued before the date of the enactment of this Act.

(B) EXCEPTION FOR RELATED PARTY DEBT.—Subparagraph (A) shall not apply to any interest which is payable to a related person (determined under rules similar to the rules of section 954(d)(3)).

(C) SIGNIFICANT MODIFICATIONS TREATED AS NEW ISSUES.—For purposes of subparagraph (A), a significant modification of the terms of any obligation (including any extension of the term of such obligation) shall be treated as a new issue.

SEC. 304. INFORMATION REPORTING FOR RENTAL PROPERTY EXPENSE PAYMENTS.

(a) IN GENERAL.—Section 6041 is amended by adding at the end the following new subsection:

“(h) TREATMENT OF RENTAL PROPERTY EXPENSE PAYMENTS.—

“(1) IN GENERAL.—For purposes of subsection (a), a person receiving rental income from real estate (other than a qualified residence) shall be considered to be engaged in a trade or business of renting property.

“(2) QUALIFIED RESIDENCE.—For purposes of paragraph (1), the term ‘qualified residence’ means—

“(A) the principal residence (within the meaning of section 121) of the taxpayer, and

“(B) 1 other residence of the taxpayer which is selected by the taxpayer for purposes of this subsection for the taxable year and which is used by the taxpayer as a residence (within the meaning of section 280A(d)(1)).”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments made after December 31, 2010.

SEC. 305. APPLICATION OF LEVY TO PAYMENTS TO FEDERAL VENDORS RELATING TO PROPERTY.

(a) IN GENERAL.—Section 6331(h)(3) is amended by striking “goods or services” and inserting “property, goods, or services”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to levies approved after the date of the enactment of this Act.

SEC. 306. APPLICATION OF CONTINUOUS LEVY TO TAX LIABILITIES OF CERTAIN FEDERAL CONTRACTORS.

(a) IN GENERAL.—Subsection (f) of section 6330 is amended by striking “or” at the end of paragraph (2), by inserting “or” at the end of paragraph (3), and by inserting after paragraph (3) the following new paragraph:

“(4) the Secretary has served a Federal contractor levy.”

(b) FEDERAL CONTRACTOR LEVY.—Subsection (h) of section 6330 is amended—

(1) by striking all that precedes “any levy in connection with the collection” and inserting the following:

“(h) DEFINITIONS RELATED TO EXCEPTIONS.—For purposes of subsection (f)—

“(1) DISQUALIFIED EMPLOYMENT TAX LEVY.—A disqualified employment tax levy is”, and

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

“(2) FEDERAL CONTRACTOR LEVY.—A Federal contractor levy is any levy if the person whose property is subject to the levy (or any predecessor thereof) is a Federal contractor.”

(c) CONFORMING AMENDMENT.—The heading of subsection (f) of section 6330 is amended by striking “JEOPARDY AND STATE REFUND COLLECTION” and inserting “EXCEPTIONS”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to levies issued after December 31, 2010.

SEC. 307. REQUIRED MINIMUM 10-YEAR TERM, ETC., FOR GRANTOR RETAINED ANNUITY TRUSTS.

(a) IN GENERAL.—Subsection (b) of section 2702 is amended—

(1) by redesignating paragraphs (1), (2) and (3) as subparagraphs (A), (B), and (C), respec-

tively, and by moving such subparagraphs (as so redesignated) 2 ems to the right,

(2) by striking “For purposes of” and inserting the following:

“(1) IN GENERAL.—For purposes of”, and

(3) by striking “paragraph (1) or (2)” in paragraph (1)(C) (as so redesignated) and inserting “subparagraph (A) or (B)”, and

(4) by adding at the end the following new paragraph:

“(2) ADDITIONAL REQUIREMENTS WITH RESPECT TO GRANTOR RETAINED ANNUITIES.—For purposes of subsection (a), in the case of an interest described in paragraph (1)(A) (determined without regard to this paragraph) which is retained by the transferor, such interest shall be treated as described in such paragraph only if—

“(A) the right to receive the fixed amounts referred to in such paragraph is for a term of not less than 10 years,

“(B) such fixed amounts, when determined on an annual basis, do not decrease relative to any prior year during the first 10 years of the term referred to in subparagraph (A), and

“(C) the remainder interest has a value greater than zero determined as of the time of the transfer.”

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to transfers made after the date of the enactment of this Act.

SEC. 308. INCREASE IN INFORMATION RETURN PENALTIES.

(a) FAILURE TO FILE CORRECT INFORMATION RETURNS.—

(1) IN GENERAL.—Subsections (a)(1), (b)(1)(A), and (b)(2)(A) of section 6721 are each amended by striking “\$50” and inserting “\$100”.

(2) AGGREGATE ANNUAL LIMITATION.—Subsections (a)(1), (d)(1)(A), and (e)(3)(A) of section 6721 are each amended by striking “\$250,000” and inserting “\$1,500,000”.

(b) REDUCTION WHERE CORRECTION WITHIN 30 DAYS.—

(1) IN GENERAL.—Subparagraph (A) of section 6721(b)(1) is amended by striking “\$15” and inserting “\$30”.

(2) AGGREGATE ANNUAL LIMITATION.—Subsections (b)(1)(B) and (d)(1)(B) of section 6721 are each amended by striking “\$75,000” and inserting “\$250,000”.

(c) REDUCTION WHERE CORRECTION ON OR BEFORE AUGUST 1.—

(1) IN GENERAL.—Subparagraph (A) of section 6721(b)(2) is amended by striking “\$30” and inserting “\$60”.

(2) AGGREGATE ANNUAL LIMITATION.—Subsections (b)(2)(B) and (d)(1)(C) of section 6721 are each amended by striking “\$150,000” and inserting “\$500,000”.

(d) AGGREGATE ANNUAL LIMITATIONS FOR PERSONS WITH GROSS RECEIPTS OF NOT MORE THAN \$5,000,000.—Paragraph (1) of section 6721(d) is amended—

(1) by striking “\$100,000” in subparagraph (A) and inserting “\$500,000”,

(2) by striking “\$25,000” in subparagraph (B) and inserting “\$75,000”, and

(3) by striking “\$50,000” in subparagraph (C) and inserting “\$200,000”.

(e) PENALTY IN CASE OF INTENTIONAL DISREGARD.—Paragraph (2) of section 6721(e) is amended by striking “\$100” and inserting “\$250”.

(f) ADJUSTMENT FOR INFLATION.—Section 6721 is amended by adding at the end the following new subsection:

“(f) ADJUSTMENT FOR INFLATION.—

“(1) IN GENERAL.—For each fifth calendar year beginning after 2012, each of the dollar amounts under subsections (a), (b), (d) (other than paragraph (2)(A) thereof), and (e) shall be increased by such dollar amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) determined by substituting ‘calendar year 2011’ for ‘calendar year 1992’ in subparagraph (B) thereof.

“(2) ROUNDING.—If any amount adjusted under paragraph (1)—

“(A) is not less than \$75,000 and is not a multiple of \$500, such amount shall be rounded to the next lowest multiple of \$500, and

“(B) is not described in subparagraph (A) and is not a multiple of \$10, such amount shall be rounded to the next lowest multiple of \$10.”.

(g) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to information returns required to be filed on or after January 1, 2011.

SEC. 309. CRUDE TALL OIL INELIGIBLE FOR CELLULOSE BIOFUEL PRODUCER CREDIT.

(a) IN GENERAL.—Section 40(B)(6)(E) of the Internal Revenue Code of 1986 is amended by adding at the end the following new clause:

“(iv) EXCLUSION OF CERTAIN PROCESSED FUELS WITH A HIGH ACID CONTENT.—The term ‘cellulosic biofuel’ shall not include any processed fuel with an acid number greater than 25. For purposes of the preceding sentence, the term ‘processed fuel’ means any fuel other than a fuel—

“(I) more than 4 percent of which (determined by weight) is any combination of water and sediment, or

“(II) the ash content of which is more than 1 percent (determined by weight).”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to fuels sold or used on or after January 1, 2010.

SEC. 310. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

(a) SHIFT FROM 2015 TO 2014.—The percentage under paragraph (1) of section 202(b) of the Corporate Estimated Tax Shift Act of 2009 in effect on the date of the enactment of this Act is increased by 4.5 percentage points.

(b) SHIFT FROM 2016 TO 2015.—The percentage under paragraph (2) of section 561 of the Hiring Incentives to Restore Employment Act in effect on the date of the enactment of this Act is increased by 3.5 percentage points.

(c) SHIFT FROM 2020 TO 2019.—The percentage under paragraph (3) of section 561 of the Hiring Incentives to Restore Employment Act in effect on the date of the enactment of this Act is increased by 1.25 percentage points.

TITLE IV—EXTENSION OF EMERGENCY CONTINGENCY FUND FOR STATE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAMS

SEC. 401. 1-YEAR EXTENSION OF THE EMERGENCY CONTINGENCY FUND FOR STATE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAMS.

(a) IN GENERAL.—Section 403(c) of the Social Security Act (42 U.S.C. 603(c)) is amended—

(1) in paragraph (2)(A), by inserting “, and for fiscal year 2011, \$2,500,000,000” before “for payment”;

(2) by striking paragraph (2)(B) and inserting the following:

“(B) AVAILABILITY AND USE OF FUNDS.—

“(i) FISCAL YEARS 2009 AND 2010.—The amounts appropriated to the Emergency Fund under subparagraph (A) for fiscal year 2009 shall remain available through fiscal year 2010 and shall be used to make grants to States in each of fiscal years 2009 and 2010 in accordance with the requirements of paragraph (3).

“(ii) FISCAL YEAR 2011.—Subject to clause (iii), the amounts appropriated to the Emergency Fund under subparagraph (A) for fiscal year 2011 shall remain available through fiscal year 2012 and shall be used to make grants to States based on expenditures in fiscal year 2011 for benefits and services provided in fiscal year 2011 in accordance with the requirements of paragraph (3).

“(iii) RESERVATION OF FUNDS.—Of the amounts appropriated to the Emergency Fund under subparagraph (A) for fiscal year 2011, \$500,000 shall be placed in reserve for use in fiscal year 2012, and shall be used to award grants for any expenditures described in this subsection incurred by States after September 30, 2011.”;

(3) in paragraph (2)(C), by striking “2010” and inserting “2012”;

(4) in paragraph (3)—

(A) in clause (i) of each of subparagraphs (A), (B), and (C)—

(i) by striking “year 2009 or 2010” and inserting “years 2009 through 2011”;

(ii) by striking “and” at the end of subclause (I);

(iii) by striking the period at the end of subclause (II) and inserting “; and”;

(iv) by adding at the end the following:

“(III) if the quarter is in fiscal year 2011, has provided the Secretary with such information as the Secretary may find necessary in order to make the determinations, or take any other action, described in paragraph (5)(C).”; and

(B) in subparagraph (C), by adding at the end the following:

“(iv) LIMITATION ON EXPENDITURES FOR SUBSIDIZED EMPLOYMENT.—An expenditure for subsidized employment shall be taken into account under clause (ii) only if the expenditure is used to subsidize employment for—

“(I) a member of a needy family (without regard to whether the family is receiving assistance under the State program funded under this part); or

“(II) an individual who has exhausted (or, within 60 days, will exhaust) all rights to receive unemployment compensation under Federal and State law, and who is a member of a needy household (regardless of whether the household includes a child).”;

(5) by striking paragraph (5) and inserting the following:

“(5) LIMITATIONS ON PAYMENTS; ADJUSTMENT AUTHORITY.—

“(A) FISCAL YEARS 2009 AND 2010.—The total amount payable to a single State under subsection (b) and this subsection for fiscal years 2009 and 2010 combined shall not exceed 50 percent of the annual State family assistance grant.

“(B) FISCAL YEAR 2011.—Subject to subparagraph (C), the total amount payable to a single State under subsection (b) and this subsection for fiscal year 2011 shall not exceed 30 percent of the annual State family assistance grant.

“(C) ADJUSTMENT AUTHORITY.—If the Secretary determines that the Emergency Fund is at risk of being depleted before September 30, 2011, or that funds are available to accommodate additional State requests under this subsection, the Secretary may, through program instructions issued without regard to the requirements of section 553 of title 5, United States Code—

“(i) specify priority criteria for awarding grants to States during fiscal year 2011; and

“(ii) adjust the percentage limitation applicable under subparagraph (B) with respect to the total amount payable to a single State for fiscal year 2011.”; and

(6) in paragraph (6), by inserting “or for expenditures described in paragraph (3)(C)(iv)” before the period.

(b) CONFORMING AMENDMENTS.—Section 2101 of division B of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) is amended—

(1) in subsection (a)(2)—

(A) by striking “2010” and inserting “2011”;

and

(B) by striking all that follows “repealed” and inserting a period; and

(2) in subsection (d)(1), by striking “2010” and inserting “2011”.

(c) PROGRAM GUIDANCE.—The Secretary of Health and Human Services shall issue program guidance, without regard to the requirements of section 553 of title 5, United States Code, which ensures that the funds provided under the amendments made by this section for subsidized employment do not support any subsidized employment position the annual salary of which is greater than, at State option—

(1) 200 percent of the poverty line (within the meaning of section 673(2) of the Omnibus Bud-

et Reconciliation Act of 1981, including any revision required by such section 673(2)) for a family of 4; or

(2) the median wage in any jurisdiction operating a program with funds provided pursuant to the amendments.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. LEVIN) and the gentleman from Michigan (Mr. CAMP) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. LEVIN. Madam Speaker, I ask that all Members may have 5 legislative days to revise and extend their remarks and insert extraneous material in the RECORD.

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

There was no objection.

Mr. LEVIN. In addition, the Ways and Means Ranking Member DAVE CAMP and I have asked the nonpartisan Joint Committee on Taxation to make available to the public a technical explanation of the modifications that were made to H.R. 4849 by the rule.

This technical explanation supplements the Committee Report 111–454, with information on the Committee’s understanding and legislative intent behind these modifications. It is available on the Joint Committee’s Web site at www.jct.gov and is listed under document numbered JCX–21–10.

It is now my pleasure to yield 1 minute to our most distinguished majority leader, STENY HOYER of Maryland.

Mr. HOYER. I thank the gentleman for yielding and I congratulate him for his leadership, and I thank Mr. CAMP as well for his work.

In the fall, Madam Speaker, of 2008, America did not know whether it was heading for the second Great Depression. Those weren’t my words. Those were the words of Ben Bernanke, head of the Federal Reserve.

Since then, the work of the Obama administration and the Democratic Congress has headed off disaster. Most important has been the Recovery Act, which cut taxes for small businesses and 95 percent of families, funded thousands of job-creating projects across America, provided emergency assistance to those hit hardest by the recession, saved States from laying off teachers, firefighters, police officers, and much more.

No matter what its partisan critics say, the facts say it clearly: The Recovery Act is working.

The Recovery Act created some 2 million jobs. And since President Obama took office, monthly job losses are down 96 percent, from 726,000 over a 4-month average during the latter part of the Bush administration, to 27,500 over the last 4 months, a 96 percent improvement of job loss. That is not success, but it is progress. Success will be when we grow jobs, as we did in November.

Our economy is growing again. In the most recent quarter, it grew by 5.9 percent. That is the fastest rate in 6 years,

and the second straight quarter of growth under President Obama. In addition, it is a 12.3 percent turnaround from the last quarter of 2008 to the last quarter of 2009.

The Dow is up some 60 plus percent from the low it hit shortly after President Obama signed the Recovery Act, the S&P 500 is up 72 percent from its low, and the NASDAQ is up 87 percent now, since we passed the Recovery Act. That is progress to be proud of.

But as long as millions of Americans remain out of work, through no fault of their own, we have not reached the goal. We have not had the success we want.

We know that, to a family struggling through chronic unemployment, all the positive economic numbers in the world must look like they bear little relation to reality. That is because, time and again, employment numbers are the last part of a recession to turn around.

The families who are struggling and suffering right now did not create this economic collapse, but they are bearing its brunt. So it is imperative that we act for them.

This month, the President signed the HIRE Act, which eliminated the payroll tax for every employed worker who is hired. Now, the good news by that is that we don't pay anything unless we accomplish the objective. If they add the jobs, they get the credit, which the nonpartisan CBO calls one of the most effective methods of job creation.

The HIRE Act also gives businesses tax credits for keeping new employees on the payroll, helps small businesses finance their expansion, and extends job-creating and much-needed highway programs.

When the House passed the HIRE Act, Democrats made it clear on this floor that it was an important step, but by no means the last one. That is why we are back here today, and that is why I urge my colleagues to support the Small Business and Infrastructure Jobs Act.

This bill expands the successful Build America bonds and Recovery Zone bonds, which helps State and local governments fund needed projects and put people to work. As of this month, Build America bonds helped State and local governments pay for \$78 billion in infrastructure programs, projects that were needed but did not have the funds. Build America bonds assured that they had the funds and created the jobs.

This bill also contains provisions to help small business innovate and grow. It increases the deduction for business startup expenses, so enterprising Americans all over our country will have stronger incentives to open the books of new businesses, an important measure we owe to my Maryland colleague and friend, Congressman FRANK KRATOVIL.

And, it excludes 100 percent of small business capital gains from taxation, which will lead to a new influx of investment, the investment small busi-

nesses need to expand and hire new workers.

For Democrats, job creation is our single-most important job. I think, frankly, Republicans share that sentiment. I think that is a bipartisan sentiment. This bill carries that work forward, and I believe it will provide significant relief to the Americans who are still feeling the recession's harsh effects.

Again, I congratulate Mr. LEVIN for the work of his committee on bringing this to the floor. I also want to congratulate my friend, CHARLIE RANGEL, who has been so instrumental in working on these jobs bills for so long. Madam Speaker, I urge my colleagues to strongly support this legislation.

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

It's tough to see this bill either as a small business bill or as a jobs bill, and, specifically, I have three concerns:

One, it raises taxes on employers during a recession, making it tougher for Americans to find needed work.

Two, roughly 80 percent of the so-called tax relief in the bill is dedicated to State and local governments.

□ 1315

Small governments are not small businesses, and they do not create the kind of private sector jobs that we need.

Three, the limited and very narrow tax provisions, even if well-intentioned, will not do enough to help employers create jobs.

Under this bill, American jobs will be taxed. That's the simple truth regarding the provision limiting treaty benefits for certain deductible payments. This is very similar to a provision offered previously by the gentleman from Texas (Mr. DOGGETT) and accounts for about 40 percent of the \$19.4 billion in tax increases in the bill.

There's never a good time to raise taxes on employers and American workers, but given the continued weakness in the economy, now may be the worst time. Data from the Department of Labor confirms that 48 States have lost jobs since the Democrats' stimulus bill passed, 3.3 million jobs have been eliminated since the Democrat stimulus bill passed, and a record 16 million Americans are out of work.

In case you need more evidence that the Democrat stimulus bill failed, just look at the \$2.5 billion in "emergency" welfare spending that was added to this bill. This money will be paid out in the third fiscal year since stimulus money first started flowing. That's the third year. This bill increases spending, it increases taxes and will not create private sector jobs. In that respect, this is the "Mini Me" of the Democrats' stimulus bill.

I encourage my colleagues to vote "no," and I reserve the balance of my time.

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

This, indeed, is a jobs bill. It's a continuation of the work in this Congress

by some of us to spur job creation to recover from the 8.4 million jobs lost in this recession and to improve the quality of life in our communities. The cornerstone, indeed, of this package is an extension of the Build America Bonds program. It's been an effective tool in job creation. It's been a vital resource for State and local governments looking to advance infrastructure programs.

Mr. CAMP talks about the number of States—I think you referred to 47—where jobs have been lost. I think every one of those States—it's 47—has benefited from the Build America Bonds program. The money goes to local communities for infrastructure, and that creates jobs. That's what finance experts have said about BABs. It's one of the economic recovery effort's biggest successes. As I mentioned, as of March 1, 2010, State and local governments have used BABs to finance more than \$78 billion in infrastructure programs.

Now, as to small business. The legislation excludes 100 percent of capital gains on small business stock to help encourage immediate investments in growth. It will, in turn, help our small businesses hire new workers and continue fueling our economic recovery. Also included are provisions to remove onerous penalties from small businesses so they can create more jobs. Also, there's a provision, an important one, to reduce the barrier of startup expenses on new businesses.

The bill would also extend, for 1 year, the TANF emergency contingency fund. The Governors Association has said this fund helps "speed economic recovery through subsidized employment and training programs."

This bill is completely offset and will not add a dime to the Federal deficit. The bill is offset with provisions to ensure compliance with our tax laws, close down a loophole that allows paper companies to claim a \$1.01 per gallon tax credit for highly corrosive fuel waste products, and it does crack down on foreign tax haven corporations that are taking advantage of the U.S. tax treaty network in order to dodge U.S. taxes. And to just say you're opposed to any tax increases? Tax increases on people who are avoiding paying legitimate taxes. I have a chart here, in very simple terms, that spells out how these companies, these foreign corporations that are not part of a tax-treaty country, how they evade taxes through a gimmick. And to oppose this because of that, I think, is very, very inappropriate.

So, in a word, this bill is another significant step towards helping our country continue down the path of economic recovery and job creation. It should be a bipartisan bill. In the markup that we held, there wasn't a single amendment offered by the minority to strike a specific jobs provision here. This Congress will continue to take additional targeted and effective steps to accelerate economic recovery for American families. And I

say with sadness, as I hear Mr. CAMP speak, that it looks like it will not receive the bipartisan support it so fully deserves.

I reserve the balance of my time.

Mr. CAMP. At this time I yield 3 minutes to a distinguished member of the Ways and Means Committee, the gentleman from California (Mr. HERGER).

Mr. HERGER. Madam Speaker, Republicans have been arguing ever since the debate on last year's failed stimulus bill that we need real tax relief to get our economy going and to create jobs. Today, the Democratic majority has brought forward a bill that offers \$3.5 billion in tax relief for small businesses. Unfortunately, it also includes \$19 billion in new taxes, including a major tax aimed directly at companies that invest in the U.S. and hire American workers. This comes just days after the Democrats rammed through a health care bill that raises taxes by \$569 billion. And if Congress does not extend the tax relief that expires at the end of this year, Americans will see their taxes go up by another \$3 trillion. So while there are some good things in this bill, it's hard to see how a collection of minor tax relief measures will spur job creation when small businesses are staring down the barrel of unprecedented tax increases in the year ahead.

When the Ways and Means Committee considered this bill last week, I offered an amendment to make permanent the \$250,000 expensing allowance under section 179; however, Democrats voted down this and every other effort to provide real, permanent tax relief for small businesses. What has been added to the bill is a new \$2.5 billion bailout for State welfare programs. This has nothing to do with creating jobs; yet it was mysteriously added to the bill after we marked it up in committee. I hope that this was not a deliberate plan to avoid having a vote in committee on the merits of this funding. After the public outrage over backroom dealmaking in the health care bill, it is disappointing to see the majority party again bypassing regular order to make last-minute changes to the bill reported by the committee.

Madam Speaker, the American people still want to know: Where are the jobs? This bill fails to answer that question, and the House should reject it.

Mr. LEVIN. It's now my privilege to yield 2 minutes to my colleague and friend, the gentleman from New York (Mr. RANGEL).

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

Mr. RANGEL. Thank you, Mr. Chairman.

I really can't understand how this discussion is dealing with Republicans and Democrats. When someone loses his job and loses his health care, loses his dignity and pride and ability to take care of his or her rent or pay the

mortgage or tuition in school, when they make applications for unemployment compensation, I really don't think that people ask: Are you a Republican or a Democrat? And this is true of health insurance as well as it is for education and job training. This is what makes America great, not the majority or minority party. At the end of the day, what have we done as Congress and a part of government to allow people to put their hopes and dreams together so that we can get a full recovery?

For those who are critical of this bill for what it hasn't done, it's only one step as we attempt to move forward to get America back to work. That's what we all want. For those who say that too much is given to government, my God, we're talking about putting people back to work so that they have the ability to buy from small business people.

We eliminate taxes for capital gains if you invest in small businesses. We provide incentives for startup funds so that people can have the small businesses. And there's not a mayor, there's not a Governor, who doesn't truly believe that putting people to work on infrastructure, building schools, getting involved in low-income housing—we're talking about jobs. Not Democratic jobs, not Republican jobs, but jobs that can put money in people's pockets to fulfill their obligations and their dreams.

So let's get away from this partisanship. Why don't we just ask: Is it good for America and not just good for our party?

Mr. CAMP. At this time, Madam Speaker, I yield 3 minutes to a member of the Ways and Means Committee, the distinguished gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Another week, another stimulus. This ministimulus, the third or fourth such effort—I've lost count—is more proof of the failed economic policies of Washington Democrats and an acknowledgment that the massive \$860 billion stimulus bill has fallen far short of its debt-driven, wastefully spent promises to revive America's recovery.

From a jobs standpoint for small business, this bill does next to nothing. In fact, by increasing taxes on global companies that invest and create jobs here in America, this bill may actually kill more jobs than it creates.

This bill wrongly breaches long-standing tax treaties and increases taxes by more than \$7 billion on global companies with subsidiaries here in the United States. We want America to be the place Americans choose to put their workers. Why punish them, especially thousands of Americans without jobs?

This measure also expands the heavily taxpayer subsidized Build America Bonds, which are popular but are taking shape as a long-term entitlement to which our local governments are quickly becoming addicted. That's bad news for America's taxpayers.

Finally, much has been made of the centerpiece of this bill. It's a 100 percent cutout of capital gains on small businesses. But who qualifies for this? I can tell you who doesn't qualify as a small business. Look closely at the section that says, if you're in health, in law, engineering, architecture, accounting, actuarial science, performing arts, consulting, athletics, financial services, brokerage services, or any trade or business where the reputation of your employees counts. You're not eligible if you're in banking, insurance, financing, leasing, investing, or similar business. You're not eligible if you're a farming small business, a business involving extraction of commodities like energy or mining. You can't be a hotel, a motel, a restaurant, or similar business. You can't have ownership or dealings in or renting of real estate property or rental property.

The question is: Who does qualify for this?

□ 1330

The answer is nobody. That's why this does so little for small business, so little for our economy. The truth of the matter is, the reason businesses aren't hiring back workers or hiring new ones is they're scared of the policies in Washington. Cap-and-trade, new health care mandates, new taxes, new regulation, the scary debt. That's what's keeping small businesses on the sidelines. That's what's holding our economy back. This bill does not deserve our support. We can do better.

Mr. LEVIN. I now yield 2 minutes to another senior member of our committee, Mr. MCDERMOTT of the great State of Washington.

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

Mr. MCDERMOTT. Madam Speaker, the gentleman from California asked where the jobs are. Well, this 1-year extension of the TANF Emergency Contingency Fund will produce more than 160,000 subsidized job placements in clerical, health care, maintenance, human service, and customer service jobs in 35 States; and many of them are already up and running. Even Haley Barbour down in Mississippi thinks it's a good idea.

My office has received a tremendous increase in calls from out-of-work Americans who are reaching the end of their UI benefits. The long-term unemployed need help transitioning back into the changing job market, and they also need jobs right now. Proven programs like the Emergency Contingency Fund are already creating jobs at a lower cost than virtually any other program. If States are uncertain of the fund's extension, they will begin ramping down their subsidized employment programs beginning next month. It is critical that we pass this extension immediately. We have already received strong bipartisan support from the National Governors Association, the National Conference of State Legislatures, and the National Association

of Counties, all of them urging the Congress to extend this program.

Kevin Hassett of the conservative American Enterprise Institute said, "Given the state of the labor market, it is hard to imagine how any sensible person could oppose extending this emergency fund. If they are to be more than the party of 'no,' Republicans need to rally around the Democrats who have shown such reserved pragmatism."

I urge my colleagues on both sides of the aisle to support this bill.

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

I have heard that this welfare expansion is about jobs. Frankly, it's not. Democrats propose to expand the welfare emergency fund that was contained in last year's failed stimulus bill by \$2.5 billion. They just extend it for another year and add that money. But since this legislation doesn't really alter how the money is spent, we can only assume the new spending will be a lot like the current spending. So what has the money been spent on so far? Almost none of it has been spent on jobs. Almost all of it has been spent on more and larger welfare checks.

I would like to insert in the RECORD from the recent Congressional Research Service report on how the welfare emergency funds have been spent to date. As of March 18, 2010, only 13 percent of those funds have been spent on subsidized employment. Instead, 87 percent was spent on short-term aid and basic assistance. That is, on welfare checks.

[From the Congressional Research Service,
Mar. 23, 2010]

THE TANF EMERGENCY CONTINGENCY FUND
(By Gene Falk, Specialist in Social Policy)
STATE AND TRIBAL USE OF TANF EMERGENCY
FUNDS

As of March 18, 2010, states and tribes have been awarded \$1.8 billion of the total \$5 billion appropriated. Figure 1 shows the TANF ECF grant awards by category of spending. The figure shows cumulative grant awards through March 18, 2010. It shows that \$848 million, a little less than half of the total grant awards of \$1.6 billion was to help finance increases in expenditures for basic assistance. Another \$726 million, 40% of the \$1.8 billion, was for non-recurrent short-term aid and \$231 million, 13% of the total, was for subsidized employment.

Mr. Speaker, I now yield 3 minutes to the gentleman from Illinois (Mr. ROSKAM), a distinguished member of the Ways and Means Committee.

Mr. ROSKAM. I thank the gentleman for yielding.

During the markup on this bill, Mr. RANGEL of New York was very magnanimous in his concern for our emotional well-being on our side of the aisle. And he said that no matter how sincere they are in their argument, it must be awkward and embarrassing just to say no. I really do appreciate that gesture and his concern for how we're feeling. But the good news for Mr. RANGEL is, we don't feel embarrassed, and this isn't awkward. In fact, it is with a sense of duty that we stand

up and say, You know what, this bill is a classic underperformer.

If you notice something, we're hearing echoes of the exact same rhetoric that we heard during the stimulus debate. The stimulus, as you will remember, was \$750 billion, plus or minus, plus interest, so you are at a trillion dollars worth of commitment and a stampede argument of spending that said, If we would only do this now, only do this quick, only do this right now, unemployment was going to peak at 8 percent. Well, that didn't happen in my home State of Illinois. In fact, The Chicago Tribune recently quoted a civic leader, the Civic Federation of Chicago, and this is what they said regarding the State of Illinois' budget morass, notwithstanding all the help that the majority has claimed that they've foisted on these States. They've said, This is historic. It is epic. It is impossible to overstate the level of peril.

That's with the majority's help.

So now the argument comes, "Well, you Republicans talk about small government all the time. Let's help small government here." I think that's an inherently flawed argument because what we're doing is borrowing and then foisting more spending.

Look, I think ultimately the most difficult and troublesome component of this is the overriding of 60 bilateral trade agreements. I have over 3,400 employees in my district alone in suburban Chicago. That's not to mention another over a quarter of a million employees who are employed by companies that are insourcing jobs.

I think the National Association of Manufacturers and the U.S. Chamber of Commerce got it just right when they opposed this bill for all the right reasons.

Mr. LEVIN. I yield 2 minutes to the very distinguished gentleman from Georgia, my friend JOHN LEWIS.

Mr. LEWIS of Georgia. Madam Speaker, I want to thank the chairman, my friend, for yielding.

Madam Speaker, not long ago, the American economy was headed toward disaster. In the past year, businesses have closed their doors, and more and more of our sisters and brothers have joined the unemployment line. In my district, unemployment is still over 10 percent. That is unacceptable. And with this bill, with this piece of legislation, we can do better.

While this Congress and this administration have brought our economy back from the brink of depression, there is still so much left to do. Today with this bill, we can take another step down that long road to recovery. This bill will create jobs, it will save jobs, and it will save our small businesses. Is it possible? Is it too much to ask for? Is there some way and somehow that we all could come together and create jobs to put our people back to work?

This bill will help the family-owned restaurant that has served our community for years. It will help businesses that are facing cutbacks, and it will

help people follow their dreams to open their own businesses.

I urge my colleagues to pass this bill, for all of our small businesses, and to pass it now.

Mr. CAMP. Madam Speaker, I yield 1 minute to the gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. Madam Speaker, you can't tell the people in Rockford, Illinois, whose unemployment is at 20 percent that all these stimulus bills are working. In fact, even before the President was sworn in, because he mentioned a carbon tax, near the city of East Dubuque over on the Mississippi River in the congressional district that I represent, Rentech, which makes anhydrous ammonia and urea, was all set to make an \$800 million investment to substitute coal for natural gas in the Fischer-Tropsches process resulting in the production of aircraft fuel. So 1,000 manufacturing jobs, an \$800 million investment, was wiped out because even the threat of cap-and-trade had the investors pull the plug on it.

And now we come up with still another bill, still another government program, this one to tax foreign direct investment, many of those people involved in the manufacturing sector. There are 240,000 jobs in Illinois that directly depend upon foreign direct investment.

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

Mr. CAMP. I yield the gentleman an additional 15 seconds.

Mr. MANZULLO. We just passed the health care bill, the cap-and-trade. Every time we pass these bills, the people in the congressional district that I represent lose more jobs. We don't need help from Congress. We need Congress to leave the people alone.

Mr. LEVIN. I yield 2 minutes to my friend from Massachusetts (Mr. NEAL) who is such an active member of this committee on the issues before us.

Mr. NEAL. Madam Speaker, I want to thank the chairman of our committee, and I rise in support of the Small Business and Infrastructure Jobs Tax Act. As a former mayor, I am pleased that this bill contains a number of infrastructure tools to lower the costs for State and local development.

Let me put to rest the argument here that there was no cooperation on this bill. Mr. RYAN, a prominent Republican on the committee, and I supported legislation that would exempt private activity bonds from AMT. And it's working. The U.S. Department of Transportation cited this provision as saving \$635 million for construction projects at 38 airports around the country, including Cleveland, Milwaukee and Houston, among others. We don't check those airports to find out if they have a Republican Congressman or a Democratic Congressman. We think they are worthwhile undertakings.

These construction projects have created thousands of jobs nationwide at a time that our economy really needs

them. In my office, if you want to secure the information, we would be happy to provide you with the information about airport expansion which in many communities is a public and private partnership, but they have taken advantage of this initiative. These bonds are also used for student loans, and protection from AMT means lower rates on borrowers. In Massachusetts alone, 26,000 students will benefit.

The bill we are debating today also includes a provision offered by, yes, my friend Mr. TIBERI and I. We want to protect the New Markets Tax Credit from the AMT, a reasonable undertaking, a reasonable provision. Since its inception, this program has generated over \$15 billion of private sector investment in some of the poorest communities in this country. I will repeat. Mr. TIBERI and I sponsored this provision. Mr. RYAN and I have cosponsored provisions here. Protection from AMT means financing costs are lowered, freeing up greater investment for struggling neighborhoods.

And I want to submit, Mr. Chairman, and to the Speaker as well, there is not a Republican mayor in America who would be against the provisions that are offered here.

Mr. CAMP. Madam Speaker, I yield 2 minutes to the distinguished gentleman from New York (Mr. LEE).

Mr. LEE of New York. Madam Speaker, I rise today to support a provision in the bill allowing a tax deduction for small business startup expenses. This is one of the most significant things we can do to encourage entrepreneurs. That's why last year I joined with a colleague of mine from Maryland (Mr. KRATOVIL) to introduce legislation that increases the tax deduction from \$5,000 to \$20,000. Designed to motivate entrepreneurs to act now, this provision serves as an added incentive for entrepreneurs to get off the sidelines and create new job growth in the private sector.

As someone who has actually run a manufacturing company up until I came to Congress last year, it's very disappointing for me that I cannot support the underlying bill. This bill without a doubt will raise taxes on U.S. manufacturing and jeopardize jobs here at home.

American manufacturing workers are also facing an unfair playing field against our Chinese competitors. And according to the National Association of Manufacturers, this bill will "make it more difficult for them to compete in the global marketplace and, in some cases, will threaten U.S. jobs and economic growth." I believe we should be strengthening U.S. manufacturers, not saddling them with job-killing taxes. This will further impede efforts to grow our economy and create jobs right here in the good old United States.

Madam Speaker, it is past time that the House finally move through true pro-growth legislation. Unfortunately, despite the inclusion of the small busi-

ness startup deduction, the underlying bill just isn't it.

□ 1345

Mr. LEVIN. Madam Speaker, I yield 2 minutes to the very distinguished gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Madam Speaker, regarding these ill-considered arguments against the treaty-shopping provisions that allow a handful of firms to dodge their responsibilities to fund our national and homeland security, let's get the facts straight.

First, there is not one company headquartered in the United States that will pay one cent of additional taxes as a result of these provisions. Number two, there is not one company that is headquartered in a foreign country with whom we have a tax treaty that will pay one cent of additional taxes. And that covers, by the way, over 90 percent of all foreign investment in the United States that we were just hearing about, over 90 percent not touched whatsoever if they are headquartered in a country with a tax treaty.

What it does touch is the minority, defended by the Republican Party, that are determined to dodge their fair share of the cost of running America. Those are companies that are headquartered in tax havens that set up their operations specifically to dodge their tax responsibility. We believe they ought to follow the same rules as American-owned companies, as American-headquartered companies.

It is amazing to me that the same folks who would defend the flim-flam artists at Enron from dodging their tax responsibilities, that would defend the American corporations that renounce their American citizenship to move to some sunny tax haven, are now defending this small minority of firms that will not pay their fair share of American taxes.

And what of this phony argument that we are somehow violating our tax treaty responsibilities: well, it is just that, it is phony because this measure is actually an incentive to support the tax treaty system. That is where over 90 percent of the investment already is; and so we are saying, as the non-partisan Joint Committee on Taxation concluded, this provides an incentive for any responsible foreign investor to locate in a treaty country. The treaties are set up to help American companies. That is what these companies should do.

Mr. CAMP. Madam Speaker, I yield myself such time as I may consume, and I place in the RECORD a letter to Mr. LEVIN and myself from the Organization for International Investment, a large association representing over 5 million Americans. It is an association of U.S. subsidiaries of companies headquartered abroad which also accounts for one-fifth of all exports which says that the language in this legislation would override many of our bilateral income tax treaties and could

lead to retaliatory actions by other countries.

I would also note that during the markup of this legislation in committee, even the Obama administration's own witness, the Deputy Assistant Secretary of Tax Policy stated that the Treasury Department has, and I quote, "Concerns about the specifics of this provision and whether it will override many of our income tax treaties." She also stated the administration prefers a more targeted approach.

ORGANIZATION FOR
INTERNATIONAL INVESTMENT,
March 15, 2010.

Hon. SANDER LEVIN,
Chairman, Committee on Ways and Means,
House of Representatives, Washington, DC.

Hon. DAVE CAMP,
Ranking Member, Committee on Ways and
Means, House of Representatives, Wash-
ington, DC.

DEAR CHAIRMAN LEVIN AND REPRESENTATIVE CAMP, On behalf of the Organization for International Investment (OFII), I am writing to express concern with a tax provision included as Section 401 of the discussion draft of the Small Business and Infrastructure Jobs Tax Act of 2010. While we recognize the need for revenue, we must oppose Section 401 as an offset because it represents a clear and harmful override of our existing U.S. income tax treaties. Although positive changes were made to this proposal since it was originally introduced as an offset to the 2007 Farm Bill (H.R. 2419), OFII remains opposed because it still uniquely discriminates against U.S. subsidiaries of companies headquartered abroad and clearly violates many of our international agreements.

OFII is the largest association of U.S. subsidiaries of companies headquartered abroad. U.S. subsidiaries play an important role in the growth and vitality of the U.S. economy. They provide high-paying jobs for over five million Americans and account for almost one-fifth of all U.S. exports. A discriminatory tax increase sends a negative signal to international investors and may dissuade these companies from choosing the United States as a location for job creating investment.

As drafted, Section 401 would unilaterally override many of our bilateral income tax treaties and could lead to retaliatory actions by other countries or withdrawal by our treaty partners from existing treaties, negatively impacting international business transactions. The Senate has opposed this and similar provisions twice in the past two years for these reasons.

Congress has not held any hearings to examine this issue and whether the proposal is the appropriate remedy to address any perceived concerns. In this regard, there is no evidence that existing safeguards, including the substantial and restrictive anti-treaty shopping provisions (so-called "Limitation on Benefits" (LOB) provisions) contained in most of our current U.S. income tax treaties, are ineffective. Further, if material tax abuses were evident, the Treasury could implement changes to the U.S. Model Tax Treaty which would avoid the negative consequences of violating our international agreements.

Since a similar proposal was introduced in 2007, the Treasury has taken great strides to update the three bilateral tax treaties without LOB provisions (Iceland, Hungary, Poland). A protocol adding an LOB provision to the Iceland treaty was negotiated by Treasury and ratified by the Senate in 2008. A similar protocol with Hungary has been negotiated and initialed and could be ratified

this year. Treasury is expected to pursue a similar amendment to the treaty with Poland during 2010-2011.

Consistent with the conclusions in the Treasury Report that was released in November 2007 that reviewed potential abuse of income tax treaties, OFII believes re-negotiation of existing income tax treaties without LOB provisions is a more appropriate way to address the concerns underlying this provision and we urge you to oppose including Section 401 in the final version of the Small Business Jobs Bill. We would be glad to discuss our concerns with your staff in greater detail.

Sincerely,

NANCY McLERNON
President & CEO.

ORGANIZATION FOR INTERNATIONAL
INVESTMENT

OFII is the only business association in Washington D.C. that exclusively represents U.S. subsidiaries of foreign companies and advocates for their non-discriminatory treatment under state and federal law.

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ABB Inc., ACE INA Holdings, Inc., AEGON USA, AgustaWestland Inc., Ahold USA, Inc., Airbus North America Holdings, Air Liquide America L.P., Akzo Nobel Inc., Alcatel-Lucent, Alcon Laboratories, Inc.

Alfa Laval Inc., Allianz of North America, ALSTOM, AMEC, American Honda Motor Co., Inc., Anheuser-Busch, APL Limited, AREVA, Inc., Astellas Pharma US, Inc., AstraZeneca Pharmaceuticals.

BAE Systems, Barclays Capital, Barrick Goldstrike Mines, Inc., BASF Corporation, Bayer Corp., BIC Corp., Bimbo Foods, Inc., bioMérieux, Inc., BNP Paribas, Boehringer Ingelheim Corp.

BOSCH, BP, Bridgestone Americas Holding, Brother International Corp., Brunswick Group, BT, Bunge Ltd., Case New Holland, CEMEX USA, Cobham.

Coviden, Credit Suisse Securities (USA), Daiichi Sankyo, Inc., Daimler, Dassault Falcon Jet Corp., Deutsche Post World Net USA, Deutsche Telekom, Diageo, Inc., EADS, Inc., EDF International North America.

Eisai Inc., Elbit Systems of America, LLC, Electrolux Home Products, Inc., EMD Serono Inc., Ericsson, Evonik Degussa Corporation, Experian, Finmeccanica North America, Flextronics International, Food Lion, LLC.

France Telecom North America, Garmin International, Inc., GDF SUEZ Energy North America, Inc., Generali USA, Givaudan, GKN America Corp., GlaxoSmithKline, Hanson North America, Hitachi, Ltd., Holcim (US) Inc.

HSBC North America Holdings, Huhtamaki, Hyundai Motor America, Iberdrola Renewables, ING America Insurance Holdings, InterContinental Hotels Group, John Hancock Life Insurance Co., Lafarge North America, Lenova, Logitech Inc.

L'Oréal USA, Inc., Louisiana Energy Service (LES), Louisville Corporate Services, Inc., LVMH Moët Hennessy Louis Vuitton, Macquarie Aircraft Leasing Services, Macquarie Holdings Inc., Maersk Inc, Magna International, Marvell Semiconductor, McCain Foods USA.

Michelin North America, Inc. Miller Brewing Company, Mitsubishi Electric & Electronics, Munich Re, Nestlé USA, Inc., The Nielsen Company (US), Inc., Nokia, Inc., Novartis Corporation, Novelis Inc., Novo Nordisk Pharmaceuticals.

Oldcastle, Inc., Panasonic Corp. of North America, Pearson Inc., Pernod Ricard USA, Petrobras North America, Philips Electronics North America, QBE the Americas, Randstad North America, Reed Elsevier Inc., Rexam Inc.

Rio Tinto America, Roche Financial USA, Inc., Rolls-Royce North America Inc., Royal Bank of Canada, SABIC Innovation Plastics, Saint-Gobain, sanofi-aventis, SAP America, Schlumberger Technology Corp., Schott North America.

SGL Carbon LLC, Shell Oil Company, Siemens Corporation, Smith & Nephew, Inc., Sodexo, Inc., SolarWorld USA, Solvay America, Sony Corporation of America, Square D Company, Sumitomo Corp. of America.

Sun Life Financial U.S., Swiss Re America Holding Corp., Syngenta Corporation, Takeda North America, Tate & Lyle North America, Inc., Teva Pharmaceuticals USA, Thales USA, Inc., The Tata Group, Thomson Reuters, ThyssenKrupp USA, Inc.

Tim Hortons, Toa Reinsurance Company of America, Tomkins Industries, Inc., TOTAL Holdings USA, Inc., Toyota Motor North America, Tyco International (US), Inc., Tyco Electronics, UBS, Umicore USA, Unilever.

Vivendi, Vodafone, Voith Holding Inc., Volkswagen of America, Inc., Volvo Group North America, Inc., Welspun, Westfield LLC, White Mountains, Inc., Wolters Kluwer U.S. Corporation, WPP Group USA, Inc., XL Global Services, Zausner Foods Corporation, Zurich Insurance Group.

I yield 2 minutes to the distinguished gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Madam Speaker, I thank the gentleman for yielding, and I have to say I am confused. Now I am confused maybe because I am not on the Ways and Means Committee—I'm on the Appropriations Committee—and on March 16 at 10 o'clock we had a hearing, and our special guest at the hearing was Secretary of the Treasury Geithner, Secretary of OMB Orszag, and the President's Economic Adviser, Ms. Romer. All of them said to the full committee the stimulus program is working. It is the greatest program. In fact, I thought they were going to start high-fiving and hugging each other right there in the committee, they were so excited about it.

But now I am like you. You Democrats on the Ways and Means Committee, I kind of agree with you. It ain't working. We know that it is not working. That is why we are now debating the third stimulus jobs bill in the House. We had one a couple of weeks ago, we had one in December, and all it is is spend, spend, spend. The \$362 billion stimulus program was supposed to keep unemployment from getting to 8 percent, and it is now pushing 10 percent. Of course it is not working.

But does this work? It is just more spending, more money for municipal governments. I keep hearing the mayors like it and the county commissioners like it. Oh, yeah, we are sending them more money; I guess they do like it. They envy us because we can print it, and we can borrow it. In fact, we borrow a lot of money. In fact, if you look at it, every dollar that we spend, we actually borrow 40 cents. Now you would never do that back home, but that is what is going on. We borrow to pay for the military, to pay for education, to pay for transportation, to pay for the National Park Service. We borrow foreign aid. Can you think of the absurdity of that: we

borrow money to give it to other countries. That's what is going on. And here comes this bill with more borrowing.

You know, if you look at what has gone on, May of 2008, a \$168 billion stimulus bill failed. I voted "no." It was a George Bush bill. All of these stimulus bills, all of this spending does not create jobs. We need to vote this down.

Mr. LEVIN. Mr. Speaker, I yield myself 15 seconds.

To the gentleman who just spoke, this bill is paid for unlike bills you voted for. And also let me say to the distinguished gentleman, you are opposed to this bill because it isn't big enough or it is too small. It's not clear. The recovery program is beginning to work. This will make it work better, and yet you are standing here opposed to it.

I now yield 1 minute to the gentleman from California (Mr. BECERRA).

Mr. BECERRA. Madam Speaker, I thank the gentleman for yielding, and just to correct the record once again, this bill, unlike previous bills passed by our colleagues and friends on the other side of the aisle, is completely paid for. There is not a cent that would be added to the deficit. You have to make some tough decisions when you pay for things, but this bill is completely taken care of and paid for. So the tax cuts we give to small businesses, we take care of that. We don't do it in an irresponsible fashion. That is why we should vote for this legislation.

We need to put this country back on track and back to work, and this bill continues a series of legislation that have come through this House, gone to the Senate and been signed by the President which put America back to work. The economic recovery package which too many of our colleagues rail against, the independent, nonpartisan Congressional Budget Office has told us has already created at least 2 million jobs in America; and we still have more of the economic recovery package effects to take place over this coming year.

What we do know is if we keep at it and do it responsibly, we can put America back to work. That is what this is all about. That is why we should support this legislation. I urge my colleagues to support this bill.

Mr. CAMP. Madam Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. BOUSTANY), a distinguished member of the Ways and Means Committee.

Mr. BOUSTANY. Madam Speaker, I thank Ranking Member CAMP for yielding me this time.

We are talking about jobs, and this bill purports to be a job-creation bill, but I have deep reservations about one of the pay-fors in the bill. It is in section 301. It raises \$7.7 billion in taxes, and where do these taxes come from? Where does this tax increase come from? Well, it comes from U.S. companies who happen to be headquartered

overseas. What does that mean? These are companies that employ U.S. workers. These are companies that are in every one of our communities that also stimulate business activity that help create jobs in other businesses that affiliate with these and do business with them.

So what are we doing here? We are basically hurting U.S. job growth. We are hurting U.S. workers. Furthermore, this provision would basically abrogate some 60 bilateral tax treaties that we currently have. We know that the Senate has opposed these types of provisions in the past. So why are we doing this?

Secondly, in the course of the hearing, we had the Deputy Assistant Secretary for Tax Policy and she had questions about this approach and said that this was not the preferred approach of the administration and also expressed concerns that this could invite retaliation upon U.S. companies doing business overseas, further hurting U.S. jobs.

Now if we are going to create jobs, let's try to be sensible and make sure that our tax policy is coordinated with trying to create jobs. What do we know about these jobs in the U.S. by these U.S. companies who happen to be headquartered overseas? Well, they pay better wages. In fact, their compensation packages are roughly one-third more. These are high-skilled jobs so why on the one hand do we want to say we are going to create jobs and on the other hand focus on policies that will kill jobs? I just don't understand the logic here, and for those reasons I oppose this bill.

Mr. LEVIN. I am glad to now yield 1 whole minute to the distinguished gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Madam Speaker, everyone in this body is entitled to their own opinions, but we are not entitled to our own facts. I wish some of our colleagues would read this bill. It does not add one penny to the deficit.

First, we have a speaker on the other side of the aisle complaining about the fact that it adds to the deficit when it doesn't; because the next speaker then complains about how we want to pay for it. Which is it?

This bill is paid for. This bill will help small businesses just like the economic recovery bill has helped stabilize the economy. Just a little over a year ago when President Obama was sworn in, our economy was in free fall. We were headed from recession to depression. Now we are here 14 months later, the economy has begun to stabilize. We went from 5.7 percent negative growth to 5.6 positive growth, the biggest swing in growth, 10 points, in 30 years. People are beginning to go back to work. Obviously, we have not turned the corner there, but it is a vast improvement from where this country was a little over a year ago. This is another important step by assisting small businesses to keep the engine going.

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

Mr. LEVIN. Madam Speaker, I yield 1 minute to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. Madam Speaker, I rise in support of this important jobs bill in general, and two provisions in particular.

The SBA provision makes a change to the Tax Code to encourage private investment in the Small Business Investment Company program, which in turn will help small businesses hire more employees.

The extension of the AMT exemption for private activity bonds is critically important to creating jobs and growing our economy. Bonds have been one of the economic recovery efforts' biggest successes, and they are responsible for creating jobs and funding important projects in nearly every State in our country.

One example can be seen at the Sacramento International Airport in my district. They sold bonds to complete their terminal renovation. This money was directly responsible for preserving 1,200 construction jobs and generating over \$1 billion in the surrounding community.

We must do everything we can to put Americans back to work. Today's jobs bill is paid for. Today's job bill is paid for and is one more way to spur economic development.

Mr. CAMP. I continue to reserve.

Mr. LEVIN. I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Madam Speaker, there is a certain amount of irony hearing our friends on the other side of the aisle talking about a recovery package that hasn't worked as well as all of us would like because it was deliberately scaled down in an effort to try to secure Republican support. More of it was put in tax cuts than we would have liked rather than in infrastructure to rebuild and renew America. We know if it would have been done the way the Democrats wanted, it would have worked better. Nonetheless, I hate to think what would happen in the State of Michigan without economic recovery money, in the State of Oregon without this money.

I have three brief points. One, by putting more money in infrastructure, we are going to be putting people to work. Second, this is fully paid for, unlike what we have seen with the efforts of our friends on the Republican side of the aisle when they were in charge. And, third, the pay-for is incorporating recommendations that came from the Bush administration Treasury that recognized there were corporations that were not meeting their obligations to the United States Treasury.

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

Mr. LEVIN. I yield the gentleman an additional 30 seconds.

Mr. BLUMENAUER. These provisions will affect companies in a small num-

ber of countries—there are less than 10 percent of the countries that don't have a tax treaty with us—they will be encouraged to have a relationship to avoid tax avoidance. It will be an opportunity for people who are not paying their fair share now to put some money behind renewing and rebuilding America.

It is a good bargain for the taxpayer, it is a good bargain for revitalizing our communities, and I appreciate the committee bringing this bill forward.

□ 1400

Mr. CAMP. I yield 30 seconds to the gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. I want to respond to what was just said about these tax provisions, and that is, the previous administration actually wanted to work through these treaties and recognized that there were some problems but did not just simply want to abrogate 60 tax treaties.

Mr. LEVIN. I yield 15 seconds to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. The last administration offered proposals to address this time after time, and a Republican Congress wouldn't approve them. That is one of the reasons we need to take this firm action today. We see the benefits of doing that in the almost \$8 billion that are raised not from American companies but from companies that are located in these tax-haven locations.

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

I would just say to the gentleman and to those on the floor, to say this is the same proposal that occurred in the previous administration is really an oversimplification. The previous administration really wanted to have a more targeted approach to this. They wanted to, certainly through treaty amendments, targeted domestic law provisions, that would address the problem of potential abuses under this area of law. But they didn't want to damage our treaty relationships with all of the other countries.

And as the gentleman from Louisiana has said, this would damage our treaty relationships with over 60 countries. We have a letter in the record from the organization overseeing nearly 5 million U.S. workers and companies headquartered abroad. The Treasury testified at the committee that this is not the approach they want to take. They would much prefer to take similar approaches to the Bush administration. So in terms of tax policy, we actually have the Treasury Department wanting to do the same thing.

This is outside of that. This is overbroad. It would hurt our relationships.

I reserve my time.

Mr. LEVIN. I yield 30 seconds to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. We are in no way saying that this is the same legislative language that the Bush Administration recommended. We are saying it addresses the same problem and that you

didn't like the Bush Administration approach any better than you liked the Obama Administration approach, any better than you like this approach. And the only beneficiaries of this obstruction to a legislative answer are the same tax dodgers in these tax havens that have been avoiding their responsibility. We want to level the playing field. We don't want to shirk treaty responsibilities. We want an incentive to encourage every one of these companies to go to a tax treaty country.

Mr. CAMP. I reserve my time.

Mr. LEVIN. I now yield 1½ minutes to the very distinguished gentleman from New Jersey (Mr. PASCARELL).

Mr. PASCARELL. Thank you for yielding, Mr. Chairman.

No more loopholes. No more sheltered tax havens. No more privileged class perks. Period. That is how we're paying for this bill.

Mr. Speaker, once again, the day after significant legislation has been passed, we're back at our greatest priority—putting people back to work. There are many sections of this bill that do that. I want to highlight just one of them: the Sustainable Water Infrastructure Investment Act. I hope you support that part of the legislation.

As it was introduced, this provision will generate significant investment through the use of tax-exempt bonds, and if we don't go that way, our communities are going to have to find the money to fix their infrastructure, to fix their sewer systems, to fix their water systems, and you know that is not going to happen. Our communities look to us for help. Our infrastructure is in disrepair, and it's just not our roads and it's just not our bridges.

Earlier this year the American Society of Civil Engineers gave the nation's water and water system the lowest grade of any infrastructure category, a D minus. This legislation aims to repair our crumbling water infrastructure while leveraging private capital to create jobs. Every dollar invested in public water and sewer infrastructure will add \$8.97 to the national economy. Economists estimate a \$1 billion investment—

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

Mr. LEVIN. I yield the gentleman an additional 10 seconds.

Mr. PASCARELL. Economists estimate a \$1 billion investment in water infrastructure will create 28,500 jobs.

For anybody to stand up here and say that this particular legislation does not specifically face off against the job lag in this country, they haven't read the bill.

Mr. CAMP. I reserve at this time.

Mr. LEVIN. Now it's my privilege to yield 1½ to the gentlewoman from Nevada, SHELLEY BERKLEY.

Ms. BERKLEY. I thank you, Mr. Chairman, for your leadership.

This legislation is yet another strong step towards economic recovery for Las Vegas, the State of Nevada, and the

Nation. The provisions of this bill will spur the creation and growth of small businesses and help State and local governments make critical job-creating infrastructure investments that are essential to long-term economic recovery.

Build America Bonds have been an essential source of funding for critical infrastructure projects in my district. That includes millions for investments by McCarran International Airport, millions for essential upgrades to water and sewer systems by the Las Vegas Water Authority, millions in highway and transit improvements by Clark County.

The extension of Recovery Zone Bond programs will make my district eligible for yet another source of financing for infrastructure projects that will spur economic growth and help bring down one of the highest unemployment rates in the Nation. Fifty percent of the building trades in Las Vegas are idle. Families are suffering.

Speaking of families, families and small businesses are going to directly benefit from this legislation. The increased deduction for small business start-up expenses will provide new opportunities for business creation and help create jobs we so desperately need.

And Temporary Assistance for Needy Families, this is incorporated in the bill and will help many Nevada families who struggle daily to help make ends meet.

The people of my district are struggling with difficult economic times. This Congress continues to focus on policies that will create new opportunity for growth and investment in Las Vegas and help entrepreneurs build job-creating small businesses.

Mr. CAMP. I continue to reserve.

Mr. LEVIN. I now have the privilege of yielding 1 minute to the gentlelady from Pennsylvania, ALLYSON SCHWARTZ.

Ms. SCHWARTZ. Democrats are committed to rebuilding America's economy, putting our workers back to work and ensuring our businesses can compete in a global 21st century economy.

Today we will vote on the Small Business and Infrastructure Jobs Tax Act, which makes smart investments, including: expanding Build America Bonds, which have been used by State and local governments across the country, including 21 times in my own home State of Pennsylvania, to finance \$2 billion in essential infrastructure projects; excluding capital gains taxes on the sale of small business stock; exempting water and sewer facility bonds from State volume caps initiating new infrastructure water projects which will improve the quality of our drinking water; and ending unfair tax penalties for small businesses that offer certain pension plans.

Let's be clear. This bill means voting for lower taxes for small businesses, for new infrastructure, and for new jobs. And it does not add to the deficit. In fact, it is paid for by collecting taxes

from corporations located in tax havens.

I urge a "yes" vote on this legislation.

Mr. CAMP. I continue to reserve, Madam Speaker.

Mr. LEVIN. I now yield 1 minute to the distinguished gentleman from Illinois, Mr. DANNY DAVIS.

Mr. DAVIS of Illinois. I want to thank the chairman for yielding.

I note that the State of Illinois has received \$4.853 billion in bonds up through January of this year. Many of those have gone to communities that are represented by individuals who certainly are not described as Democrats. As a matter of fact, they've gone to communities throughout the State.

These bonds are about building schools, roads, hospitals, creating jobs. There is no way under the sun that I could imagine not voting for this bill. It stimulates the economy, it builds jobs, it puts people to work.

Mr. CAMP. I continue to reserve.

Mr. LEVIN. I now yield 1 minute to the gentleman from North Carolina (Mr. ETHERIDGE).

Mr. ETHERIDGE. I thank the gentleman for yielding.

I rise to support this bill for our small businesses and local communities. Small businesses are the engine of our economy and right now they need help in order to grow, expand, and hire new workers. Research shows that almost every "new job" in this country is created by entrepreneurs who simply have an idea and the energy and the vision to make it a reality. We should support them, and this bill does so.

This bill also invests in our local communities by expanding successful Build America Bonds and water and sewer bonds which our communities badly need to restore our infrastructure and, more importantly, create jobs.

I met recently with a North Carolina housing finance agency, and yesterday I received a letter from the National Association of Counties, who both support this bill. Helping our small businesses, investing in infrastructure, and creating jobs should be a nonpartisan issue. We must come together to fix our economy. And as a former small business owner, I support this legislation for creating jobs on Main Street.

I urge a "yes" vote.

Mr. CAMP. I reserve my time.

Mr. LEVIN. It is now my privilege to yield 1 minute to the gentlelady from California (Ms. LINDA T. SANCHEZ) a member of the committee.

Ms. LINDA T. SANCHEZ of California. I would like to thank the chairman.

Madam Speaker, I rise today in strong support of H.R. 4849, legislation that invests in affordable housing, infrastructure, and small businesses.

I want to speak today about two provisions in the bill that are particularly important to the constituents I represent. I'm very pleased that the bill incorporates legislation that I wrote to

strengthen the low-income housing tax credit. A stable roof over a child's head contributes to his or her education, emotional well-being, and overall physical health.

In California alone, 4 percent low-income housing credits have been responsible for 125,000 new housing units in the last 20 years. By reviving the value of these credits, we will revitalize the housing sector, creating not just affordable homes but new jobs.

Additionally, this bill extends the Recovery Act's successful Build America Bonds program. These bonds are responsible for almost 25 percent of the current municipal bond market. As of the end of February, \$78 billion in Build America Bonds have been issued by State and local governments to build roads, bridges, and schools. And the jobs that are created pay a living wage. They are an investment in our community.

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

Mr. LEVIN. I yield the gentlelady an additional 30 seconds.

Ms. LINDA T. SÁNCHEZ of California. They are an investment in our community and an investment in our workforce, investments that are going to pay dividends for years to come.

I want to thank the chairman and the committee staff for their hard work on this bill, and I urge my colleagues to support this legislation.

□ 1415

Mr. CAMP. Madam Speaker, I am prepared to close. I yield myself such time as I may consume.

I urge a "no" vote on this legislation. From this debate, I think it's difficult to see whether this legislation is either a small business bill or a jobs bill. Frankly, it's neither one. The reason is the tax increases in this bill will hurt an already weak economy. To raise taxes on employers during a recession makes it even harder for Americans to find work.

Second, roughly 80 percent of the tax relief in this bill goes to State and local governments and to pay State and local governments. To borrow more money, as this bill does, is not what America needs right now.

Lastly, I would say there are some tax provisions, very small ones, that have received bipartisan support. But, frankly, those good things are outweighed by the structure of the bill and the way the bill is drafted, because even those well-intentioned measures will not do enough to help employers create jobs; and, particularly, the provision that would override our tax treaties with 60 countries, that even the Deputy Assistant Secretary for Tax Policy, when testifying before the committee, said she had concerns over, and also which has been rejected by the Senate, which means the almost \$7 to \$8 billion they are using to fund this bill will not see its way across the floor of the United States Senate. So I think we would do better to come back and

try to do something that would actually potentially do something about job creation and see its way to the President's desk for signature.

With that, I urge a "no" vote on this bill.

I yield back the balance of my time.

Mr. LEVIN. I yield myself the balance of my time.

I strongly urge a "yes" vote on this. I really urge my colleagues on the minority side to think not twice, but to think thrice before voting against this bill. I don't think everyone has to march in a partisan way in this place, especially on a bill that will help create jobs.

I have a letter regarding the contingency fund from a Republican Governor and a Democratic Governor, which states that, "currently, 23 States are drawing down the fund for subsidized jobs, with several more State applications pending approval. Many of these programs take time to develop and implement. By allowing States more time to access these funds, Congress can help maximize the impact of TANF ECF in providing crucial skill development and training to our workers."

Regarding the Build America Bonds, almost every State has taken advantage of these. It's for local communities and States to build—to build. Who builds roads? Who builds bridges? Not robots. Basically, it's human beings. So if you come here and vote "no," you are voting against jobs for human beings.

In terms of the pay-for, the only entities that will pay taxes will be those who are evading them, who are essentially using tax havens to avoid paying taxes.

I think the Senate will take a second look at this. I think this can become law, and we should join together to help make this become law. We owe it to the people of this country. This is a jobs bill.

Vote "yes."

Mr. LINDER. Madam Speaker, I oppose this legislation.

Since the Democrats' 2009 stimulus law, 3.3 million jobs have been eliminated, not the 3.7 million jobs they forecast it would create. Unemployment has risen to 10 percent, not the 8 percent peak Democrats promised. And 16 million Americans are currently unemployed, an all time record.

That stimulus legislation created numerous welfare expansions, including a new \$5 billion welfare "emergency fund." This fund directly undermines the successful 1996 welfare reforms by paying States more money if they increase welfare dependence instead of work. The legislation before us would extend and expand that welfare emergency fund, costing taxpayers another \$2.5 billion.

Democrats claim this welfare expansion will create jobs, as they claimed their stimulus bill would. The facts show stimulus didn't create jobs, and this won't, either.

Why are we doing this? According to the latest MIS figures, States have not spent over \$3 billion in the current welfare emergency fund. By the end of year, the Congressional Budget

Office estimates one-third of the fund—about \$1.5 billion—will remain unspent.

But instead of letting this "emergency" fund expire, or even just giving States more time to spend current funds, Democrats insist on shoving another \$2.5 billion in welfare out the door. This will cost taxpayers billions of dollars more, and benefit especially those few States that spent all of what Democrats promised in last year's stimulus bill. So the more you spend, the more you get. All on top of last year's trillion-dollar stimulus bill, and the trillion-dollar health takeover bill the President signed yesterday.

But it's not enough, because it's never enough.

Two weeks ago, in a hearing on welfare spending, one expert testified to the subcommittee on which I serve as Ranking Republican that government will spend \$953 billion on means-tested welfare programs next year, a nearly 50 percent increase since 2007. I asked the Obama Administration witness, who supported the welfare expansion before us today, whether her testimony was that \$953 billion is not enough. She responded: "Who's to say what is enough?"

The reality is we are the ones elected to represent the American people in saying what is enough. And after a trillion dollars in failed stimulus spending, and a trillion dollars for the government health care takeover yet to come, I say enough. Oppose this unnecessary welfare spending increase.

Mr. CONYERS. Madam Speaker, today I rise in support of H.R. 4849, the "Small Business and Infrastructure Jobs Tax Act of 2010." Today's legislation would provide much needed tax relief to small businesses, as well as assistance to states for infrastructure projects, housing tax credits, and direct aid for communities hit the hardest by job losses. This is a very timely bill and will provide a real benefit to States suffering through periods of unemployment, like my own State of Michigan.

As we are all too aware, states have been struggling with staggering budget deficits and have painfully cut back on many vital programs. One of the important proposals within the Act would extend \$2.5 billion funding for the Temporary Assistance for Needy Families (TANF) Emergency Contingency Fund through 2011. TANF gives a one-time aid for needy families and subsidizes employment programs

I also support provisions in H.R. 4849 that would allocate over two billion dollars in additional funding for Recovery Zone bonds and extend the popular Build America Bonds initiative. Recovery Zone bonds are low interest bonds aimed at funding investment in economically depressed areas, such as my congressional district. Build America Bonds, lauded as one of the most successful parts of the Recovery Act, are bonds with tax exemption on interest and will be extended for three years under this bill. Build America Bonds will allow for the construction of new schools, roads, environmental projects, public safety facilities, and government housing projects.

Madam Speaker, this Congress has passed sweeping legislation such as the Recovery Act, health insurance reform and fair pay for women. These actions have shown the American people that we can act in times of crisis. In this vein, I believe tax relief, coupled with aid to the States, can spur substantial job creation. I urge my colleagues to support this legislation.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today in support of H.R. 4849, the Small Business and Infrastructure Jobs Tax Act.

Specifically, I am pleased one of the provisions of this bill is the text of H.R. 537, The Sustainable Water Infrastructure Investment Act, of which I am a cosponsor.

This provision will help our local communities by removing the federally mandated State Volume Cap on Private Activity Bonds for water and wastewater projects.

Lifting this cap will allow additional private investment through the use of tax exempt bonds to address our critical water infrastructure needs.

Other infrastructure projects, such as airports, intercity high-speed rail, and solid waste disposal sites are already exempt from these bond caps.

Removing state volume caps on Private Activity Bonds for water and wastewater facilities is expected to reduce the cost of water projects, increase the number of water projects that communities initiate, improve our Nation's water infrastructure, and encourage public-private partnerships.

I am proud to support this bill that will enhance our water infrastructure, create local jobs, and encourage private capital investment in our communities.

Mr. LARSEN of Washington. Madam Speaker, I rise today in support of H.R. 4849, the Small Business and Infrastructure Jobs Tax Act of 2010.

This bill is another important step forward in helping small businesses create jobs in our communities and in assisting state and local governments to crawl out of their financial holes.

I agree with Secretary Geithner that by extending the Buy America Bonds program we are providing an important financing tool for state and local governments and investing in our country's long term economic growth in a cost-effective way.

As local governments continue to struggle financially, local officials can look forward to using the Buy America Bonds to build bridges, fix roads, and upgrade schools—all while creating jobs in our communities.

Snohomish County, in my district, is about to utilize the Buy America Bonds to fund public and private capital improvements that promote economic development and job growth throughout the county.

In addition, this bill includes provisions that will help small businesses obtain additional capital and encourage the formation of new businesses.

Small business is the engine that drives our economy, having created 65 percent of all new jobs in the last decade, and continues to play an important part of our economic recovery.

I will continue to do all I can to support our small businesses and create jobs.

Mr. DINGELL. Madam Speaker, I rise today in support of H.R. 4849, the Small Business and Infrastructure Jobs Tax Act. First, I would like to commend my friend and colleague from Michigan, Chairman of the Ways and Means Committee, SANDER LEVIN, for sponsoring this legislation. As all economists note, any true recovery must contain healthy and sustained growth in our small business sector. Fortunately, the Small Business and Infrastructure Jobs Act will spur growth among our small

businesses, provide incentives to invest in small businesses, and encourage small businesses to hire workers and entrepreneurs to take risks and start new businesses. Moreover, the bill does this without increasing the deficit.

The Small Business and Infrastructure Jobs Tax Act contains several small business tax provisions to spur investment, such as excluding capital gains taxes for those that purchase stock in small businesses, providing relief from burdensome tax penalties, and increasing the amount that can be deducted for expenditures made for starting a small business.

I am also pleased to see that this legislation emphasizes the job creation potential through local rebuilding. By extending the Build America Bonds program, state and local governments will be able to continue rebuilding our schools, hospitals and transit in an affordable manner. More importantly, extending this program through 2013 would allow our state and local governments to plan further into the future the necessary rebuilding projects. The Small Business and Infrastructure Jobs Tax Act also extends the Recovery Zone bonds for economically distressed areas through 2011, which will ensure areas like Southeast Michigan, now struggling with over 16 percent unemployment, can continue to invest in infrastructure projects, job training programs, education and economic development in our communities.

In addition, this legislation extends the Temporary Assistance for Needy Families Fund. This fund was created in the American Recovery and Reinvestment Act to help States handle increasing expenditures on assistance for families and to help create jobs programs that subsidizes employers or small businesses that hire unemployed workers. With the Fund already helping to employ 160,000 workers, this one-year extension will allow this good work to continue.

Finally, the bill will help to save American jobs by cracking down on foreign tax haven corporations that are taking advantage of the U.S. tax treaty network to dodge paying taxes and gain an advantage over American companies that play by the rules.

Madam Speaker, I urge my colleagues to join me in voting for this job-creating legislation.

Mr. POMEROY. Madam Speaker, helping North Dakota business create jobs is my top priority and today, Madam Speaker, Congress takes another step forward with a sharp focus on small businesses.

Small businesses are a proven engine of job creation. During the last economic expansion, companies with less than 20 employees accounted for 40 percent of the job growth while accounting for only 25 percent of all jobs.

One of the lingering difficulties of this recession is that many small businesses have limited access to the capital they need to operate, grow, and create new jobs. By providing small business tax relief, Congress can free up money and help small businesses feel they can afford to hire new employees and make investments that will build demand for goods and services.

In rural America, small business is business. For example, nearly 80 percent of North Dakotans are employed by companies with less than 500 employees and nearly 60 percent work for companies with less than 100 employees.

These small businesses are the companies on our small town Main Streets. Across numerous towns in North Dakota, ambitious business persons are finding opportunities to start up business, and the ranks of these new businesses are growing. A recent article in the Dickinson Press, reported that a number of small, North Dakota towns are seeing several new businesses starting up during the year. I ask permission to enter the article into the RECORD.

The Small Business and Infrastructure Jobs Act, H.R. 4849, will help new start-up businesses like KZ Photography, a company launched by Kim Zachmann last August. The bill would allow her to deduct from income, up to \$20,000 in expenses she might have incurred to set up her photography studio and get her business up and running in the town of Beach, North Dakota. Without the bill before us today, her deduction from income for those start up costs would be limited to only \$5,000.

The 100 percent exclusion from tax of gains on small business stock and the change to enable Small Business Investment Companies to deduct the investment losses would expand the access to capital for small business across the country.

While the Internal Revenue Service must act to stop abusive tax shelters, Congress today will vote to eliminate a disproportionate effect that some tax penalties have on small businesses. We have heard from individuals facing outlandish penalties. Under the bill, the tax penalty for failing to disclose on their taxes reportable transactions would be brought into proportion with the underlying tax savings for small businesses and not put the small business owner out of business.

These are provisions that have bipartisan support and will make a difference and spur job creation among small businesses. My colleague across the aisle, JERRY MORAN from Kansas, agreed that these provisions were needed to help small business and we introduced the "Small Business Jobs and Tax Relief Act."

I thank Chairman LEVIN for including small business tax incentives and relief that I authored the bill we are considering today. I also appreciate that we will also extend the highly successful Build America Bond program so that payments for the bonds to state and local governments would last through 2013.

When I held a roundtable with small businesses in Fargo, North Dakota, sharp and savvy business owners told me that Recovery Act funding is making a big difference and that they were vying with new national competitors. So, I urge my colleagues to pass the extension and expansion of the successful Build America Bonds, which have made it cheaper for state and local governments to finance the rebuilding of schools, sewers, hospitals and transit projects.

Communities like West Fargo and Rugby have used these bonds to launch projects and the bill also opens this funding opportunity to tribal governments for funding of water and sewer infrastructure improvements.

The Small Business and Infrastructure Jobs Act is good for North Dakota small businesses. I urge my colleagues to vote "yes" on H.R. 4849.

NUMBER OF BUSINESSES GROWING IN AREA TOWNS—OFFICIALS: YOUNGER PEOPLE MOVING IN

(By Beth Wischmeyer)

The number of businesses starting or being taken over by new owners is growing, officials in the communities of Bowman and Beach said Thursday.

Deb Walworth, executive director of Prairie West Development Foundation in Beach, said eight new businesses started in 2009, many of which were started by people in their 20s and 30s.

"We're seeing more young people," Walworth said. "I think this is just the tip of the iceberg, it's just beginning."

In 2008, Walworth said there were three new businesses that started.

Since 2004, Sentinel Butte has had three new businesses and the community of Golva has had two new businesses and one existing business come under new ownership, she said.

"These are really small communities that are seeing positive growth," Walworth said.

Ashley Alderson, executive director of the Bowman Economic Development Corp., said there have been about 10 new business counsels last year, some that have started, some that are starting and others that will open in the future.

"We've had quite a bit of new interest lately," Alderson said. "We've noticed it's been a really busy year for small business."

Alderson said she's been with the corporation for about two years, and said the past year was busier than her first year with new businesses.

The Beach area is seeing people moving back of all ages, Walworth said.

"I'm just really excited about the young families that are moving back, because if they don't have kids now, I think they plan to have families in the future," Walworth said. "We're also seeing the result of that coming through the schools, with kids coming through kindergarten and first grade there. That's a benefit to the school system too."

Kim Zachmann, who owns the photography business KZ Photography in Beach, said while photography has been an interest and a hobby for a number of years, she started pursuing it as a business last August.

Zachmann, who grew up in the Beach area, said she purchased a studio recently in town and now does photography full time.

"We haven't had a photographer here (in Beach) since about '03, so I knew there wasn't anyone in the Beach surrounding area, the closest one would be Dickinson, so I knew Beach could benefit from one," Zachmann said. "Beach is really good about supporting local businesses. I like the Beach area. I would like to live here the rest of my life if it was possible with a job and family and stuff like that."

Ed Gold, executive director of the Adams County Development Corporation, was out of the office Friday.

Walworth thinks the Beach area is a "good place to raise a family," a draw to many young families, she added.

"The cost of living isn't as much as it is in some of the larger places," Walworth said. "These people are coming from Las Vegas and the West Coast. They graduated from school here; one or the other of them, or both; and I think they're going for the safer communities to raise their family."

The SPEAKER pro tempore. The gentleman's time has expired.

All time for debate has expired.

Pursuant to House Resolution 1205, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. CAMP. Madam Speaker, I have a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. CAMP. In its current form.

Mr. LEVIN. Madam Speaker, I reserve a point of order against the gentleman's motion.

The SPEAKER pro tempore. The gentleman from Michigan reserves a point of order.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Camp moves to recommit the bill H.R. 4849 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the "Tax Incentives for Small Business Growth and Health Care Corrections 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:

Sec. 1. Short title; etc.

TITLE I—SMALL BUSINESS TAX INCENTIVES

Subtitle A—General Provisions

Sec. 101. Temporary exclusion of 100 percent of gain on certain small business stock.

Subtitle B—Limitations and Reporting on Certain Penalties

Sec. 111. Limitation on penalty for failure to disclose certain information.

Sec. 112. Annual reports on penalties and certain other enforcement actions.

Subtitle C—Preservation of Health Savings Accounts and Health Flexible Spending Arrangements

Sec. 121. Repeal of limitations on medicines.

Sec. 122. Repeal of dollar limitation on health flexible spending arrangements.

Subtitle D—Other Provisions

Sec. 131. Nonrecourse small business investment company loans from the Small Business Administration treated as amounts at risk.

Sec. 132. Increase in amount allowed as deduction for start-up expenditures.

TITLE II—REVENUE PROVISIONS

Sec. 201. Exclusion of certain low-quality fuels from the cellulosic biofuel producer credit.

Sec. 202. Time for payment of corporate estimated taxes.

TITLE I—SMALL BUSINESS TAX INCENTIVES

Subtitle A—General Provisions

SEC. 101. TEMPORARY EXCLUSION OF 100 PERCENT OF GAIN ON CERTAIN SMALL BUSINESS STOCK.

(a) IN GENERAL.—Subsection (a) of section 1202 is amended by adding at the end the following new paragraph:

"(4) SPECIAL 100 PERCENT EXCLUSION.—In the case of qualified small business stock acquired after March 15, 2010, and before January 1, 2012—

"(A) paragraph (1) shall be applied by substituting '100 percent' for '50 percent',

"(B) paragraph (2) shall not apply, and

"(C) paragraph (7) of section 57(a) shall not apply."

(b) CONFORMING AMENDMENTS.—Paragraph (3) of section 1202(a) is amended—

(1) by striking "after the date of the enactment of this paragraph and before January 1, 2011" and inserting "after February 17, 2009, and before March 16, 2010", and

(2) by striking "SPECIAL RULES FOR 2009 AND 2010" in the heading and inserting "SPECIAL 75 PERCENT EXCLUSION".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to stock acquired after March 15, 2010.

Subtitle B—Limitations and Reporting on Certain Penalties

SEC. 111. LIMITATION ON PENALTY FOR FAILURE TO DISCLOSE CERTAIN INFORMATION.

(a) IN GENERAL.—Subsection (b) of section 6707A is amended to read as follows:

"(b) AMOUNT OF PENALTY.—

"(1) IN GENERAL.—Except as otherwise provided in this subsection, the amount of the penalty under subsection (a) with respect to any reportable transaction shall be 75 percent of the decrease in tax shown on the return as a result of such transaction (or which would have resulted from such transaction if such transaction were respected for Federal tax purposes).

"(2) MAXIMUM PENALTY.—The amount of the penalty under subsection (a) with respect to any reportable transaction for any taxable year shall not exceed—

"(A) in the case of a listed transaction, \$200,000 (\$100,000 in the case of a natural person), or

"(B) in the case of any other reportable transaction, \$50,000 (\$10,000 in the case of a natural person).

"(3) MINIMUM PENALTY.—The amount of the penalty under subsection (a) with respect to any transaction for any taxable year shall not be less than \$10,000 (\$5,000 in the case of a natural person)."

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to penalties assessed after December 31, 2006.

SEC. 112. ANNUAL REPORTS ON PENALTIES AND CERTAIN OTHER ENFORCEMENT ACTIONS.

(a) IN GENERAL.—The Commissioner of Internal Revenue, in consultation with the Secretary of the Treasury, shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate an annual report on the penalties assessed by the Internal Revenue Service during the preceding year under each of the following provisions of the Internal Revenue Code of 1986:

(1) Section 6662A (relating to accuracy-related penalty on understatements with respect to reportable transactions).

(2) Section 6700(a) (relating to promoting abusive tax shelters).

(3) Section 6707 (relating to failure to furnish information regarding reportable transactions).

(4) Section 6707A (relating to failure to include reportable transaction information with return).

(5) Section 6708 (relating to failure to maintain lists of advisees with respect to reportable transactions).

(b) ADDITIONAL INFORMATION.—The report required under subsection (a) shall also include information on the following with respect to each year:

(1) Any action taken under section 330(b) of title 31, United States Code, with respect to any reportable transaction (as defined in section 6707A(c) of the Internal Revenue Code of 1986).

(2) Any extension of the time for assessment of tax enforced, or assessment of any amount under such an extension, under paragraph (10) of section 6501(c) of the Internal Revenue Code of 1986.

(c) DATE OF REPORT.—The first report required under subsection (a) shall be submitted not later than December 31, 2010.

Subtitle C—Preservation of Health Savings Accounts and Health Flexible Spending Arrangements

SEC. 121. REPEAL OF LIMITATIONS ON MEDICINES.

Effective as of the enactment of the Patient Protection and Affordable Care Act, section 9003 of such Act (relating to distributions for medicine qualified only if for prescribed drug or insulin) is hereby repealed and any provision of law amended by such section is amended to read as such provision would read if such section had never been enacted.

SEC. 122. REPEAL OF DOLLAR LIMITATION ON HEALTH FLEXIBLE SPENDING ARRANGEMENTS.

Effective as of the enactment of the Patient Protection and Affordable Care Act, section 9005 of such Act (relating to limitation on health flexible spending arrangements under cafeteria plans) is hereby repealed and any provision of law amended by such section is amended to read as such provision would read if such section had never been enacted.

Subtitle D—Other Provisions

SEC. 131. NONRECOURSE SMALL BUSINESS INVESTMENT COMPANY LOANS FROM THE SMALL BUSINESS ADMINISTRATION TREATED AS AMOUNTS AT RISK.

(a) IN GENERAL.—Subparagraph (B) of section 465(b)(6) is amended to read as follows:

“(B) QUALIFIED NONRECOURSE FINANCING.—For purposes of this paragraph—

“(i) IN GENERAL.—The term ‘qualified nonrecourse financing’ means any financing—

“(I) which is qualified real property financing or qualified SBIC financing,

“(II) except to the extent provided in regulations, with respect to which no person is personally liable for repayment, and

“(III) which is not convertible debt.

“(ii) QUALIFIED REAL PROPERTY FINANCING.—The term ‘qualified real property financing’ means any financing which—

“(I) is borrowed by the taxpayer with respect to the activity of holding real property,

“(II) is secured by real property used in such activity, and

“(III) is borrowed by the taxpayer from a qualified person or represents a loan from any Federal, State, or local government or instrumentality thereof, or is guaranteed by any Federal, State, or local government.

“(iii) QUALIFIED SBIC FINANCING.—The term ‘qualified SBIC financing’ means any financing which—

“(I) is borrowed by a small business investment company (within the meaning of section 301 of the Small Business Investment Act of 1958), and

“(II) is borrowed from, or guaranteed by, the Small Business Administration under the authority of section 303(b) of such Act.”.

(b) CONFORMING AMENDMENTS.—Subparagraph (A) of section 465(b)(6) is amended—

(1) by striking “in the case of an activity of holding real property,” and

(2) by striking “which is secured by real property used in such activity”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to loans and guarantees made after the date of the enactment of this Act.

SEC. 132. INCREASE IN AMOUNT ALLOWED AS DEDUCTION FOR START-UP EXPENDITURES.

(a) IN GENERAL.—Subsection (b) of section 195 is amended by adding at the end the following new paragraph:

“(3) INCREASED LIMITATION FOR TAXABLE YEARS BEGINNING IN 2010 OR 2011.—In the case of any taxable year beginning in 2010 or 2011, paragraph (1)(A)(ii) shall be applied—

“(A) by substituting ‘\$20,000’ for ‘\$5,000’, and

“(B) by substituting ‘\$75,000’ for ‘\$50,000’.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2009.

TITLE II—REVENUE PROVISIONS

SEC. 201. EXCLUSION OF CERTAIN LOW-QUALITY FUELS FROM THE CELLULOSIC BIOFUEL PRODUCER CREDIT.

(a) IN GENERAL.—Subparagraph (E) of section 40(b)(6) is amended by adding at the end the following new clause:

“(iii) EXCLUSION OF CERTAIN LOW-QUALITY FUELS.—The term ‘cellulosic biofuel’ shall not include any fuel if—

“(I) more than 4 percent of such fuel (determined by weight) is any combination of water and sediment,

“(II) the ash content of such fuel is more than 1 percent (determined by weight), or

“(III) the acid number of such fuel is greater than 25.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to fuels sold or used on or after January 1, 2010.

SEC. 202. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

Notwithstanding section 6655 of the Internal Revenue Code of 1986, in the case of a corporation with assets of not less than \$1,000,000,000 (determined as of the end of the preceding taxable year)—

(1) the amount of any required installment of corporate estimated tax which is otherwise due in July, August, or September of 2010 shall be 100.75 percent of such amount, and

(2) the amount of the next required installment after an installment referred to in paragraph (1) shall be appropriately reduced to reflect the amount of the increase by reason of such paragraph.

Mr. CAMP (during the reading). Madam Speaker, I ask that the motion be considered as read.

Mr. LEVIN. I object.

The SPEAKER pro tempore. There is an objection.

The Clerk will continue to read.

□ 1430

Mr. LEVIN. Madam Speaker, I continue to reserve my point of order.

The SPEAKER pro tempore. The point of order is reserved.

The gentleman from Michigan (Mr. CAMP) is recognized for 5 minutes.

Mr. CAMP. Madam Speaker, today we begin to repeal some of the most troubling aspects of the Democrats' health care bill. This Republican mo-

tion is straightforward. It strikes troubling tax increases, it maintains tax relief for small businesses, repeals unpopular provisions of the health care bill that force middle class families to pay more taxes and more for their health care, and is fully paid for in compliance with the PAYGO rules.

To meet the PAYGO rules, the motion eliminates the so-called emergency welfare spending and closes the Black Liquor tax loophole that's repeatedly passed the House but has yet to become law.

Here's what we keep: the few provisions that directly help small businesses, including an exclusion from capital gains tax on investments and qualifying small businesses; new protections for small businesses from excessive penalties if they unknowingly fail to disclose certain information related to their participation in tax shelters; and a temporary increase in the amount of small business start-up costs that can be immediately expensed.

In addition to this tax relief, we begin today to repeal some of the troubling aspects of the Democrats' health care bill. Today we seek to eliminate two of the tax increases in the health care bill that would hit middle class families and violate the President's pledge that you can keep the health care plan you have and like.

First, the motion repeals the cap on the minimum annual contribution to flexible spending accounts, which will be capped at \$2,500 per year under the health care bill starting in 2011.

FSA's, which are currently used by 35 million Americans, encourage consumers to be more aware of both the cost and quality of health care goods and services. Approximately 7 million Americans put more than \$2,500 into their FSA's. According to the Employers Council on Flexible Compensation, the median income of an FSA holder in 2008 was just \$55,000 a year. Repealing this provision would provide Americans with \$15.6 billion in tax relief.

Second, the motion repeals the ban on using several forms of health savings, including FSA's and health savings accounts, also known as HSAs, to purchase over-the-counter medicines. Not only does this ban discourage tax-free savings, it discourages Americans from choosing cheaper, nonprescription medicines when they're available. By repealing this provision, we'll not only provide \$5.5 billion in tax relief, but we'll also help American families lower their health care bills.

This motion offers Members a clear choice. A vote against this motion is effectively a choice to close the Black Liquor loophole to pay for billions of dollars in additional Medicaid spending. A vote in favor of this motion is a vote to close that Black Liquor tax loophole to pay for small business tax relief that will actually help create jobs and undo some of the harmful tax increases on American families passed by the House in the dark of night on Sunday.

I urge my colleagues to vote “yes” on the motion, and I yield back the balance of my time.

Mr. LEVIN. Madam Speaker, I continue to reserve my point of order.

The SPEAKER pro tempore. The point of order is reserved.

Mr. LEVIN. Madam Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. LEVIN) is recognized for 5 minutes.

Mr. LEVIN. Well, I guess here we start. You know, what’s interesting here is the following: Mr. CAMP says that they pay for the small business provisions. They’re already paid for in this bill. And so how inconsistent can he be?

He wants to continue to pay for them when they’re already paid for, but he intends to vote against the bill. That is the height of inconsistency, and I think that’s a reason to object, even if this turns out to be a motion to recommit that’s in order.

And then let me just talk a bit about Black Liquor so we know what’s going on. Talking about inconsistency, that’s a charitable word. The Black Liquor provision is now in the health bill in the Senate, awaiting action. You know precisely that. So what you’re now suggesting is, take it out of that bill that’s being considered in reconciliation, and put it in here, and you’re claiming you’re paying for it.

“Inconsistency” is charitable. There could be other words used for that, including the unwillingness of the minority to face up to the need to pay for bills.

We pay for the bill that is now before us. We pay for the bill in ways that are more than defensible; they are necessary. And so a reason to object to this on its substance is that, essentially, this approach here is a sleight of hand.

I suggest to the gentleman from Michigan (Mr. CAMP) that you walk over to the Senate, ask them what’s in reconciliation. It’s not a very long distance from here. Just walk over there and whisper to the majority leader, or, if you want, you can whisper to the minority leader, is Black Liquor in the bill that’s over there that is now being considered under reconciliation? And I think both of them will tell you it is.

So, essentially, what you’re saying is we want to take something out of the bill that is being considered under reconciliation and claim to be paying for the small business provisions that you’re going to vote against.

Now, my suggestion is that nobody is going to be fooled by that; and that what you ought to be doing is to tackle these issues straight on, and also to tackle the pay-for straight on and not pretend that you’re paying for something when you’re not.

So I don’t know what’s worse, the majority, the then-majority, now the minority, having refused to pay for bills that came through here year after year, bills that came before the Ways

and Means Committee that you never dreamed of paying for, whether that’s worse than what you’re now doing. I guess they’re both as bad.

Yet what you’re now doing is saying, well, we’ll pay with something that’s in a bill that’s in the Senate that’s soon going to become law.

POINT OF ORDER

Mr. LEVIN. So as a result, not only do I think that that motion to recommit deserves to be defeated on its substance, but I now want to press my point of order that the motion violates section 303 of the Budget Act because it includes a change in revenue in fiscal year 2011 before a budget resolution for that year has been adopted.

Mr. CAMP. Madam Speaker, before being recognized, would the gentleman please state his point of order.

Mr. LEVIN. You want me to restate it? You’re getting more notice on the restatement than you gave to us on your motion to recommit. I’ll be glad to repeat it once or twice.

I make a point of order that the motion violates section 303 of the Budget Act because it includes a change in revenue in FY 2011 before a budget resolution for that year has been adopted.

Mr. CAMP. Madam Speaker, I would like to be heard on the point of order.

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

Mr. CAMP. Madam Speaker, my point would be that we actually raise revenues in years 2010 and 2011. We do not reduce revenues, so I would suggest that the point of order is without merit.

Mr. LEVIN. If I could speak briefly. The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan.

Mr. LEVIN. It makes a change. That’s all that’s necessary to violate section 303.

I ask that the point of order be upheld.

Mr. CAMP. Madam Speaker, I would like to be heard further on the point of order.

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

Mr. CAMP. Madam Speaker, I am informed that the underlying bill has a Budget Act problem, and the waiving of all points of order against the consideration of the bill in the full House, including 303, would make the gentleman’s point of order unacceptable and would make his point of order invalid.

Mr. LEVIN. Madam Speaker, if I could respond briefly.

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

Mr. LEVIN. Madam Speaker, I think that trying to do this through a motion to recommit is inappropriate. And I suggest that before they bring up motions to recommit, that they very much should look at what the rules of the House are.

Therefore, I insist on the point of order.

The SPEAKER pro tempore. If no other Member wishes to be heard, the Chair is going to consult the precedents before ruling.

□ 1455

Mr. LEVIN. Mr. Speaker, I believe there has been much consultation, and I now withdraw the point of order.

The SPEAKER pro tempore. The point of order is withdrawn.

The gentleman from Michigan may proceed for the 1 minute that was remaining.

Mr. LEVIN. I have withdrawn the point of order after there has been consultation with the parliamentarian, and so now we are back to the substance of the motion to recommit.

I want to strongly urge everyone to vote against this motion to recommit. It is wrong in substance in trying to change the bill that we passed. And also, what it does by a trick of hand is to pretend to pay for this motion to recommit by taking a provision that is in the bill that is now in the Senate, subject to reconciliation, and that I trust will pass fairly soon.

That is reason enough. I don’t think it is appropriate for this body to vote for a motion to recommit pretending it is paying for it by taking a provision that we have included in a bill that we have passed and now is in the Senate for its consideration.

So I would urge every single Member on the majority side to vote “no” on this motion to recommit.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

RECORDED VOTE

Mr. CAMP. Madam 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 motion to recommit will be followed by 5-minute votes on the passage of the bill, if ordered, and motions to suspend the rules with regards to H.R. 4098 and H.R. 1879, if ordered.

The vote was taken by electronic device, and there were—yeas 184, nays 239, not voting 6, as follows:

[Roll No. 181]

YEAS—184

Aderholt	Blackburn	Buyer
Akin	Blunt	Calvert
Alexander	Boehner	Camp
Altmire	Bonner	Campbell
Austria	Bono Mack	Cantor
Bachmann	Boozman	Cao
Bachus	Boucher	Capito
Barrett (SC)	Boustany	Carter
Bartlett	Brady (TX)	Cassidy
Barton (TX)	Bright	Castle
Biggert	Broun (GA)	Chaffetz
Billray	Buchanan	Coble
Bilirakis	Burgess	Coffman (CO)
Bishop (UT)	Burton (IN)	Cole

Conaway	Kline (MN)	Price (GA)	Melancon	Rahall	Space	Childers	Jackson (IL)	Perriello
Crenshaw	Lamborn	Putnam	Michaud	Rangel	Speier	Chu	Jackson Lee	Peters
Culberson	Lance	Radanovich	Miller (NC)	Reyes	Spratt	Clarke	(TX)	Peterson
Davis (KY)	Latham	Rehberg	Miller, George	Richardson	Stark	Clay	Johnson (GA)	Pingree (ME)
Dent	LaTourette	Reichert	Mitchell	Rodriguez	Stupak	Clyburn	Johnson, E. B.	Polis (CO)
Diaz-Balart, L.	Latta	Roe (TN)	Mollohan	Ross	Sutton	Cohen	Kagen	Pomeroy
Diaz-Balart, M.	Lee (NY)	Rogers (AL)	Moore (KS)	Rothman (NJ)	Tanner	Connolly (VA)	Kanjorski	Price (NC)
Dreier	Lewis (CA)	Rogers (KY)	Moore (WI)	Roybal-Allard	Teague	Conyers	Kaptur	Quigley
Duncan	Linder	Rogers (MI)	Moran (VA)	Ruppersberger	Thompson (CA)	Cooper	Kennedy	Rahall
Edwards (TX)	LoBiondo	Rohrabacher	Murphy (CT)	Ryan (OH)	Thompson (MS)	Costa	Kildee	Rangel
Ehlers	Lucas	Rooney	Murphy (NY)	Salazar	Tierney	Costello	Kilroy	Reyes
Emerson	Luetkemeyer	Ros-Lehtinen	Murphy, Patrick	Sánchez, Linda	Titus	Courtney	Kind	Richardson
Fallin	Lummis	Roskam	Nadler (NY)	T.	Tonko	Crowley	Kirk	Rodriguez
Flake	Lungren, Daniel	Royce	Napolitano	Sanchez, Loretta	Towns	Cuellar	Kirkpatrick (AZ)	Ross
Fleming	E.	Rush	Neal (MA)	Sarbanes	Tsongas	Cummings	Kissell	Rothman (NJ)
Forbes	Mack	Ryan (WI)	Oberstar	Schakowsky	Van Hollen	Dahlkemper	Klein (FL)	Roybal-Allard
Fortenberry	Manzullo	Scalise	Obey	Schauer	Velázquez	Davis (CA)	Kosmas	Ruppersberger
Fox	Marchant	Schmidt	Oliver	Schiff	Visclosky	Davis (IL)	Kratovil	Rush
Franks (AZ)	McCarthy (CA)	Schuck	Ortiz	Schrader	Walz	Davis (TN)	Kucinich	Ryan (OH)
Frelinghuysen	McCaul	Sensenbrenner	Pallone	Schwartz	Wasserman	DeFazio	Langevin	Salazar
Gallely	McClintock	Sessions	Pascrell	Scott (GA)	Schultz	DeGette	Larsen (WA)	Sánchez, Linda
Garrett (NJ)	McCotter	Shadegg	Pastor (AZ)	Scott (VA)	Waters	Delahunt	Larson (CT)	T.
Gerlach	McHenry	Shimkus	Payne	Serrano	Watt	DeLauro	Lee (CA)	Sanchez, Loretta
Gingrey (GA)	McIntyre	Shuster	Perlmutter	Sestak	Waxman	Dicks	Levin	Sarbanes
Gohmert	McKeon	Simpson	Perriello	Shea-Porter	Weiner	Dingell	Lewis (GA)	Schakowsky
Goodlatte	McMorris	Smith (NE)	Peters	Sherman	Welch	Doggett	Lipinski	Schauer
Granger	Rodgers	Smith (NJ)	Peterson	Shuler	Wilson (OH)	Donnelly (IN)	Loeb sack	Schiff
Graves	Mica	Smith (TX)	Pingree (ME)	Sires	Woolsey	Doyle	Lofgren, Zoe	Schrader
Griffith	Miller (FL)	Souder	Polis (CO)	Skelton	Wu	Driehaus	Lowey	Schwartz
Guthrie	Miller (MI)	Stearns	Pomeroy	Slaughter	Yarmuth	Edwards (MD)	Luján	Scott (GA)
Hall (TX)	Miller, Gary	Sullivan	Smith (WA)	Smith (WA)		Edwards (TX)	Lynch	Scott (VA)
Harper	Minnick	Taylor	Quigley	Snyder		Ellison	Maffei	Serrano
Hastings (WA)	Moran (KS)	Terry				Ellsworth	Maloney	Sestak
Heller	Murphy, Tim	Thompson (PA)		NOT VOTING—6		Engel	Markey (CO)	Shea-Porter
Hensarling	Myrick	Thornberry	Brown (SC)	Davis (AL)	Kilpatrick (MI)	Eshoo	Markey (MA)	Sherman
Herger	Neugebauer	Tiahrt	Brown-Waite,	Gutierrez		Etheridge	Marshall	Shuler
Hunter	Nunes	Tiberi	Ginny	Hoekstra		Farr	Matheson	Sires
Inglis	Nye	Turner				Fattah	Matsui	Skelton
Issa	Olson	Upton				Filner	McCarthy (NY)	Slaughter
Jenkins	Owens	Walden				Foster	McColum	Snyder
Johnson (IL)	Paul	Wamp		□ 1528		Frank (MA)	McDermott	Space
Johnson, Sam	Paulsen	Westmoreland				Fudge	McGovern	Speier
Jones	Pence	Whitfield		Messrs. PALLONE, BARROW,		Garamendi	McIntyre	Spratt
Jordan (OH)	Petri	Wilson (SC)		HOYER, KILDEE, MILLER of North		Giffords	McMahon	Stark
King (IA)	Pitts	Wittman		Carolina, Mrs. KIRKPATRICK of Ari-		Gonzalez	McNerney	Stupak
King (NY)	Platts	Wolf		zona, Ms. DEGETTE, Messrs. BOREN,		Gordon (TN)	Meek (FL)	Sutton
Kingston	Poe (TX)	Young (AK)		SHULER, CLEAVER, Ms. RICHARD-		Grayson	Meeks (NY)	Tanner
Kirk	Posey	Young (FL)		SON, Messrs. ACKERMAN, ISRAEL,		Green, Al	Melancon	Teague
				WELCH, TIERNEY, KUCINICH, RA-		Green, Gene	Michaud	Thompson (CA)
				HALL, ROTHMAN of New Jersey,		Grijalva	Miller (NC)	Thompson (MS)
				CARNAHAN, CAPUANO, Mrs.		Gutierrez	Miller, George	Tierney
				MALONEY, Mr. HOLT, and Ms.		Hall (NY)	Mollohan	Titus
				MOORE of Wisconsin changed their		Halvorson	Moore (KS)	Tonko
				vote from “yea” to “nay.”		Hare	Moore (WI)	Towns
				Messrs. COLE, LAMBORN, GINGREY		Harman	Moran (VA)	Tsongas
				of Georgia, HUNTER, EDWARDS of		Hastings (FL)	Murphy (CT)	Van Hollen
				Texas, and CAO changed their vote		Heinrich	Murphy (NY)	Velázquez
				from “nay” to “yea.”		Herseth Sandlin	Murphy, Patrick	Visclosky
				So the motion to recommit was re-		Higgins	Murphy, Tim	Walz
				jected.		Hill	Nadler (NY)	Wasserman
				The result of the vote was announced		Himes	Napolitano	Schultz
				as above recorded.		Hinchev	Neal (MA)	Waters
				The SPEAKER pro tempore. The		Hinojosa	Oberstar	Watson
				question is on the passage of the bill.		Hirono	Obey	Watt
				The question was taken; and the		Hodes	Oliver	Waxman
				Speaker pro tempore announced that		Holden	Ortiz	Weiner
				the ayes appeared to have it.		Holt	Pallone	Welch
						Honda	Pascrell	Wilson (OH)
						Hoyer	Pastor (AZ)	Woolsey
						Inslee	Payne	Wu
						Israel	Perlmutter	Yarmuth

NAYS—239

Ackerman	Davis (CA)	Honda
Adler (NJ)	Davis (IL)	Hoyer
Andrews	Davis (TN)	Inslee
Arcuri	DeFazio	Israel
Baca	DeGette	Jackson (IL)
Baird	Delahunt	Jackson Lee
Baldwin	DeLauro	(TX)
Barrow	Dicks	Johnson (GA)
Bean	Dingell	Johnson, E. B.
Becerra	Doggett	Kagen
Berkley	Donnelly (IN)	Kanjorski
Berman	Doyle	Kaptur
Berry	Driehaus	Kennedy
Bishop (GA)	Edwards (MD)	Kildee
Bishop (NY)	Ellison	Kilroy
Blumenauer	Ellsworth	Kind
Bocieri	Engel	Kirkpatrick (AZ)
Boren	Eshoo	Kissell
Boswell	Etheridge	Klein (FL)
Boyd	Farr	Kosmas
Brady (PA)	Fattah	Kratovil
Braley (IA)	Filner	Kucinich
Brown, Corrine	Foster	Langevin
Butterfield	Frank (MA)	Larsen (WA)
Capps	Fudge	Larson (CT)
Capuano	Garamendi	Lee (CA)
Cardoza	Giffords	Levin
Carnahan	Gonzalez	Lewis (GA)
Carney	Gordon (TN)	Lipinski
Carson (IN)	Grayson	Loeb sack
Castor (FL)	Green, Al	Lofgren, Zoe
Chandler	Green, Gene	Lowey
Childers	Grijalva	Luján
Chu	Hall (NY)	Lynch
Clarke	Halvorson	Maffei
Clay	Hare	Maloney
Cleaver	Harman	Markey (CO)
Clyburn	Hastings (FL)	Markey (MA)
Cohen	Heinrich	Marshall
Connolly (VA)	Herseth Sandlin	Matheson
Conyers	Higgins	Matsui
Cooper	Hill	McCarthy (NY)
Costa	Himes	McColum
Costello	Hinchev	McDermott
Courtney	Hodjosa	McGovern
Crowley	Hirono	McMahon
Cuellar	Hodes	McNerney
Cummings	Holden	Meek (FL)
Dahlkemper	Holt	Meeks (NY)

Messrs. PALLONE, BARROW, HOYER, KILDEE, MILLER of North Carolina, Mrs. KIRKPATRICK of Arizona, Ms. DEGETTE, Messrs. BOREN, SHULER, CLEAVER, Ms. RICHARDSON, Messrs. ACKERMAN, ISRAEL, WELCH, TIERNEY, KUCINICH, RAHALL, ROTHMAN of New Jersey, CARNAHAN, CAPUANO, Mrs. MALONEY, Mr. HOLT, and Ms. MOORE of Wisconsin changed their vote from “yea” to “nay.”

Messrs. COLE, LAMBORN, GINGREY of Georgia, HUNTER, EDWARDS of Texas, and CAO changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. LEVIN. Madam 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 246, noes 178, not voting 5, as follows:

[Roll No. 182]

AYES—246

Ackerman	Berman	Brown, Corrine
Adler (NJ)	Berry	Butterfield
Altmore	Bishop (GA)	Cao
Andrews	Bishop (NY)	Capps
Arcuri	Blumenauer	Capuano
Baca	Bocieri	Cardoza
Baird	Boren	Carnahan
Baldwin	Boswell	Carney
Barrow	Boucher	Carson (IN)
Bean	Boyd	Castle
Becerra	Brady (PA)	Castor (FL)
Berkley	Braley (IA)	Chandler

Aderholt	Burgess	Flake
Akin	Burton (IN)	Fleming
Alexander	Buyer	Forbes
Austria	Calvert	Fortenberry
Bachmann	Camp	Fox
Bachus	Campbell	Franks (AZ)
Barrett (SC)	Cantor	Frelinghuysen
Bartlett	Capito	Gallely
Barton (TX)	Carter	Garrett (NJ)
Biggart	Cassidy	Gerlach
Bilbray	Chaffetz	Gingrey (GA)
Bilirakis	Coble	Gohmert
Bishop (UT)	Coffman (CO)	Goodlatte
Blackburn	Cole	Granger
Blunt	Conaway	Graves
Boehner	Crenshaw	Griffith
Bonner	Culberson	Guthrie
Bono Mack	Davis (KY)	Hall (TX)
Boozman	Dent	Harper
Boustany	Diaz-Balart, L.	Hastings (WA)
Brady (TX)	Diaz-Balart, M.	Heller
Bright	Dreier	Hensarling
Broun (GA)	Duncan	Herger
Brown-Waite,	Ehlers	Hunter
Ginny	Emerson	Inglis
Buchanan	Fallin	Issa

Jenkins Miller (FL) Scalise
 Johnson (IL) Miller (MI) Schmidt
 Johnson, Sam Miller, Gary Schock
 Jones Minnick Sensenbrenner
 Mitchell Sessions
 King (IA) Moran (KS) Shadegg
 King (NY) Myrick Shimkus
 Kingston Neugebauer Shuster
 Kline (MN) Nunes Simpson
 Lamborn Nye Smith (NE)
 Lance Olson Smith (NJ)
 Latham Owens Smith (TX)
 LaTourette Paul Smith (WA)
 Latta Paulsen Souder
 Lee (NY) Pence Stearns
 Lewis (CA) Petri Sullivan
 Linder Pitts Tiahrt
 LoBiondo Platts Taylor
 Lucas Poe (TX) Terry
 Luetkemeyer Posey Thompson (PA)
 Lummis Price (GA) Thornberry
 Lungren, Daniel Putnam Tiahrt
 E. Radanovich Tiberi
 Mack Rehberg Turner
 Manzullo Reichert Upton
 Marchant Roe (TN) Walden
 McCarthy (CA) Rogers (AL) Wamp
 McCaul Rogers (KY) Westmoreland
 McClintock Rogers (MI) Whitfield
 McCotter Rohrabacher Wilson (SC)
 McHenry Rooney Wittman
 McKeon Ros-Lehtinen Wolf
 McMorris Roskam Young (AK)
 Rodgers Royce Young (FL)
 Mica Ryan (WI) Young (FL)

NOT VOTING—5

Brown (SC) Davis (AL) Kilpatrick (MI)
 Cleaver Hoekstra

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
 The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in the vote.

□ 1537

So the bill was passed.
 The result of the vote was announced as above recorded.
 A motion to reconsider was laid on the table.

SECURE FEDERAL FILE SHARING ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 4098, as amended, 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 New York (Mr. TOWNS) that the House suspend the rules and pass the bill, H.R. 4098, as amended.

This will be a 5-minute vote.
 The vote was taken by electronic device, and there were—yeas 408, nays 13, answered “present” 1, not voting 7, as follows:

[Roll No. 183]
 YEAS—408

Ackerman Barton (TX) Bocchieri
 Aderholt Bean Boehner
 Adler (NJ) Becerra Bonner
 Alexander Berkley Bono Mack
 Altmire Berman Boozman
 Andrews Berry Boren
 Arcuri Biggert Boswell
 Austria Bilbray Boucher
 Baca Bilirakis Boustany
 Bachmann Bishop (GA) Boyd
 Bachus Bishop (NY) Brady (PA)
 Baird Bishop (UT) Brady (TX)
 Baldwin Blackburn Braley (IA)
 Barrow Blumenauer Bright
 Bartlett Blunt Brown, Corrine

Brown-Waite, Green, Al
 Ginny Green, Gene
 Buchanan Griffith
 Burgess Grijalva
 Burton (IN) Guthrie
 Buyer Gutierrez
 Calvert Hall (NY)
 Camp Hall (TX)
 Campbell Halvorson
 Cantor Hare
 Cao Harman
 Capito Harper
 Capps Hastings (FL)
 Capuano Hastings (WA)
 Cardoza Heinrich
 Carnahan Heller
 Carney Hensarling
 Carson (IN) Herger
 Carter Herseht Sandlin
 Castle Higgins
 Castor (FL) Hill
 Chaffetz Himes
 Chandler Hinchey
 Childers Hinojosa
 Chu Hirono
 Clarke Hodes
 Clay Holden
 Holt Holt
 Honda Moran (VA)
 Hoyer Murphy (CT)
 Hunter Murphy (NY)
 Inglis Murphy, Patrick
 Inslee Murphy, Tim
 Israel Myrick
 Issa Nadler (NY)
 Jackson (IL) Napolitano
 Jackson Lee Neal (MA)
 Costa (TX) Neugebauer
 Jenkins Nunes
 Johnson (GA) Nye
 Johnson (IL) Oberstar
 Johnson, E. B. Obey
 Johnson, Sam Olson
 Jones Olver
 Jordan (OH) Ortiz
 Kagen Owens
 Kanjorski Pallone
 Kaptur Pascrell
 Kennedy Pastor (AZ)
 Kildee Paulsen
 Kilroy Payne
 Kind Pence
 King (IA) Perlmutter
 King (NY) Perriello
 Kirk Peters
 Kirkpatrick (AZ) Peterson
 Kissell Petri
 Klein (FL) Pingree (ME)
 Kline (MN) Pitts
 Kosmas Platts
 Kratovil Polis (CO)
 Kucinich Pomeroy
 Lambert Posey
 Lance Price (NC)
 Langevin Putnam
 Larsen (WA) Quigley
 Larson (CT) Radanovich
 Latham Rangel
 LaTourette Rangel
 Latta Rehberg
 Lee (CA) Reichert
 Lee (NY) Reyes
 Levin Richardson
 Lewis (CA) Rodriguez
 Lewis (GA) Roe (TN)
 Linder Rogers (AL)
 Lipinski Rogers (KY)
 LoBiondo Rogers (MI)
 Loeb sack Rohrabacher
 Lowey Rooney
 Lucas Ros-Lehtinen
 Luetkemeyer Roskam
 Lujan Ross
 Lummis Rothman (NJ)
 Lungren, Daniel Roybal-Allard
 E. Ruppertsberger
 Lynch Rush
 Mack Ryan (OH)
 Maffei Ryan (WI)
 Maloney Salazar
 Manzullo Sanchez, Linda
 Markey (CO) T.
 Markey (MA) Sanchez, Loretta
 Marshall Sarbanes
 Matheson Scalise
 Matsui Schakowsky
 McCarthy (CA) Schauer
 McCarthy (NY) Schiff
 McCaul Schmidt

Schock Space
 Schrader Speier
 Schwartz Spratt
 Scott (GA) Stark
 Scott (VA) Stearns
 Serrano Stupak
 Sessions Sullivan
 Sestak Sutton
 Shadegg Tanner
 Shea-Porter Taylor
 Sherman Teague
 Shimkus Terry
 Shuler Thompson (CA)
 Shuster Thompson (MS)
 Simpson Thompson (PA)
 Sires Thornberry
 Skelton Tiahrt
 Slaughter Tiberi
 Smith (NE) Tierney
 Smith (NJ) Titus
 Smith (TX) Tonko
 Smith (WA) Towns
 Snyder Tsongas
 Souder Turner

NAYS—13

Akin Marchant Sensenbrenner
 Broun (GA) Paul Westmoreland
 Duncan Poe (TX) Young (AK)
 Gingrey (GA) Price (GA)
 Kingston Royce

ANSWERED “PRESENT”—1

Lofgren, Zoe

NOT VOTING—7

Barrett (SC) Cassidy Kilpatrick (MI)
 Brown (SC) Davis (AL)
 Butterfield Hoekstra

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
 The SPEAKER pro tempore (during the vote). There are 2 minutes left in the vote.

□ 1546

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NATIONAL GUARD EMPLOYMENT PROTECTION ACT

The SPEAKER pro tempore (Mr. BLUMENAUER). The unfinished business is the question on suspending the rules and passing the bill, H.R. 1879, as amended.

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, H.R. 1879, as amended.

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

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

The yeas and nays were ordered.
 The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 1, not voting 12, as follows:

[Roll No. 184]
 YEAS—416

Ackerman Akin Andrews
 Aderholt Alexander Arcuri
 Adler (NJ) Altmire Austria

Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Berkley
Berman
Berry
Biggert
Billray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Bocieri
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
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleave
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Cuellar
Culberson
Cummins
Dahlkemper
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
DeLaHunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle

Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Fox
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
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
Herseht Sandlin
Higgins
Hill
Himes
Hinchev
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
Kilroy
Kind
King (NY)
Kingston
Kirk
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
Lowe
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
 E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris
Hastings (FL)
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts

Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
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
Sanchez, Linda
 T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky

Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman
 Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

DEPARTMENT OF HOMELAND SECURITY
FEDERAL EMERGENCY MANAGEMENT AGENCY
DISASTER RELIEF
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Disaster Relief", \$5,100,000,000, to remain available until expended, of which \$5,000,000 shall be transferred to the Department of Homeland Security Office of the Inspector General for audits and investigations related to disasters.

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION
TRAINING AND EMPLOYMENT SERVICES

For an additional amount for "Training and Employment Services" for activities under the Workforce Investment Act of 1998 ("WIA"), \$600,000,000, which shall be available for obligation on the date of enactment of this Act, for grants to the States for youth activities: *Provided*, That such funds shall be used solely for summer employment programs for youth: *Provided further*, That no portion of such funds shall be reserved to carry out section 127(b)(1)(A) of the WIA: *Provided further*, That for purposes of section 127(b)(1)(C)(iv) of the WIA, funds available for youth activities shall be allotted as if the total amount available for youth activities in the fiscal year does not exceed \$1,000,000,000: *Provided further*, That the work readiness performance indicator described in section 136(b)(2)(A)(ii)(I) of the WIA shall be the only measure of performance used to assess the effectiveness of summer employment for youth provided with such funds.

LEGISLATIVE BRANCH

HOUSE OF REPRESENTATIVES

PAYMENT TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For a payment to Joyce Murtha, widow of John P. Murtha, late a Representative from Pennsylvania, \$174,000: *Provided*, That section 102 shall not apply to this appropriation.

INDEPENDENT AGENCIES

SMALL BUSINESS ADMINISTRATION

BUSINESS LOANS PROGRAM ACCOUNT

For an additional amount for "Business Loans Program Account" for fee reductions and eliminations under section 501 of title V of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) and for the cost of guaranteed loans under section 502 of such title, \$20,000,000, to remain available until expended: *Provided*, That such costs shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That up to \$40,000,000 of the amount made available under this heading in Public Law 111-117 also may be utilized for the purposes specified in this paragraph: *Provided further*, That section 502(f) of title V of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) is amended by striking "March 28, 2010" and inserting "April 30, 2010".

GENERAL PROVISIONS

RESCISSIONS

SEC. 101. There are hereby rescinded the following amounts from the specified accounts:

(1) "Department of Commerce—National Telecommunications and Information Administration—Digital-to-Analog Converter Box Program", \$111,500,000, to be derived from unobligated balances made available under this heading in title II of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 128).

(2) "Department of Transportation—National Highway Traffic Safety Administration—Consumer Assistance to Recycle and

NAYS—1

Paul

NOT VOTING—12

Barrett (SC)
Becerra
Brown (SC)
Cassidy
Crowley
Davis (AL)
Hoekstra
Kilpatrick (MI)
King (IA)
Minnick
Murphy (NY)
Teague

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1553

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DISASTER RELIEF AND SUMMER JOBS ACT OF 2010

Mr. OBEY. Mr. Speaker, pursuant to House Resolution 1204, I call up the bill (H.R. 4899) making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1204, the bill is considered read.

The text of the bill is follows:

H.R. 4899

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2010, and for other purposes, namely:

Save Program", \$44,000,000, to be derived from unobligated balances made available in title XIII of Public Law 111-32 and in Public Law 111-47.

(3) "Department of Agriculture—Food and Nutrition Service—Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)", \$361,825,000, to be derived from unobligated balances available from amounts placed in reserve in title I of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 115).

(4) Accounts under the heading "Department of Agriculture—Rural Development Programs", \$102,675,000, to be derived from the unobligated balances of funds that were provided for such accounts in prior appropriation Acts (other than Public Law 111-5) and that were designated by the Congress in such Acts as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

EMERGENCY DESIGNATION

SEC. 102. Each amount in this Act is designated as an emergency requirement and necessary to meet emergency needs pursuant to sections 403 and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SHORT TITLE

SEC. 103. This Act may be cited as the "Disaster Relief and Summer Jobs Act of 2010".

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. OBEY) and the gentleman from California (Mr. LEWIS) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. OBEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4899.

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

There was no objection.

Mr. OBEY. Mr. Speaker, I yield myself 1 minute.

This a very simple bill. It provides \$5.1 billion as requested by the President for FEMA disaster relief because FEMA will run out of money in the next 2 or 3 weeks. Consistent with all prior year FEMA supplementals and the President's request, this \$5.1 billion is designated as an emergency. The bill also provides \$600 million for youth summer jobs. This funding will support over 300,000 jobs for youth ages 16 to 21. This age group had some of the highest unemployment levels in the country:

Last, the bill extends the successful small business lending provisions that are contained in the Recovery Act for another month and provides up to \$60 million for that effort. Again, that new funding is offset. The bill rescinds emergency funding that is not needed in order to provide for the offsets.

With that, I reserve the balance of my time.

Mr. LEWIS of California. Mr. Speaker, I believe that most Members would agree that the fiscal path that our country is currently on is unsustainable. With an annual deficit

of \$1.6 trillion, a growing mountain of debt, and unemployment hovering near 10 percent, it's clear that we must change our course now or face catastrophic consequences in the very near future.

My colleagues, the simple truth is that Uncle Sam needs a diet. The single greatest challenge of this Congress and our best hope for lasting recovery lies in curbing Uncle Sam's appetite for spending. It's time to cut up the government's credit card and live within our means starting right now, today.

Just two nights ago, Congress passed a \$1 trillion health care bill that was opposed by every Republican House member and 39 Democrat House members. Never before in our Nation's history has such historic legislation been passed by one party over such widespread bipartisan opposition. Now, here we are again preparing to vote on yet another huge spending bill that was crafted without any transparency or bipartisan involvement.

Most Members would agree that providing relief to Americans suffering from natural disasters is a responsible and worthy use of taxpayer dollars. Most Members would also agree we don't need to load up a disaster bill with hundreds of millions of dollars on a summer youth program—especially when there is already \$1.4 billion in the jobs pipeline.

It's worth noting that the \$600 million for a summer youths job program is being offset by various rescissions in unused funding from the stimulus bill and other past spending bills.

But my underlying question is this: If there is \$1.4 billion already in the pipeline for a Department of Labor jobs program, why can't we return the rescinded \$600 million dollars back to the Treasury for deficit reduction? Why must my Democrat friends continue to spend and spend and spend and spend?

At the beginning of this Congress, the Appropriations Committee consisted of 60 members—37 Democrats and 23 Republicans. It's worth noting, however, that my chairman has made it a habit to write his bills and completely bypass the Democrat and Republican members of the committee. Do not for one minute believe that this legislation reflects the work of the House Appropriations Committee or even the Democrats on the Appropriations Committee, because it does not. To my knowledge, this bill has had no input from any members other than the chairman himself. There's been no markup, no amendments, and no potential offsets debated or even discussed by the committee.

Like the trillion-dollar stimulus package and the subsequent "son of stimulus" passed by the House prior to Christmas, this legislation will pass without any opportunity for a Member to amend it. With billions and billions of stimulus funding still unspent, there is no reason why the entire emergency relief portion of this legislation cannot be entirely paid for or be used to begin

paying down that \$1.6 trillion deficit for the year.

□ 1600

Mr. OBEY has argued that Republicans didn't "pay for" disasters when we were in charge. On that point, he is correct. However, when Republicans were the majority party, annual deficits were not \$1.6 trillion as they are today, and we didn't have hundreds of billions of dollars in unnecessary funding sloshing around in Federal coffers. Surely we can cut \$5.1 billion in unspent stimulus funding to pay for the FEMA spending involved here. We shouldn't continue to spend money we don't have.

Mr. Speaker, we can agree to disagree on the cause of our economic troubles, but the fact remains that we cannot spend our way into economic health. Until the Congress curbs its appetite for spending, our economy will continue to suffer.

With that said, I urge Members on both sides of the aisle to insist, especially after Sunday's budget-busting vote on health care, that we fully offset the entire cost of this legislation so we do not further burden future generations with even more debt.

I will close, as I began, with this comment: The simple truth is that Uncle Sam needs a diet.

I reserve the balance of my time.

Mr. OBEY. I yield myself 2 minutes.

Mr. Speaker, I would simply note that the gentleman is complaining because the committee is using precisely the same procedures that it used in the past when he was chairman and his party was in control of the situation.

When Republicans controlled the House, they brought supplementals to the floor in five out of six Congresses that were handled by the chairman and the chairman alone. That is no different than is happening today. In fact, from 1995 through 2006, while Republicans controlled the institution, the House considered 12 supplemental appropriation bills handled in just that same way.

Secondly, with respect to the so-called runaway spending for summer youth jobs, that spending is fully offset by other cuts in the bill. So much for runaway spending. I can't recall similar fiscal rectitude when the other party was running this place.

Thirdly, let me suggest that when the gentleman complains about not offsetting the funding for the emergency disaster relief program, I would point out that the past administration asked us to do the very same thing eight times in a row, and the Congress did.

Let me also say, by the way, that I would invite the gentleman from California to join me in cosponsoring legislation, which I have introduced in this House several times, which would set up a State-funded disaster program which would be experience rated so that each State would pay into that fund ahead of time on the basis of how much they have drawn out of it in the past.

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

Mr. OBEY. I yield myself 1 additional minute.

I would point out that more than half of all disaster relief since 1993 has gone to just four States: Louisiana, Florida, California—the gentleman's home State—and Mississippi; and 80 percent of all disaster relief since 1993 has gone to 10 States: those four plus Texas, Puerto Rico, Alabama, Iowa, North Carolina, and New York.

As a Representative of a State that is not in that 10-State group, I am perfectly happy to end the need for virtually all disaster payments paid for by Uncle Sam by establishing the kind of proposal that I have supported for years. I doubt very much the gentleman from California would like that because then California would be paying into it in the same measure that they are drawing out of it through the years.

But I would, nonetheless, invite any Member interested in fiscal rectitude, whether from a recipient State or not, to join me in that effort and then we won't have these meaningless debates on the floor anymore.

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume.

I simply rise, in part, to respond to the comments of my colleague. I think it's important for us to know that we do have quite a history of supplemental funding and what we do with emergency spending.

As the chairman suggests, there has been a lot of funny business that has gone on, but I thought the Members ought to know that from fiscal year 1989 through fiscal year 2006 there have been 36 multiagency supplemental appropriations bills that have been considered by the Congress, and most of them have been enacted into law. Of those, only seven were never considered by our Appropriations Committee and this one was not considered by our Appropriations Committee. It was introduced almost at midnight, the very day we dealt with that trillion-dollar deficit package that was before us. Those seven that bypassed the committee I could easily go through in detail, but essentially they were dealing with the natural disasters that related to hurricanes in Florida and the disaster that impacted Louisiana and the like. Emergencies, indeed, but the committee was bypassed for those emergencies.

It seems to me that it's about time that we took up supplementals like this, instead of being written at the last minute, be handled in regular order, be considered by the committee, be available to the members for not only reading but for amending, and it has become a consistent pattern that we are not doing that. We are bypassing our committee as though the committee or subcommittees might as well not exist.

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

Mr. OBEY. I yield myself 30 seconds.

I would simply say, Mr. Speaker, that the White House submitted this request for disaster relief over a month ago. Everyone in this institution has known about it; in addition to which, the gentleman's staff has known for a good 2 weeks that we would be considering this disaster relief. The only thing that's different is that we found offsets within the past few days that would help to fully pay for the summer jobs program so, therefore, we included that in the proposition.

This is hardly a complicated matter. I am sure that the gentleman from California is up to a full understanding of it.

I reserve the balance of my time.

Mr. LEWIS of California. Mr. Speaker, I yield 4 minutes to the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. I thank the ranking member for yielding.

I rise, Mr. Speaker, to voice my disappointment with this bill. First, the sheer cost of the disaster relief section of this bill has largely resulted from the administration's own reluctance to be forthright on true disaster costs. When the administration knew full well that they were looking at an immense shortfall for disaster relief costs for fiscal year 2010, they all but stuck their heads in the sand, refused to get off the dime and submit an official request or budget amendment, and that's after continued inquiries and even congressional direction—congressional direction—to be more forthcoming with known costs.

To add insult to injury, FEMA's inability to accurately assess the costs of certain damages have led to several large arbitration rulings and settlements, rulings in which FEMA was admonished for having no sound basis for its estimates. FEMA's ineptitude has resulted in an additional \$1.2 billion in costs to the taxpayers. Ineptitude.

These failures amount to an expensive and now hurried bill. It goes without saying that the administration and FEMA must do better in estimating and budgeting for the real costs of disasters. We have been on this broken path for too long.

Secondly, given the failings of the administration and FEMA, and considering this supplemental does not follow a singular catastrophic event, I see no reason why the administration and the Democrat majority have not worked harder to offset this spending. This concern is especially relevant when billions of dollars in unobligated money is lying around—sloshing—in the so-called stimulus bill, a point that Chairman LEWIS has made repeatedly here today.

Why are we further burdening the American people with additional debt when there are monies that can and should be used to pay for the costs of real emergencies? Sadly, the majority hasn't even notionally consulted the minority or, for that matter, the committee on finding ways to pay for this

and is choosing, instead, to just ram this bill through the House with only an hour of debate.

I would like to think that had this bill been handled properly with at least some minority input, we could have collaborated to produce a more fiscally disciplined bill and a bill that included some tough and badly needed oversight on how the administration and FEMA is budgeting for disaster relief funding. Needless to say, the majority seems hell-bent on spending taxpayer money without even giving lip service to an offset.

Mr. Speaker, at this rate, we are simply passing an impossible financial emergency to our children and our grandchildren. To say that I am disappointed at this bill's cost and lack of oversight and discipline is a gross understatement. The administration and this Democrat majority must do better.

Mr. OBEY. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. I thank the chairman for yielding.

Mr. Speaker, I rise in support of the disaster relief and summer jobs supplemental appropriations bill, which includes \$5.1 billion for the Federal Emergency Management Agency's Disaster Relief Fund. The administration has requested this amount in emergency funding to pay for recovery from catastrophic events and to be able to respond to disasters and emergencies through the balance of the fiscal year.

This bill is about making sure that FEMA keeps its promises to devastated communities that are getting back on their feet as well as to those who may face disasters in the months to come. In addition to ongoing recovery costs associated with an active hurricane season and extraordinary flooding in the Midwest in 2008, FEMA is still required to pay for some very expensive outstanding costs related to Katrina, such as the devastated Louisiana schools and Charity Hospital.

Because we are still dealing with these monumental recovery efforts, the Disaster Relief Fund is being depleted at a rate of nearly \$500 million per month this fiscal year. This has nearly doubled the noncatastrophic 5-year average that FEMA bases its estimates on. At that rate, OMB projects FEMA will be completely out of disaster relief funds by the end of March.

It's unfortunate that we find ourselves in the position of running low on funds just halfway through the fiscal year. I agree that FEMA needs to find a better way to budget, to account for the known costs of these catastrophic events when formulating the budget request. I have pressed them to do that and will continue to do so. But it is disingenuous for those on the other side of the aisle to lecture us on this issue when, to a large extent, as they well know, this supplemental is required to deal with the mess inherited from the

previous administration. And by “the mess,” I mean the practice of lowballing projected disaster costs as well as billions in deferred obligations.

The fact of the matter is the last administration failed to bring these major public infrastructure projects in the gulf coast to a resolution. We are talking about billions of dollars worth of liabilities that were just kicked down the road. So no lectures, please, on irresponsible budgeting. Over \$2 billion of this supplemental could be spent dealing with unresolved Katrina costs.

The FEMA administrator brought these issues to light in a recent hearing before our subcommittee. He has now committed to correcting these deficiencies, to cleaning up the mess he inherited, and to making sure FEMA accounts for its recovery costs, fully accounts, rather than punting them to the next administration.

Based on the impending shortfall in the fund, FEMA announced last month that it could only pay for “immediate needs” for disasters, which includes assistance to families and individuals, as well as debris removal and emergency protective measures. All long-term rebuilding projects are being deferred until Congress acts. To put that into perspective for my colleagues, that means that over \$367 million worth of projects in 43 States and four territories will continue to be delayed if we fail to act.

□ 1615

And this backlog will only continue to grow. When you add the expensive Katrina-related issues, FEMA is currently liable for nearly \$2 billion in costs.

In addition to addressing these past disasters, we must prepare for those to come. The National Weather Service, the Army Corps of Engineers currently estimate that one-third of the U.S. will be faced with the possibility of flooding this spring. Without these funds, FEMA will not be able to assist local communities and States responding to these flooding disasters. It’s critical that we replenish the disaster relief funds now.

I remind my colleagues that we have always considered disaster relief funds to be emergency funding, under Republican and Democratic Congresses, under Republican and Democratic administrations. The last administration transmitted eight supplementary funding requests for the disaster relief fund between fiscal 2002 and 2006. Those disaster relief funds were always requested as an emergency and were not offset.

We all have a stake, Mr. Speaker, in the passage of this bill. I urge my colleagues to support it.

Mr. LEWIS of California. Mr. Speaker, I really appreciate my colleague from North Carolina. He’s a regular order kind of guy, and he chairs the Homeland Security Subcommittee. I’ve only been complaining about the way we’re handling the process.

My chairman so far has not brought a single supplement to the floor under an open rule. And you can deal with these things with an open rule reasonably on the floor. But, ideally, you deal with them in committee, have a chance for amendments and otherwise.

We just don’t bring supplementals to the committee for discussion. So far there have been—my colleague should know this—so far there have been \$800 billion in spending numbers that Members didn’t get a chance to have any input upon.

With that, I yield 3 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Speaker, there’s no doubt that unemployment remains a problem; but the majority, for some reason, thinks we need to borrow another \$600 million to subsidize summer jobs for kids. But, you know, there’s a lot of money already available. Out of the \$1.2 billion provided for youth jobs in the so-called Recovery Act, \$366 million is still unspent. There’s another \$924 million in annual appropriations that will be available in about 1 week from now.

Additionally, for each of the last two program years, there’s approximately \$250 million appropriated for youth employment that has not been spent and been carried forward. So when you add all that up, it’s \$1.5 billion that’s available today already for youth programs in the summer.

Why on God’s green Earth would we borrow another \$600 million from the Chinese?

Mr. OBEY. Will the gentleman yield on that?

Mr. TIAHRT. I have limited time, Mr. Chairman. If you’ll be brief.

Mr. OBEY. I would yield to you 30 seconds so I might ask you a question.

Mr. TIAHRT. I would welcome to have your question, Mr. Chairman.

Mr. OBEY. Why do you keep saying we’re borrowing money to add to the summer youth program when this bill fully offsets every dime that we’re spending on it?

Mr. TIAHRT. Well, Mr. Chairman, we overspent so far this year \$655 billion.

Mr. OBEY. No. Would you answer my question? We are not adding one dime to the deficit by what we are adding to the summer jobs program. We are fully paying for it by cuts in other programs.

I have great respect for my friend from Kansas, but he needs to be accurate in what he says.

Mr. TIAHRT. I thank the Chairman. And I would argue that of the \$655 billion that we’ve already had to borrow, you’re taking some of that money and applying it to this program so, again, borrowing money from the Chinese.

Mr. OBEY. That’s new math.

Mr. TIAHRT. Well, I guess I’m entitled to my new math today.

I would like to make the point that these summer jobs, or these temporary youth jobs that are paid for by tax dollars don’t create permanent jobs. Wichita State University did a study of

what we received with the stimulus money; and of the \$6.2 million that was received, 600 employers temporarily hired 1,593 youth for summer jobs. Out of that, only 62 jobs were permanent, or 3.8 percent.

So if you look at what’s happened through the stimulus, since the stimulus business was passed, we’ve lost 3.9 million private sector jobs. We have created jobs in the Federal Government, 63,000 jobs, another 230,000 jobs at the State and local level. How are we going to pay for those jobs in the future?

We’ve created permanent government jobs and lost private sector jobs. A little math—that’s not new math, but proven math—says that for every government employee, it takes 10 private sector jobs to pay enough Federal taxes to cover the cost of that employee.

So what we should be talking about is not temporary jobs in the summer for youth, but permanent jobs, real jobs. And in fact, we need 3 million jobs just to cover the new government jobs that we’ve created. We can create those jobs through tax relief for employers. We can do it by freezing regulations and forcing the existing regulations through a simple formula where the benefit exceeds the cost. And we need tort reform, and we need to become energy independent.

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

Mr. LEWIS of California. I yield the gentleman an additional minute.

Mr. TIAHRT. The point I want to make about creating a strong economy to pay for these new government jobs at the Federal and State level, we have to do things to provide opportunity in our economy. The way you do that is you enhance the process of hiring people.

Capital is always a coward and only goes where it’s welcome. Lowering taxes for people who invest in jobs will attract capital into our economy.

Second, we need to freeze our current regulations and force all the regulations that we have on the books today through a simple formula: B has to be greater than C. That means that the benefit has to exceed the cost of implementation. If we would do that, we would lower the cost of creating things in America, of making things in America, and we have to make things.

The third thing I would argue is we need to have tort reform. I favor a loser-pay system like they have in the United Kingdom.

And, fourth, I would like to say if we became energy independent, we would solve our unemployment problem. Only one State in the entire United States last year had increased employment. That State was North Dakota, and it was because they found oil under private property. Had it been under public lands, we could not have extracted the oil. But because it was private lands, we created jobs.

I recommend we oppose this bill.

Mr. OBEY. Mr. Speaker, I yield myself 30 seconds.

I invite the gentleman's attention to page 4 and page 5 of the bill. If he will read those two pages, he will see that every dollar of additional spending for summer jobs is paid for by a reduction in other government spending programs.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. COLE).

Mr. COLE. Mr. Speaker, I share my colleagues' concerns about what's in the bill, but I'm also concerned by what's not in the bill and, frankly, that's money to fund the settlement of the so-called Cobell lawsuit.

As my colleagues on both sides of the aisle know, this lawsuit against the Federal Government stems from the mismanagement of Indian trust accounts and trust land since 1887. It involves over half a million claimants; it has dragged on for 14 years through three different administrations involving both parties.

Finally, in December of last year, a settlement was reached, \$3.4 billion: \$1.4 billion to individual claimants, \$2 billion to allow for the repurchase of fractionated lands, and some money set aside for an Indian scholarship fund.

I want to particularly, frankly, commend Secretary Salazar, who did a wonderful job in bringing this issue to closure. But it's now squarely in our court in the Congress of the United States. The President has asked us to solve this problem or to fund the settlement that he's negotiated.

For the record, Mr. Speaker, I'd like to enter the President's letter to the Speaker asking action on this particular item. So it's now squarely in our court.

When the settlement was negotiated, there was a deadline that we would act in Congress by December 31 of last year. Obviously, we missed that. There's a second deadline of February 28. We missed that. The last deadline is April 15.

I know that many of my friends on the other side of the aisle sincerely want to settle this issue, and I look forward to working with them as we try to move toward that; but I find it very difficult to keep people that have been waiting over 100 years waiting a while longer while we do things in a more immediate framework. So I urge the Congress to act, and I urge us to, frankly, support the administration's negotiated settlement. When we do that I'll be there to help my friends on the other side of the aisle.

THE WHITE HOUSE,

Washington, DC, February 12, 2010.

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

DEAR MADAM SPEAKER: I ask the Congress to consider the enclosed amendments to Fiscal Year (FY) 2010 proposals in my FY 2011 Budget.

Included is an amendment for the Department of Homeland Security, Disaster Relief, for the continued response and recovery ef-

forts associated with prior large events, such as Hurricane Katrina and the Midwest Floods. The proposed total for FY 2010 in my FY 2011 Budget would increase by \$1.5 billion as a result of this amendment.

Also included are amendments to general provisions that would provide authorization and funding for FY 2010 to implement the settlement of a case involving the management of individual Indian trust accounts related to Indian lands and to settle claims of prior discrimination brought by black farmers against the Department of Agriculture.

The details of these requests are set forth in the enclosed letter from the Director of the Office of Management and Budget.

Sincerely,

BARACK OBAMA.

Enclosure.

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT
AND BUDGET,

Washington, DC, February 12, 2010.

The PRESIDENT,

The White House.

Submitted for your consideration are amendments to the Fiscal Year (FY) 2010 proposals in your FY 2011 Budget. Included is an amendment for the Department of Homeland Security, Disaster Relief. Also included are amendments to general provisions that would provide authorization and funding for FY 2010 to implement the settlement of a case involving the management of individual Indian trust accounts related to Indian lands and to settle claims of prior discrimination brought by black farmers against the Department of Agriculture. These amendments are described below and in more detail in the enclosures.

The proposed Budget totals for FY 2010 would increase by \$1.5 billion as a result of the following amendment:

Department of Homeland Security, Disaster Relief. This amendment would provide an additional \$1.5 billion and would increase the pending \$3.6 billion FY 2010 supplemental request included in the FY 2011 Budget to \$5.1 billion. These supplemental funds are needed before March 2010 for the continued response and recovery efforts associated with prior large events, such as Hurricane Katrina and the Midwest Floods. This supplemental request is also being re-transmitted to underscore the importance of acting in a timely fashion.

Two FY 2010 proposals were included as mandatory requests in the FY 2011 Budget, with an expectation that authorization language would be transmitted at a later date. However, at this time there are no other appropriate legislative vehicles available to allow for expeditious consideration of these proposals. Therefore, they are now being requested as changes in mandatory programs and as such, are being transmitted to the Appropriations Committee for their disposition.

General Provision, Sec. 1: Cobell v. Salazar. This amendment would provide authorization and funding to implement the settlement of *Cobell v. Salazar*, a case involving the management of individual Indian trust accounts related to Indian lands. Pending congressional action and final approval by the Court, \$3.42 billion will be expended from the Department of the Treasury's Claims, Judgments, and Relief Acts account in FY 2010. Within this total, the settlement agreement provides that \$2.0 billion from the appropriation to this account will be transferred to a new Trust Land Consolidation Fund in the Department of the Interior for the buy-back and consolidation of fractionated land interests and other activities.

General Provision, Sec. 2: Discrimination Claims Settlement. This amendment would

provide authorization and FY 2010 funding of \$1.150 billion to settle claims of prior discrimination brought by black farmers against the Department of Agriculture that were previously addressed by section 14012 of Public Law 110-246, the Food Conservation and Energy Act of 2008.

Recommendation

I have carefully reviewed these requests and am satisfied that they are necessary at this time. Therefore, I join the heads of the affected agencies in recommending you transmit these proposals to the Congress.

Sincerely,

PETER R. ORSZAG,

Director.

Enclosures.

FY 2010 Supplemental Proposal in the FY 2011 Budget

Agency: Department of Homeland Security.

Bureau: Federal Emergency Management Agency.

Heading: Disaster Relief.

FY 2011 Budget Appendix Page: 1362.

FY 2010 Pending Supplemental Request: \$3,600,000,000.

Proposed Amendment: \$1,500,000,000.

FY 2010 Revised Supplemental Request: \$5,100,000,000.

(In the appropriations language under the above heading, delete "\$3,600,000,000" and substitute \$5,100,000,000.)

This amendment would provide an additional \$1.5 billion for the Disaster Relief account and would increase the pending \$3.6 billion FY 2010 supplemental request included in the FY 2011 Budget to \$5.1 billion.

This request is submitted to: (1) reiterate the need to provide the proposed funding before March 2010, and underscore the Administration's support for this proposal; and (2) request an additional \$1.5 billion in anticipation of arbitration panel decisions likely to impact the Disaster Relief Fund in a previously unexpected manner. This proposal provides additional funding for the continued response and recovery efforts associated with prior large events, such as Hurricane Katrina and the Midwest Floods.

Through the Disaster Relief Fund, the Federal Emergency Management Agency provides a significant portion of the total Federal response to Presidentially-declared major disasters and emergencies. Primary assistance programs include Federal assistance to individuals and households, public assistance, and hazard mitigation assistance, which includes the repair and reconstruction of State, local, and nonprofit infrastructure.

FY 2010 Change in a Mandatory Program

Heading: *General Provisions—This Act.*

FY 2011 Budget Appendix Page: 1366.

FY 2010 Pending Request: \$3,412,000,000.

Proposed Amendment:—

Revised Request: \$3,412,000,000.

(In the appropriations language, insert the above new heading and the following new language directly following section 2 of the "General Provisions" that appear on page 1365:)

Sec. 1. THE INDIVIDUAL INDIAN MONEY ACCOUNT LITIGATION SETTLEMENT ACT OF 2010.

(a) *SHORT TITLE.*—This section may be cited as the "Individual Indian Money Account Litigation Settlement Act of 2010".

(b) *DEFINITIONS.*—In this section:

(1) *AMENDED COMPLAINT.*—The term "Amended Complaint" means the Amended Complaint attached to the Settlement.

(2) *LAND CONSOLIDATION PROGRAM.*—The term "Land Consolidation Program" means a program conducted in accordance with the Settlement and the Indian Land Consolidation Act (25 U.S.C. 2201 et seq.) under which the Secretary may purchase fractionated interests in trust or restricted land.

(3) **LITIGATION.**—The term “Litigation” means the case entitled *Elouise Cobell et al. v. Ken Salazar et al.*, United States District Court, District of Columbia, Civil Action No. 96–1285 (JR).

(4) **PLAINTIFF.**—The term “Plaintiff” means a member of any class certified in the Litigation.

(5) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(6) **SETTLEMENT.**—The term “Settlement” means the Class Action Settlement Agreement dated December 7, 2009, in the Litigation.

(7) **TRUST ADMINISTRATION CLASS.**—The term “Trust Administration Class” means the Trust Administration Class as defined in the Settlement.

(c) **PURPOSE.**—The purpose of this section is to authorize the Settlement.

(d) **AUTHORIZATION.**—The Settlement is authorized, ratified, and confirmed.

(e) **JURISDICTIONAL PROVISIONS.**—

(1) **IN GENERAL.**—Notwithstanding the limitation on jurisdiction of district courts contained in section 1346(a)(2) of title 28, United States Code, the United States District Court for the District of Columbia shall have jurisdiction over the claims asserted in the Amended Complaint for purposes of the Settlement.

(2) **CERTIFICATION OF TRUST ADMINISTRATION CLASS.**—

(A) **IN GENERAL.**—Notwithstanding the requirements of the Federal Rules of Civil Procedure, the court overseeing the Litigation may certify the Trust Administration Class.

(B) **TREATMENT.**—On certification under subparagraph (A), the Trust Administration Class shall be treated as a class under Federal Rule of Civil Procedure 23(b)(3) for purposes of the Settlement.

(f) **ACCOUNTING/TRUST ADMINISTRATION FUND.**—

(1) **IN GENERAL.**—Of the amounts appropriated by section 1304 of title 31, United States Code, \$1,412,000,000 shall be deposited in the Accounting/Trust Administration Fund, in accordance with the Settlement.

(2) **CONDITIONS MET.**—The conditions described in section 1304 of title 31, United States Code, shall be considered to be met for purposes of paragraph (1).

(g) **TRUST LAND CONSOLIDATION.**—

(1) **TRUST LAND CONSOLIDATION FUND.**—

(A) **ESTABLISHMENT.**—On final approval (as defined in the Settlement) of the Settlement, there shall be established in the Treasury of the United States a fund, to be known as the “Trust Land Consolidation Fund”.

(B) **AVAILABILITY OF AMOUNTS.**—Amounts in the Trust Land Consolidation Fund shall be made available to the Secretary during the 10-year period beginning on the date of final approval of the Settlement—

(i) to conduct the Land Consolidation Program; and

(ii) for other costs specified in the Settlement.

(C) **DEPOSITS.**—

(i) **IN GENERAL.**—On final approval (as defined in the Settlement) of the Settlement, the Secretary of the Treasury shall deposit in the Trust Land Consolidation Fund \$2,000,000,000 of the amounts appropriated by section 1304 of title 31, United States Code.

(ii) **CONDITIONS MET.**—The conditions described in section 1304 of title 31, United States Code, shall be considered to be met for purposes of clause.

(D) **TRANSFERS.**—In a manner designed to encourage participation in the Land Consolidation Program, the Secretary may transfer, at the discretion of the Secretary, not more than \$60,000,000 of amounts in the Trust Land Consolidation Fund to the Indian Education Scholarship Holding Fund established under paragraph 2.

(2) **INDIAN EDUCATION SCHOLARSHIP HOLDING FUND.**—

(A) **ESTABLISHMENT.**—On the final approval (as defined in the Settlement) of the Settlement, there shall be established in the Treasury of the

United States a fund, to be known as the “Indian Education Scholarship Holding Fund”.

(B) **AVAILABILITY.**—Notwithstanding any other provision of law governing competition, public notification, or Federal procurement or assistance, amounts in the Indian Education Scholarship Holding Fund shall be made available, without further appropriation, to the Secretary to contribute to an Indian Education Scholarship Fund, as described in the Settlement, to provide scholarships for Native Americans.

(3) **ACQUISITION OF TRUST OR RESTRICTED LAND.**—The Secretary may acquire, at the discretion of the Secretary and in accordance with the Land Consolidation Program, any fractional interest in trust or restricted land.

(4) **TREATMENT OF UNLOCATABLE PLAINTIFFS.**—A Plaintiff the whereabouts of whom are unknown and who, after reasonable efforts by the Secretary, cannot be located during the 5 year period beginning on the date of final approval (as defined in the Settlement) of the Settlement shall be considered to have accepted an offer made pursuant to the Land Consolidation Program.

(h) **TAXATION AND OTHER BENEFITS.**—

(1) **INTERNAL REVENUE CODE.**—For purposes of the Internal Revenue Code of 1986, amounts received by an individual Indian as a lump sum or a periodic payment pursuant to the Settlement—

(A) shall not be included in gross income; and

(B) shall not be taken into consideration for purposes of applying any provision of the Internal Revenue Code that takes into account excludable income in computing adjusted gross income or modified adjusted gross income, including section 86 of that Code (relating to Social Security and tier 1 railroad retirement benefits).

(2) **OTHER BENEFITS.**—Notwithstanding any other provision of law, amounts received by an individual Indian as a lump sum or a periodic payment pursuant to the Settlement shall not be treated for any household member, during the 1-year period beginning on the date of receipt—

(A) as income for the month during which the amounts were received; or

(B) as a resource,

for purposes of determining initial eligibility, ongoing eligibility, or level of benefits under any Federal or federally assisted program.

This amendment proposes language for consideration by the Appropriations Committees to provide authorization and funding to implement the settlement of *Cobell v. Salazar*, a case involving the management of individual Indian trust accounts related to Indian lands. Following the enactment of this legislation and final approval of the settlement by the Court, \$3.412 billion will be expended from this account in FY 2010.

Under the terms of the settlement, \$1.412 billion would be used to settle trust management and accounting issues. Each class member will receive \$1,000 for his or her historical accounting claims and may receive additional funds related to trust management claims under a formula set forth in the settlement agreement. (Page 1032 of the FY 2011 Budget Appendix, Department of the Treasury chapter, provides further detail regarding implementation of this aspect of the settlement.)

The settlement agreement also provides \$2.0 billion from the Claims, Judgments, and Relief Acts account for a new Trust Land Consolidation Fund (Fund) for the buy-back and consolidation of fractionated land interests. The Fund will be used for purchases of fractionated interests in parcels of land from individual Indian landowners. The Fund covers administrative costs to undertake the process of acquiring fractionated interests and associated trust reform activities. The acquisition of fractionated interests is authorized under the Indian Land Consolidation Act Amendments of 2000 (Public Law

106–462), and the American Indian Probate Reform Act of 2004 (Public Law 108–374). The proposed settlement provides additional authority for the acquisition of interests held by persons who cannot be located after engaging in extensive efforts to notify them and locate them for a five-year period. In addition to purchasing land interests and other trust reform initiatives, the Fund will also contribute up to \$60 million for a scholarship fund for the benefit of educating American Indians and Alaska Natives. (Page 706 of the FY 2011 Budget Appendix, Department of the Interior chapter, provides further detail regarding implementation of this aspect of the settlement.)

The FY 2011 Budget included this proposal as mandatory funding that would be made available in FY 2010, consistent with the recent settlement agreement, dated December 7, 2009, and anticipated transmitting authorization language at a later date. However, at this time there are no other appropriate legislative vehicles available to allow for expeditious consideration of these necessary proposals. Therefore, it is now being requested as a change in a mandatory program to meet the settlement’s legislation enactment deadline of February 28, 2010.

FY 2010 Change in a Mandatory Program

Heading: General Provisions—This Act.

FY 2011 Budget Appendix Page: 1366.

FY 2010 Pending Request: \$1,150,000,000.

Proposed Amendment: —

Revised Request: \$1,150,000,000.

(In the appropriations language under the above newly inserted heading, insert the following new section after the newly inserted section 1:)

SEC. 2. (a) *There is hereby appropriated to the Department of Agriculture, \$1,150,000,000, to remain available until expended, to carry out the terms of a Settlement Agreement (“such Settlement Agreement”) executed in In re Black Farmers Discrimination Litigation, No. 18–511 (D.D.C) that is approved by a court order that has become final and non-appealable, and that is comprehensive and provides for the final settlement of all remaining Pigford claims (Pigford claims”), as defined in section 14012(a) of Public Law 110–246. The funds appropriated herein for such Settlement Agreement are in addition to the \$100,000,000 in funds of the Commodity Credit Corporation (CCC) that section 14012 made available for the payment of Pigford claims and are available only after such CCC funds have been fully obligated. The use of the funds appropriated herein shall be subject to the express terms of such Settlement Agreement. If any of the funds appropriated herein are not used for carrying out such Settlement Agreement, such funds shall be returned to the Treasury and shall not be made available for an purpose related to section 14012, for any other settlement agreement executed in In re Black Farmers Discrimination Litigation, No. 08–511 (D.D.C.), or for any other purpose. If such Settlement Agreement is not executed and approved as provided above, then the sole funding available for Pigford claims shall be the \$100,000,000 of funds of the CCC that section 14012 made available for the payment of Pigford claims.*

(b) *Nothing in this section shall be construed as requiring the United States, any of its officers or agencies, or any other party to enter into such Settlement Agreement or any other settlement agreement.*

(c) *Nothing in this section shall be construed as creating the basis for a Pigford claim.*

(d) *Section 14012 of Public Law 110–246 is amended by striking subsections (e), (i)(2) and (j), and redesignating the remaining subsections accordingly.*

This amendment proposes language for consideration by the Appropriations Committees to settle claims of prior discrimination brought by black farmers against the

Department of Agriculture that were previously addressed by section 14012 of Public Law 110-246, the Food Conservation and Energy Act of 2008. The proposal would provide funding for a court-approved settlement of litigation requiring the payment of valid claims pursuant to a privately managed settlement process. Upon enactment, the authority would permit the expeditious and judicious resolution of discrimination claims with minimal burden on the claimants and the Government.

The FY 2011 Budget included this proposal as mandatory funding that would become available in FY 2010 and anticipated transmitting authorization language at a later date. However, at this time there are no other appropriate legislative vehicles available to allow for expeditious consideration of these necessary proposals. Therefore, it is now being requested as a change in a mandatory program.

Mr. OBEY. I yield myself 30 seconds.

Let me simply say I largely agree with my friend from Oklahoma. We have one simple dilemma: both in the case of the Cobell settlement and the Pigford settlement, the administration has asked us to provide the money. We do not yet have an understanding of whether that will be provided through an emergency designation or whether it will be fully offset. We cannot proceed until the decision is made to move one way or another. As soon as it is, we want to bring both of those to the floor because I agree with you, we need to deal with both of them.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Mr. Speaker, today we're debating more disaster-related spending. What we have to ask ourselves, what about the money Congress has already sent to help families and communities?

As I stand here, Texas is still waiting for the supplemental disaster funds for Hurricane Ike that Congress approved 18 months ago, Congress, led by Chairman OBEY and Ranking Member LEWIS, to try to help communities who have suffered the sixth most costly hurricane in American history.

But this time the hold up isn't FEMA; it's HUD. Other States have received their disaster funds, but HUD continues to hold Texas hostage. My fellow Texans and I, from both parties, have written to HUD on this issue. We've requested meetings or calls, and our letters go unanswered. The State of Texas has worked tirelessly with its local communities to put together a strong recovery plan, and we know it because we've just recovered from and are recovering from Hurricane Rita as well.

But HUD keeps moving the goal posts. They say Washington knows best. And if the HUD gets their way, the people most impacted by Hurricane Ike won't even be eligible for help.

It's been 541 days since Congress acted to provide help for disaster victims. Yet HUD continues to tell Texans, your recovery doesn't matter. There's no rush.

Well, tell our communities, tell our families, tell our region that there's no

rush. 541 days. HUD needs to act now to approve the Texas plan and simply help our communities rebuild.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California (Ms. LEE).

Ms. LEE of California. Thank you, Chairman OBEY, for yielding and thank you for introducing this bill. It's very important. And I want to thank you for your leadership. Also to Chairman MILLER and Speaker PELOSI for working with members of the Congressional Black Caucus to ensure that this legislation does include funding, which is paid for, for a summer youth jobs initiative to target funds for our young people who are unemployed.

The members of the Congressional Black Caucus have been very focused on stimulating the economy and creating jobs, especially for the chronically unemployed. As my colleagues know, we are currently in the midst of a 5-week campaign launched at the beginning of this month to seek policy solutions for the chronically unemployed. We are working with our leadership, President Obama, Members of this House and our coalition partners to put a strategy together to put America back to work.

One of the key components of our proposed jobs package was to provide \$1.3 billion to the summer youth jobs program with a goal of creating approximately 500,000 jobs for young people throughout the country. We met with the President, with our Speaker. We raised the importance of the summer jobs program to adjust the huge unemployment rate among young people.

We are committed to putting people back to work, especially our young people, because now, with this economic downturn, many of our young people, their parents are unemployed, and so they're helping to buy the food and to pay the rent.

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When you take a look at the numbers, it's clear why this funding is so critical. The youth unemployment rate currently stands at more than 23 percent. This is really a national emergency.

Many low income and minority youth populations face even greater challenges. African American youth unemployment rates are now estimated to be as high as 42 percent. So we need targeted assistance to help put our young people to work and to teach them an array of valuable job skills that they can use throughout their lives.

While this does not include the full \$1.3 billion for summer youth jobs that we requested, it does make a down payment of \$600 million, which is, once again, fully paid for, to create approximately 300,000 new jobs. And this is a very important step forward; but, frankly, we need the full amount. I hope that we can continue to expand and increase funding for this valuable program.

In addition, this bill will provide \$5.1 billion in disaster relief to local communities through FEMA to address the impact of recent storms and disasters throughout the country. As one who comes from California, a State which is prone to earthquakes and floods, I can tell you this \$5.1 billion is desperately needed.

And, finally, the bill will include an additional \$60 million to extend the provision of the Recovery Act for another month to help small businesses defray the cost of certain loan fees charged by the Small Business Administration. Our small businesses are creating jobs to help turn this economy around.

So as Chair of the Congressional Black Caucus, I want to thank Chairman OBEY and our Speaker and our leadership for this initial down payment. We are pleased that we can provide some funding for summer jobs for our young people and we are moving forward this job creation package.

Mr. LEWIS of California. Mr. Speaker, I am very pleased to yield 2 minutes to the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. I thank the gentleman for yielding.

Mr. Speaker, on March 4, I sent a letter to the FEMA administrator. That letter is regarding my concerns and the concerns I have heard from U.S. tent manufacturers and suppliers about FEMA purchasing disaster relief tents from foreign manufacturers.

Humanitarian needs are great throughout the world, and the American people have shown their generous spirit through the outpouring of monetary and commodity donations as well as teams of personnel to serve in the medical assistance area.

U.S. companies who manufacture shelters, such as this tent right here, can easily increase their production to fill the needs of humanitarian crises around the world. We need to continue to have U.S. tent manufacturers who can provide tents to U.S. military, U.S. embassies, and humanitarian relief efforts throughout the world.

When we use Federal taxpayers' dollars to aid in humanitarian relief efforts, we need to purchase U.S. manufactured products. The Department of Defense is required under their Buy American provision to purchase their humanitarian relief tents from U.S. manufacturers, so why shouldn't agencies such as FEMA or USAID be required to do the same?

Companies that are proven and have had government contracts help retain and create jobs. Purchasing U.S.-made tents also represents economic opportunities for our hard-hit areas in the United States where manufacturing jobs have disappeared by the thousands in the last several years.

The simple question I have is, why did or should FEMA or any other government agency purchase foreign-made tents when American-made tents help keep Americans employed and are of

high quality and high value? When our unemployment rates continue to be at or around 10 percent, and the Fifth Congressional District's exceeds over 12.5 percent, purchasing foreign-made products with American tax dollars is troubling to me.

Mr. Speaker, it is time that the U.S. agencies be required to purchase U.S.-made tents and keep Americans working.

Mr. OBEY. I yield 2 minutes to the distinguished gentleman from Iowa (Mr. LOEBSACK).

Mr. LOEBSACK. Mr. Speaker, I do want to thank Chairman OBEY for his work on this important legislation.

This bill is vital to ensuring FEMA can provide assistance to communities in all of our States that are recovering from major disasters. It is also critical to FEMA's ability to provide life-saving help to communities that might experience a major disaster in the future.

In Iowa, we were devastated by the great flood of 2008. Eighty-five out of 99 counties were declared major disaster areas. My district alone had billions of dollars in damage and is still working to recover, including through an estimated \$1 billion in FEMA projects.

However, there is a current freeze on a multitude of FEMA projects nationwide. According to Iowa's governor, this has put work in jeopardy on \$100 million worth of projects in Iowa alone. In fact, Coralville, Iowa, which was hard-hit by flooding, has received low bids on recovery projects but cannot commit because of this freeze. As a result, they may lose a bid that is 20 percent below what was estimated, which would actually save taxpayer money.

The National Weather Service says there is an imminent widespread flood risk in the Midwest this spring. We must ensure FEMA has the resources needed to help our citizens who might be hit by flooding again, even as we pray that it won't be needed.

I urge my colleagues to support this legislation to ensure Iowans and communities nationwide continue to have this important safety net and we allow FEMA to fulfill its prior commitments to recovery.

Mr. LEWIS of California. Mr. Speaker, these will be my closing comments on the bill.

I would like to say to the Members, my chairman, my colleagues, that I am very empathetic to their description of the way we have handled FEMA funding in the past. I indeed agree that, in the vast percentage of cases, that money ought to not be subject to offset requirements. The emergency rule is there for appropriate reasons.

The only reason for raising this in a procedural way today is because of the reality that while we have disaster after disaster out there, we have never had quite a disaster like this huge deficit of this year, \$1.6 trillion, and projecting out to the future there is no end. And eventually the public knows the economy can't stand it, and they are suggesting that we try to help

them out of this disaster that is ahead of us.

So it is indeed important for us to realize that in spite of the fact that there is a huge amount of money in the stimulus package that is yet unspent that might be used for some of these offsets, we need to seriously get on track of reducing spending and undermining that growing deficit so the public can at least have some sense that we are trying to effect the crisis that is beyond our horizon.

I plan, after we are through here, to offer a motion to recommit on this bill in order to adopt the amendment I presented in the Rules Committee on Monday. The motion is simple. It cuts unnecessary money from the flawed \$1 trillion stimulus to pay for the \$5.1 billion FEMA spending provided in Mr. OBEY's bill. The balance of the questions, we have discussed earlier.

I yield back the balance of my time. Mr. OBEY. Mr. Speaker, I would make only one additional point. This bill also provides for a 1-month extension of the Recovery Act Small Business Lending program and provides an additional \$60 million for that program.

Through March 12 of this year, the Recovery Act Small Business Lending program has supported nearly \$23 billion in small business lending which, according to SBA, has helped create or preserve over 500,000 jobs. I think it is well worth the effort. We need to keep this program alive.

Ms. RICHARDSON. Mr. Speaker, as Chair of the Homeland Security Subcommittee on Emergency, Communications, Preparedness, and Response, I rise today in strong support of H.R. 4899, the Disaster Relief and Summer Jobs Act of 2010. I support this legislation because it will help local communities, small businesses, and our Nation's youth. This is the kind of legislation we need to lift us out of this economic downturn and deal with the unprecedented disasters that our Nation has faced these past few months.

I would like to acknowledge Speaker PELOSI and Chairman OBEY for their leadership in bringing this important bill to the floor.

Mr. Speaker, the Disaster Relief and Summer Jobs Act of 2010 is a \$5.1 billion disaster aid package that will help communities rebuild their homes, infrastructure and local economies and to take steps to protect them from future disasters. In addition, H.R. 4899 also provides fully offset funding to expand this summer's youth jobs program and continue assistance to America's small businesses.

In my home State of California, youth unemployment has hit over 25 percent. The funding provided by H.R. 4899 will allow local Workforce Investment Boards (WIBs) to expand successful summer jobs programs that were funded in the Recovery Act. California is also no stranger to natural disasters, such as wildfires and mudslides. H.R. 4899 provides \$5.1 billion to ensure that the Federal Emergency Management Agency (FEMA) can continue its work helping communities recover from recent disasters and to ensure that they have resources to respond to future disasters.

In conclusion, Mr. Speaker, I support this bill because it will provide funding to the commu-

nities and populations that need the most assistance in both disaster relief and job training. I would also like to note that this bill is fully paid for because it rescinds emergency funding that is not needed this year, including \$44 million provided for Cash for Clunkers and \$103 million provided for agriculture disasters, that is no longer needed for those disasters.

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 4899.

Mr. POMEROY. Mr. Speaker, I rise today in strong support of H. Res. 415, a bill that ensures that the Federal Emergency Management Agency (FEMA) can continue its work helping communities recover from recent disasters and to ensure that they have resources to respond to future disasters.

Like many of my colleagues, I was alarmed by FEMA's recent announcement that the Federal Emergency Management Agency's (FEMA) Disaster Relief Fund is running out of money.

As you know, my own State of North Dakota experienced record flooding last year and many local governments have still not fully recovered. In addition, leaders in my State have once again been in the trench battling spring flooding this year. The Disaster Relief Fund (DRF) is used in part to reimburse States and local governments in places like North Dakota for damages suffered during these kinds of disaster.

The Disaster Relief Fund is currently faced with a shortfall and as a result, FEMA has issued an order whereby funds cannot be used for the Hazard Mitigation Grant Program, and certain kinds of public assistance, until the Fund is replenished. As a result of this unnecessary delay, many North Dakota communities have been forced to hold off with initiatives like home buyouts and road repairs that help the State recover from last year's flooding and better prepare for flooding this spring. This is unacceptable, which is why I have been working with the House Appropriations Committee to appropriate the \$5.1 billion in supplement funding that is needed for this vital relief program.

With the funding that will be enacted under this bill, North Dakota communities will be able to continue to recover from the floods in 2009 as well as prepare for future disasters. This is an important bill and I encourage my colleagues to strongly support H.R. 4899.

Mr. LARSEN of Washington. Mr. Speaker, I rise today in support of H.R. 4899, Disaster Relief and Summer Jobs Act.

While the bulk of this legislation provides disaster relief for ongoing response and recovery efforts, this bill makes important steps forward to continue our Nation's economic recovery and create jobs.

First, this bill provides fee reductions and eliminations under the Small Business Administration (SBA) 7(a) loan program and the 504 program, and extends the termination date for the loans through April 30.

These loans have been important economic drivers in my Congressional district, and have provided needed capital to small businesses in our communities.

Small businesses are going to play an important part of any economic recovery. Small businesses are the number one source of new job growth in our Nation and have created 65 percent of all new jobs in the last decade.

Between October 2009 and last month, there were 58 SBA 7(a) loans and 15,504

loans provided to small businesses in my district allowing them to expand and modernize.

These are the types of programs that Congress must support to continue our economic recovery and create jobs at home, and I am happy to support the legislation on the floor today.

Mr. CONYERS. Mr. Speaker, we are facing a crisis with our young adults—many of whom are unable to find work during this economic downturn. According to the Department of Labor, the unemployment rate for 16 to 19 year olds is 25 percent. This is simply unacceptable and that is why I rise in support of the “Disaster Relief and Summer Jobs Act of 2010.” This legislation, offered by my good friend, the Chairman of the Committee on Appropriations, will help mitigate this emergency by providing funds to summer youth programs. The bill will also ensure Federal Emergency Management Agency (FEMA) has adequate funds at its disposal to enable it to comprehensively and quickly respond to future natural disasters.

Today’s legislation will appropriate funds to provide 300,000 youth workers a \$600 million grant this summer. Furthermore, this appropriation will fund Workforce Investment Boards (WIBs) that will expand programs previously funded in the Recovery Act. I believe this is an effective way to develop our young citizens’ critical leadership skills, and practical training, and in helping them become productive members of society. I believe these programs will have a positive and lasting impact in our communities.

Mr. Speaker, the tragedy after hurricane Katrina highlighted the need for proper management and resources at FEMA. The proposal being considered today will give \$5.1 billion to complete urgently needed projects and ensure they are fully equipped to respond to future disasters.

If we are to build a better America, we need to invest in our country. I believe the proposal today will make America a stronger country and I urge my colleagues to support it.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 4899, the “Disaster Relief and Summer Jobs Act of 2010”. I strongly support this bill which, as requested by the President, appropriates an additional \$5.1 billion for the Disaster Relief Fund to support ongoing disaster relief, recovery, and mitigation efforts, and to ensure that our Nation is adequately prepared in the event of future disasters.

The Disaster Relief Fund (DRF) provides the funding for the Federal Government’s activities to help communities respond to, recover from, and mitigate major disasters and emergencies declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act).

Last month, due to diminishing funds, FEMA announced that the agency was forced to limit expenditures from the DRF. In some cases, FEMA has completely suspended reimbursements to State and local governments for reconstruction projects for facilities damaged or destroyed by recent disasters. FEMA has also slowed the issuance of reimbursements for critical post-disaster hazard mitigation projects, which help communities, build better after a disaster to protect against future damage.

For example, FEMA has stopped funding projects to make repairs from facilities damaged in last Spring’s flooding in my home

State of Minnesota. Specifically, Federal funding is being held up for repairs to a building at Concordia College and for road repairs in Becker County, Lien Township and Gully Township.

Delays in providing reimbursements to States and local governments will necessarily slow the pace of recovery and mitigation projects, as most States do not have the flexibility in these difficult economic times to move ahead without a guarantee of when Federal funds will become available. Inadequate funding in the DRF, therefore, impedes the rapid recovery of communities across the country from devastating disasters and inhibits the job creation and economic stimulus that these projects provide.

If Congress does not act to replenish the Disaster Relief Fund, FEMA will be unable to respond to future disasters once the fund is depleted. This is particularly troubling because the National Weather Service has issued a warning that there is a high, or above average, risk of flooding this spring in much of the country. As one example, the Nation has watched carefully the situation in North Dakota and my home state of Minnesota, as the Red River crested over the weekend. It appears that major flooding has thankfully been avoided in large parts of the two States along the Red River for the time being. However, the risk of flooding remains and serves as an example of what other parts of the country may encounter in the coming months.

The Committee on Transportation and Infrastructure authorizes and oversees FEMA’s disaster programs under the Stafford Act. Members of my Committee know first hand the devastation that a disaster can wreak on a community and the importance of a swift, effective Federal response. Through oversight and legislation, the Committee has been working to improve FEMA’s operations and provision of disaster assistance. Without adequate funding in the DRF, however, FEMA will not be able to carry out any of its critical missions or functions.

On March 12, 2010, I wrote to Speaker PELOSI in support of the President’s request for a supplemental appropriation for the Disaster Relief Fund and urging swift action to replenish the Fund. I would like to thank the Speaker and the gentleman from Wisconsin (Mr. OBEY), Chairman of the Committee on Appropriations, for bringing this bill before the House today. Their dedication to this issue affirms the importance of the DRF and underscores the urgency of ensuring its solvency.

I urge my colleagues to join me in supporting H.R. 4899.

Ms. KILPATRICK of Michigan. Mr. Speaker, Michigan, and our Nation, have faced, and continues to weather, high unemployment. Our businesses struggle with a lack of access to capital. Michiganders have had to face significant challenges that have tested our faith and our will. Michiganders, and all Americans, have usually responded with the grit, the effort, and the will that is evidence of the uniquely American “can do” spirit. Despite that spirit, many regions of our Nation desire and need help. The 13th Congressional District of Michigan is one of those areas. A portion of that help is in this bill, H.R. 4899, the Disaster Relief and Summer Jobs Act of 2010. Although I did not support an earlier jobs bill because it provided tax cuts, not funding, to our Nation’s small businesses, I support this bill.

This legislation is not perfect. While it provides summer jobs to our Nation’s youth, the money goes to the states before it goes to cities, counties and non-profit agencies. The problem? Our states are broke. Our states are desperate to balance their budgets. Our states need these funds as revenues from a once abundant housing market has evaporated. So while it is not the fault of our states, it is my desire to get these jobs created as fast as possible.

While I support H.R. 4899, I will continue to fight toward the enactment of a program similar to the Comprehensive Employment Training Act (CETA) program, a program that proved that it could reduce the unemployment rate and train people for short- and long-term jobs and careers. Funding for this program went directly from the Federal Government to cities, counties and non-profit organizations to get individuals trained and back to work.

This bill is great news for three reasons. One, this bill provides disaster relief. Many regions of our Nation faced record snowfalls, major floods, and other natural disasters. We still have not completely fulfilled our promise to the people of New Orleans after Hurricane Katrina. Not only will this \$5.1 billion disaster aid package help these communities rebuild their homes, infrastructure and local economies, it will also take steps to protect them from future disasters.

Two, this bill provides funding for the summer jobs program. As our Nation begins the long recovery from the deepest economic crisis since the Great Depression, a summer job is more than just an opportunity for our Nation’s youth to be exposed to possible career paths. It is often a matter of survival, of life and death. This bill has \$600 million, fully offset, to support over 300,000 jobs for youth ages 16 to 24 through summer employment programs. This age group has some of the highest unemployment levels, 25 percent for those aged 16 to 19. This funding will allow local Workforce Investment Boards (WIBs) to expand successful summer jobs programs that were funded in the Recovery Act.

Three, this bill provides access to capital for our Nation’s small businesses, our Nation’s largest employer. There will be \$60 million in the bill, that is fully offset, to extend the Recovery Act small business lending program for another month. That program eliminated the fees normally charged for loans through the Small Business Administration 7(a) and 504 loan programs and increased the government guarantees on 7(a) loans from 75 percent to 90 percent. Since its creation, the program has supported nearly \$23 billion in small, business lending, which helped to create or retain over 560,000 jobs.

This bill is not only fiscally responsible, but it is needed and necessary. I am proud to support this bill, and look forward to working with my colleagues as we continue to enact legislation that will address the challenge of our Nation’s astronomically high unemployment rate, provide capital to our Nation’s businesses, and ensure that our economy survives and thrives. The families of America are counting on Congress to do what is needed to continue to make America great.

Mr. OBEY. I yield back the balance of my time.

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

Pursuant to House Resolution 1204, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. LEWIS of California. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. LEWIS of California. I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Lewis of California moves to recommit the bill H.R. 4899 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendments:

On page 2, strike line 10 and all that follows through line 4 on page 3.

On page 5, after line 16, insert the following:

(5) "Department of Labor—Employment and Training Administration—Training and Employment", \$140,000,000 to be derived from unobligated balances available from amounts placed in a national reserve under this heading in title VIII of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 115).

(6) "Department of Labor—Employment and Training Administration—Training and Employment", \$400,000,000 to be derived from unobligated balances available from amounts provided for competitive grants for worker training in high growth and emerging industry sectors under this heading in title VIII of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 115).

(7) "Department of Health and Human Services—National Institutes of Health—Buildings and Facilities", \$434,000,000 to be derived from unobligated balances available from amounts provided under this heading in title VIII of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 115).

(8) "Department of Health and Human Services—Agency for Healthcare Quality and Research—Healthcare Research and Quality", \$850,000,000 to be derived from unobligated balances available from amounts provided for comparative effectiveness research under this heading in title VIII of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 115).

(9) "Department of Health and Human Services—Office of the Secretary—Office of the National Coordinator for Health Information Technology", \$1,900,000,000 to be derived from unobligated balances available under this heading in title VIII of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 115).

(10) "Department of Health and Human Services—Public Health and Social Services Emergency Fund", \$38,000,000 to be derived from unobligated balances available under this heading in title VIII of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 115).

(11) "Department of Education—Impact Aid", \$60,000,000 to be derived from unobligated balances available under this heading in title VIII of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 115).

(12) "Department of Education—Institute of Education Science", \$250,000,000 to be de-

rived from unobligated balances available under this heading in title VIII of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 115).

(13) "Social Security Administration—Limitation on Administrative Expenses", \$497,000,000 to be derived from unobligated balances available from amounts provided for the replacement of the National Computing Center under this heading in title VIII of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 115).

(14) "Department of Energy—Energy Programs—Title 17—Innovative Technology Loan Guarantee Program", \$571,000,000 to be derived from unobligated balances available under this heading in title IV of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 115).

Mr. LEWIS of California (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

POINT OF ORDER

Mr. OBEY. Mr. Speaker, I would raise a point of order against the motion.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. OBEY. Mr. Speaker, I make a point of order against the motion because it constitutes legislation on an appropriation bill, which is in violation of clause 2, rule XXI. The instructions in the motion include an amendment proposing to include language in the bill that would provide for the rescission of previously appropriated funds made available in other appropriation acts.

This is clearly a legislative proposition, Mr. Speaker. Section 1052 of the House Rules and Manual states, in part: An amendment proposing a rescission constitutes legislation under clause 2(c).

The amendment is, therefore, legislative in nature and is in violation of clause 2, rule XXI, and I ask for a ruling from the Chair.

Mr. LEWIS of California. Mr. Speaker, I wish to be heard on the point of order.

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

Mr. LEWIS of California. Mr. Speaker, as I suggested earlier, the bill before us contains almost \$6 billion in new spending, spending that is not offset by true reductions. Instead, this \$6 billion will simply pile more money on to the government's charge card and add to our already astronomical debt.

Mr. Speaker, it is my understanding that the bill before us today is considered to be a general appropriations bill, and under the rules of the House, general appropriations bills are privileged and are to be considered in the Committee on Appropriations or sent to the Committee on Appropriations prior to consideration on the House floor.

I have expressed my concern about the lack of regular order, the number of supplementals and appropriations bills that are not being heard in com-

mittee or subcommittee. I won't repeat all of those concerns, except to say that we are on this disastrous pathway because of our totally ignoring the need to make sense out of our national deficit and get a handle on spending.

Mr. Speaker, I ask for consideration of my motion to recommit.

The SPEAKER pro tempore. The Chair is prepared to rule.

The gentleman from Wisconsin raises a point of order against the motion on the basis that it violates clause 2 of rule XXI.

The motion proposes to insert a rescission in a general appropriation bill. As provided in section 1052 of the House Rules and Manual, an amendment proposing a rescission constitutes legislation in violation of clause 2(c) of rule XXI.

The point of order is sustained and the motion is not in order.

Mr. LEWIS of California. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE

Mr. OBEY. I move to table the appeal of the ruling of the Chair.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to table will be followed by 5-minute votes on passage of the bill, if arising without further proceedings in recom-mittal, and the motion to suspend the rules on H.R. 3562.

The vote was taken by electronic device, and there were—yeas 239, nays 176, not voting 14, as follows:

[Roll No. 185]

YEAS—239

Ackerman	Carney	Doggett
Adler (NJ)	Carson (IN)	Doyle
Altire	Castor (FL)	Driehaus
Andrews	Chandler	Edwards (MD)
Arcuri	Childers	Ellison
Baca	Chu	Engel
Baird	Clarke	Eshoo
Baldwin	Clay	Etheridge
Barrow	Cleaver	Farr
Bean	Clyburn	Fattah
Becerra	Cohen	Finer
Berkley	Connolly (VA)	Foster
Berman	Conyers	Frank (MA)
Berry	Cooper	Fudge
Bishop (GA)	Costa	Garamendi
Bishop (NY)	Costello	Giffords
Blumenauer	Courtney	Gonzalez
Bocchieri	Crowley	Gordon (TN)
Boren	Cuellar	Grayson
Boswell	Cummings	Green, Al
Boyd	Dahlkemper	Green, Gene
Brady (PA)	Davis (CA)	Grijalva
Braley (IA)	Davis (IL)	Gutierrez
Bright	Davis (TN)	Hall (NY)
Brown, Corrine	DeFazio	Halvorson
Butterfield	DeGette	Hare
Capps	Delahunt	Harman
Capuano	DeLauro	Hastings (FL)
Cardoza	Dicks	Heinrich
Carnahan	Dingell	Herseth Sandlin

Whitfield	Wittman	Young (AK)
Wilson (SC)	Wolf	Young (FL)

ANSWERED "PRESENT"—1

Cassidy

NOT VOTING—14

Barrett (SC)	Issa	Rush
Boucher	Jackson Lee	Schrader
Cooper	(TX)	Wasserman
Davis (AL)	Kilpatrick (MI)	Schultz
Gutierrez	Maloney	
Hoekstra	Reichert	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1718

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. WASSERMAN SCHULTZ. Mr. Speaker, on rollcall No. 186 I was unavoidably detained. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Ms. KILPATRICK of Michigan. Mr. Speaker, I was unable to attend to several votes today. Had I been present, I would have voted "aye" on rollcall No. 178; "aye" on rollcall No. 179; "aye" on rollcall No. 180; "nay" on rollcall No. 181; "aye" on rollcall No. 182; "aye" on rollcall No. 183; "aye" on rollcall No. 184; "aye" on rollcall No. 185, and "aye" on rollcall No. 186.

CHANNEY, GOODMAN, SCHWERNER
FEDERAL BUILDING

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 3562, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. PERRIELLO) that the House suspend the rules and pass the bill, H.R. 3562, as amended.

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

The title was amended so as to read: "A bill to designate the federally occupied building located at 1220 Echelon Parkway in Jackson, Mississippi, as the 'James Chaney, Andrew Goodman, and Michael Schwerner Federal Building'".

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 1586, TAX ON BONUSES RECEIVED FROM CERTAIN TARP RECIPIENTS

Ms. MATSUI, from the Committee on Rules, submitted a privileged report (Rept. No. 111-456) on the resolution (H. Res. 1212) providing for consideration of the Senate amendments to the bill

(H.R. 1586) to impose an additional tax on bonuses received from certain TARP recipients, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. RES. 648

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I ask unanimous consent that my name be removed as an original cosponsor of H. Res. 648.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1255

Mr. MORAN of Kansas. Mr. Speaker, I ask unanimous consent to remove my name as cosponsor of H.R. 1255.

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

There was no objection.

PERSONAL EXPLANATION

Ms. JACKSON LEE of Texas. Mr. Speaker, I was unavoidably detained at the State Department at a meeting, and I would like to register my vote for the Democratic motion to table the appeal of the ruling of the Chair. If I had been present, I would have voted "aye" and for passage of H.R. 4899, the Disaster Relief and Summer Jobs Act of 2010 that will impact the constituents in my district in creating more jobs, I would have enthusiastically voted "aye."

TEXANS WILL BENEFIT FROM HEALTH CARE REFORM

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

Ms. JACKSON LEE of Texas. Mr. Speaker, as we reflect on the last 24 hours of the passage of this historic health care bill, more and more constituents are calling in recognizing that some aspect of this bill impacts them in a positive light. I said one time before that when we did the Medicare bill in 1965, that bill was the start of revising and refinement of that legislation.

I am glad today that we can say 45 million Americans have lived because of Medicare, and my mother, Ivalita Jackson, who I mentioned during the debate, lives because of the Medicare support system. That is why I am so disappointed that Greg Abbott, attorney general from the State of Texas, the State with the most uninsured persons, decided to file such a lawsuit that has no bearing in the Constitution and cannot make any point that this bill will not help Texas and save millions of dollars.

In addition, there are thousands of veterans that are not in TRICARE who will benefit from this health care system. We will fight that lawsuit because it is against the people of Texas.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. SUTTON) is recognized for 5 minutes.

(Ms. SUTTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

KANSAS ECONOMY NOT GOOD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

Mr. MORAN of Kansas. The news on the Kansas economy is not good. Our State's unemployment rate rose to 7.1 percent in January. In February, State revenues fell a whopping \$71 million more than expected. We need \$500 million to balance our budget in Kansas in 2010 and 2011. These million-dollar numbers don't mean much up here in Washington, where this Congress continues to rack up trillions in debt obligations as if there are no consequences and money magically appears out of thin air. However, the effects of this thoughtlessness are indeed terrible.

In Kansas, the overwhelming majority of our State budget is comprised of health care and education responsibilities. Many of these responsibilities have been handed down to the States from the Federal Government. Our education system is teetering on the breaking point, with schools facing closure or consolidation and with educators and staff being laid off.

□ 1730

Services for our State's developmentally disabled and support for our sick and elderly have been cut. Folks in Kansas are hurting. I see their pain when I return from Washington, D.C., every weekend home to Kansas.

In our State, we think differently than they do up here in Washington. We don't spend what we can't afford, we don't sacrifice long-term prosperity for short-term gratification, we don't sidestep our personal responsibility, and we don't tell other people how to live their lives. It pains me to reflect

on all of the bad ideas of this Congress: the stimulus packages, the bailouts, Cash for Clunkers, cap-and-trade, because I know these mistakes are digging us deeper and deeper into a hole. I was one of only 17 members out of 435 to oppose all of these measures, not because I want to obstruct legislation, but because our personal freedom and economic liberty are restricted each time we create obligations we can't pay for.

Kansas, like many States, is constitutionally prohibited from running in the red. When Congress irresponsibly shoulders States with mandates and expenses, it's the States and their taxpayers that suffer because they can't evade fiscal responsibilities like the Federal Government often does.

Last Sunday is the latest and most glaring example of this elitist, Washington-knows-best attitude. On Sunday night, this Congress passed the Obama-Pelosi health care plan along a narrow partisan line against my staunch opposition. This plan, which became law on Monday, is the wrong direction for America for a long, long list of reasons. With our national debt already at more than \$12 trillion, this new plan will drive us further in the hole. The total cost of this health care plan is more than \$1.33 trillion. While this estimate is staggering, it doesn't take into account the almost \$400 billion needed to fix the Medicare payments to physicians—payments that Kansas doctors must receive to avoid a 21-percent cut and keep their doors open.

Furthermore, this cost estimate doesn't account for the \$20 billion that States must expend to implement the Medicaid expansion contained in the health care plan. Kansans can't afford these billions of new costs, but they are required to carry out so-called reforms. Since Kansans can't afford the requirements of this unfunded mandate, we may be forced to take deeper cuts out of our education system and close and consolidate more schools, dimming the light of opportunity for many Kansans.

Washington needs to open its eyes to this gathering storm. Kansans understand that we can't create an entirely new government entitlement program without exploding spending and increasing our national debt. Our history doesn't support the President's list of campaign-style, promise-the-world pledges. This bill will not only seriously injure our health care system, but its tax increases, mandates, and increased bureaucracy will ruin the Kansas economy and jobs.

I will continue the battle in Washington against this attitude that we know best. It threatens the future prosperity of our future State and Nation. On Monday, I introduced H.R. 4901, legislation to repeal the health care plan we just passed. Only with a total repeal of this budget-busting mistake can we then institute true reforms that will lower health care costs for families and businesses. My legisla-

tion will undo what has been done and replace it with something much more based upon common sense and the will of the American people. Only then can we have a health care system that is truly improved. We and other States demand this change for purposes of making sure that prosperity returns to our State.

And Madam Speaker, that's just the way it should be.

ON THE OCCASION OF THE 50TH ANNIVERSARY OF THE NATIONAL CENTER FOR ATMOSPHERIC RESEARCH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. POLIS) is recognized for 5 minutes.

Mr. POLIS. Madam Speaker, I rise today to congratulate the National Center for Atmospheric Research, or as we back home in Colorado call it, NCAR, on the occasion of their 50th year conducting the climate and weather research that has become an icon of the American spirit of research and a vital part of all of our daily lives.

In the 1950s, the Nation's farmers, the rapidly growing airlines, and other sectors of our industrializing economy needed better weather forecasts. Pollution of the atmosphere was becoming a serious problem in urban areas. Cloud-seeding experiments suggested it might some day be possible to modify or impact certain kinds of weather, but the U.S. atmospheric research community wasn't adequately meeting the challenges of information that the new world of opportunity offered to use.

In 1956, Detlev Bronk, president of the National Academy of Sciences, appointed a committee of distinguished scientists from several disciplines and instructed them to consider and recommend means by which to increase our understanding and control of the atmosphere. In 1958, the committee came back with several findings and recommendations that led to the establishment of the University Corporation for Atmospheric Research. Solar astronomer Walter Orr Roberts at the University of Colorado was appointed president of UCAR, and the decision was made to call the institute the National Center for Atmospheric Research, which chose a spectacular hill-top in Boulder, Colorado, to call its home in 1960.

This iconic building is not only home to the most advanced weather and climate change research in the world; it is also a part of the Boulder Community. Designed by I.M. Pei, this building is a focal point of our community. A breathtaking drive takes you to the facility that hosts an interactive climate and museum. The staff offers tours for the public to see firsthand the tools to fight climate change as well as to predict when you need an umbrella over the weekend.

The facility is also a community meeting place, a demonstration of

what can happen when the Federal Government partners with local communities, schools, governments, and academia. On behalf of my constituents, I offer gratitude to have this facility and everything it stands for be part of our family in our district. I acknowledge through the research they produce they create great global benefit.

In this 50th year, I ask my colleagues to continue support for President Obama's ambitious levels of funding for the National Science Foundation and NCAR. I invite my friends on both sides of the aisle to visit Boulder, Colorado, and this facility, and experience the full context of what the symbiosis of government, academia, and private ingenuity can do.

My district, even in this economy, continues to have lower unemployment than surrounding districts. One of the reasons is as a result of the science and Federal research dollars that are spent in our district.

My hope is that NCAR will continue to yield Nobel laureates and offer the Nation and the world cutting-edge research with practical applications, and as a result continue to make Boulder the world headquarters for climate and weather research. Congratulations to NCAR and to the scientists and people who work there—my constituents—that carry on this important mission.

SPENDING MONEY WE DON'T HAVE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana. Madam Speaker, I'm not going to talk for 5 minutes, but I would like to talk to my Democratic colleagues tonight because once again it seems that we're spending money that we don't have. And I know this may sound funny, but the American people can't figure out why they have to balance their budgets and we keep spending money we don't have, we don't have, we don't have.

Now, the bill we passed today provided \$6 million in funds that we did appropriate money for, for use for summer jobs, and we had \$5.1 billion for disaster relief. Well, now, disaster relief is something that I think is very laudable. But we have had the President say a number of times he is for what's called PAYGO, and if you come up with a program and don't have the money, you have to come up with the money by cutting another program to take care of the one that you're funding. So we had another \$5.1 billion added to the deficit today.

The deficit projected by the White House over the next 10 years is \$900 billion a year. And they've been short on their projections all over the place. For instance, they said that the health care bill we just passed—which most Americans don't want—was only going to cost about \$800-and-some billion. But, when you realize that we're paying for

6 years of benefits but we're taxing for 10 years, you realize that it's going to cost way more than the \$800-and-some billion they're talking about. It's going to cost like \$1.6 trillion or \$1.7 trillion for 10 years of coverage or 10 years of taxes.

So I would just like to say to my colleagues tonight and my colleagues back in the office—and if I were talking to the American people, if they were listening, if I could talk to them—I know I can't, Madam Speaker—I would say what we need to be doing in Washington is we need to be telling the President and the Democrat leadership to go down and buy several thousand reams of additional paper and several million gallons of ink so that they can go down to the printing press at the Treasury Department and print money that we don't have. That is what they ought to be doing.

And then the people who have money in the bank, let's say you got a thousand dollars in the bank, Madam Speaker, and we double the money supplied by printing money that we don't have, we double the money supply, you have a thousand in the bank. You still have a thousand dollars but it will only buy \$500 worth of product. That is where we're heading. Inflation is a hidden tax that people don't even realize they're getting. And that's what's going to happen if we don't get control of spending.

The budget this year was \$3.85 trillion that we don't have. The health care bill is going to cost more like \$3 trillion in the next 10 years that we don't have. That doesn't include the doc fix, which is going to cost \$250-some billion dollars that we don't have.

So I would just like to say, Madam Speaker, to my colleagues back in their offices and to the American people if I could talk to them, and I know I can't, you ought to talk to your representative and tell them, quit spending money we don't have. You're ruining our children's future. You're creating a society that is going to be costing them a lot more, taxing them a lot more and giving them a quality of life that does not equal what we have today. And that is a terrible legacy to leave to the future generations.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FRANKS) is recognized for 5 minutes.

(Mr. FRANKS of Arizona addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. MCCOTTER) is recognized for 5 minutes.

(Mr. MCCOTTER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROSLEHTINEN) is recognized for 5 minutes.

(Ms. ROSLEHTINEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. CARTER) is recognized for 5 minutes.

(Mr. CARTER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. WOLF) is recognized for 5 minutes.

(Mr. WOLF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

MOVING THE ECONOMY FORWARD

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the majority leader.

Mr. GARAMENDI. I doubt that we will be here for a full 60 minutes, but there are some things that we really do need to discuss, particularly following the previous speaker as he talked about the American Recovery Act and the things that have actually been done to really move the American economy forward.

One of those things was the stimulus bill, the American Recovery Act, that is now just about 13 months old. In

that American Recovery Act, there was a major element dealing with green technology, green jobs, which I think most Americans and most economists feel is where the future lies. We know we have an energy security issue. We know we import far more than we could possibly afford in foreign oil. We have to become energy independent. And in the American Recovery Act, there was an enormous advancement in research and in subsidies to encourage green technologies.

I would like now, with the permission of the Speaker, to enter into a colloquy with my colleague, and I would like to yield to our colleague from Maryland, (Mr. SARBANES).

Mr. SARBANES. I thank my colleague for yielding, and I appreciate him for convening this discussion this evening on jobs in general. And I would like to focus, as you mentioned, on green jobs in particular.

You mentioned the American Recovery and Reinvestment Act, which, when you look at it, was really the first major down payment and investment that we've had in this country really ever in this kind of green technology, which is going to jump, I believe, over time will jump the economy forward in a significant way.

One of the things all of the economists agree on is we're in a transitional phase. There are industries and jobs that once existed in plenty that are now going to be transitioned to a new place, and we have to create new economic frontiers and new space to create these new jobs. There is no better place to do that than with a green economy.

One of the things that excites me the most, I must tell you, is that I believe if we can get a new energy framework in place—and we certainly made our efforts here in the House to do that with the American Clean Energy and Security Act and other efforts that have been undertaken—if we create a new energy framework, new rules of the road for what investments in clean technology can mean, then what you're going to see is businesses all across this country, investors, are going to start putting their investments into clean technology.

□ 1745

Right now they are kind of hanging back a little bit because they don't know what the rules of the road are yet. They don't know how to measure that investment in a new technology in a renewable energy source, for example, against traditional investments. If we can get a framework in place for them, I think they will come and they will fill that space. So you will see entrepreneurs and businesspeople jumping into that space and creating these new clean technologies.

The other thing you will see—and all of this will result in job creation. The other thing you will see is ordinary citizens stepping into that space. One of the things I perceive, there is a

growing trend among our citizenry to become stakeholders in this green revolution, to take personal ownership of cleaning up the environment and thinking of things that they can do right at the household level, right there in their own homes, right there in their own neighborhoods.

One particular effort that I am very interested in, and I have introduced legislation to this effect, has to do with these programs called PACE programs. PACE is an acronym for Property Assessed Clean Energy program. What these are is a local municipality will decide to borrow funds and make those available to local homeowners so that those homeowners can borrow that money and then invest it in retrofitting their homes to make them more energy efficient. And there is actually legislation moving through the Congress right now that would create two new categories—Silver Star and Gold Star, under a Home Star umbrella—of energy efficiency to try to encourage people to achieve these high standards of green technology and energy efficiency in their own homes.

What the PACE programs do is make these loans available to a homeowner who can then take that, invest it in upgrading and retrofitting, you know, their HVAC system or whatever it may be, and then the repayment on that becomes part of the property tax payment over time, so it runs with the house. Then the next homeowner that comes in takes that obligation and continues to pay on the property tax.

The bill that I have introduced attempts, as many other initiatives do, to try to facilitate this more by making the bonds that can be issued by municipalities tax free. That makes them more attractive to investors, who will then begin to provide the capital for this kind of retrofitting, and they can turn around and make it available to homeowners. So it's a win/win.

Mr. GARAMENDI. If I might just interrupt you for a moment, Mr. SARBANES, this is actually happening, and your piece of legislation will expand what is taking place. I know that in California, the City of Berkeley put this program into effect about 2 years ago, but it was a real struggle for them to find a way in which they could sell the bonds. Now, your proposal would, as I understand it, provide a tax exempt municipal bond opportunity so investors would be willing to do this.

This is a very, very powerful thing in Berkeley, and a couple of other cities in California that have initiated this, they are putting solar panels on the roof that are good for 20, 30 years, and, as you say, you sell the home, the payment mechanism, the repayment mechanism then goes to the next buyer. This is really an excellent concept, and you are moving this thing one step forward.

Where is your bill right now? What is happening with it?

Mr. SARBANES. Well, we are gathering up cosponsorship for the bill. And

I appreciate your comments, because this is designed to kind of jump this movement forward.

There are communities in the municipalities across the country that have begun to put these PACE programs in place. Annapolis, Maryland, which I represent, is another one. And what we are trying to do is create a more inviting environment for these sorts of programs. This is just one example of how we can partner with good legislation and good initiatives and good leverage coming from the legislation here. We can partner with the citizenry out there in our communities to do the right thing and to get back to the jobs priority.

If we begin to get homeowners making these kinds of changes, that is going to have a tremendous positive impact on all of those businesses, a lot of them small businesses who are in a position to do this kind of retrofit.

Mr. GARAMENDI. Well, let me give you an example that I know in my own district, the East Bay, Contra Costa County and Alameda County. The community colleges are putting together educational programs for the men and women that will start their own businesses to do that retrofitting, to do the insulation, the caulking of the doors and windows. We need a million caulkers out there in order for our homes to be energy efficient, but they have to be trained. The installation of the solar panels, that's a kind of employment opportunity for small businesses to get up and get going, often in conjunction with the manufacturers.

So what you are doing with your legislation is to provide a foundation, a financial foundation, that the small businesses or that the homeowner would then take advantage of the loan and the small businesses would then have the opportunity to engage with the homeowner to do the work.

This is the kind of thinking that we are finding on the Democratic side of the aisle, how to leverage. And your piece of legislation, together with the educational programs that have also passed this House in the last several months, all come together to create jobs.

Mr. SARBANES. Let me give you another example, and I appreciate again your comments, because I think they are right on the mark. Let me give you another example of where the ordinary citizen can take ownership of the problem, can really become part of the solution to these issues and these challenges that we have.

I represent a lot of the area that, you know, thinks every day when we get up about the Chesapeake Bay, which is a national treasure. In fact, I think there are 41 or 42 Members of Congress who have districts that include tributaries that flow into the Chesapeake Bay watershed. So there are a lot of folks who have a stake in the health of the Chesapeake Bay.

One of the things we are wrestling with is storm water runoff. You know,

every time you see it rain, on the one hand you know it's making the flowers grow, and on the other hand you know that it's sweeping up a lot of oils and other toxins and putting those into the Chesapeake Bay, because we can do better in terms of the way we collect and disburse that rainwater so that it doesn't have such a negative impact on the bay.

I just did want to mention, one of our colleagues, DONNA EDWARDS, Congresswoman DONNA EDWARDS from Maryland, has introduced something called the Green Infrastructure for Clean Water Act. What this recognizes is that we need to really explore and develop technologies that can address this storm water runoff, and the term she is using for that is "green infrastructure."

This bill would create five centers of excellence across the country to begin to develop these technologies and help communities respond to this important challenge. Again, if you can help communities do this, ordinary citizens take ownership at that level of what's happening to the environment, in my case and DONNA's, what's happening to the Chesapeake Bay, they become a critical part of the solution and they generate an interest in new technologies, which, in turn, generates jobs. It is all a part of this kind of leading edge, using the environment as the leading edge of a new economy that can produce new jobs for future generations, and that's what's so exciting about this.

Mr. GARAMENDI. Your comment about Chesapeake Bay brought back memories. In the mid-1990s, I was Deputy Secretary at the Department of the Interior during the Clinton period, and during that time there was a major effort under way. What are we going to do about Chesapeake Bay? How do we save the bay because of the enormous decline in crab fishing and the shellfish and other very, very important environment, but also economic assets that were in Chesapeake Bay.

Now, you and your colleagues are carrying this thing a step forward using the programs to generate new ways of keeping water that flows in the bay, or cleaning water that flows into the bay. I want one of those centers of excellence in my district.

I represent the delta of California, the Sacramento-San Joaquin Delta, and this is an enormous environmental problem. The fish are declining, fisheries, invasive species. We know clearly that the contamination from various sources is a problem. So maybe we can get one of those centers of excellence in California also.

But what's at stake here is the knowledge necessary to solve our environmental problems and, simultaneously, from that knowledge will come the new technologies and the new jobs which will be useful, not only in Chesapeake Bay or the Sacramento-San Joaquin Delta, but we can then export that.

Mr. SARBANES. We are in a terrific place now where we have the opportunity not just to do the right thing for the environment but, at the same time, to create a tremendous number of jobs and economic opportunities for the workforce out there. It's a wonderful alignment, and it's one that we need to take advantage of with smart legislation.

Mr. GARAMENDI. Thank you. I was just thinking about the legislation that passed before I arrived here, the effort, it was called climate change legislation, but it was far more than that. It really dealt with national security. And that legislation is now over in the Senate and perhaps will become—will pass the Senate or we will have a conference committee to put it together.

But from that climate change legislation, it's really national security. And the discussion we were just having here on the national security side and about climate and about jobs, all of those things come together. If we are able to reduce our reliance on foreign oil, if we are able to transition to low-carbon fuel sources, whether they are solar or wind or wave or whatever, we will also enhance our national security.

I would like to take just a few seconds, actually a few minutes, talking about some of the other things that were in the American Recovery Act of last year.

There was a \$400 per person tax credit for men and women that were working so that they would have more purchasing power. That's \$800 for a family of two. There was the tax credit for colleges. And in the legislation that we just passed 2 days ago, along with the health care reform, there was an enormous expansion of the Pell Grants so that kids can go to college, so that they could get the education that they needed; for community colleges, an expansion for community college Pell Grants.

Again, changing the way in which we look at employment, employment is more than just a job. It's preparing for the next job. And in that corrections bill, sometimes called a reconciliation bill, that was accompanied with the health reform, we had the program to expand the support for men and women that wanted to go back to school and men and women that were in school. We also expanded, over time, the ability for those men and women to pay those loans back. Presently, it's 15 percent maximum for each year of employment when they are employed. We are going to reduce that to 10 percent so that they can spend their time acquiring a home, a wife, kids, a husband, and be able to continue to pay back the loans over a longer period of time. Very, very important, but unnoticed in the health care reform. But much noticed in the health care reform was the employment for the employers, the small business tax credit for those employers that continue to provide insurance for their employees.

I remember a phone call that I got from a radio station. A fellow phoned up and said, Well, how does this piece of legislation, the health care reform, help me? My wife and I are a small business. We have two employees: my wife, myself. What's it do for me?

And I was able to respond that when this bill becomes law—and it is now the law of the land. The President signed it yesterday. When it becomes law, it will do this for you. Thirty-five percent of the money you spent purchasing that insurance for you and your wife will be a tax credit. You will be able to deduct that from your taxes, literally reducing the cost of the health insurance by 35 percent. As you grow up to 100 employees in your business, you will continue to receive that tax credit for every insurance policy you buy for your employees.

In 2014, that tax credit goes to 50 percent, an incredible reduction in the cost of health insurance for small businesses all across America. And it goes into effect now, January 1, 2010, now that that bill has been signed. It is a very, very significant reduction in the cost of health insurance, allowing men, women who are in business, who have a small business, maybe it's a gardening business or a home care health business, to be able to continue to provide that insurance.

On another scale, I received a press release today from a group in the San Francisco Bay Area that points out that they are in strong support of what the President does.

□ 1800

This is 1,500 biotechnology businesses in the Bay Area that have banded together in an organization called Bay Bio. They said, this is a tremendous assistance to us.

Small businesses, which I just talked about the tax credit available to them, but also there are billions of dollars in this bill for research on pharmaceuticals, biological pharmaceuticals, enormous impetus for those businesses to produce the biological pharmaceuticals, the next generation of pharmaceuticals, drugs to help us in our health care when we become sick, all kinds of things, from diabetes to cancer treatment and everything in between.

The pharmaceutical industry in the biological area has an enormous push. They have 12 years to recoup their investment. It's given to them in the health care reform.

So when our colleagues over here on the Republican side say there's nothing in this, well, wait a minute. I've got 1,200 businesses in the biological communities in the Bay Area alone saying, this is a great inducement for us to produce new biologicals that will help people with their health care.

Also, in the fuel business, the same thing applies in the enormous effort that's under way to do biofuels. The incentives are built into, not just the health care bill, but also into the pre-

vious American Recovery Act to push along a whole new industry that will create an enormous number of jobs throughout the Nation.

So the health care bill is far more than just health insurance. It's also an inducement for businesses to invest and to create new businesses and new pharmaceuticals to keep us healthy and to repair our bodies when we become ill.

I want to talk just now a few moments about another aspect of the health care reform. We heard, before I took the microphone here, about the health care reform bill not being paid for. That's simply not true. The health reform is actually funded; it's funded in a variety of ways. But one of the most important ways is the considerable reduction in the cost of health care.

I had a gentleman come into my office earlier yesterday talking about, oh, my, in the health care reform bill there's an opportunity for us to engage in keeping people healthy. A major part of that health care reform is about keeping people healthy. It's wellness. It's prevention of medical illnesses. And he was looking at this and he said, here's an opportunity for me and my colleagues to expand our business. And he talked about a company that's coming to California that will take an idea about wellness. And this is specifically for the senior citizens, and it is specifically in the legislation. Wellness for Medicare.

He said, the bill allows us to change the way in which the Medicare services are provided. Instead of just fee-for-service, we can do capitation, and there's an incentive in there for us to keep people healthy.

The company operates out of Florida. They're now going to come to California. They're doing 50,000 seniors in Florida, proving that they can reduce the cost by 20 percent by keeping people healthy, keeping seniors from having to go to the hospital, having to go to the emergency room. They want to import it to California.

They're going to move it and ramp it up to 500,000 seniors in a wellness program, you know, everything, I suppose, from the food that's being served and the meals that the seniors prepare to, I suppose, exercise and yoga and other kinds of activities, again, emphasizing wellness rather than sickness.

Nobody talks about that from our Republican colleagues, but that's in the bill. And if that 20 percent reduction is available, we're talking about hundreds of billions of dollars over the years ahead. So there are many, many parts to the program.

I want to just conclude with discussing another part of the health care reform, and this is good for businesses, it's good for parents, it's good for children, and this is the insurance reform.

I was the insurance commissioner in California for 8 years, 1991–1995 and 2003–2007. And during my tenure, I

know the terrible things that the insurance companies were doing to their customers.

First of all, a person would buy a health insurance policy, they'd pay into it year after year after year, then they would get sick, probably a significant issue. Maybe they get diabetes or cancer, some other, maybe a heart illness; and it would get expensive and the insurance companies would go back, they would actually pay a bonus to their people to review those claims, go back to the original application that may have been made years before, and find an error, perhaps it was something as simple as having acne when they were teenagers, or an asthma attack at the age of three. They would then use that to cancel the policy, leaving the person high and dry, in deep financial trouble.

The health care reform law signed by the President yesterday says, no more, no more rescissions. Those days are over. The health insurance industry in this year will be prohibited from rescinding policies and dumping people after they become sick.

Now, for those that are already sick and don't have a health insurance policy, the legislation provides for people that are 50 to 65, who have a pre-existing condition, and this is the population that is literally unemployable because they're sick. They have some preexisting illness. And nobody, no employer up there would want to pick them up because they know that if they were to hire that person, the cost of health care for all of their employees would go up. So those people are left out.

But under the new law, there is a solution for them. It's a high-risk pool that starts immediately. It goes into place in the next 90 days. And those people, and there are millions that fall into this category, they will be able to get insurance. They will not have to face bankruptcy. They will be able to be employable.

This is an enormously important thing, and I've seen this in my days as insurance commissioner. We didn't have the ability to deal with this except in a very narrow way in California, with what we call the high-risk medical insurance program. But now, with the Federal Government assistance, people will be able to get insurance.

The same thing for young children. Infants, the day they're born, they come up with some serious illness. Let's say it's a heart issue. That child cannot be insured under the old program. But now that the President has used his left hand to sign the legislation, we now know that those children, from the day they are born until they are 26, will be able to get insurance and their parents will be able to insure not only themselves, but also their child.

The day I was sworn in, 2 days after I was sworn in, I stood here on the floor and I spoke about the health care reform that I voted on on November 6.

And I spoke about a dear friend of mine whose child was born with a kidney ailment. He and his wife struggled for years to find the money to pay for the insurance. Their insurance was canceled. They had it when the child was born, but their insurance was canceled by the insurance company because the kid had a very serious kidney problem.

With the new law in place, the hardship that that family has gone through for now 20 years is over. The insurance policy that they had the day the child was born cannot be canceled. And so for that family and millions of families like that, the insurance reform provides an immediate benefit.

And for all of the men and women out there and the mothers and fathers that have a kid that is approaching the age of 23, and about to be thrown off the families insurance policy, know this: with the bill that was signed yesterday, and in 6 months, that child, young adult will be able to stay on the family's health insurance policy until the age of 26.

And I cannot even begin to count the number of calls that I've had, and emails I've had saying, oh, thank God. I know, as a parent, that my child will continue to have health insurance at least until they're 26. And then at that time, 2014, the rest of the program kicks into place.

Final point is this, and that is, pre-existing conditions for all of us. At the end of this year, those preexisting conditions will no longer be the case.

Final point, and then I'm going to close, long before my hour is over. And my final point is this: this legislation is fully paid for. Part of the pay, part of the money to pay for this is an obscene bonus that the insurance companies were granted 6 years ago, and that is known as the Medicare Advantage bonus. The average cost of providing Medicare insurance was calculated, and the insurance companies were given a 15 percent bonus to do what they should have been able to do without any additional money. We're going to end that bonus. We're going to take that money and plow it back into the Medicare program.

And the Medicare program, by law, no benefit reductions. That's what the law says. I hear a lot of other talk out there and a lot of scare tactics, but the fact is that the Medicare Advantage program will continue, but the bonus that was given to the insurance companies, an unnecessary multi-billion dollar bonus, is going to end and the money will be put back into the basic Medicare program so that the financial solvency of the Medicare program will be extended 9 years.

Now, that's important to everybody that is approaching Medicare and is in Medicare today. So people are going to continue to want to live to get into Medicare. That's what's out ahead for the Medicare recipients.

And I talked about the wellness program earlier.

Final point is this: on the financial side of the health care reform, the def-

icit of the United States Government in the years 2010 to 2020 will be reduced by \$132 billion. That's in the first 10 years. So that is a reduction in the deficit. It comes about by reducing the amount of money that will have to be spent by the government on health care as a result of all of these reforms that are in the bill, some of which I've talked about tonight.

In the next 10 years, 2020 until 2030, the deficit will be reduced by \$1.3 trillion, an enormous amount of money. So whatever the discussion you've heard out there in public, and all of the mischaracterizations of this bill that have been going on for months and, indeed, almost a year now, the facts are the deficit will be reduced, the program is fully funded, and it provides very, very necessary benefits immediately to small businesses with a tax credit to help pay for their insurance; for individuals, ending the insurance discrimination; and for seniors, a major new effort to keep you healthy so that you can enjoy life more, and the cost of the Medicare programs will be reduced.

With that, Madam Speaker, I yield back and thank people for the opportunity to explain a very, very important part of the new America that we will have in the years ahead.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. MALONEY (at the request of Mr. HOYER) for today after 2 p.m. on account of a death in the family.

Ms. GINNY BROWN-WAITE of Florida (at the request of Mr. BOEHNER) for today before 3 p.m. on account of family reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SARBANES) to revise and extend their remarks and include extraneous material:)

Ms. SUTTON, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. POLIS, for 5 minutes, today.

(The following Members (at the request of Mr. MORAN of Kansas) to revise and extend their remarks and include extraneous material:)

Mr. CARTER, for 5 minutes, today and March 25.

Mr. WOLF, for 5 minutes, today and March 25 and 26.

Mr. FRANKS of Arizona, for 5 minutes, March 26.

BILL PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on March 22, 2010

she presented to the President of the United States, for his approval, the following bill.

H.R. 3590. To amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 6 o'clock and 14 minutes p.m.), the House adjourned until tomorrow, Thursday, March 25, 2010, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

6759. A letter from the Director, Department of Defense, transmitting the Department's twentieth annual report for the Pentagon Renovation and Construction Program Office (PENREN) to the Committee on Armed Services.

6760. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; Occupant Crash Protection [Docket No.: NHTSA-2009-0156] (RIN: 2127-AK57) received March 4, 2010 to the Committee on Energy and Commerce.

6761. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Requirements and Procedures for Consumer Assistance To Recycle and Save Program [Docket No.: NHTSA-2009-0120; Notice 2] (RIN: 2127-AK67) received March 4, 2010 to the Committee on Energy and Commerce.

6762. A letter from the Secretary, Department of the Treasury, transmitting the semiannual report detailing payments made to Cuba as a result of the provision of telecommunications services pursuant to Department of the Treasury specific licenses as required by section 1705(e)(6) of the Cuban Democracy Act of 1992, as amended by Section 102(g) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996, 22 U.S.C. 6004(e)(6), and pursuant to Executive Order 13313 of July 31, 2003 to the Committee on Foreign Affairs.

6763. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-020 Certification of proposed issuance of an export license, pursuant to sections 36(c) and 36(d) of the Arms Export Control Act to the Committee on Foreign Affairs.

6764. A letter from the Chief Human Capital Officer, Corporation for National and Community Service, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998 to the Committee on Oversight and Government Reform.

6765. A letter from the Chief Human Capital Officer, Corporation for National and Community Service, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998 to the Committee on Oversight and Government Reform.

6766. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998 to the Committee on Oversight and Government Reform.

6767. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998 to the Committee on Oversight and Government Reform.

6768. A letter from the Associate General Counsel for General Law, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998 to the Committee on Oversight and Government Reform.

6769. A letter from the Assistant Director, Executive & Political Personnel, Department of the Air Force, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998 to the Committee on Oversight and Government Reform.

6770. A letter from the Assistant Director, Executive & Political Personnel, Department of the Air Force, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998 to the Committee on Oversight and Government Reform.

6771. A letter from the Assistant Director, Executive & Political Personnel, Department of the Army, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998 to the Committee on Oversight and Government Reform.

6772. A letter from the Assistant Director, Executive & Political Personnel, Department of the Army, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998 to the Committee on Oversight and Government Reform.

6773. A letter from the Assistant Director, Executive & Political Personnel, Department of the Army, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998 to the Committee on Oversight and Government Reform.

6774. A letter from the Assistant Director, Executive & Political Personnel, Department of the Army, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998 to the Committee on Oversight and Government Reform.

6775. A letter from the Assistant Director, Executive & Political Personnel, Department of the Army, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998 to the Committee on Oversight and Government Reform.

6776. A letter from the Assistant Director, Executive & Political Personnel, Department of the Navy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998 to the Committee on Oversight and Government Reform.

6777. A letter from the Assistant Director, Executive & Political Personnel, Department of the Navy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998 to the Committee on Oversight and Government Reform.

6778. A letter from the General Counsel, Institute of Museum and Library Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998 to the Committee on Oversight and Government Reform.

6779. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Civil Penalties [Docket No.: NHTSA-2009-0066; Notice 2] (RIN: 2127-AK40) received March 4, 2010 to the Committee on Transportation and Infrastructure.

6780. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30708; Amdt. No. 3359] received March 4, 2010 to the Committee on Transportation and Infrastructure.

6781. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Revocation of Class E Airspace; Hinesville, GA [Docket No.: FAA-2009-0960; Airspace Docket No. 09-ASO-29] received March 4, 2010 to the Committee on Transportation and Infrastructure.

6782. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A310-221, -222, -322, -324, and -325 Airplanes, and Model A300 B4-620, B4-622, B4-622R, and F4-622R Airplanes, Equipped with Pratt & Whitney PW4000 or JT9D-7R4 Series Airplanes [Docket No.: FAA-2009-0613; Directorate Identifier 2009-NM-013-AD; Amendment 39-16195; AD 2010-04-02] (RIN: 2120-AA64) received March 4, 2010 to the Committee on Transportation and Infrastructure.

6783. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault-Aviation Model Falcon 900EX Airplanes [Docket No.: FAA-2009-0994; Directorate Identifier 2009-NM-108-AD; Amendment 39-16194; AD 2010-04-01] (RIN: 2120-AA64) received March 4, 2010 to the Committee on Transportation and Infrastructure.

6784. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca Arriel 2S1 Turboshaft Engines [Docket No.: FAA-2009-0568; Directorate Identifier 2009-NE-20-AD; Amendment 39-16200; AD 2010-04-07] (RIN: 2120-AA64) received March 4, 2010 to the Committee on Transportation and Infrastructure.

6785. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A310 Series Airplanes [Docket No.: FAA-2009-0717; Directorate Identifier 2009-NM-002-AD; Amendment 39-16196; AD 2010-04-03] (RIN: 2120-AA64) received March 4, 2010 to the Committee on Transportation and Infrastructure.

6786. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; SICLI Halon 1211 Portable Fire Extinguishers as Installed on Various Airplanes and Rotocraft [Docket No.: FAA-2010-0126; Directorate Identifier 2010-NM-015-AD; Amendment 39-16029; AD 2010-04-16] (RIN: 2120-AA64) received March 4, 2010 to the Committee on Transportation and Infrastructure.

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:

Ms. SLAUGHTER: Committee on Rules. House Resolution 1212. Resolution providing for consideration of the Senate amendments to the bill (H.R. 1586) to impose an additional tax on bonuses received from certain TARP recipients, and for other purposes (Rept. 111-456). Referred to the House Calendar.

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. MACK:

H.R. 4919. A bill to repeal the Patient Protection and Affordable Care Act; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and Labor, the Judiciary, Natural Resources, House Administration, Appropriations, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUSH:

H.R. 4920. A bill to create and encourage the creation of jobs for youth, and for other purposes; to the Committee on Education and Labor, and in addition to the Committees on Ways and Means, Natural Resources, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MINNICK (for himself, Ms. HERSETH SANDLIN, Mr. MATHESON, Mr. SHULER, Mr. BOYD, Mr. TANNER, Mr. ROSS, Mr. CARDOZA, Mr. COOPER, Ms. MARKEY of Colorado, Mr. CHILDERS, Mr. POMEROY, Mr. COSTA, Mr. BOREN, Mr. BARROW, Mr. BRIGHT, Ms. GIFFORDS, Mr. DAVIS of Tennessee, Mr. KRATOVIK, Mr. MURPHY of New York, Mr. NYE, Mr. BACA, Mr. PETERSON, Mr. BISHOP of Georgia, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. SCHRADER, Mr. CUELLAR, Mr. MCINTYRE, and Mr. PETERS):

H.R. 4921. A bill to establish procedures for the expedited consideration by Congress of certain proposals by the President to rescind amounts of budget authority; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCGOVERN (for himself, Mr. FRANK of Massachusetts, Mr. KENNEDY, and Mr. LANGEVIN):

H.R. 4922. A bill to amend the Energy Policy Act of 2005 to repeal a section of that Act relating to exportation or importation of natural gas; to the Committee on Energy and Commerce.

By Mr. HEINRICH:

H.R. 4923. A bill to amend title 10, United States Code, to extend TRICARE coverage to certain dependents under the age of 26; to the Committee on Armed Services.

By Mrs. BACHMANN:

H.R. 4924. A bill to allow the Secretary of the Interior to clear a proposed project in the Lower St. Croix Wild and Scenic River, and for other purposes; to the Committee on Natural Resources.

By Ms. BALDWIN (for herself, Mrs. CAPITO, Ms. WASSERMAN SCHULTZ, Mrs. CAPPAS, and Ms. LINDA T. SÁNCHEZ of California):

H.R. 4925. A bill to authorize grants to promote media literacy and youth empowerment programs, to authorize research on the role and impact of depictions of girls and women in the media, to provide for the establishment of a National Task Force on Girls and Women in the Media, and for other purposes; to the Committee on Energy and Commerce.

By Ms. BALDWIN (for herself, Mr. EDWARDS of Texas, Mr. POLIS of Colorado, Mr. SARBANES, and Mr. JOHNSON of Georgia):

H.R. 4926. A bill to provide for the coverage of medically necessary food under Federal health programs and private health insurance; to the Committee on Energy and Commerce, and in addition to the Committees on

Ways and Means, Education and Labor, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIS of Tennessee (for himself and Mrs. BLACKBURN):

H.R. 4927. A bill to amend subtitle IV of title 40, United States Code, regarding county additions to the Appalachian region; to the Committee on Transportation and Infrastructure.

By Mr. GUTIERREZ:

H.R. 4928. A bill to amend the Federal Deposit Insurance Act to permanently extend the Transaction Amount Guarantee Program; to the Committee on Financial Services.

By Mr. RUSH:

H.R. 4929. A bill to amend the Small Business Act to ensure that certain Federal contracts are set aside for small businesses, to enhance services to small businesses that are disadvantaged, and for other purposes; to the Committee on Small Business, and in addition to the Committees on Financial Services, Oversight and Government Reform, and 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. HELLER:

H.R. 4930. A bill to amend the Internal Revenue Code of 1986 to provide a partial exclusion from gross income of gain from the sale of non-principal residences; to the Committee on Ways and Means.

By Mr. KLEIN of Florida:

H.R. 4931. A bill to amend the Congressional Budget Act of 1974 to require that the concurrent resolution on the budget for fiscal year 2012 include a benchmark plan to eliminate the budget deficit by fiscal year 2020 and that subsequent resolutions adhere to that plan; to the Committee on Rules, 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. KRATOVIK:

H.R. 4932. A bill to waive temporarily the matching amount requirement with respect to section 21 of the Small Business Act, and for other purposes; to the Committee on Small Business.

By Ms. LEE of California:

H.R. 4933. A bill to establish a strategy to coordinate all health-related United States foreign assistance, to assist developing countries in improving delivery of health services, and to establish an initiative to assist developing countries in strengthening their indigenous health workforces, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POSEY (for himself, Mr. PRICE of Georgia, Mr. HENSARLING, Mr. SOUDER, Mr. BURTON of Indiana, Mr. WESTMORELAND, Mr. POE of Texas, Mrs. BACHMANN, Mr. PITTS, Mr. BARTLETT, Mr. GOHMERT, Mr. GRIFFITH, Mr. BROUN of Georgia, Mr. BONNER, Mr. PAUL, Mr. KINGSTON, Mr. LAMBORN, and Mr. AKIN):

H.R. 4934. A bill to prohibit the enforcement of a climate change interpretive guidance issued by the Securities and Exchange Commission, and for other purposes; to the Committee on Financial Services.

By Mr. TIAHRT:

H.R. 4935. A bill to allow regional directors of the Federal Emergency Management Agency to extend temporarily the Provisional Accredited Levee period if a good faith effort to upgrade a levee to the accredited level is being made; to the Committee on Financial Services.

By Ms. TSONGAS:

H.R. 4936. A bill to amend the Expedited Funds Availability Act, to adjust dollar limits on check hold policies, and for other purposes; to the Committee on Financial Services.

By Ms. TSONGAS (for herself and Mr. PETRI):

H.R. 4937. A bill to modify certain requirements for countable resources and income under the Supplemental Security Income program, and for other purposes; to the Committee on Ways and Means.

By Mr. PERLMUTTER:

H. Con. Res. 257. Concurrent resolution providing for an adjournment or recess of the two Houses; considered and agreed to. considered and agreed to.

By Ms. FUDGE (for herself and Mr. EHLERS):

H. Res. 1213. A resolution recognizing the need to improve the participation and performance of America's students in Science, Technology, Engineering, and Mathematics (STEM) fields, supporting the ideals of National Lab Day, and for other purposes; to the Committee on Science and Technology.

By Mr. CARSON of Indiana (for himself and Mr. CONYERS):

H. Res. 1214. A resolution recognizing and commending Viola Liuzzo for her extraordinary courage and for her contribution to the United States; to the Committee on the Judiciary.

By Mr. CROWLEY (for himself and Mr. ROYCE):

H. Res. 1215. A resolution expressing support for Bangladesh's return to democracy; to the Committee on Foreign Affairs.

By Mr. LIPINSKI (for himself and Mr. FORTENBERRY):

H. Res. 1216. A resolution congratulating Reverend Daniel P. Coughlin on his tenth year of service as Chaplain of the House of Representatives; to the Committee on House Administration.

By Mr. OWENS:

H. Res. 1217. A resolution honoring Fort Drum's soldiers of the 10th Mountain Division for their past and continuing contributions to the security of the United States; to the Committee on Armed Services.

By Mr. TAYLOR (for himself, Mr. CHILDERS, Mr. HARPER, and Mr. THOMPSON of Mississippi):

H. Res. 1218. A resolution recognizing the University of Southern Mississippi for 100 years of service and excellence in higher education; to the Committee on Education and Labor.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

249. The SPEAKER presented a memorial of the Senate of the State of New Mexico, relative to Senate Joint Memorial 51 urging the Congress of the United States to support the preservation of the Navajo Code Talkers' remarkable legacy; jointly to the Committees on Armed Services and Veterans' Affairs.

ADDITIONAL SPONSORS

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

- H.R. 40: Mr. DAVIS of Illinois and Ms. WATSON.
 H.R. 211: Mr. ACKERMAN.
 H.R. 303: Mr. SIMPSON and Mr. HUNTER.
 H.R. 745: Mr. KISSELL.
 H.R. 767: Mr. REYES.
 H.R. 810: Mr. ROSS.
 H.R. 811: Mr. MICHAUD.
 H.R. 892: Mr. FORBES.
 H.R. 927: Mr. OWENS.
 H.R. 950: Mr. REYES, Mr. RODRIGUEZ, Mr. COHEN, and Ms. CLARKE.
 H.R. 1157: Mr. ANDREWS.
 H.R. 1177: Mr. ADERHOLT, Mr. ALEXANDER, Mr. BILBRAY, Mr. BILIRAKIS, Mr. BLUNT, Mr. BROWN of South Carolina, Mrs. CAPITO, Mr. CASTLE, Mr. DENT, Mr. EHLERS, Mr. THORNBERRY, Mr. YOUNG of Florida, Mr. GERLACH, Mr. GOHMERT, Mr. GOODLATTE, Mr. KING of Iowa, Mr. LATOURETTE, Mr. MANZULLO, Mr. MARCHANT, Mr. MCHENRY, Mr. MILLER of Florida, Mr. POE of Texas, Mr. PRICE of Georgia, Mr. REHBERG, Mr. REICHERT, Mr. ROSKAM, and Mr. SESSIONS.
 H.R. 1199: Mr. FORBES.
 H.R. 1343: Mr. CALVERT.
 H.R. 1552: Mr. SPACE.
 H.R. 1625: Mr. TERRY, Mr. POSEY, Ms. HERSETH SANDLIN, and Mr. ANDREWS.
 H.R. 1646: Mr. COBLE.
 H.R. 1722: Mr. CUMMINGS and Ms. NORTON.
 H.R. 1884: Mr. ROGERS of Michigan, Mr. BILBRAY, Mr. DEFazio, Mr. AKIN, Mr. EHLERS, Mr. WAMP, Mr. BISHOP of Utah, Mr. SCHAUER, Mrs. McMORRIS RODGERS, Mr. YARMUTH, Mr. PASTOR of Arizona, and Mrs. BONO MACK.
 H.R. 1990: Mr. STEARNS.
 H.R. 2067: Mr. LARSON of Connecticut and Mr. CONYERS.
 H.R. 2110: Mr. DUNCAN.
 H.R. 2305: Mr. JONES.
 H.R. 2324: Mr. DAVIS of Illinois.
 H.R. 2455: Mr. KISSELL.
 H.R. 2478: Mr. TONKO.
 H.R. 2568: Mrs. MALONEY.
 H.R. 3186: Mr. CASTLE.
 H.R. 3308: Mr. DENT.
 H.R. 3339: Mr. HELLER.
 H.R. 3406: Mr. CHAFFETZ, Mr. PLATTS, and Mr. PAUL.
 H.R. 3415: Mr. LUJÁN, Mr. HARE, and Mrs. EMERSON.
 H.R. 3484: Mr. FILNER.
 H.R. 3578: Mr. COHEN and Mr. LOBIONDO.
 H.R. 3636: Ms. WATERS.
 H.R. 3655: Mr. BUTTERFIELD.
 H.R. 3668: Ms. SCHWARTZ, Mr. HOLDEN, Mr. PASTOR of Arizona, Mr. MURPHY of Connecticut, Mr. GRAVES, Mr. HARE, and Mrs. DAVIS of California.
 H.R. 3720: Mr. GUTHRIE.
 H.R. 3745: Mr. DELAHUNT.
 H.R. 3995: Mr. KAGEN.
 H.R. 4000: Ms. CASTOR of Florida and Mr. BUTTERFIELD.
 H.R. 4014: Ms. SPEIER and Ms. RICHARDSON.
 H.R. 4021: Mr. SCHOCK.
 H.R. 4036: Mr. RUSH.
 H.R. 4053: Ms. SCHAKOWSKY.
 H.R. 4128: Mr. ROYCE.
 H.R. 4224: Mr. GUTIERREZ, Mr. SERRANO, and Mr. PIERLUISI.
 H.R. 4278: Mr. HIGGINS.
 H.R. 4296: Mr. BISHOP of New York.
 H.R. 4302: Mr. RUPPERSBERGER and Mr. GARAMENDI.
 H.R. 4530: Mr. NEAL of Massachusetts.
 H.R. 4616: Mr. SERRANO.
 H.R. 4647: Mr. BACA and Ms. TITUS.
 H.R. 4677: Ms. WOOLSEY.
 H.R. 4678: Mr. JACKSON of Illinois and Mr. ELLISON.
 H.R. 4684: Mr. LARSON of Connecticut, Mr. BISHOP of Georgia, Mr. CARNEY, and Mr. DENT.
 H.R. 4703: Mr. CALVERT.
 H.R. 4800: Ms. CLARKE and Mr. GRIJALVA.
 H.R. 4803: Mr. KINGSTON and Mr. YOUNG of Alaska.
 H.R. 4807: Mr. McMAHON.
 H.R. 4812: Mr. PAYNE, Mr. RYAN of Ohio, Mr. BACA, Mr. PALLONE, Mr. NADLER of New York, Ms. HIRONO, Mr. HALL of New York, Mr. MORAN of Virginia, Mr. PASTOR of Arizona, Mr. SERRANO, Mrs. MALONEY, and Ms. VELÁZQUEZ.
 H.R. 4815: Mr. BOYD and Mr. SCHRADER.
 H.R. 4850: Mr. DINGELL, Mr. SCHAUER, Mr. ARCURI, Ms. SUTTON, and Mr. ISRAEL.
 H.R. 4870: Mr. BRADY of Pennsylvania.
 H.R. 4886: Mr. ROHRBACHER and Mr. CROWLEY.
 H.R. 4896: Mr. POE of Texas and Mr. TIAHRT.
 H.R. 4901: Mr. JONES.
 H.R. 4903: Mr. WAMP, Mr. PENCE, Mr. GRIF-FITH, and Mr. BARRETT of South Carolina.
 H.R. 4904: Mr. GOODLATTE, Mr. GARY G. MILLER of California, Ms. JENKINS, Mr. LAMBORN, Mr. MCCAUL, Mr. HENSARLING, Mr. PENCE, Mrs. BACHMANN, Mr. PITTS, Mr. OLSON, Mr. FLEMING, Mr. BARTLETT, Mr. GRIFFITH, Mr. BONNER, Mr. CAMPBELL, Mr. BROUN of Georgia, Ms. FALLIN, Mr. POSEY, Mr. WESTMORELAND, Mrs. LUMMIS, Mr. AKIN, Mr. NEUGEBAUER, Mr. PRICE of Georgia, and Mr. ISSA.
 H.R. 4910: Mr. TIAHRT, Mr. KINGSTON, Mr. WILSON of South Carolina, Mrs. BACHMANN, Mr. SOUDER, and Mr. HALL of Texas.
 H.R. 4914: Mr. DELAHUNT.
 H.J. Res. 1: Mr. DANIEL E. LUNGREN of California.
 H. Con. Res. 49: Mr. SCHAUER, Ms. KOSMAS, and Mr. MEEKS of New York.
 H. Con. Res. 128: Mr. COHEN, Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. RICHARDSON.
 H. Con. Res. 252: Mr. LIPINSKI.
 H. Res. 173: Ms. KILROY, Mr. HOLT, Mr. BACA, Ms. CHU, Mr. LOBIONDO, Mrs. EMERSON, Mr. BRADY of Pennsylvania, Mr. SCHIFF, Ms. BERKLEY, Ms. LORETTA SANCHEZ of California, Mr. MICHAUD, and Mrs. DAVIS of California.
 H. Res. 213: Ms. SUTTON and Ms. HARMAN.
 H. Res. 704: Mr. REHBERG, Mr. CARNAHAN, and Mr. LATTA.
 H. Res. 763: Mr. COBLE.
 H. Res. 855: Mr. LAMBORN, Mr. TIAHRT, and Ms. BORDALLO.
 H. Res. 857: Mr. FILNER.
 H. Res. 870: Mr. ADERHOLT.
 H. Res. 874: Mr. SCHOCK.
 H. Res. 992: Mrs. MYRICK, Mr. ISSA, and Mr. POSEY.
 H. Res. 996: Ms. MATSUI, Ms. BALDWIN, Mr. CARSON of Indiana, Mr. THOMPSON of Mississippi, Mr. KILDEE, Mr. LOEBSACK, Mr. SCOTT of Georgia, Ms. TITUS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JACKSON of Illinois, Mr. WATT, and Ms. KILROY.
 H. Res. 1060: Mr. CALVERT.
 H. Res. 1094: Mr. MEEK of Florida.
 H. Res. 1132: Mr. SKELTON, Mr. ORTIZ, Mr. ANDREWS, Mr. MURPHY of New York, Mr. BOCCIERI, Mr. CONNOLLY of Virginia, Mr. DRIEHAUS, Ms. FUDGE, Ms. MARKEY of Colorado, Mr. McMAHON, Mr. PIERLUISI, Mr. POLIS of Colorado, Mr. SCHRADER, Mr. TONKO, Mr. HOLDEN, Mr. WILSON of Ohio, Mr. DAVIS of Tennessee, Mr. OWENS, Mr. SABLAN, Mr. SNYDER, Mr. MAFFEI, Mr. PERRIELLO, Mr. PETERS, Mr. SCHAUER, Mr. MATHESON, Ms. BALDWIN, Mr. McNERNEY, Mr. CHANDLER, Mr. MELANCON, Mr. SCOTT of Virginia, and Mr. HALL of New York.
 H. Res. 1171: Mr. ROTHMAN of New Jersey and Mr. TIM MURPHY of Pennsylvania.
 H. Res. 1175: Mr. CARTER, Mr. JORDAN of Ohio, Mr. KINGSTON, and Mr. BISHOP of Georgia.
 H. Res. 1187: Mr. DOGGETT, Mr. FARR, Ms. RICHARDSON, and Mr. TOWNS.
 H. Res. 1188: Mr. REICHERT.
 H. Res. 1209: Mrs. McMORRIS RODGERS and Mr. INGLIS.
 H. Res. 1211: Mr. RYAN of Ohio, Mr. WALZ, Ms. BORDALLO, and Mr. CLAY.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

- H.R. 1255: Mr. MORAN of Kansas.
 H. Res. 648: Ms. LINDA T. SANCHEZ of California.