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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 9, 2011.

I hereby appoint the Honorable VIRGINIA FOXX to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

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

Of late, signs of spring speak of new life, O Lord. May the first gasps of freedom stabilize the Earth with fresh beauty. May heroic hearts of leadership the world over burst forth with psalms of thanksgiving for Your saving grace and goodness.

Hopefully, Lord, our spring fasting and renewal in prayer will peel away illusions for the Nation and personal self-deception. May rage, violence and anger be drowned out by gentle rains as, with common endeavor, we work for the uprooting of weeds and the planting of new seed.

Let destructive forces be silenced by constructive ideas and collaborative efforts. By Your Spirit, Lord, renew the face of the Earth.

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.

Mr. WOMACK. Madam Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

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

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

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

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

Mr. WOMACK 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.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 23. An act to amend title 35, United States Code, to provide for patent reform.

The message also announced that pursuant to Public Law 85–874, as amended, the Chair, on behalf of the President of the Senate, reappoints the following individuals to the Board of Trustees of the John F. Kennedy Center for the Performing Arts:

The Senator from North Dakota (Mr. CONRAD).

The Senator from California (Mrs. FEINSTEIN).

The message also announced that pursuant to Public Law 106–567, the Chair, on behalf of the majority leader, reappoints, the following individual to serve as a member of the Public Interest Declassification Board:

Sanford Ungar of Maryland.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. After consultation among the Speaker and the majority and minority leaders, and with their consent, the Chair announces that, when the two Houses meet in joint meeting to hear an address by The Honorable Julia Gillard, Prime Minister of Australia, only the doors immediately opposite the Speaker and those immediately to his left and right will be open.

No one will be allowed on the floor of the House who does not have the privilege of the floor of the House. Due to the large attendance that is anticipated, the rule regarding the privilege of the floor must be strictly enforced. Children of Members will not be permitted on the floor. The cooperation of all Members is requested.

The practice of reserving seats prior to the joint meeting by placard will not be allowed. Members may reserve their seats by physical presence only following the security sweep of the Chamber.

RECESS

The SPEAKER pro tempore. Pursuant to the order of the House of Monday, February 28, 2011, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 4 minutes a.m.), the House stood in recess subject to the call of the Chair.

During the recess, beginning at 10:50 a.m., the following proceedings were had:

JOINT MEETING TO HEAR AN ADDRESS BY THE HONORABLE JULIA GILLARD, PRIME MINISTER OF AUSTRALIA

The Speaker of the House presided.

The Deputy Sergeant at Arms, Mrs. Kerri Hanley, announced the President pro tempore and Members of the U.S. Senate, who entered the Hall of the House of Representatives, the President pro tempore taking the chair at the left of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to escort The Honorable Julia Gillard, Prime Minister of Australia, into the Chamber:

The gentleman from Virginia (Mr. CANTOR);

The gentleman from California (Mr. MCCARTHY);

The gentleman from Texas (Mr. HENSARLING);

The gentleman from California (Mr. DREIER);

The gentlewoman from Florida (Ms. ROS-LEHTINEN);

The gentleman from California (Mr. MCKEON);

The gentleman from Michigan (Mr. CAMP);

The gentleman from Texas (Mr. BRADY);

The gentleman from Illinois (Mr. MANZULLO);

The gentlewoman from California (Ms. PELOSI);

The gentleman from Maryland (Mr. HOYER);

The gentleman from South Carolina (Mr. CLYBURN);

The gentleman from Connecticut (Mr. LARSON);

The gentleman from California (Mr. BECERRA);

The gentleman from California (Mr. BERMAN);

The gentleman from American Samoa (Mr. FALEOMAVAEGA);

The gentlewoman from New York (Mrs. LOWEY); and

The gentleman from New York (Mr. CROWLEY).

The PRESIDENT pro tempore. The President pro tempore of the Senate, at the direction of that body, appoints the following Senators as members of the committee on the part of the Senate to escort The Honorable Julia Gillard, Prime Minister of Australia, into the House Chamber:

The Senator from Nevada (Mr. REID);

The Senator from Illinois (Mr. DURBIN);

The Senator from Massachusetts (Mr. KERRY);

The Senator from California (Mrs. BOXER);

The Senator from Kentucky (Mr. MCCONNELL);

The Senator from Tennessee (Mr. ALEXANDER);

The Senator from Wyoming (Mr. BARRASSO); and

The Senator from Indiana (Mr. LUGAR).

The Deputy Sergeant at Arms announced the Acting Dean of the Diplomatic Corps, Her Excellency Heng Chee Chan, Ambassador of the Republic of Singapore.

The Acting Dean of the Diplomatic Corps entered the Hall of the House of Representatives and took the seat reserved for her.

At 11 o'clock and 5 minutes a.m., the Deputy Sergeant at Arms announced The Honorable Julia Gillard, Prime Minister of Australia.

The Prime Minister of Australia, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk.

(Applause, the Members rising.)

The SPEAKER. Members of Congress, I have the high privilege and the distinct honor of presenting to you The Honorable Julia Gillard, Prime Minister of Australia.

(Applause, the Members rising.)

Prime Minister GILLARD. Mr. Speaker, Mr. President Pro Tempore, distinguished Members of the Senate and the House, distinguished guests, ladies and gentlemen, I am the fourth Australian Prime Minister to address you. Like them, I take your invitation as a great honor. Like them, I accept it on behalf of Australia.

Since 1950, Australian Prime Ministers Robert Menzies, Bob Hawke and John Howard have come here, speaking for all the Australian people, through you, to all the people of the United States. They each came with a simple message, a message which has been true in war and peace, a message which has been true in hardship and prosperity, in the Cold War and in the new world, a message I repeat to you today:

Distinguished Members of the Senate and the House, you have a true friend down under.

For my parents' generation, the defining image of America was the landing at Normandy . . . your ''boys of Point-du-Hoc'' risking everything to help free the world. For my own generation, the defining image of America was the landing on the Moon. My classmates and I were sent home from school to watch the great moment on television. I'll always remember thinking that day:

Americans can do anything.

Americans helped free the world of my parents' generation. Americans inspired the world of my own youth.

I stand here, and I see before me the very same brave and free people. I believe you can do anything still. There is a reason the world always looks to America: Your great dream—life, liberty and the pursuit of happiness—inspires us all.

Those of you who have spent time with Australians know that we are not given to overstatement. By nature, we are laconic speakers, and by conviction, we are realistic thinkers. In both of our countries, real mates talk straight. We mean what we say, so let me say this to you:

You have an ally in Australia—an ally for war and peace, an ally for hardship and prosperity, an ally for the 60 years past—and Australia is also an ally for all of the years to come. Geography and history alone could never explain the strength of the commitment between us. Rather, our values are shared and our people are friends.

This is the heart of our alliance.

This is why in our darkest days we have been glad, glad to see each other's face and hear each other's voice. Australia's darkest days in the last century followed the fall of Singapore in 1942.

And you were there with us.

Under attack in the Pacific, we fought together.

side by side . . . step by bloody step.

And whilst it was Australian soldiers at Milne Bay who gave the allies our first victory on land in the Pacific War, it was American sailors at the Battle of the Coral Sea who destroyed the fear of an invasion of Australia.

Distinguished Members of the Senate and the House, Australia does not forget. We will never forget.

The ultimate expression of our alliance, the ANZUS Treaty, was not signed until 1951, but it was anticipated a decade earlier in the judgments—the clear, frank and accurate judgments—of an Australian Prime Minister; and in the resolve—the extraordinary, immovable resolve—of an American President. In the decades since, we have stuck together in every major conflict—from Korea and Vietnam to the conflicts in the Gulf.

Your darkest days since Pearl Harbor were 10 years ago in Washington and New York.

And we were with you.

My predecessor John Howard was quite literally with you, and he came to this Capitol when you met on September 12 to show you that Australians would be with you again; and after 50 years, under a new Prime Minister and a new President, the ANZUS Treaty was invoked.

Within Australia's democracy, John Howard and I had our differences, but he was and is an Australian patriot, a man who was moved by what he saw here in that terrible September. He was and is a friend of America. When John Howard addressed you here in 2002, we were already with you in Afghanistan, and we are with you there still.

I want you to know what I told Australia's Parliament in Canberra, what I told General Petraeus in Kabul, what I told President Obama in the Oval Office this week: Australia will stand firm with our ally the United States.

Our friends understand this, that we will stand firm with you; but perhaps more importantly, our enemies understand this, too.

We must be very realistic about Afghanistan's future. Australia firmly

supports the international strategy led by President Obama and adopted in Lisbon last year. Australia is doing our part, in Uruzgan province in particular and across the whole of Afghanistan. The Government of Afghanistan must play its part, too. We know transition will take some years. We must not transition out only to transition back in.

We must not.

From my discussions with your country's leaders in Washington, my meetings with generals in Afghanistan and my time with our troops, this is my conclusion: I believe we have the right strategy in place, a resolute and courageous commander in General Petraeus, and the resources needed to deliver the strategy. I am cautiously encouraged by what I have seen.

For a moment, I want you to see Afghanistan through the eyes of Corporal Ben Roberts-Smith. Ben is Australia's most recent Victoria Cross winner—our equivalent of your Medal of Honor. Ben is a veteran of five tours of Afghanistan, and first went there in 2006. When we met recently, his words to me were compelling.

He said, ''It is not the same country I first went to 5 years ago. We are making a difference.''

Friends, there are hard days ahead.

I flew to your country the day after attending a funeral of a young Australian who served in Afghanistan. Sapper Jamie Larcombe was from my home state of South Australia, from a small community with the most perfectly Australian name . . . Kangaroo Island. Jamie's life's ambition was to serve his country. He was a long way from Kangaroo Island when he made the ultimate sacrifice.

We will remember.

I know very many young Americans have served their country and lost their lives in Afghanistan, too.

As a friend, we share your grief.

As an ally, we share your resolve.

Afghanistan must never again be a safe haven for terrorism.

Just as our security alliance is one for war and peace, our economic partnership is one for hardship and prosperity.

In hard days, we work together.

Our societies share a deep understanding of the importance of work. We believe life is given purpose and direction by work. Without work, there is corrosive aimlessness. With the loss of work comes the loss of dignity. That's why, in each of our countries, the great goal of all we do in the economy is the same . . . to ensure that everyone who can work does work.

In turn, this is why each of our countries took early and strong action in the face of the greatest threat to the world's economy since the Great Depression, and we did not just act locally or individually. We worked together when hardship came.

It was difficult, but we did it together.

New global realities and the emerging economic weight of countries like China, India and Brazil meant the vital forum for the global response was the leaders of the G20 nations. My predecessor Kevin Rudd worked hard to ensure this was so. The world needed a global response to the economic crisis, and global leadership was vital. Together, the G20 coordinated $5 trillion in fiscal stimulus for the global economy.

While there has been very real pain, the global response averted true economic disaster. Economic stimulus has been crucial—to limit the worst effects of the downturn. Economic reform is crucial now—to deliver the best hopes for a strong recovery.

Like you, I am a leader in a democracy. I know reform is never easy, but I know reform is right.

The global economic outlook remains fragile and uncertain. Global economic imbalances persist, and we must address them or risk future instability. Your leadership in the G20 is still needed to ensure we make the reforms which will keep the global economy on the path to strong, sustained and balanced growth.

And that is the path to growth in America as well.

We worked hard with you during the global economic crisis to resist protectionist pressures. This only built on our decades working together to promote free trade in the world. I know many of you worked hard to achieve the Australia-U.S. Free Trade Agreement.

May I say to each of you today, thank you.

Our FTA experience shows the benefits of free trade, and we aim for even larger benefits from the Trans-Pacific Partnership, which is a great economic opportunity for our two countries and seven of our regional partners. And we have other opportunities to promote trade and jobs together as well. I am looking forward to your country hosting the APEC Leaders' meeting later this year. We will work closely together there.

Australia is also working for an ambitious and balanced conclusion of the WTO Doha Round as soon as possible; and we look forward to your Congress passing a 2012 farm bill that advances free trade rather than distorting it, and that through free trade creates jobs.

We know the equation is simple: trade equals jobs.

A very simple equation.

Our societies share a deep understanding of the importance of work, and our societies share a deep commitment to the value of education. We understand education's transformative power. We know education is the future for every child who learns. We also know education is the future for our economies. Our future growth relies on competitiveness and innovation, skills and productivity; and these, in turn, rely on the education of our people.

Australia and America are partners in a globalized world where open societies flourish and competitive economies thrive. That's why I went to a school in Wakefield, Virginia, with President Obama this week. The President and I not only saw children learning; we saw the future of your people and the future of your prosperity as well.

Australians are deeply grateful to your Greatest Generation for their mighty deeds. This week, I have seen a new generation of Americans . . . I genuinely believe they can be greater still.

Achieving prosperity while sharing its benefits requires farsighted educational reforms. In the same way, achieving growth while caring for our climate requires farsighted economic reforms. Breaking the link between economic growth and emissions growth is a difficult challenge for our economies, and we can only achieve it by working together. Our cooperation in key international forums and in research and development is making an important contribution. We must work together to achieve an historic transition to high technology, high skill, clean energy economies.

Shared values are the basis of our security alliance, and shared values are the basis of our economic partnership as well. Through hard work and education, we can deliver a strong economy and opportunity for all.

Americans are great optimists, and Australians will always ''have a go.''

So, conceived in the Pacific War and born in the Cold War, adapted to the space age and invoked in the face of terror, our indispensable alliance . . . is a friendship for the future.

This year is the 60th anniversary of the signing of our treaty. It is because of that I have the opportunity to speak to you today. For that, I am grateful. As I said to President Obama, it is an alliance 60 years young . . . with so much future to share.

And this is a timely opportunity, not so much for reflection on the past as for the discussion of our future. The bipolar world in which our Alliance was signed has long since disappeared. I am not sad about its passing: Hundreds of millions of people have a better life today. Democracy and human dignity have spread wide in the world in the last 20 years.

We have seen this from eastern Europe to East Asia in recent years, and we are seeing the hope of it in the Middle East right now. We understand that nothing is certain. There is still much for the people of the Middle East to do, and the governments of the world will be called on to help them do it. Yet I believe what we are seeing is unchanging realities of human nature finding a new expression in a new way.

For Australia's part, we will do what we can—and work with you—to support orderly transitions to democracy; to foster human rights and religious freedom within the countries of the Middle East; and to secure a lasting peace between them—a peace where no nation

threatens another—which is why we join you in condemning Iran's nuclear program.

And we also strive for peace . . . a peace where Israel is secure and where Palestinians have a state of their own, which is why we join you in calling on all parties to negotiate in good faith.

Our Alliance was signed 60 years ago in the Cold War, and it lives in a new world today.

And as momentous as the changes in the Middle East are, I believe it is in the Asia-Pacific where the global order is changing the most: We admire India's example as a true democracy; we never forget Indonesia's transition to create the world's third largest democracy in the world's largest Islamic country; and we applaud China's lifting some 500 million people out of poverty.

The center of global strategic and economic weight is shifting to this region. The rise of the Asia-Pacific will define our times. Like you, our relationship with China is important and complex. We encourage China to engage as a good global citizen, and we are clear-eyed about where differences do lie.

My guiding principle is that prosperity can be shared. We can create wealth together. The global economy is not a zero-sum game. There is no reason for Chinese prosperity to detract from prosperity in Australia, the United States or anywhere in the world.

America has always understood this principle of the economy . . . that everyone can benefit when everyone competes.

And for 60 years, your leadership in the Asia-Pacific has showed this. Your commitment to free trade and investment fueled the growth. Your presence and network of allies ensured the stability. You were indispensable in the Cold War, and you are indispensable in the new world, too. So your growing engagement with key countries in the region—like Japan, India, South Korea, and Indonesia—is enormously welcome.

We will work closely with you to strengthen the fabric of these relationships and underpin regional stability, strengthening regional institutions so that the countries of the Asia-Pacific increasingly manage the frictions of a growing and changing Asia-Pacific.

That's why your Nation's decision to join the East Asia Summit is such good news. The summit brings the leaders of the region's major powers together and has a mandate to deal with the whole range of economic, political and security issues our countries face.

Our relationship is evolving to meet these new challenges: from defense and intelligence to diplomacy and trade. Australia in the south, with South Korea and Japan to the north, form real Asia-Pacific partnerships with the United States.

Anchors of regional stability.

An alliance which was strong in the Cold War . . . an alliance which is strong in the new world.

In both of our countries, true friends stick together. Our nations do this, and our people do this as well. Nothing better tells this truth than the story of two firefighters.

Many Australians and Americans worked together in the late 1990s to be ready to protect the 2000 Sydney Olympics from possible terrorist attack. One group of Australians spent 2 months in New York, training and working, including a long time with New York's Fire Department Rescue 1. They worked hard together and became more than colleagues . . . they became mates.

So, when it was time to go home, the Australian commander gave Rescue 1's chief his Australian Army ''slouch hat,'' and the chief presented the Australians with a battle-scarred fire helmet, dated December 1998 and signed by members of the Rescue 1 crew, including Kevin Dowdell.

Three years later, Kevin Dowdell was one of the hundreds of New York firefighters killed when the towers came down. Kevin led his men in. His remains were never found, but that helmet was . . . in Australia. And Aussie firefighter Rob Frey found Kevin's sons.

James Dowdell is one of New York's bravest—a firefighter like his father before him. Patrick Dowdell is wearing his country's uniform in Afghanistan.

Rob came to America to give James the helmet his father signed: a precious possession, a last link to a father lost. And I give you their story: a precious possession, too.

These two men are here today.

Rob, James . . . good on you. Rob, James, we are so proud of what you represent. Your story says it all about the friendship between Australia and the United States: together in the hardest of times, friends for the future.

When our Alliance was signed 60 years ago, the challenges of the space age were still to come; the challenges of terrorism were still to come. For 60 years, leaders from Australia and the United States have looked inside themselves and found the courage to face those challenges; and after 60 years, we do the same today: to protect our peoples, to share our prosperity, to safeguard our future.

For ours is a friendship for the future. It has been from its founding, and it remains so today. You have a friend in Australia, and you have an ally—and we know what that means: In both our countries, true friends stick together. In both our countries, real mates talk straight.

So, as a friend, I urge you only this: Be worthy to your own best traditions.

Be bold.

In 1942, John Curtin—my predecessor, my country's great wartime leader—looked to America. I still do.

This year, you have marked the centenary of President Reagan's birth. He remains a great symbol of American optimism. The only greater symbol of American optimism . . . is America, itself.

The eyes of the world are still upon you. Your city on a hill cannot be hidden. Your brave and free people have made you the masters of recovery and reinvention.

As I stand before you in this cradle of democracy, I see a nation that changed the world, a nation that has known remarkable days. I firmly believe you are the same people who amazed me . . . when I was a small girl . . . by landing on the Moon. On that great day, I believed Americans could do anything.

I believe that still. You can do anything.

Thank you.

(Applause, the Members rising.)

At 11 o'clock and 40 minutes a.m., The Honorable Julia Gillard, Prime Minister of Australia, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Deputy Sergeant at Arms escorted the Acting Dean of the Diplomatic Corps from the Chamber.

JOINT MEETING DISSOLVED

The SPEAKER. The purpose of the joint meeting having been completed, the Chair declares the joint meeting of the two Houses now dissolved.

Accordingly, (at 11 o'clock and 42 minutes a.m.), the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

The SPEAKER. The House will continue in recess subject to the call of the Chair.

□ 1203

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MCCLINTOCK) at 12 o'clock and 3 minutes p.m.

ELECTING A MEMBER TO A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mr. HENSARLING. Mr. Speaker, by direction of the Republican Conference, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 155

Resolved, That the following named Member be, and is hereby, elected to the following standing committee:

COMMITTEE ON SMALL BUSINESS—Mr. Barletta.

Mr. HENSARLING (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

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

There was no objection.

STOP WRONG-HEADED ENERGY POLICIES

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

Mr. BOUSTANY. Mr. Speaker, this country has never had an energy strategy. And the only thing worse than not having an energy strategy is having an energy policy that is actually hurting our country, hurting American energy production and American workers, and making us more dependent on foreign oil. That is what the Obama administration is doing right now.

Let's review the record. A moratorium on drilling in the Gulf of Mexico, hurting American energy production. A budget proposal that offers $50 billion in new taxes on independent, small energy companies working throughout the United States. Also, tax policy that is going to hurt large U.S. companies trying to compete for limited reserves around the world to meet U.S. energy needs. And finally, an attack on horizontal drilling because we have now found large reserves of oil and gas in our shale formations, and this administration is looking to shut all of that down.

And then they come forward because the price of oil, the price of oil at $105 a barrel today, they now want to open up the Strategic Petroleum Reserve, which is supposed to be used in severe shortages. That is not an energy policy; that actually hurts our country.

It is time to stop these wrong-headed policies that are hurting American energy production and hurting American workers.

INVEST IN TOMORROW TO CREATE JOBS

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

Mr. WALZ of Minnesota. Mr. Speaker, you'll get no argument in this House that this is a country that has to get a handle on our budget, be fiscally responsible, reduce our national debt, and grow the economy. We owe nothing less to our children and grandchildren.

But I will be honest, I am pretty shocked by the lack of business sense, if you will, from some of my Republican colleagues. What my small businesses know in southern Minnesota is that, in addition to tightening their belts and getting efficiencies out of their businesses, they have to make smart investments for tomorrow.

So last week what did we do? We cut 41 percent of the NIH budget for research at the Mayo Clinic in my district that will lay off 68 researchers who equate into billions of dollars of medical research.

Republicans also want to cut funding for education. As a high school teacher I can tell you, where are the workers of tomorrow going to come from, and how are they going to compete to be the great innovators to win tomorrow?

We did all of that, at the same time protecting oil subsidies to the CEOs of the largest oil companies who made hundreds of billions. We have to be smart with taxpayer dollars, and we have to find ways to think like small, innovative businesses in places like the Mayo Clinic.

Save money, be efficient with our resources, invest in tomorrow to create jobs.

DRILLING MORATORIUM IS NONSENSE

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

Mr. POE of Texas. Mr. Speaker, gasoline is nearly $4 a gallon. Meanwhile, the administration seems to have a deliberate crusade against the U.S. energy industry and domestic energy independence.

Even before Steven Chu became Energy Secretary he said: ''Somehow we have to figure out a way to boost the price of gasoline to the levels in Europe.''

Well, that plan is working.

The administration is stonewalling the safe development of a Canadian pipeline to my district in southeast Texas that will send crude oil and jobs to American refineries. The administration is using the out-of-control EPA to implement questionable scientific regulations that hammer domestic energy capability. This includes the expensive regulations of CO_2 and the EPA attempt to defy the will of Congress by implementing cap-and-trade regulations.

The offshore drilling moratorium by the administration is nonsense. A court ordered the moratorium lifted. Now that same court has held the administration in contempt for not in fact lifting that moratorium.

Each of these is evidence that the administration is at war with domestic energy and the will of the American people. Meanwhile, gasoline prices are getting near those in Europe.

And that's just the way it is.

ADDICTION TO FOREIGN OIL

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

Mr. TONKO. Mr. Speaker, as oil and gas prices continue to rise, American consumers and businesses are facing sticker shock at the pump. The national average is $3.49, and the average in New York's capital region that I represent is $3.69. And yet, rather than take action to bring immediate gas price relief or create incentives to invest in clean energy alternatives that create jobs and grow our national security, the Republican budget would maintain our addiction to foreign oil.

The Republican spending bill ignores energy efficiency, clean energy, advanced vehicle technologies, and loan guarantees. What does it leave in place, though? Billions of dollars in subsidies for big oil companies that they have claimed they don't need, especially as they make record profits. And what do we get by throwing billions of hard-earned taxpayer dollars at these big oil companies? Less money in our pockets to get to work and around town.

Americans are better than the gasoline we put in our vehicles. It is time we wake up and realize it, and advance research and development.

HAPPY BIRTHDAY, EBBY HALLIDAY

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

Mr. SESSIONS. Mr. Speaker, today is a very special day for not only me but many people who live in Dallas, Texas, because today is Ebby Halliday's 100th birthday. I have known Ebby for 22 years. This incredibly successful woman is one of the most generous and hardworking individuals I have ever known. Ebby has always been an entrepreneur, beginning her career selling hats. Today, she is the driving force for change in the real estate industry and a household name all across north Texas.

Ebby's incredible story is the embodiment of America's dream. Her dedication, work ethic, and vision have turned Ebby Halliday Realtors into one of the largest independently owned residential real estate companies in the Nation. Ebby is also well known as a respected community leader. Her active civic involvement and philanthropic efforts have inspired others to give back to those in need. Her name has become synonymous with ethics, class, and generosity.

Over the course of her lifetime, Ebby has witnessed many historic events and changes in our fast-paced world, yet her love for family, friends, community, and this Nation remains steadfast. I am proud to call her my friend, and I know she will be surrounded by many of those today in Dallas, Texas, as she celebrates her 100th birthday. May she be blessed with many more years of health and happiness.

Happy birthday, Ebby Halliday.

□ 1210

THE FORECLOSURE CRISIS

(Ms. EDWARDS asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Ms. EDWARDS. Mr. Speaker, today I rise to highlight the foreclosure crisis and recognize the thousands of distressed families in my district and across the country who continue to battle foreclosure. In Maryland our foreclosures approached nearly 800,000 in the fourth quarter of 2010. This crisis hits particularly hard in my district, where we have about 40 percent of our foreclosures statewide.

The foreclosure prevention and mitigation programs the Republican majority wants to terminate this week have helped thousands of hardworking families to stay in their homes and mitigated the effects of declining property values in neighborhoods across the country. Now, I know they're not perfect, but terminating these programs does not one single thing to spur the economy or protect middle class families in need. In fact, the effect is quite the opposite.

My colleagues claim that the programs haven't delivered on their promises. So what? What about the families who have benefited from the programs? What about the 1.2 million families that will face foreclosure this year?

This is another case of trying to throw the baby out with the bath water. Enough of that already. It's a simple question: Whose side are you on? Families, workers, working families, protecting their homes and communities; or are you on the side of the banks that want to take their homes?

LINCOLN/PROVIDENCE HOUSING AUTHORITY

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

Mr. CICILLINE. Mr. Speaker, I rise today to recognize the creativity, effort, and resourcefulness of two local housing authorities in the First Congressional District of Rhode Island.

At a time when Rhode Island and many other States across our country are experiencing unacceptably high foreclosure rates, there are some beacons of light in the housing sector, beacons like the Town of Lincoln Housing Authority and the Housing Authority of the City of Providence, which are both being recognized by the National Association of Housing and Redevelopment officials as Awards of Merit winners for being well-positioned to meet the demand for safe and affordable housing for low- and very low-income families.

The Lincoln Housing Authority has instituted innovative programming for seniors, and the Providence Housing Authority has put in place energy efficiencies and cutting-edge health and fiscal planning programs.

These housing authorities are leaders in the development and maintenance of cost-effective approaches to responding to the variety of today's housing and community development challenges. Lincoln and Providence Housing Authorities not only effectively address local housing and neighborhood redevelopment challenges and concerns; they have also set a national example for similar organizations to learn from so they can meet the unique needs in their communities.

I congratulate you for your leadership in our State's housing industry, which proves yet again that Rhode Island innovation can combat both our State and national housing challenges.

RECOGNIZING THE NMI CHAPTER OF THE AMERICAN RED CROSS

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

Mr. SABLAN. Mr. Speaker, as we celebrate American Red Cross Month, I would like to pay particular tribute to the Northern Mariana Islands Chapter of the American Red Cross for the leading role it plays in responding to disasters large and small and in providing vital health and safety services in our islands.

Our small community has been blessed since 1978 with an exceptionally active and effective local Red Cross chapter. With just four staff members and 150 volunteers, the Northern Mariana Islands chapter last year provided financial assistance to 26 families who suffered house fires or localized flooding, facilitated emergency communications between 154 servicemembers and their families, provided community disaster preparedness materials to over 3,700 individuals, and trained over 2,300 students in courses on CPR, first aid, lifeguarding, and swimming.

The Northern Mariana Islands Chapter of the American Red Cross is an integral part of the Commonwealth community, a leader in health and safety training, and an invaluable partner in helping people prevent, prepare for, and respond to emergencies. We thank them for their work.

REPUBLICAN BUDGET

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

Mr. BACA. Mr. Speaker, as the recent job report shows, our economy is steadily improving with 12 straight months of private sector job growth.

Now, I state, now is the time for us to build on this progress and work together in a bipartisan effort to create jobs, not reduce jobs. I state, not to reduce jobs.

But, sadly, my Republican friends are letting the extremists dictate their agenda, protecting special interests at the expense of working families. The Republican budget would destroy 700,000 jobs and turn back the clock, I say, turn back the clock on our recent economic progress. This budget would do critical harm to American families. Mothers and children would be stripped of nutrition benefits from the WIC program. Thousands of youth would be kicked out of Head Start.

And now the Republicans are ready to continue their assault on the middle class by terminating the mortgage relief program that keeps families in their homes.

We should be helping families, not making them homeless. Let's work together to pass a budget that creates jobs and helps middle class Americans.

NO JOBS PLAN AND ASSAULT ON MIDDLE CLASS HOMEOWNERS

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

Mr. SIRES. Mr. Speaker, the Republicans have been in control of this Chamber for the last 10 weeks now, and we have taken 164 recorded votes. Yet they still have no plan to create jobs and spur economic growth.

Instead of tackling unemployment, my Republican colleagues have now turned their efforts toward eliminating vital programs that are helping families deal with the fallout of the mortgage crisis.

Seven million families have lost their homes with another 3 million foreclosures expected through 2012. And what is the Republicans' response to this crisis? They want to terminate programs designed to help homeowners keep their houses and avoid foreclosures.

This week they will bring a bill to the floor that will abolish a program that makes temporary loans to unemployed homeowners to help cover mortgage payments until they can find a job.

Mr. Speaker, it is bad enough that they have no plan in sight to bring Americans back to work; but to actually put their energy towards ending programs that are helping the unemployed during difficult times is unacceptable.

I urge my colleagues to stop cutting programs that will keep American families in their homes and focus the legislation on creating jobs and move the economy forward.

THE REPUBLICANS' PRIORITIES

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

Mr. DEFAZIO. Mr. Speaker, the Republican majority is indeed focused on jobs. In fact, their H.R. 1 would kill 700,000 jobs under the guise of fiscal responsibility. They'd cut transportation investments. They'd cut investments in education, student loans, and grants. They'd cut the COPS program, keeping our citizens safe with additional police on the street. They'd cut back on nutrition assistance to women, infants, and children.

What's not on the table? Well, corporate welfare. Six billion dollars in

ethanol subsidies—don't want to touch that. Twelve billion dollars in agriculture subsidies for corporate farms—can't touch that. Tax loopholes for Big Oil while they're gouging us at the pump and not paying taxes in the United States of America—can't put that on the table.

But the Republicans have shown us their priorities, and even their friends in the Senate yesterday refused to take up their bill.

And that's the way it is.

□ 1220

SURFACE TRANSPORTATION EARMARK RECISION, SAVINGS AND ACCOUNTABILITY ACT

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

Mr. COHEN. Mr. Speaker, the majority has now been in power for 10 weeks and has yet to offer a plan for job creation. Instead, they have chosen to ignore the warnings of economists from across the political spectrum and are promoting a continuing resolution that threatens to derail and reverse our Nation's recovery.

Instead of slashing programs that are vital to job creation and economic growth, we need to carefully examine the budget and eliminate all wasteful spending. That is why I am introducing the Surface Transportation Earmark Recision, Savings and Accountability Act of 2011, and I'd ask for bipartisan support on this. This legislation will reduce the deficit by $584 million by rescinding unspent funds authorized by Federal transportation projects requested by Members of Congress that date back to 1978.

Instead of eliminating research at the National Institutes of Health or eliminating funding to protect our air and water, let's focus on elimination of wasteful, unnecessary spending. I encourage you to work with me to include this language in the continuing resolution.

ADDRESSING THE CRIES OF THE NATION

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

Ms. HANABUSA. Mr. Speaker, we know that the economy is getting better. We know the job numbers are getting better, but we're still not there. We still have not addressed the cries of the people of this great Nation.

We do know that essential to addressing the cries is a sense of public confidence, and tied to that public confidence is something that is essential to everyone, and that is feeling safe in your home and being able to provide for your family. That is what two bills are about to address in this legislative body, two bills that should not pass—the attempts by the Republicans to defund two major programs that address what the people want and what the people need.

One, of course, is the Federal Housing Administration's Refinance Program and the other is the Emergency Homeowner Loan Program. That's for people who are without jobs through no fault of their own, either through unemployment or just simply medical conditions. Thirty thousand to 50,000 people were to be helped with that particular program. The other one is, of course, the underwater loan. Sixty-seven percent of homes in Nevada fall in that category; 25 percent in the Nation.

Mr. Speaker, let's concentrate on giving people public confidence and hope in the future.

GOP MESSAGE TO CONSTITUENTS: SUCK IT UP

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

Mr. JOHNSON of Georgia. Mr. Speaker, today's message from the House Republicans is as follows—and these are my quotes, by the way—''This House will subsidize Big Oil and Wall Street, but our constituents who are losing their homes can just suck it up and find a bridge to sleep under.''

Just about every economist under the sun agrees that we won't have robust job growth and recovery until foreclosures are under control; but rather than putting forth a proposal to improve the deeply flawed homeowner assistance programs, the GOP panders to its Wall Street base by proposing we do away with homeowner assistance altogether.

I urge my colleagues to join me in rejecting this anti-homeowner, anti-middle class proposal so we can turn to the serious work of improving homeowners' assistance programs that are currently failing.

RADICALIZATION OF THE REPUBLICAN AGENDA

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

Ms. SPEIER. Mr. Speaker, tomorrow, the House Homeland Security Committee will hold a hearing that will actually have the potential to make our Nation less safe. The title of the hearing is ''The Extent of Radicalization in the American Muslim Community,'' but what's truly radical is using committee time and resources to profile and demonize whole communities of people based on their faith. American Muslims are peaceful, law-abiding citizens, and many have cooperated with the U.S. authorities to help prevent terrorist attacks. We should target terrorists based on actions, not religion.

When law enforcement agencies were asked to identify terrorist groups within their States, Muslim extremist groups ranked 11th out of 18. Neo-Nazis, environmental extremists, and anti-tax groups were all more prevalent. Radicalization and homegrown terrorism are serious and legitimate concerns and deserve thoughtful examination, not an ideologically motivated charade.

We must continue efforts to defeat al Qaeda wherever they exist, but one key to combating extremism is winning the hearts and minds of the next generation of Muslims.

PROVIDING FOR CONSIDERATION OF H.R. 836, EMERGENCY MORTGAGE RELIEF PROGRAM TERMINATION ACT

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 151 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 151

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 836) to rescind the unobligated funding for the Emergency Mortgage Relief Program and to terminate the program. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those received for printing in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII in a daily issue dated March 9, 2011, or earlier and except pro forma amendments for the purpose of debate. Each amendment so received may be offered only by the Member who caused it to be printed or a designee and shall be considered as read if printed. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman, my friend from New York (Ms.

SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

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

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

There was no objection.

Mr. SESSIONS. Mr. Speaker, House Resolution 151 provides for a modified open rule that allows any Member to offer an amendment to the underlying bill as long as it is preprinted in the CONGRESSIONAL RECORD and complies with House rules. This rule continues to build on the commitment of the Republican majority to consider legislation in a more open, honest, and thoughtful way.

Mr. Speaker, I rise today in support of this rule and the underlying bill. This legislation was introduced by my dear friend, the gentleman, the chairman of the Republican Conference, JEB HENSARLING, on February 28, 2011, and marked up in the Financial Services Committee last week on March 3.

This legislation went through regular order, which included committee hearings prior to a markup and making the text of the legislation publicly available for Members and the public to review prior to consideration in the committee and on the House floor.

The chairman of the Rules Committee, the gentleman from California, DAVID DREIER, has once again provided Members of this body a transparent and accountable structure under the rule we are debating and discussing today, allowing Members of both sides of this aisle and of this body to offer amendments and to join in the debate of the underlying legislation.

H.R. 836 repeals the Emergency Mortgage Relief Program and rescinds and permanently cancels all unobligated funds. It directs the Secretary of Housing and Urban Development to conduct a study to determine the extent of usage of the Emergency Mortgage Relief Program by covered homeowners, which includes members of the armed services, veterans, and Gold Star recipients.

□ 1230

Lastly, it requires the Secretary to submit the report to Congress, including the results of that study and identifying any best practices that could be applied to the Emergency Mortgage Relief Program for ''covered homeowners.''

The Dodd-Frank Act established a $1 billion Housing and Urban Development Emergency Homeowner Loan Program, which provides loans or credit advances to unemployed borrowers who cannot pay their mortgages to make mortgage payments for a period of 12 months, with a possible extension.

These loans increase the amount of the homeowner's indebtedness, or the borrower's indebtedness, so that a borrower who is unable to pay back either the original amount of principal or the additional loans made under the program would quite probably be worse off in the long run. These borrowers derive no benefit from the program and the government will suffer the losses from their eventual defaults. That's the way the program was set up by the Democrat majority.

Continued government intervention and questionable use of taxpayer dollars only prolongs our current economic crisis and ensures that the housing market will continue to struggle. The market needs to find its own footing free of government intervention and manipulation so that we can get on with a full recovery.

The deficit is expected to reach a record $1.65 trillion this year, while our national debt is well over $14 trillion and growing rapidly. As a matter of fact, growing so rapidly that last month a $230-plus billion as a deficit for 1 month, the largest in the history of this Nation, was recorded. Yet what do we hear out of the White House? Spend, spend, spend, including against this bill that they have offered to veto because it would save some money. The U.S. simply cannot afford to loan billions of taxpayers' dollars that will not be repaid.

The Obama administration in its FY 2012 budget proposal estimates that this program will have an almost 98 percent subsidy rate. That means for every dollar spent, the government is expected up-front to lose 98 cents. On every dollar of this program, the government right up-front is expected to lose 98 cents.

Mr. Speaker, no wonder Republicans are trying to go back and look at the programs, the massive spending programs, not only by President Obama and former Speaker NANCY PELOSI but also the committee chairmen and those who brought these measures to the floor that have had a stunning impact on the economy of this country.

Also, HUD regulations set up a process where the bridge loan can be forgiven over a 5-year period. This is irresponsible. It is irresponsible not only now; it was irresponsible at the time it was passed by this House, passed by the Senate, and signed by the President. This is not a loan program, but another government welfare program.

Job creation is the most effective foreclosure prevention tool. Job losses—rather than unsustainable mortgage terms—are now the driving force behind foreclosures and mortgage defaults. The government does not need to be adding additional debt obligations onto borrowers who are already struggling with their current commitments, particularly when doing so adds to the debt burden of every single American, including those who took out these loans who have to suffer through the process as they are seeing their use of a government program that provides not only more debt for the country but tremendous strain on themselves.

Government was not there to help. They were there to indebt the American people. Congress should focus on job creation, not welfare and giveaway programs. This is the best way to prevent more foreclosures and to get our economy back on track.

The Congressional Budget Office estimates that enacting H.R. 836 would decrease Federal budget deficits by $840 million over the 2011–2021 period. My colleagues on both sides of the aisle understand the current dire emergency that we are facing with the state of the U.S. economy and that American families are struggling. Why should the government go and make matters worse? It is our job as Members of Congress and as legislators to ensure that the policy which is passed by this House has integrity and can be backed up by the full measure of a free enterprise system instead of a government backstop. It is that government backstop that Republicans objected to then and object to now.

We need to make sure that our greatest days lie in our future, not the government handing out checks because the government didn't mind the blank check that it originally satisfied itself for in this legislation. We should be creating opportunities. We should not be holding back Americans from earning not only the opportunity for potential in their future but also for making their life better. Eliminating this program will save taxpayer dollars and encourage more responsible government spending by the Federal Government.

Mr. Speaker, this was an unwise program, and today Republicans are on the floor of the House of Representatives to say we can do the right thing today. I encourage a ''yes'' vote on the rule and a ''yes'' vote on the underlying legislation.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I thank my friend and colleague for yielding this time to me, and I yield myself such time as I may consume.

I certainly want to agree with my colleague, the gentleman from Texas, that what the world is waiting for this Congress to do is to create jobs. We are approaching 100 days here without a single bill to do that, and we certainly look forward to that great day.

Mr. Speaker, it was not that long ago that this country was facing the real possibility of another Great Depression. The financial crisis of 2008 was caused by reckless decisionmaking on Wall Street that had deep and painful impacts on hardworking Americans everywhere. As a result, millions of people lost everything. They lost jobs, retirement savings, and homes. All across America, families anguished over how to avoid homelessness, how to feed their families, how to keep them intact, how to keep their lives together for just one more day.

Three years later, we are starting to see the signs of a fragile recovery. However slowly, we have started to see modest private sector job growth over the past few months. However, we are far from where we need to be, and the troubled housing market remains in complete disarray. Millions of Americans are unemployed and still struggling to keep up with their mortgage payments. Millions more are saddled with mortgages worth more than their homes.

Foreclosures swallowed up a whopping 1.2 million homes across the country in 2010, up from 900,000 in 2009. Despite the Republicans' apparent lack of concern for the ongoing foreclosure mess, many estimate that the United States will eclipse previous yearly totals and foreclose on even more Americans in 2011.

There is overwhelming evidence that everybody knows about that many of these foreclosures were faulty or downright illegal, and yet no accounting of this failure is demanded. But the people who lost their homes have lost it in major ways and have no recourse except some of these bills. These bills obviously need a lot of help. I couldn't agree more. They are not the best we could do. And yet the sad thing to me is that once these four bills are done away with, there is no replacement, and we simply leave Americans to function as best they can.

□ 1240

If we are a Nation that cares whether or not our neighbors are kicked out onto the street, it's clear that we can't end these programs designed to lend a helping hand without something to replace them. The Emergency Homeowners Loan Program was created to help prevent foreclosures that are the result of massive financial hardships caused by unemployment and underemployment across the Nation.

Admittedly, some foreclosure prevention efforts of the past few years have not had as much success as we hoped. And we certainly have had very little cooperation from banks. They were simply asked to help, not required to. Democrats agree that the programs need improvement and would support a process to allow for bipartisan collaboration. So it's a shame that we stand here today ready to kill this program before it even gets off the ground or has a chance to help stem the tide of foreclosure.

My colleagues on the other side are ready to end the program without offering any solution to what is clearly a continuing problem. But if we don't provide help to our constituents in need, then who? It surely won't be the big banks foreclosing on our neighbors at record numbers. Just today, the New York Times reports that the CEO of Bank of America rejected the idea of reducing home loans for Americans in need. He thinks if he has to do it for one, he'll have to do it for all.

What's fair about big banks reporting record profits by kicking homeowners out on the street? What's fair about banking executives walking away from their failed mortgage schemes without punishment while thousands live in their cars or subsist in squalor not fit for a global superpower? The audacity to call for a fair modification process after swindling millions of Americans with predatory mortgages and walking away with record profits as the house of cards collapsed is simply maddening. Yet we stand here today preparing to debate a bill that will tell the American people that we just don't care.

With so many homeowners still facing foreclosure, we should be focused on ways to improve programs designed to keep people in their homes. Many of these families are facing insurmountable odds on their own, but with just a little help they may be able to make it through this tough time. But instead of reforming the program, today we are eliminating it.

I would like to talk a little about the process. Today's rule is called a modified open rule, but this is not an open process. For starters, if the debate on the bill inspires an amendment, a Member cannot offer it because it would not have been printed in time. Secondly, if the bill is changed by an amendment, Members will not have the ability to respond to the changes. This limits the give-and-take of ideas that is the hallmark of dynamic and rigorous debate. But the biggest problem with this process is that Members who want to reform the program rather than completely get rid of it must find a germane offset, which is nearly impossible because the bill completely eliminates the program. In other words, any amendment to save any part of it would have to be offset by new money.

We agree that reform is needed. Members have ideas for reform, alternatives to simply eliminating the existing program. Unfortunately, under this process, these alternatives cannot be offered.

I urge my colleagues on the other side to work with us to improve these foreclosure programs, stem the foreclosure tide, and strengthen our middle class. This bill does not do that.

I urge my colleagues to vote ''no'' on today's rule.

I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, by the way, we are working with all the Members of Congress. And that's why we went through regular order, which was a new process for this House from the last 4 years. We also came to the Rules Committee and allowed an open process. And any Member that chose to have an amendment to be offered today simply had to go and tell us ahead of time that they would like a preprinting notice and they could get that done. That is working together with every single Member of Congress.

Mr. Speaker, at this time I yield such time as she may consume to the chairwoman of the Housing Subcommittee of the Financial Services Committee, the gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. Mr. Speaker, I rise in support of this rule, House Resolution 151, and House Resolution 150, the rule for H.R. 830.

Last week, the Committee on Financial Services considered and approved two bills: H.R. 836, the Emergency Mortgage Relief Program Termination Act, and H.R. 830, the FHA Refinance Program Termination Act. H.R. 836 would terminate the Emergency Mortgage Relief Program and rescind any unobligated balances remaining under the program.

The Emergency Mortgage Relief Program, created by the Dodd-Frank Act, establishes a $1 billion fund to provide loans or credit advances to borrowers who cannot pay their mortgages because of unemployment or reduction in income. To date, no funds have been provided to homeowners under this program, and serious questions remain about its cost, effectiveness, and benefits. The CBO estimates the program will have a 98 percent subsidy rate, meaning that for every dollar loaned under this program, 98 cents is not expected to be repaid. Given the country's current fiscal situation, no program warrants funding when benefits are speculative at best and substantial taxpayer losses are certain.

The other bill approved by the Financial Services Committee, H.R. 830, which will be addressed by rule in a little bit, H.R. 830, the FHA Refinance Program Termination Act, would rescind all unobligated balances made available for use under this program. More than $8 billion in TARP funds have been set aside for the FHA Refinance Program, and $50 million has been disbursed since September 2010.

For this extraordinary investment of their money, taxpayers have thus far gotten very little return. The administration originally estimated this program would help between 500,000 and 1.5 million homeowners. However, only 44 loans have been refinanced and only 245 applications have been submitted.

This program has been plagued by problems from the start. Borrowers are frustrated that few lenders participate in the program, and it is difficult for borrowers to even find out if their mortgage servicer has agreed to participate. Rather than continue to spend money we do not have on programs that do not work, Congress should focus on creating the certainty job creators need for economic activity and hiring. This means we must root out wasteful government spending on ineffective programs such as the FHA Refinance Program. What the American people want are jobs, not a handout or a program that doesn't work or is ineffective.

I urge my colleagues to support the rules for H.R. 836 and H.R. 830.

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

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

Mr. ANDREWS. I thank my friend for yielding.

Mr. Speaker, I want to agree with the gentlelady from Illinois who just spoke, who said what the American people want is jobs. I agree with her. And when we assess the record of the new majority on this issue, I think we have to assess that it's found very wanting.

This is the 10th week of the new majority. In 10 weeks, they found a way to shut down women's health clinics by defunding Planned Parenthood. They've found a way to essentially repeal 30 years' worth of protections for our drinking water and our air and our land. They've found a way to pass a budget that cuts education, that saps strength and energy from our job creators in this country, but they haven't found one bill, 1 minute, one debate over a plan to work together to create jobs for the American people.

I believe, Mr. Speaker, that the American people want Republicans and Democrats to come together and figure out an environment that will encourage entrepreneurs and small businesses to create jobs for our country. The majority has, frankly, done everything but that. And today is yet another bill that I think is a wasted opportunity in that regard.

I view today's debate through the eyes of three constituents I interacted with at home this weekend. One was a gentleman who runs a music distribution company. They produce CDs for people who have written and recorded music and don't have a label yet so they can get their music out to the rest of the world. He employs 500 people, and he wants to grow. And in order to grow, he needs people who are facile with various software and other technologies that will help his company grow. He depends upon graduates from our community colleges and our 4-year colleges and universities. And he didn't understand why the majority wants to cut the maximum college scholarship under Pell Grants by $845, thereby taking employees away, conceivably, from him by taking them out of school.

□ 1250

It's the homebuilder that I met who really can't call himself a homebuilder anymore because he's not building any homes, and he wonders what we're doing to try to restore faith and confidence to the real estate market so that Americans will feel secure and confident enough to buy a home and put him and his workers back to work. He wonders what we're doing.

It was the gentleman I met yesterday who runs a biotech company that has two employees, and he depends on contracts from the National Institutes of Health to do research on various pharmaceutical products. He wants to double the size of his company, put just two more people to work, but he won't hire them as long as the threat of a government shutdown is imminent.

This is the wrong bill at the wrong time on the floor.

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

Ms. SLAUGHTER. I yield the gentleman an additional 2 minutes.

Mr. ANDREWS. I thank the gentlelady.

What we should be doing is coming together, Republicans and Democrats, to cut spending, to find ways to sensibly cut spending. Many of us on the floor, for instance, 2 weeks ago voted to not send $1.5 billion to Iraq to fund their police department. Many of us voted not to spend a substantial amount of money for the Brazilian Cotton Institute. Many of us voted to say that if you make over a quarter of a million dollars a year as a farmer you shouldn't get a crop subsidy. These are areas that we agreed upon to reduce spending.

Let's work to sensibly reduce spending but let's not cut education and let's not undermine jobs. By all means, let's bring to the floor a bill that says to my friend that runs the music production company, we will help train the workers that you need; that says to my friend that wishes he were a homebuilder, we will talk to these banks that have record amounts of money in their balance sheets and get them lending money again so people can buy a home; and says to our friend that's running the small biotech company, you don't have to worry that there's going to be gaping cuts in the research budget of the National Institutes of Health, we're going to fund them, and they're going to continue to pay people to be the best and the brightest and find cures to diseases, and you can hire those two more people.

Ten weeks, no jobs bill, no jobs plan, no cooperation to produce an environment where small business and entrepreneurs can put America back to work. Let's put aside our differences. Let's get to work on solving the real problems of our country.

Mr. SESSIONS. Mr. Speaker, you know, I'm shocked at our friend after friend on the Democratic side who say ''no jobs bill,'' ''no jobs bill.'' But my friends also recognize what the American public does, that we voted, literally the first vote in this House, to overturn what is known as ObamaCare, the massive government takeover of health care in this country that would result in a loss of 800,000 jobs. Mr. Speaker, the Republican majority does have a jobs bill, and that is to go and rescind what the Democrats have outrageously done and that is to put this country in a diminished position not only with us being competitive overseas but also for us diminishing American jobs.

No, we're not going to go and do a, quote, jobs bill to add jobs. We're trying to simply go back and save the jobs that are being lost today and would be lost by wasteful government spending, huge government bureaucracies, and so my friends on the other side simply want to come and attack us. Well, the Republicans have it, and so do the American people. We are going to stop the outrageous spending. We are going to attack the rules and regulations which are killing not only business but losing jobs all across this country. We, as Republicans, are going to stand up and say $4 gasoline is outrageous, Mr. President; work on the things from your administration that you are doing that ruin jobs, that make sure we have higher gas prices at the pump, and do those things that would help the American people.

The Republican House majority is one-half of one-third of the body, and we are one-third of government. We are trying to do the things that the American people sent us here for. We are all about trying to reduce wasteful government spending. We are going to take on the laws that have been passed by this President and the former two sessions of Congress that were outrageous spending, tax increases, an assault on employers, making it more difficult for the American people to have freedom and diminishing our future.

So every time one of our Democrat friends goes and says there's no jobs bill by the Republicans, the American people will get it. The Republicans first have to save the jobs that are at risk today; 800,000 net free enterprise system jobs that—if we do not overturn ObamaCare that was passed by this body on March 22, a year ago, we're going to lose even more jobs.

So the most immediate thing we're doing is trying to reduce wasteful government spending, to try and do away with and attack rules and regulations that will kill the jobs that we have, and to make sure that we're telling the American people that this spending spree that we're on causes a massive deficit, a hemorrhaging by this government, including last month $230 billion we overspent. Then we're doing our job. If we are doing those things, we're trying to save the jobs that we've got.

Mr. Speaker, that is what the Republican majority is about. We're not going to let the Democrats get us off our game. We understand what they want. They want to talk about, well, we can look at doing back to some of the spending, but when it comes down to it, they can't pick anything they really will support. Everything is a sacred cow. Everything that we do is a problem if you go and touch it.

Mr. Speaker, the Republican Party, the Republican majority, led by Speaker BOEHNER and our majority leader ERIC CANTOR, is all about trying to get back to an America where we have a balance, to where we don't lose more jobs, where we don't add more debt, and we stand up for the American people. That's why we're the new majority party.

I reserve the balance of my time.

Ms. SLAUGHTER. I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS) to respond.

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

Mr. ANDREWS. I thank my friend for yielding.

Mr. Speaker, I have great respect and affection for my friend from Texas. He's a valued Member of this House and someone who cherishes this institution and represents his constituents well. I would like to respond to two of the points that he's made.

First, he makes reference to this 800,000 job loss as a result of the health care act. There was a prediction made before the final version of the act was put together, very early in the process, by a group that frankly is rather ideologically to his side of the aisle, that predicted that 800,000 jobs would be lost. In fact, most economists have argued that hundreds of thousands of jobs would be gained, but more importantly, Mr. Speaker, than predictions is reality.

The health care law was signed into law almost a year ago, and I wonder if anyone on the majority side could tell us how many jobs the economy has lost in that year. How many jobs has the economy lost since the health care bill was signed into law?

Mr. SESSIONS. Will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Texas.

Mr. SESSIONS. You asked if somebody who knew the answer would stand up. I don't know the answer, but what I will tell you is that we will have the taxation start, and yet, the plan kicks in 2014. So massive taxation will start, and then we will find out what happens.

Mr. ANDREWS. Reclaiming my time, the answer is that the economy has added over 1 million private sector jobs since the health care law was signed into effect, so predictions of great job loss have turned out not to be the case.

Secondly, the gentleman made reference to the sort of great opposition to this law around the country.

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

Ms. SLAUGHTER. I yield the gentleman an additional 1 minute.

□ 1300

Mr. ANDREWS. I thank my friend for yielding.

So the fact here is that despite this prediction of 800,000 jobs lost, in fact, the economy has gained more than 1 million private sector jobs since this happened.

But I want to address one other thing that he said. He said that our goal is to ''knock the Republicans off their game.'' We do not think this is a game. We think 15 million unemployed people is a very serious national crisis, and we do not want to play a game. We want to come to an agreement that would create an environment for small businesses and entrepreneurs to create jobs for the American people.

He mentioned sacred cows. We don't think college scholarships are wasteful spending. We don't think that student loans are reckless spending. We don't think that reading teachers and math coaches for our neediest children is wasteful spending. We don't think that job-training grants for people who have lost their job is wasteful. We think that cutting those programs wastes jobs in the private sector. That's why we oppose their reckless budget plan. That's why we beseech the majority, let's get to work putting Americans to work.

Mr. SESSIONS. Mr. Speaker, I stood up and openly said I have no clue how many jobs have been added. But the million-job figure that the gentleman quotes is not a net figure. It's not a net figure. We have lost many, many, many times what we have gained. And the net figure means that when you add in what has been added versus what was lost, this country is in trouble. And I think the American people understand this. They understood it last November. They understand it now.

People are scared. They're scared about their future. They're scared about their job. They're scared about how much gasoline is going to go up. They're scared about whether the EPA is going to come put some more rules and regulations on them. They're scared about what will happen in the long run with their job and health care. They see the diminishment of freedom.

They see where we are in trouble not only in our own homes; we are in trouble with our country. They see that we ran a $230 billion deficit last month alone. They see where this administration is incapable of looking at facts and factors and making a realistic choice about, now that we understand what's happening, what are we going to do when we're in trouble.

The Republican Party is here, and we are not going to be knocked off our game. We're going to go and try and save as many jobs as we can from the onerous rules and regulation, the excessive taxation, and perhaps worst of all, the inattention to try and create a better circumstance for this country.

So that's what we're going to do. We're going to go after and we're going to repeal this ObamaCare. We're going to stay after the rules and regulations, and we're going to make sure that the middle class of this country has a chance to save the job that they have rather than diminishing it.

You have seen, Mr. Speaker, all across this country the States who are in the most trouble have top-to-bottom Democratic-controlled legislatures as well as Democrat Governors. Those States are unwilling to make tough choices. They're unwilling to do the things which would say ''no'' to constituencies who are special interests. Today, the Republicans are on the floor of the House of Representatives, and we're saying not only ''no'' to special interests, but what we're trying to say is that we need to use common sense and balance.

And I recognized 14 years ago when I came up here that common sense is not common in Washington. But today, part of that common sense takes place with, we're going to read the bills before we vote on them; we're going to go through regular order; we're going to relook at the things which have been passed which diminish jobs and which harm our economy. And those are the things which are on the floor today.

Mr. Speaker, I'm proud of our Republican majority. I'm proud of our Speaker, who's from the great State of Ohio, who understands himself, personally, because of the State where he is from, that the State of Ohio is in need of leadership, real leadership, in Washington, DC, just as the rest of the country. And so the Republican Party stands on the floor of the House today. We are about jobs. We're about reducing wasteful Washington spending, and we're going to stand for common sense.

I reserve the balance of my time.

Ms. SLAUGHTER. I would like to yield myself 1 minute, if I may, simply to say that one of the things that we're hearing today is that these bills are unneeded.

Let me just quote a little bit from the Dallas Morning News: home prices down 3.6 percent in December, 40 percent of home sales in north Texas are foreclosed and short-sale homes. A Dallas housing analyst said, ''There's no doubt the foreclosures continue to have an impact on the market,'' and they're going to receive 135 million assistance unless all these bills die.

I will insert the full text of the Dallas Morning News into the RECORD. I obviously mention Dallas because that is the district of my colleague, and I wanted to point out that there's pain at home.

[From the Dallas Morning News, Feb. 22, 2011]

DALLAS-AREA HOME PRICES SAG AGAIN

(By Steve Brown)

Dallas-area home prices show no sign of a rebound in the latest measure. And economists worry that further declines are ahead.

Prices in the area were down 3.6 percent in Standard & Poor's/Case-Shiller Home Price Index released Tuesday.

The December report was the sixth consecutive year-over-year Dallas decline in the closely watched monthly survey.

Nationwide home prices were 2.4 percent lower than a year earlier, according to Case-Shiller.

Only two of the 20 cities that Case-Shiller tracks had increases from previous-year levels.

''Despite improvements in the overall economy, housing continues to drift lower and weaker,'' Standard & Poor's David Blitzer said in the report.

Dallas' decline in December was a bit improved from the 4.2 percent annual price drop that the area saw in November.

Home prices in the area remain about 9 percent below where they were at the peak of the market in 2007.

So far, that's the smallest such drop among all the U.S. markets that the Case-Shiller index tracks.

Nationwide prices have slid about 30 percent since residential values began falling in summer 2006.

Dallas prices at the end of 2010 were about 5 percent lower than they were in June, when the local housing market appeared to have turned the corner.

Since then, sales have plunged and the number of foreclosures coming onto the market has grown—both creating downward pressure on prices.

''There's no doubt the foreclosures continue to have an impact on the market,'' said David Brown, who heads the Dallas office of housing analyst Metrostudy Inc. ''We are [also] continuing to see the effect of the slowdown in sales after the tax credit expired.

POSITIVE, BUT . . .

''I think the reports will start to turn more positive in the second half of the year,'' Brown said.

In the meantime, economic growth in the area and expected gains in home sales later in 2011 will reduce the unsold inventory, he said.

But there are also worries that thousands of public-sector layoffs will add to the housing sector's woes. ''Most of the people who work in the public sector are homeowners,'' said Dr. James Gaines, an economist with the Real Estate Center at Texas A&M University. ''It will be like another wave of private-sector layoffs.''

Gaines said it's too early to tell how many teachers and other state and local government workers will lose their income because of Texas' huge budget shortfall.

But he knows the impact of these layoffs could cause further home foreclosures and certainly reduce potential housing purchases. ''Hopefully, the private sector will absorb some of these folks losing their jobs,'' Gaines said. ''It depends on how severe it is.''

Case-Shiller said that at the end of 2010, the biggest home price declines were in Detroit, down 9.1 percent from a year earlier, and Phoenix, down 8.3 percent.

Washington, D.C., (up 4.1 percent) and San Diego (up 1.7 percent) were the only markets that Case-Shiller studied where December prices were higher.

Dallas-area home prices began falling in July after eight months of year-over-year gains.

TROUBLED PROPERTIES

By recent estimates, almost 40 percent of monthly home sales in North Texas are distressed properties—previously foreclosed and short-sale homes. On average, these homes sell for about 30 percent below nondistressed prices.

Case-Shiller looks at the actual value of specific single-family homes over time. The index does not include condominiums and townhouses. It only covers pre-owned properties—no new construction.

Declining home prices.

Percentage change in home prices in December 2010 compared to year earlier in each market.

Atlanta	−8.0%
Boston	−0.8%
Charlotte	−4.4%
Chicago	−7.4%
Cleveland	−4.0%
Dallas	−3.6%
Denver	−2.4%
Detroit	−9.1%
Las Vegas	−4.7%
Los Angeles	−0.2%
Miami	−3.7%
Minneapolis	−5.3%
New York	−2.3%
Phoenix	−8.3%
Portland	−7.8%
San Diego	1.7%
San Francisco	−0.4%
Seattle	−6.0%
Tampa	−6.2%
Washington	4.1%
Composite–20 city	−2.4%

Source: Standard & Poor's and Fiserv

Mr. Speaker, I now yield 4 minutes to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. I thank the gentlelady for yielding.

As I said on the floor this morning and listening to my esteemed colleague on the other side, I must tell you that I am a bit upset, for he talks about common sense and balance. These two words, ''common sense'' and ''balance,'' are something that I talk about all the time. As the ranking member of the Government Oversight and Reform Committee, we talk about common sense; and we talk about balance.

And part of common sense and balance is trying to make sure our children are educated. Part of common sense and balance is making sure that I helped my neighbor who just died of cancer. I would have to go into my pocket over and over again to give him the money to supplement his chemo. Common sense and balance.

Common sense and balance is trying to make sure that people will have jobs when I appear at my jobs fair in a few weeks, and that it won't be just like last year where 9,000 people showed up at 6 o'clock in the morning and circled around the buildings. Common sense and balance means that the students at Morgan State University will not have their Pell Grants reduced by $800 when they are struggling right now. They're working and trying to get a job if they can get one, and working doing the best that they can, and then it's their turn. Common sense and balance says we don't cut them off.

And so as I listen, I think about all of this, and I'm trying to figure out, how do the American people get common sense and balance out of what is going on in this House?

Now, with regard to I heard my friend talk about regulations, just this morning in a hearing that we had in Government Reform, we had all of these execs from corporations come and talk about how they wanted to get rid of ''job-killing'' regulations. Every one of them agreed with me that regulations are important because they protect the health, welfare and safety of people. And as I told them this morning, I said to them, and I was very clear, I said, when I was a young student, a high school student, and I would go to Bethlehem Steel every summer to work, when I blew my nose after being there for an hour, when the mucus came out, it was black. It was regulations that addressed that. And there were men who had been there 40 years who were breathing that every day, 8 hours a day. And many of them died early. Common sense and balance.

Common sense and balance. And then I said to my constituents, and I said it to them at a town hall meeting this week, I said, I wish the Congress would address issues like we deal with our family problems. If you've got a family problem, if you have got a daughter or a son who wants to go to college, maybe go to an expensive college, you don't say to them, you're not going to go to college. You find a way to, yeah, cut back on some things. You don't cut back on everything. You don't say to that child, you cannot go to school because it's now their turn. You just don't turn your back on them. You don't cut off people's jobs and their training when they're trying to be retrained, when that father who's lost his job is trying to be retrained——

The SPEAKER pro tempore (Mr. LATOURETTE). The time of the gentleman has expired.

Ms. SLAUGHTER. I yield the gentleman 3 additional minutes.

Mr. CUMMINGS. So common sense and balance.

I rise today in strong opposition to this rule, which provides for consideration of H.R. 836, a bill that seeks to kill the Emergency Homeowner Loan Program. This program was created to provide limited, low-cost loans to enable borrowers who are unemployed through no fault of their own—through no fault of their own—or who face debilitating medical costs to continue paying their mortgages until they have made their way through the storm.

□ 1310

By the way, a lot of people say they will never face these medical costs. Well, all of us are the walking wounded. All of us will face difficult problems. The question is: Will America be the America it has always been? We do not get our authority by might; we get it by the way we treat each other.

And so these folks are going through some difficult times. These are the same people that this loan program is about; these are the same people who have shown up time after time sitting in the front row of something I call my foreclosure prevention program with tears running down their faces. Many of them have never missed a mortgage payment, have worked hard every day and have done everything that was required of them. These are our American neighbors. They are the American neighbors who sit in Ohio. They are the ones in California and New York. Those are our neighbors. They are in a time of need.

We are talking about a billion-dollar program to try to help people as they are struggling, trying to get up after an economy—by the way, where regulations failed them. They find themselves in these difficulties in many instances because people were not regulating properly.

And, yes, it upsets me because I go back to a district every night, 40 miles away from here, where people are sad and there are areas in my district where you probably have 25 percent unemployment. So I care about the jobs. They are important to me. I care about people living and staying in their homes.

And so if anything was said by the November elections, it was about we need to sit down and get together and work through people's problems like any family would address family problems. And we must be about the business of making sure that we do those things to have a future. I don't want any child in America—I don't care whether he is in your district, Mr. Speaker, or anybody else's district—I want every child to have an opportunity. I want the same opportunities for your children, Mr. Speaker, as I want for mine.

Mr. SESSIONS. Mr. Speaker, at this time I would like to inform the gentlewoman from New York that I have no further requests for time.

Ms. SLAUGHTER. I yield back the balance of my time.

Mr. SESSIONS. Mr. Speaker, the facts of this case state very clearly that this Nation is being overrun; it is being overrun by too much taxing, too much borrowing, too much spending. Just last month, we hit a record deficit, $223 billion. This is unacceptable. The status quo of where we are moving is not acceptable. With the debt looming at $14 trillion and unemployment hovering across the country at 9 percent, and much higher in many areas of the country, including congressional districts that are hurting even more, and I understand this because those who first lose their jobs many times are disabled people and I understand disabled people and their plight that they have also and it is sad, and it hurts us as Members of Congress and it hurts the American people. The American people asked Congress to rein in the spending and do something about jobs, and that is what we are doing. We are not making excuses; we are getting the job accomplished.

Eliminating this program will save taxpayers hundreds of millions of dollars. By gaining control of government spending and eliminating wasteful Washington government spending and handouts, the private sector can gain some confidence in the economy and start investing in jobs and a brighter economic future.

I applaud my friend, the gentleman from Texas (Mr. HENSARLING), for bringing this legislation, and to the chairman of the Rules Committee, the young chairman, DAVID DREIER, favorite son from California, San Dimas, California. DAVID comes here and so ably runs our Rules Committee for us. We thank them for providing an open and transparent process.

I encourage a ''yes'' vote on the rule.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 830, FHA REFINANCE PROGRAM TERMINATION ACT

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 150 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 150

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 830) to rescind the unobligated funding for the FHA Refinance Program and to terminate the program. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those received for printing in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII in a daily issue dated March 9, 2011, or earlier and except pro forma amendments for the purpose of debate. Each amendment so received may be offered only by the Member who caused it to be printed or a designee and shall be considered as read if printed. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

Mr. BISHOP of Utah. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, this resolution provides for a modified open rule for the consideration of H.R. 830, the FHA Refinance Program Termination Act. It provides for 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services, and for consideration of any amendments proposed by Members that conform to House rules and which were preprinted in the CONGRESSIONAL RECORD no later than March 9, today.

Mr. Speaker, I am also pleased to stand before the House today in support of this rule and the underlying legislation, H.R. 830, the FHA Refinance Program Termination Act.

I appreciate the hard work of the distinguished chairman of the Financial Services Committee, Mr. BACHUS, as well as the hard work of the bill's chief sponsor, the gentleman from Illinois (Mr. DOLD), in creating this piece of legislation which will help this Congress continue to take concrete steps to rein in the out-of-control Federal mandatory spending.

The FHA Refinance Program was originally promoted by the current administration as a way to bail out the so-called underwater borrowers who for whatever reason found themselves in over their heads in personal and mortgage debt and unable to pay their mortgages.

The 110th Congress passed TARP, which was enabling legislation for this new program, thereby effectively allowing lenders to transfer high-risk mortgages, through the FHA, onto the backs of taxpayers in the case of likely default. The $8 billion in TARP funds was originally identified for this new expansive program.

While no one likes to see homeowners in distress and at risk of losing their homes, the fact of the matter is that this new program, no matter how well intentioned, is expensive and has also proven to be a woefully ineffective program at its best.

□ 1320

Originally it was asserted by the administration that this program would allow up to 1½ million homeowners or, as some reports in the papers said, 3 million to 4 million distressed homeowners to obtain more favorable mortgage terms, all guaranteed by U.S. taxpayers in case of ultimate default.

However, Mr. Speaker, there are several problems with this new mortgage bailout program.

First, in some and perhaps in many cases, this program would subsidize irresponsible lenders and borrowers and insulate them from the consequences of bad choices and, in some cases, intentionally speculative financial choices that were made during the housing boom, thus shifting the economic impact of those bad choices and decisions onto the backs of responsible homeowners and the taxpayers. This is troubling, for this should not be the role of the Federal Government—to pick winners and losers in the marketplace.

While homeownership in this country is certainly to be encouraged, this program is exactly the wrong way to go about it. The program basically tells a lender, Don't worry, it's okay. So what if you knowingly encouraged or lent more than you knew the borrower could afford? We'll bail you out of your predicament so you don't have to feel any of the economic consequences of your actions. The program tells borrowers, So what if you took out the maximum loan and got the most expensive house that you could buy even though you knew it was highly unlikely that you would be able to afford those payments in the future. We will bail you out too and insulate you from the consequences of actions as well, and we'll shift all the costs and send the bill, via the FHA, onto the backs of the already overburdened taxpayers.

That's apparently where the buck stops in this program. It stops on the back of already burdened taxpayers and the Nation that itself is $14 trillion underwater in a crushing and unprecedented debt.

Second, it appears that in spite of the urgent housing crisis, this so-called emergency program to bail out underwater mortgages hasn't actually helped anyone. According to the Department of Housing and Urban Development statistics, as of February 3, only 44 refinancing applications have been processed by the agency. That's 44 homeowners out of the potentially 3 million to 4 million as originally asserted by the program's sponsors. Mr. Lamar Wooley, a spokesman for HUD, was quoted in a National Journal Daily article last week as saying ''the department has not yet spent any of the money for the FHA program.''

Even the Special Inspector General for the Troubled Asset Relief Program testified before the Financial Services Committee last week that it was ''somewhat shameful'' how the administration has mishandled this program. Those are his words, not mine. And, finally, FHA Administrator Stevens also testified before that committee last week that ''these new loans may perform worse than refinanced loans that were not previously underwater.'' In other words, Mr. Stevens' statement indicates that many new loans made under this program for underwater loans are far less likely to be repaid, which will weaken the FHA Mutual Mortgage Insurance Fund, hurting other taxpayers and other potential homeowners and exposing them to an even higher risk.

As a result, this program privatizes profit, socializes losses, and at its foundation, this program appears to be built on a misguided economic principle of income redistribution, leaving other taxpayers and future generations to hold the bag with interest.

In testimony before the Rules Committee yesterday, it was mentioned that the private sector, the private mortgage industry, has on its own and without any interference by the Federal Government worked with troubled borrowers to refinance over 3 million loans in order to keep these homes from foreclosure.

So there clearly appears to be a far more effective private sector solution to this crisis than to inject a layer of Federal Government regulation and spending through this expensive program.

We must have the courage to admit when a program is ineffective or too expensive or based on wrong-headed principles of subsidizing personal greed and irresponsibility. With our Nation itself underwater with monstrous debt, passage of this bill to terminate this expensive and ineffective program is a step in the right direction.

It's a good and fair rule. It opens it up for anyone to have access to this bill, and a good underlying bill, and I urge their adoption.

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

Mr. POLIS. Mr. Speaker, I thank the gentleman from Utah for the time, and I yield myself such time as I may consume.

Mr. Speaker, now more than ever it's critical that we focus our efforts on creating jobs, continuing to stabilize our economy and the housing market, and I am happy to say there's some good news on that front.

Just last month, Mr. Speaker, it was reported that we added 192,000 jobs and that unemployment dipped below 9 percent for the first time in almost 2 years. We're talking about private sector jobs. This was due in part to the recovery efforts that were passed in the 111th Congress and signed by the President.

Now, however, instead of building on the successes of the previous Congress and introducing legislation to continue this economic growth, my colleagues are seeking to pull the plug and return us to policies that got us into this economic mess. Instead of talking about on the floor of the House creating jobs, the Republican leadership is focused on repealing the Patient Bill of Rights; passing H.R. 1, a spending bill that Chairman Bernanke stated will kill 200,000 jobs over the next 2 years; and now removing critical support for homeowners who are struggling to pay their mortgages in this tough economic time.

H.R. 830 is more of the same. At a time when housing markets are beginning to show signs of life, signs of recovery, my Republican colleagues want to eliminate programs that keep families in their homes and protect communities from the crippling consequences of foreclosures.

Democrats want to empower homeowners to get their debts under control, not undermine our economic recovery for political gain. It's critical to preserve the American Dream by keeping families in their homes and out of shelters and unemployment lines, and preserving the integrity of neighborhoods that suffer when homes are foreclosed upon.

Repealing the FHA refinance program would empower collection agencies and municipal eviction squads rather than empower hardworking American families who are suffering in this difficult economic climate or are victims of lenders that created financial products through the housing crisis that led to reckless lending.

The bill we have before us today would be harmful to middle class families who are struggling to stay in their homes. Middle class Americans hurt by this bill are exactly the people we should be protecting in this Congress as we start to build a stronger and more stable economic future for our country. Instead, we saw that this House has raised their taxes with the passage of H.R. 4, and now the Republicans are threatening to remove working families from their homes.

Mr. Speaker, we do all agree that this Nation needs to get its fiscal house in order and resolve the housing crisis. But this bill, an outright repeal of the FHA program, is not the right approach. A strong rebound in the housing market is critical to our economic recovery, creating jobs and ensuring that our banks remain stable.

A good indication of the housing market is the amount of delinquencies or the number of mortgages that are at least 30 days late on their payment. According to Jay Brinkmann, the chief economist for the Mortgage Bankers Association, the latest delinquency numbers represent significant across-the-board decreases in mortgage delinquency rates in the U.S. More importantly, loans that are past due by 90 days or more fell 28 percent.

It's clear that through programs like the FHA short refinance option, which the Republicans are trying to eliminate, we have begun to stabilize the housing market while helping Americans pay their mortgages and stay in their homes. These numbers coincide with signs of a recovery in the job market, and now is not the time to abandon the program.

The FHA refinance program allows people who have mortgages that are worth more than their homes to refinance to a more affordable FHA-insured mortgage. This program allows lenders to write down at least 10 percent of the outstanding principal to help bring monthly payments down to affordable levels. According to CoreLogic, in December of last year, about 22½ percent of all residential properties with mortgages were underwater. We are no stranger to that in Colorado. Many homes in Adams County and Boulder County are underwater. These distressed mortgages pose a threat to our economy and the integrity of the banking system. We can't risk another housing crisis and banking crisis by removing programs that help keep families in their homes and keep the homes out of foreclosure.

My friends on the other side of the aisle will argue that this program has fallen short of its original goals. I

agree that this program is not perfect. Instead of scrapping it entirely, we should work to strengthen it, build on success, and figure out how best to resolve the housing crisis this Nation faces. We need to mend it, not end it.

□ 1330

Until just recently, many homeowners weren't even able to partake in this program. Borrowers had difficulty finding banks that had the capacity to refinance under the stringent guidelines of this program. But recently, we've had some good news. Two major banks who underwrite many loans in Colorado, Wells Fargo and Allied Financial, announced pilot projects that would allow underwater borrowers to refinance under this FHA program. By adding these two giants to the mix, the FHA Refinance Program will begin to grow and prosper while it continues to add more banks and increase accessibility. Terminating this project now would result in many families losing their homes and would be a tragic mistake.

Mr. Speaker, banks support this program; homeowners support this program. It's critical that we all allow this program the chance to succeed, rather than make arbitrary budget cuts rather than help struggling families.

This program does not bail out individuals who made mistakes, who made poor decisions, who bought houses they couldn't afford or are looking for a way out of foreclosure. It's not a program to protect vacation homes or megamansions. It's not a free line of credit for anybody. This program is a helping hand to the many hardworking Americans who are in a difficult spot, individuals with good credit scores who can help themselves and the banks who hold their mortgages by participating in this program.

In my home State of Colorado, almost 20 percent of all homes were in negative equity. This means about 220,000 families in Colorado are stuck with mortgages that are worth more than their homes. According to The New York Times, ending this program would squander an important chance to prevent foreclosures. In addition, Mark Fleming, the chief economist at CoreLogic, stated, ''Negative equity is a primary factor holding back the housing market and broader economy.'' With so many families underwater, it would be irresponsible of us to eliminate this program and unnecessarily put more Americans at risk of foreclosure.

Mr. Speaker, to date, not a single mortgage that has been refinanced through this program has gone into default. The majority of costs associated with this program occur if these FHA-insured mortgages go into default.

Now, there's no way my friends on the other side of the aisle can call this a waste of taxpayer money because it has yet to spend $1 of the funds it was allocated. In fact, the Dodd-Frank Wall Street Reform and Consumer Protection Act that Congress passed and the President signed last year requires all unused funds from the program to be returned to the Treasury.

By strengthening this program, improving this program, we can continue to keep Americans in their homes at a minimal cost to taxpayers. Mr. Speaker, we must improve this program so we can keep families from defaulting, strengthen the economy, save taxpayer dollars, and stabilize the real estate market.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I am very pleased to yield such time as he may consume to the sponsor of this bill who has found a program that flat-out doesn't work, the gentleman from Illinois (Mr. DOLD).

Mr. DOLD. I thank the gentleman from Utah for yielding, and I certainly want to take this opportunity to outline what this program has been.

It is undeniable that this program has been what anybody that looks at it can say is a failure. It doesn't work for the homeowners; it doesn't work for hardworking American families that are paying taxes; and it doesn't work for future generations, children and grandchildren that will certainly be burdened with an enormous debt that the government continues to heap on them.

If I can, I will just go back. As a small business owner, I employ just under 100 people—for me, that's 100 families. And I do stay awake at night trying to make sure that these families have the opportunity to put food on the table and provide an education for their children. But one of the things I have learned in business is the fact that you have to recognize when something is not working. This is an instance of something not working in our government.

Let's go back down to just the raw basics. Let's look at the facts of this program. While well-intentioned, the program facts are simply these: We have obligated $8.12 billion out of TARP funds. We have disbursed $50 million. Fifty million dollars has been disbursed, and yet in the downturn we have seen that what should have been—what, $1.5 million is what the administration is saying, the number of homeowners that are coming into this program? We've seen 245 applicants in the last 6 months, 245 applicants. Out of the $50 million disbursed, we have received 44 loan modifications. Just doing the quick, back-of-the-envelope math, $1.1 million per refinanced loan. The average loan is $300,000.

Now, I have to tell you, for the American public, for future generations, that is not a good use of the American taxpayer dollar. We can and must do better. There is no question that there are good and laudable programs out there that we need to be financing. This is not one of them.

Let me just say again that this doesn't work for the homeowners themselves. Why are there so few in a downturn? I would argue because many of the homeowners recognize that this is not a program that they want to be involved with. You can't be engaged in this program if you, first of all, have any equity in your home. You can't be engaged in this program if you're delinquent on any one of your mortgage payments. There are a whole litany of things that prevent you from getting into this program. But if you do get into this program, your credit will be decimated for years to come. The average credit score, according to the experts, is 711. Well, it won't be 711 for long as soon as they take this and get access to this program.

The question is: Will it reduce your monthly payments? Well, after going through this, the homeowners actually have to pay the closing costs, then they have to actually purchase private homeowners' insurance, the mortgage insurance. The chance of them actually reducing their payments is actually not that great. So they're going to go through the hoops and the pains to not reduce their monthly payment. Again, this is not a win for the homeowners.

It's also not a win for the taxpaying American families; $8.12 billion obligated. We have to go in and look at this. When you tuck your children in bed this evening, ask yourself: Is this in the best interests of the future generations? Is this the best use of our taxpayer funds?

We have to be truthful with the American taxpayer. We have to be truthful with the American people. That's what you sent us here to Washington to do is to look you in the eye and be truthful with you. This is a program that doesn't work. That doesn't mean that we don't want to help out homeowners. We do not want to be wasteful with your tax dollars. We have to go back to the drawing board because right now this absolutely is a program that, by all accounts, has failed.

So when you look at your children and grandchildren, know that we can and must do better. I think that we have an obligation to ask ourselves, when we look at the American family: Is this the best use of our resources? Is this the best that we can do? I don't believe that it is.

As a small business owner, we make mistakes. We're going to make mistakes here in this Congress. How will we be judged? I hope we're judged on the fact that we can admit when we've made mistakes and try to then go back to the drawing board.

I urge my colleagues on both sides of the aisle to take a strong look at this, to know when something is not working. We have refinanced literally millions of mortgages in other vehicles. Out of the 6 months that this has been alive, 44 mortgages at the tune of about $1.1 million for the disbursed funds into this FHA Refinance Program.

Mr. Speaker, I urge my colleagues to support H.R. 830 and support this rule.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. I thank my friend from Colorado for yielding.

Mr. Speaker, I would venture to say that if we went to a mall this afternoon in our country, or a diner, or some other place where people gather—maybe people waiting outside of school to pick up their kids—and said, ''What would you like to see Congress work on this week?'' I think most of them would say, ''Why don't you work together to create an environment where small businesses and entrepreneurs can create jobs, because there are 15 million unemployed Americans and we need to put people back to work.'' Others of them might say, ''I'm concerned about educating my children. I have college-age children, and I'm looking at the cost of paying for college education, and I'm extremely concerned I'm not going to be able to educate my kids.'' Others might say, ''I'm worried about my parents. My mom or my dad live with me and their prescription costs are going through the roof and it's a major problem for them. I'm worried about health care for my parents.''

□ 1340

I'm sure there are some—there are many—who would say that they're worried about wasteful government spending, that they do want to see this government not waste their hard-earned money. And I guess there are some who would say there's this mortgage program that's been running for a couple of months, and I really think you should do something about that and get rid of it. There are some, and there will be debate about the merits of doing that.

But if we look at the record of this majority, 10 weeks of hearing those concerns and they are 0 for 10. Ten weeks, not one bill about jobs. Not one idea about jobs, not one effort to create an environment that small businesses and entrepreneurs would thrive in, and this is week number 10 and not a word.

Earlier, in the last debate, the gentleman from Texas said that the Republican job plan was to repeal the health care bill. That was their jobs plan. Well, that ignores the reality that since the health care plan was enacted, about 1.4 million jobs have been added to the economy, almost a quarter of a million of them in health care itself. So that's their jobs plan.

Their education plan is to go to a woman who's working part-time, raising children and trying to go to school, and reduce her college scholarship by $845, so that she probably has to either stretch the years in which she's in school or throw in the towel on her education altogether.

Their education plan is to take 10,000 reading teachers out of America's classrooms and 7,000 special education teachers out of America's classrooms. That doesn't sound like a very educated education plan to me.

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

Mr. POLIS. I yield the gentleman an additional minute.

Mr. ANDREWS. I thank the gentleman.

And, frankly, as far as the price of health care is concerned, if they succeed in repealing the health care bill, the price of prescription drugs will go up for people's moms and dads, not down. Jobs. Ten weeks. No plan. The cost of education. Ten weeks. A bad plan that raises the price of education. The prescription drug problem for seniors. Ten weeks. A bad plan that raises the price of prescriptions for seniors.

A lot of Americans would probably say they don't like the idea of paying $4 or $5 a gallon for gasoline at the gas pump. No plan from the majority. So we'll have a debate on the merits of this bill; but with all due respect, Mr. Speaker, this is the wrong bill at the wrong time. The American people want us to work together to create jobs, make education affordable, and make health care affordable, particularly for senior citizens in this country.

The majority is 0 for 10. Let's make this week the one that we break their losing streak and work for the people of our country.

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

Mr. POLIS. It is my honor to yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to the rule and in support of the FHA refinancing bill that is one of four bills that will be on the floor coming out of the Financial Services Committee on which I serve that is terminating programs that will literally help people stay in their homes and help in the economic recovery.

My Republican colleagues are proposing to terminate these programs, but they are not putting forward any alternative to help these people stay in their homes. There are nearly 11 million homes that are underwater now, meaning that the value of the home is less than the loan the homeowner has taken out to pay for it. Seven million homes have been foreclosed on so far, and another 3 million are expected to be foreclosed on through 2012.

This vote will be on continuing the refinancing of FHA loans that will keep people in these homes, keep these homes filled so that they're not eyesores or pulling down the economy in certain areas.

Last week, Citibank, Wells and GMAC voluntarily came forward and said they intend to participate in this program. It's a voluntary program. These are three of the largest mortgage companies in the country, and their participation will certainly broaden the reach to help more people.

The program allows borrowers to write down at least 10 percent to reduce the debt burden. Then standard FHA loan terms will apply. As with all FHA-insured loans, the property must be the homeowner's primary residence, and the borrower must meet the FHA's full documentation. And they must be current on their mortgage.

With declining home values, borrowers are caught in mortgages that they can no longer afford because their rates have reset or because their interest-only payments have not allowed them to grow any equity in their homes. They are making their payments—but barely. This is an important program.

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

Mr. POLIS. I yield the gentlewoman an additional 30 seconds.

Mrs. MALONEY. States across the country have this challenge. As I said, almost 11 million mortgages are underwater, or 22 percent of all outstanding mortgages. By passing this bill, we are saying that we have no solutions for these homeowners. It is not good for the homeowner, not good for the economy, and certainly not good for our country.

President Obama has issued a statement that he will oppose the termination of this program and indicated that he will veto it when it gets to his desk. But I urge my colleagues to join me in vetoing this rule and vetoing the underlying bill in order to help our economy and to help homeowners stay in their homes.

Mr. BISHOP of Utah. I appreciate listening to the gentlewoman's discussion of the bill actually at hand, and I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, at the end of this debate I will ask my colleagues to vote ''no'' on the previous question so that I can offer an amendment to bring up H.R. 964, the Federal Price Gouging Prevention Act.

I am honored to yield 2 minutes to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to the previous question and against the rule. Not only is the majority passing up another opportunity to finally put forward a bill to create jobs; they are using the underlying bills to make it even tougher on American families, in particular, tougher on middle class homeowners. Further, it is clear, as the gentleman from New Jersey suggested, that Republicans have no plan for rapidly soaring gas prices, another threat to middle class families and to our economy.

The Department of Energy forecasts gas prices could spike to a national average of more than $4 a gallon for regular this summer—about 50 cents higher per gallon than Tuesday's national average of $3.50. In my district of eastern Long Island, regular unleaded has already surged by 34 cents in the last

month alone and now averages $3.74 a gallon. In the east end of my district, it's already well over $4 a gallon. And AAA projects gas prices could reach 50 cents higher per gallon by Memorial Day.

The Republican response: silence. Instead, we will vote today to kill a mortgage assistance program for the struggling homeowners and the recently unemployed. That is why my colleagues, Congressmen MCNERNEY, WALZ and MCINTYRE, and I have joined in introducing the Federal Price Gouging Act to take on this new threat to our economy. Our legislation gives the FTC the authority to investigate, enforce, and then to punish price gouging and market manipulation.

I urge my colleagues to join us in standing up to the oil companies and show hardworking Americans that we are in their corner. Vote against the previous question which, if defeated, would allow the House to consider this important price gouging measure. Now is the time that we must act to prove that their interests are paramount, not the oil companies' or the bankers'.

Mr. BISHOP of Utah. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. POLIS. I yield myself the balance of my time.

Mr. Speaker, while it has been over 2 months, we have yet to pass a single piece of legislation that promotes job growth in this country. My friends across the aisle repeatedly speak of their mandate to create jobs; and yet instead of listening, the Republicans have focused on bills that will hurt the middle class, disempower the middle class, and, in this case, force more Americans into losing their home.

The Republicans have been talking about repeal and replace. Yet so far all we've seen is repeal, no replace. It's not as if there aren't many viable alternatives when we discuss health care reform. There was discussion, well, what do we do with people that have preexisting conditions? There was an enormous leap of faith with regard to repeal. Oh, we'll get to it someday. Oh, we'll get to it someday.

We're hearing the same thing here. It's not as if these viable alternatives, the replace part, are a mystery. In fact, in the 111th Congress I introduced H.R. 4877, which would have provided a capital gains tax waiver for private investment in community banks, giving local banks sorely needed capital to lend to homeowners who needed to be rescued, to shore up their balance sheets, to encourage primary offerings of equity in the private sector.

□ 1350

My bill would allow Americans to invest directly and profit directly from the economic recovery. I plan shortly to reintroduce this bipartisan bill, and I hope to see an outpouring of support from those who have called for repeal so that there is a replace component to what we actually do need to do as a country to mitigate the housing crisis and stabilize real estate. Republicans and Democrats alike should be interested in free market alternatives that don't just reduce taxes to revitalize the housing market, but can eliminate them.

Mr. Speaker, instead of scrapping this program, we need to have a solid response to the housing crisis in this country. We welcome suggestions from Republicans, independents, all Americans to improve this program to make it accessible to more families. No program is perfect when it's created. And the FHA refinance program has shown that it can successfully keep families in their homes when given the chance. Our recovery is just beginning and it's fragile. We need to provide stability and predictability with regard to the Federal policies in this area.

This is just another example of a broken promise, a repeal without a replace. And it is leaving what is fundamentally a critical public policy issue, on which Democrats and Republicans agree, namely, the stabilization of the housing market, without any answer. And even a partially correct answer, Mr. Speaker, is better than no answer. So I hope that the work proceeds to replace; but in the meantime, repealing without knowing what comes next is an enormous leap of faith that could cost too many middle class families their home, which is why I urge a ''no'' vote on the rule.

Mr. Speaker, if we defeat the previous question I will offer an amendment to the rule to provide that immediately after the House adopts this rule it will bring up H.R. 964, the Federal Price Gouging Prevention Act. This bill, introduced today by my colleague, Mr. BISHOP of New York, who we just heard from, would crack down on gas price gouging during international crises affecting oil markets, preventing sellers from taking unfair advantages of circumstances with prices that are unconscionably high.

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

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

There was no objection.

Mr. POLIS. Mr. Speaker, I urge my colleagues to vote ''no'' and defeat the previous question so we can take up a bill that will help, rather than hurt, struggling families. I urge a ''no'' vote on the rule.

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I close with some trepidation, as I heard the debate today about continuing resolutions, health programs, teachers, gas prices, and capital gains. But let me risk something and actually talk about the bill at hand.

First of all, it's an impeccably good rule, which allows an open amendment process for anyone who wants to think through an amendment and prefile it. Not a gotcha amendment, but a real amendment to this bill. It's a good way of handling the situation on the floor. I am very proud of the Rules Committee for presenting this type of a rule.

Secondly, you have heard from the sponsor of this piece of legislation the details that are required of this particular program, which discourages those from actually using it. So that the CBO would say that if we continue this program, which is not actually attracting any takers, it would cost the Federal Government at least $175 million in failed mortgages, defaulted mortgages.

In addition, this is one of the programs that we are talking about mandatory spending, not discretionary, but actually doing something about mandatory spending. And in the terms of the Inspector General, this program has failed. We can do better. And as a government we ought to do better than this poorly planned, poorly executed, underutilized, and very, very expensive failed program.

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

AN AMENDMENT TO H. RES. 150 OFFERED BY MR. POLIS OF COLORADO

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

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 964) to protect consumers from price-gouging of gasoline and other fuels, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the Majority Leader and Minority Leader or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 2 of this resolution.

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote

against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

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

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

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

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

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

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

Mr. POLIS. 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 ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 150, if ordered; and agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 235, nays 186, not voting 11, as follows:

[Roll No. 165]

YEAS—235

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

NAYS—186

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

NOT VOTING—11

Costa
Ellison
Giffords
Gohmert
Graves (MO)
Hastings (WA)
Hinchey
Honda
Hurt
Reichert
Royce

□ 1419

Messrs. FRANK of Massachusetts, PASCRELL, ACKERMAN, and Ms. BASS of California changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. ELLISON. Mr. Speaker, on March 9, 2011, I inadvertently missed rollcall No. 165. Had I been present I would have voted "no."

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.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 240, noes 180, not voting 12, as follows:

[Roll No. 166]

AYES—240

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

NOES—180

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

NOT VOTING—12

Akin
Cole
Giffords
Graves (MO)
Herrera Beutler
Hinchey
Honda
Hurt
Lankford
Luetkemeyer
Marino
Reichert

□ 1426

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. LANKFORD. Mr. Speaker, on rollcall No. 166, had I been present, I would have voted "aye."

MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The SPEAKER pro tempore (Mrs. ADAMS). The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House now observe a moment of silence in remembrance of our brave men and women in uniform who have given their lives in the service of our Nation in Iraq and Afghanistan, and their families, and of all who serve in our Armed Forces and their families.

THE JOURNAL

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

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

RECORDED VOTE

Mr. ROSKAM. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 326, noes 91, answered "present" 1, not voting 14, as follows:

[Roll No. 167]

AYES—326

Ackerman
Adams
Aderholt
Akin
Alexander
Austria
Baca
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Davis (CA)
Davis (IL)
Davis (KY)
DeGette
DeLauro
Denham
DesJarlais
Diaz-Balart
Dingell
Doggett
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Farenthold
Fattah
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gerlach
Gibbs
Gibson
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Hall
Hanabusa
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hirono
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Issa
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.

Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McHenry
McIntyre
McKeon
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Napolitano
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pascrell
Paul
Paulsen
Payne
Petri
Pingree (ME)
Pitts
Platts
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rehberg
Reyes
Ribble
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (WI)
Sanchez, Loretta
Scalise
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sherman
Shimkus
Shuster
Simpson
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stearns
Stivers
Stutzman
Sullivan
Sutton
Thompson (PA)
Thornberry
Tiberi
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Walberg
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Weiner
Welch
West
Westmoreland
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (FL)
Young (IN)

NOES—91

Altmire
Andrews
Bachmann
Baldwin
Bass (CA)
Bishop (NY)
Brady (PA)
Burgess
Butterfield
Capuano
Cardoza
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Conyers
Costa
Cummings
DeFazio
Dent
Deutch
Dicks
Donnelly (IN)
Eshoo
Farr
Filner
Fitzpatrick
Fudge
Gardner
Garrett
Gutierrez
Hanna
Hastings (FL)
Heck
Heller
Hinchey
Holt
Hoyer
Inslee
Israel
Jackson (IL)
Keating
Kinzinger (IL)
Kucinich
Larsen (WA)
Lee (CA)
Lewis (GA)
LoBiondo
Lofgren, Zoe
Lynch
Matsui
McDermott
McGovern
McKinley
Moore
Nadler
Neal
Olver
Pallone
Pastor (AZ)
Pearce
Pelosi
Perlmutter
Peters
Peterson
Poe (TX)
Rahall
Rangel
Reed
Renacci
Richmond
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Sewell
Shuler
Sires
Slaughter
Stark
Terry
Thompson (CA)
Thompson (MS)
Tierney
Tipton
Visclosky
Walden
Wu
Young (AK)

ANSWERED ''PRESENT''—1

Amash

NOT VOTING—14

Boustany
Dold
Giffords
Gingrey (GA)
Gohmert
Graves (MO)
Honda
Hurt
Lummis
Michaud
Pence
Reichert
Smith (NE)
Whitfield

□ 1435

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. GRAVES of Missouri. Mr. Speaker, on Wednesday, March 9, 2011, I missed rollcall votes Nos. 165, 166, and 167 to attend to a family matter. Had I been present, I would have voted "yea" on rollcall No. 165, "yea" on rollcall No. 166 and "yea" on rollcall No. 167.

APPOINTMENT OF MEMBERS TO JOINT ECONOMIC COMMITTEE

The SPEAKER pro tempore. Pursuant to 15 U.S.C. 1024(a), and the order of the House of January 5, 2011, the Chair announces the Speaker's appointment of the following Members of the House to the Joint Economic Committee:

Mr. HINCHEY, New York
Mrs. MALONEY, New York
Ms. LORETTA SANCHEZ, California
Mr. CUMMINGS, Maryland

APPOINTMENT OF CERTAIN MEMBERS TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH REMAINDER OF 112TH CONGRESS

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

WASHINGTON, DC,
March 9, 2011.

I hereby appoint the Honorable JERRY LEWIS, the Honorable MAC THORNBERRY, the Honorable FRED UPTON, the Honorable ANDY HARRIS, and the Honorable FRANK R. WOLF to act as Speaker pro tempore to sign enrolled bills and joint resolutions through the remainder of the One Hundred Twelfth Congress.

JOHN BOEHNER,
Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the appointment is approved.

There was no objection.

PROTECTING AND DEFENDING THE RULE OF LAW IN DOMA

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

Mr. FLEMING. Mr. Speaker, what happened to the rule of law?

Last week, the U.S. Justice Department announced that President Obama would stop defending the Defense of Marriage Act. I remind you that the President took an oath to protect and defend the Constitution.

The Defense of Marriage Act became law in September 1996 to solidify traditional marriage within Federal law. The President now abandons the defense of this law, claiming that no reasonable argument can be made to demonstrate that the law is constitutional—a position many legal scholars have ridiculed while pointing to a wealth of legal authority, including to relevant Federal case law.

So it appears that, not only is the President substituting his power and judgment for that of the Congress when it comes to a number of bold administrative measures to write law from the Oval Office, but he is now substituting his power and judgment for that of the Supreme Court. It appears to me that President Obama sees no need for the other two branches of the Federal Government.

PRESIDENT OBAMA ENFORCES THE LAW ON DOMA

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

Mr. NADLER. I hadn't planned to speak except I must rebut the nonsense we just heard from the previous speaker.

Mr. Speaker, the President of the United States has a duty to faithfully execute the laws. He is doing so. Though he doesn't agree with the Defense of Marriage Act and though he doesn't think it's constitutional, unlike President Bush, who refused to implement and to enforce the laws he thought were unconstitutional, President Obama is enforcing the law. He is simply not urging it in court. That's his prerogative, and that's his duty if he doesn't think it's constitutional.

The fact of the matter is, given Supreme Court precedent on the standards to use in defending a law that discriminates against people, he had no choice because, when you have a group that is discriminated against and that inherently in its characteristics is not politically powerful enough to protect itself, the precedents all say you must have heightened scrutiny.

That is what the President is urging in court. He is enforcing the law, and he is doing exactly what he ought to do.

SOMBER ANNIVERSARY OF NATIONAL GUARD PLANE CRASH

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

Mr. RIGELL. Mr. Speaker, I rise today to commemorate the anniversary of the single largest loss of members of the National Guard since World War II.

Ten years ago last week, the Virginia Beach community and, really, the entire country suffered a tremendous loss when 21 National Guard members perished when their helicopter crashed in southern Georgia during a rainstorm. Eighteen of those members were from Camp Pendleton's Red Horse Guard Unit in Virginia Beach, and it included my good friend Paul Cramer.

My constituent Elayne Schmuckler reached out to our office to share her brother's story. Richard's honorable legacy lives on today, as does the legacy of every guardsman who perished on that flight.

My thoughts and prayers are with the families today on this somber anniversary. The selfless service of their

loved ones and their service to our country will not be forgotten.

May God bless them and comfort them.

□ 1440

END THE WAR IN AFGHANISTAN

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

Mr. KUCINICH. Today, a bipartisan coalition of Members of Congress have introduced a privileged resolution calling for a vote in this Congress to end the war in Afghanistan. More than 60 percent of the American people want us out of there. This war is already approaching the cost of a half trillion dollars. We have Americans who are losing their jobs; their wages are being knocked down. We have Americans losing their homes, losing their retirement security. They can't send their kids to the colleges they want, and we're spending all this money on a war that is a waste of time, money, blood, and treasure to try to prop up a corrupt regime in Afghanistan. Our occupation over there is fueled in insurgency.

It's time for Congress to take its constitutional responsibilities under Article I, section 8. We haven't really done that with respect to Afghanistan. It's time for us to do that. Let's have an up-or-down vote. That's what this resolution is about.

I urge all Members of Congress to consider supporting the privileged resolution that ends the war in Afghanistan.

THE BUDGET BATTLE

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

Mr. KINGSTON. Mr. Speaker, what is the budget battle about? It is about our country; it is about our kids; and it is about our freedom.

Imagine if you were borrowing 40 cents for every $1 that you spent in your household. You would change your purchasing habits. That's what this battle is about.

Do we want to leave to our children a legacy of billions and billions of dollars in debt which they owe to China? That's what this budget battle is about. This is very important stuff.

We have to put the politics of spending and positioning and about being Democrats and Republicans aside. We've got to do what's best for the next generation, not the next election. We need to come together and come up with commonsense solutions, because you and I as Americans, we can do better and we deserve to give our children better than what we're doing right now.

WHAT ABOUT JOBS?

The SPEAKER pro tempore (Mr. HUELSKAMP). Under the Speaker's announced policy of January 5, 2011, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, today we want to talk about jobs. The people in my district, the 10th Congressional District of California, in Concord, Antioch, Pittsburg, Fairfield, Livermore, they want jobs. They want to go to work. They want this government to create jobs.

We are now in the 10th week of the new majority, the Republican majority, and thus far there has not been one significant, useful job bill brought to the floor. Instead, we had a CR brought to the floor that, in all probability, will cost America 700,000 jobs. That's what the CR, the first piece of legislation introduced by the Republicans, would do, 700,000 jobs. And it's all across the board: construction jobs, research, manufacturing jobs, education.

We just heard one fellow stand up here on the floor and say he was worried about his children. He should be, because the bill that he voted for less than 10 days ago will destroy thousands and thousands of teaching jobs across this Nation, including 218,000 young children that will not be in the Head Start program. We can't afford that kind of a ''jobs'' program.

Joining me today is BETTY SUTTON from the great State of Ohio, in the heart of the once very strong manufacturing base of this Nation.

Ms. SUTTON, if you would tell us what's going on in Ohio and how you see these issues.

Ms. SUTTON. Well, I thank the gentleman, and I thank you for your leadership.

Boy, that poster says a lot: GOP continuing resolution destroys 700,000-plus jobs, possibly yours. And where did we get that number? Before we get to Ohio, where did we get that number? We got that number from a number of places. Ben Bernanke said that the plan would cost hundreds of thousands of jobs. The GOP's CR, according to Goldman Sachs, would reduce economic growth by 2 percent and cause the unemployment rate to increase. And a study by the International Monetary Fund concluded that the idea that fiscal austerity stimulates economic activity in the short term finds little support in the data.

We have a group of 300 economists, including two Nobel laureates, who wrote a letter warning that the shortsighted budget cuts to ''human capital, our infrastructure, and the next generation of scientific and technological advances'' would threaten future economic competitiveness as well as our current recovery.

So that's where we begin. Despite all of this forewarning about what this path will lead us to, we still see a continuing resolution that indicates we're going to lose 700,000-plus jobs.

In the State of Ohio, I'm sure that a number of people, most of the people out there, have seen at the statehouse where we're witnessing democracy in action, at least from the outside, because for a while there the statehouse doors were closed when all of the workers and fair-minded Ohioans descended upon our State's capitol to protest against what the Republican Governor there is trying to do to public sector workers.

Under the guise of taking care of our deficit, an attack on workers' rights is being waged not only in Ohio but across this country, from Wisconsin to Ohio to the floor of Congress where we've seen attack after attack. And it's really a sad thing, because we all know we should be focused—and the other side should join us in focusing—on priority one, which is putting people back to work.

In Ohio, the key to our budget problems is more people working than you have revenue to pay for the public services and the public sector employees who help to make our world turn. Can you imagine the idea?

It was not the workers in Wisconsin or Ohio or across this country that drove our economy off the cliff. It was not those teachers or those firefighters who rush into those burning buildings when we run out of them. It was not the police officers who are out there on our streets protecting us and keeping our communities safe. It was not the workers.

The workers are not the problem. They are part of the solution of where we need to go. But the bottom line is we need to be focused on creating jobs. And it's just amazing that not only are our friends across the aisle, the Republicans, not interested and focusing on that—10 weeks on the job, zero jobs—they're actually looking at cutting those people who do have jobs, their rights. It's just fundamentally unfair and it's counterproductive.

We all know that we need to trim back our budget. We should always be willing to trim back the budget, but only by engaging in smart cuts, not just indiscriminate cuts.

What happens when a person doesn't have a job? What happens when 700,000 people don't have a job? Do we think they just disappear, that they are no cost to our government, to our country? Not to mention the loss of dignity and the loss of opportunity, everything that our country stands for, having a chance to make a way for your family, to feed your family and take care of your family.

□ 1450

It's a crazy idea to say that we can make cuts that cut hundreds of thousands of jobs and somehow that will lead us to prosperity.

Mr. GARAMENDI. And reduce the budget deficit.

Our President in his State of the Union said that we have to out-educate, out-research, out-manufacture and out-build the rest of the world. Yet the first significant piece of legislation

that the Republicans moved through this House goes in exactly the opposite direction. It does in fact reduce the education. I guess 20,000 or 30,000 teachers are going to lose their jobs. Kids will not be there.

But the thing that really struck me—we were talking earlier with my colleague from Maryland about this—is the research. In the area of research, which are tomorrow's jobs, what does this CR do? What does the Republican Caucus want to do? They want to cut back on the research. You're looking at a significant number. I think it's over 5,000 key researchers.

Could our colleague from Maryland share with us her experience and her knowledge, because you are in one of the research centers.

Ms. EDWARDS. I want to thank the gentleman from California for bringing this to our attention. I've been thinking a lot about the role of research and development to the 21st century and to 21st-century job creation. In fact, I've introduced along with you and a number of our colleagues, my colleague from Maryland, Republican ROSCOE BARTLETT, H.R. 689 which is the 21st Century Reinvestment Act. The goal is to invest in research and development, expand our tax credit for research and development, make it permanent, and then link it to manufacturing.

Here has been my experience. In the Fourth Congressional District, we are home to some of the most fantastic research innovation that's happening anywhere in the country. That's true all across the country, but these sorts of robust and innovative firms, many of them are small firms. They can't afford to just front-load R&D to create manufacturing jobs, but they need the government to have a tax policy that actually encourages that. So I am all in favor, actually, of a tax policy that encourages the positive things that we want, research and development, job creation, manufacturing.

Instead, what did we get out of Congress? We got a tax bill that rewards the top 2 percent with tax breaks that they're never going to put back into the economy. We've had 10 weeks of a Republican revolution here in the House of Representatives that has created zero jobs, and, in fact, a continuing resolution out of this House of Representatives, this Republican-led House of Representatives, that would destroy 700,000 jobs. It is as if we're saying, No, we don't really like the 21st century. We want to go back to the 19th and the 20th century. That is not how you rebuild a manufacturing base in this country.

I have actually been struck traveling throughout my congressional district at small firms like Wabtech up in Gaithersburg, Maryland, which is doing some really innovative R&D, research and development, to develop signaling systems that will help us with high-speed rail. Guess what: they've just had to lay off workers because we are not making the right kinds of investments into research and development and technology that's about jobs for the 21st century.

The President got it right. He said we have to out-innovate, out-educate and out-build. The way that we do that, of course, is to invest in our educators; invest in our young people. We're doing exactly the opposite. The Republican majority is doing the exact opposite here in this Congress. Again, 10 weeks of work and not a single job.

In fact, Congressman PETE SESSIONS from Texas has just said: you know what, we're not going to create a jobs bill at all. We're not interested in jobs. All we're interested in is cutting government spending.

Well, let's look at what they're cutting, some of the most innovative research that's going on in this country. NOAA, that looks at our weather service, that makes sure that our farmers understand what's happening with our climate and our weather so that they can engage in production of products throughout this country.

What else are we doing? They say the National Institutes of Health doesn't need $2.5 billion to continue innovative research in cancer and other things, things that actually play out in terms of the marketplace, creating private sector jobs in a new economy.

I am really struck by the language of small business, the language of innovation, the language of job creation but not a single job. Zero jobs. Ten weeks of a Republican revolution, zero jobs; 700,000 jobs lost.

I would urge my colleagues that if they really want to be about the 21st century, then they should join us in expanding the research and development tax credit so those innovative firms can invest in all the technologies of the future, so that we can produce the Ph.D.s who are needed to conquer the 21st century and then link that to manufacturing so that the small firms in my district and all across the country can take advantage of a research and development tax credit because they are making things, where, making it in America.

Mr. GARAMENDI. If America is going to make it, we must once again make it in America. Manufacturing matters, and the first step in the manufacturing of this century is the research. It's the well-educated workforce that's capable of doing the new things and the research that goes with it. You are very fortunate in your district to have some major research facilities. NOAA and NASA are in this area. In my own district I have the Lawrence Livermore labs and, adjacent to it, the Lawrence Berkeley labs and the Berkeley campus as well as the University of California-Davis campus where research is what it's all about.

In the continuing resolution, 700,000 jobs. That's a big number, and we just don't focus on that. But we're talking about real people. This is the job next to you that's going to be lost. Sandia Laboratories was in my office no more than an hour ago talking about research for nuclear power and how we're going to deal with that. I told them if the Republicans get their way, 5,500 researchers at the national labs are going to lose their jobs. So what of tomorrow's energy systems? $1.7 billion would be taken out of the Department of Energy's future energy research. So solar, photovoltaic, advanced biofuels, the research for tomorrow so that we can actually wean ourselves from foreign oil, gone. Gone.

You go, What is this, just a feeding frenzy? Is it wise? Is there any real thought put on this? I think the answer for me is no.

I notice that our colleague, new to the House but not new to the issues from Rhode Island, has joined us. How does this affect Rhode Island? What does this mean to your State?

Mr. CICILLINE. I thank the gentleman from California for organizing this Special Order. I'm new to this Chamber, I've been here 2 months, but I think the poll that was released today, the Bloomberg poll released this morning, again found that America's top priority is jobs and getting people back to work.

We've been here 10 weeks and the Republican-controlled Congress has presented zero jobs. It hasn't presented a jobs bill. It has presented a spending plan that will cost 700,000 jobs. That's an analysis done by respected economists across the country.

Rhode Island is a State that has a very rich manufacturing history. We are the place where the Industrial Revolution began, home to some of the greatest manufacturing. I think, like many States, we have suffered in this recent economy. Rhode Island has been particularly hard hit. But I think if we are going to remain a world economic power, we absolutely have to make things again in America. If you ask people who believe that we're losing that position as a world economic power, you ask them, who do they think is the world economic power, they say China. If you say, why China? They say, because China makes everything.

I asked my constituents during my campaign, go into a store in Rhode Island, try to find something made in America. It's almost impossible. I really hope that the 112th Congress will be the Congress that revitalizes manufacturing in America. That means working hard to be sure we have a national manufacturing policy, to be sure that we provide manufacturers with the tools that they need to compete in the 21st century, to be sure that we have trade policies and workforce investments that allow them to compete globally, and to be really making the kinds of investments in manufacturing that are necessary not only to create jobs in the short term but to ensure the long-term economic health and prosperity of our country.

□ 1500

What I am afraid the Republicans have proposed in their budget proposal,

in an effort to make cuts now, are seriously compromising our ability to lead the world as an economic power. Look, we have to cut spending. We have to be responsible about managing this deficit. But we have to do it in a smart and strategic way that protects our investments in education, in innovation, in science and research so that we can make the new discoveries, develop the new products, and then manufacture them and lead the world as an economic power.

This is an opportunity to really understand the urgency of supporting manufacturing so that we can start making things again in this country, start selling goods. That's how the middle class was built in America, was through manufacturing. That's what built this country, a strong middle class. And the ongoing decisions that have been made by my friends on the other side of the aisle are undermining the middle class, are weakening the ability for manufacturing to grow. And I think they are the wrong decisions for our country.

Mr. GARAMENDI. Thank you very much for the perspective from Rhode Island. I was, years ago, on the Blackstone River, which I think was the heart of the Industrial Revolution here in the United States; and they were using water power for the mills at that time. A fascinating, great history. And now the most advanced technology is also done in Rhode Island, a lot of it having to do with the construction of submarines and the like. Very, very advanced. But all of that comes from the research, the engineering, the STEM education: science, technology, engineering, mathematics.

I would like to turn back to our colleague from Maryland. I see that she has a few more thoughts. She was kind of anxious to get back into this discussion.

Ms. EDWARDS. I want to thank you, Mr. GARAMENDI, because I am excited about the prospect of manufacturing again in America. In my home State of Maryland, about 40 percent of our economic base was manufacturing. Today, that's under 10 percent. And I think that that's a sign of what's happened all across this country. But it doesn't have to remain that way.

Today, we heard the Prime Minister of Australia express a belief in America that I want America to express in herself in terms of us leading the world in technology development and manufacturing for the 21st century. We need to return to that. There is still a lot of innovation that's going on.

But let me tell you what's happened over the last couple of decades. The United States used to have the number one research and development tax credit in the world. Today, we're number 17. From number one to number 17. And what that means, when you begin to lose ahold of your innovation and other people are doing that innovation, pretty soon the production lines move to where the innovation is taking place. So it's no accident that manufacturing is leaving to where some of that innovation is taking place in other countries. I want to make sure that we're doing it, that we are making it, that we are manufacturing it right here in the United States.

Let's take solar panels as an example. All of the great solar technology that we have developed right here in the United States. Where do we make solar panels? Every place else, particularly in China. Well, we should be making those in the United States, production lines and manufacturing lines that are actually close to where the research and development is taking place. We can go industry by industry, sector by sector and make the argument for making it in America. We are great innovators.

But we don't want to be at number 17 when it comes to incentivizing through our tax policy good things, incentivizing innovation and manufacturing here in the United States, creating local jobs. I mean, the couple of firms that I talked about, they have 200 employees. And, you know, some of those employees graduated high school and they're working on that production line, high-paid jobs working on that production line. They're working alongside engineers who have Ph.D.s, and there are researchers with their Ph.D.s all along that production line, a couple of hundred employees. Well, we should be doubling and tripling that all across communities across this country so that we're not at 10 percent of manufacturing capacity in my State, but we're at 40 and 50 percent, because then people are working, they've got good job jobs, they've got great education, and we are making it in America.

Mr. GARAMENDI. Let me pick up a couple of the themes that you hit upon. One of them, continuing on with research in this area of this part of the country, and certainly in the San Francisco Bay area, where I represent, health care research is huge. It is an extraordinarily big part of the economy, both the research and then the spin-offs from it. We call this the biotech. And this is almost entirely health care-related biotech. We also have the biofuels, again coming out of research.

The Republican continuing resolution reduces funding for the National Institutes of Health by $1.6 billion. We are talking about 25,000 health-related research projects that will either stop, be delayed, or pushed off the track—25,000. We're talking about things that are really serious to us: heart disease, diabetes, cancer, all of the things that affect every American and literally everybody in this world. The research would be slowed down, stopped, and in some cases terminated as a result of the feeding frenzy that went on here on this floor where more than 400 amendments were considered with very, very little thought.

Our colleague BETTY SUTTON talked about, yes, cuts, but be smart with your cuts. Don't just take whatever is on your mind, whatever the latest sound bite is, because it may have a very detrimental effect. You are looking at in this case the National Institutes of Health. Human health. Our well-being as Americans; and that means 25,000 research jobs would be terminated.

Now, the press doesn't follow the details. The press follows the game. Is the Senate going to act, or will we have a government shutdown? That's an interesting game. But underlying those will-they won't-they issues are the issues of what actually is in the legislation; and this particular piece of legislation, 700,000 jobs, critical needs that we have as human beings for health, jobs that we need in the future, whether they are in the science field, in the manufacturing field, and jobs for today in the construction industry.

Pulling money out of construction for infrastructure; programs to provide clean water for our communities—thousands of those programs will die as a result of the Republican continuing resolution which is now before the Senate. Hopefully, the Senate will be wiser than what happened here on the floor. We can go on and on.

I developed a list, I call it the dirty dozen, and these are specific things, education, I know that's a big thing in your district, University of Maryland, I think it's adjacent to your district, but you claim it, don't you?

Ms. EDWARDS. Well, let me just go, because I am having a conversation this afternoon with the president of the University of Maryland. I was out at the University of Maryland campus over the past weekend. Like campuses all across this country that are engaged in some of the top-notch research that's going on in the country, I was with 300 young people from kindergarten to 12th grade over at the University of Maryland, all interested in the STEM fields, interested in science, technology, engineering, and math, interested in making a career in those fields that are about the 21st century.

Sadly, here we are in the United States Congress completely disconnected to communities, completely disconnected to young people and their aspirations for the future, cutting, slashing, burning, cutting programs that are about educating our young people to take advantage of the 21st century.

And so it just seems that there is a complete disconnect between what the majority is doing and how that will play out for our future. And so I had to say to these young people, you know, stay with it. Stick with those STEM fields, with the science and the technology and the engineering and math. Go on to that engineering school, go on into the biosciences that we see coming out of the University of Maryland, go on into the space program because we are investing in technologies not just that are going to open up our universe, but that actually have real application here on Earth.

We have to continue to support our young people to do that. But it really does fly in the face of what's actually being done by this Republican majority to cut away at education for the future, to say we don't really want to manufacture things here in the United States and say that we don't really care whether we make that research and development tax credit permanent so that small firms can innovate and create and hire.

But we know that America cares about those things. That's why it's important for us to have this conversation with the American people about what it's going to take, really, to jump-start the economy and the things that are happening in this Congress that are going to put a kibosh on that.

□ 1510

Cutting 700,000 jobs, zero jobs created in 10 weeks of this Congress, and not investing in our future, not investing in our manufacturing.

Mr. GARAMENDI. Precisely so.

At the University of Maryland, I suspect it's similar to what I found in the California State University system, which is the largest university system, they would argue, in the world. We may want to find out what China's actually up to, but it's a huge system.

The Pell Grant is a critical element in providing the opportunity for students to stay in school. Yet the continuing resolution supported by the Republicans here on this floor, and now over in the Senate for consideration, would drastically reduce the Pell Grant by some $870 per person at the same time that the tuition at all of the universities is going up, literally making it very difficult for tens or hundreds of thousands of students to stay in school, and these are the future workers in the high-value jobs that we need here in America.

So, it's not just the higher education and the Pell Grants that are being cut, but at the beginning, the Head Start program, we're talking about young children who do not have an opportunity because of their family's poverty to get started in education, a proven program that actually works. Now, not every Head Start program—and last year, we put together a program to weed out those that are not successful and bring in new ones that would be able to replace them. But 218,000 young children from impoverished families are going to be thrown off of the Head Start program, not next year, but as soon as this continuing resolution becomes law. We can't let that happen.

So we will fight. Firstly, and hopefully, the President, should this somehow pass the Senate and come back to this House and be passed, the President should veto it because I know that he wants to out-educate, out-build, and out-innovate every other country in the world; and you cannot do that unless you have a highly educated workforce soon and later, beginning with those children in the Head Start program.

Now, this is a program in your year that I understand that is important to you.

Ms. EDWARDS. Just yesterday, educators from my congressional district were here on Capitol Hill. They were educators from Bowie State University, an Historically Black College that is now poised to get research grants going to Historically Black Colleges and Universities, cut by the Republican majority in the continuing resolution.

There were representatives here from the University of Maryland. I've spoken again about the wonderful work that they are doing in cyber security, in aerospace research over at that university campus, cut in this continuing resolution.

There were educators from our community colleges that are training both young people and people who want new and real skills for this new economy, cut in this continuing resolution.

And you spoke about the Pell Grants. What these universities and community colleges share in common in higher education is that they know that in order to bring up the most diverse workforce, a trained and skilled workforce, we also need students who come from vulnerable families, whose families can't afford to send them to school. And what have we done? We've cut out of that continuing resolution, the Republican majority has cut $845, $870 from Pell Grants. And you know what that means? That's books for a semester, not even two semesters but, you know, probably a semester.

And so I have to wonder what the majority is thinking about the future. They may be thinking about today, maybe—and we can argue about that—but they surely are not thinking about the future by cutting education, by not investing in manufacturing, by not investing in research, by not investing in all of the things that will make us competitive for the 21st century.

Mr. GARAMENDI. We kind of bracket the United States here. We've got the east coast with Maryland, and I'm out on the Pacific coast, but somewhere in between I believe is the State of Colorado, and I noticed our colleague from the State of Colorado was standing over there, and he had that ''I've got to get involved in this'' look. Please join us and share with us Colorado, which has some of these programs and is very, very important to all of us.

Mr. PERLMUTTER. Well, your point, to my friend from California, is that manufacturing matters and having jobs in America matters, that, you know, if we make it in America, we will make it in America. Our focus should be on providing good jobs here with good infrastructure, whether that's education, highways, transit, energy, in this country so that, for ourselves, our kids, our grandkids, there's a prosperous future.

But the Republicans completely missed that entire approach, and I liken it to this. Everybody says let's look at this as if it's family and a family has to tighten its belt sometime. No question about it, but let's really look at what's occurred here and talk about the country as a family, because we are all in this together. You know, sometimes we can do something by ourselves, but most of the time we're in this together.

So what's happened here, let's look at it, is at the beginning of this century, back in 2001, 2002, the country took a voluntary pay cut. When the tax cuts under Bush came down, the country took a voluntary pay cut. So then the next thing that happens is, besides taking a voluntary pay cut, that family or that person goes out and he builds two houses. We went to war twice in the Middle East to the tune of who knows how much money, but at least $1 trillion. So now we've taken a pay cut. We are building two houses——

Mr. GARAMENDI. Two wars.

Mr. PERLMUTTER. Which are two wars, and all of a sudden the breadwinner has a heart attack. And that's what happened in the fall of 2008 when we had the financial crash. So no income or lower income and lots of hospital bills. And those hospital bills came in the form of unemployment insurance, COBRA for health insurance, and all sorts of things designed to keep the country moving forward despite the financial crash.

So now, just as the person begins to recover, the breadwinner recovers from the heart attack and is starting to earn a salary again. Hospital bills start dropping, but you still have hospital bills to pay. My friends on the Republican side of the aisle said, Wait a second. We should pay them all right now.

No question that they have to be paid, but you've also got to get healthy. And just as we're starting to add jobs in this country, just as people are starting to get back to work, my friends on the Republican side of the aisle want to blame the debt of this country not on the voluntary pay cut, the tax cuts, not on the two wars, not on the financial crash. They want to blame it on Head Start. They want to blame it on energy efficiency. They want to blame it on education.

Those are the kinds of things that make the patients stronger and healthier and this Nation stronger and healthier so that we can have jobs here, so that we can build things here, so that we can have a prosperous future for ourselves and our kids.

And my friends on the Republican side of the aisle are so misdirected on this that it's scary, and Americans should really sit up and take notice that their future is really being put to the test by the approach that the Republicans want to take to balancing our budget and to building our future.

With that, I would return the conversation to my friend from California.

Mr. GARAMENDI. Let's continue the conversation for a few moments here.

Presumably, these cuts were made to deal with the deficit. We've got a deficit problem. Thank you so very much for going back to the history of how we wound up with this huge deficit problem. It did begin in 2000 when the Clinton administration left office.

The projection for the decade 2000 to 2010 was there would be a $5 trillion surplus, $5 trillion surplus. Based upon the policies that were in place when Clinton left office, 2001, $5 trillion surplus, literally paying off all of America's debt—gone, history.

What happened? How well you said it. Two tax cuts that were not paid for that cut the revenue of the Federal Government. Two wars, Afghanistan and Iraq, not paid for. First time in America's history that we went to war without having some way to pay for it, that is, some tax policy to pay for it. And then on top of that, a Medicare program, the drug benefit, again, a hundred billion dollar program, not paid for, and then the heart attack.

□ 1520

The crash of the world economy was caused by excess Wall Street exuberance. In many cases, that exuberance was fraud, misdirection, and the collapse of the financial industry taking down the world economy and our economy.

Mr. PERLMUTTER. And to that point, the financial heart attack that this country suffered and the world suffered, now the country starts to get back on its feet. Under Barack Obama, on March 9 of 2009, 2 years ago, the President had been in office for 1 month, we hit the bottom of the stock market. It had fallen some 6,000 points in the last months of George Bush. Since President Obama came into office, the stock market has gained 6,000 points. Almost 2 years ago to the day, the stock market reversed itself under his leadership.

Now, part of that is we put some police back on Wall Street, not in an excessive way, but in a way to make sure that investors and people dealing with the financial industry were getting a fair shake. And confidence has been restored to some degree in the financial industry.

Now my Republican friends, that's another place they want to cut. Let's take the cops back off the beat both on Wall Street as well as all across the country. Again, a very wrong-headed move to build the future of this Nation.

I would like to do just one other family analogy if I could. So we've had this tremendous fall. The family has got to manage its expenses. It needs to get its income up, and it needs to manage the expense side. So what we have is, say, okay, we got Aunt Maude, she's in a nursing home. We've got Nephew Joey, he's in a preschool down the street, and we've got Uncle Rex who is an oil company executive. And we've been helping all of them. We've been helping Aunt Maude. We've been helping Nephew Joey. And we've been helping Uncle Rex.

Well, under the Republican approach, they want to kick Aunt Maude out of the nursing home. They want to make sure there's no preschool for Nephew Joey, but they want to keep sending the check to Uncle Rex.

We're all in this together. If we want to manage this deficit, if we want to pay down the debt, we are all in this together. And the approach that they've taken just doesn't make sense.

Mr. GARAMENDI. If we were to look at the proposal that President Obama put forth in his budget that came out about a month ago, he put forth a program that would hold government expenditures at a 5-year freeze, that is, no increase, but they're being able to continue to pay for those necessary programs for Aunt Maude and for Nephew Rick—was it Nephew Rick?

Mr. PERLMUTTER. Nephew Joey.

Mr. GARAMENDI. Nephew Joey. It was that other uncle that was making off like a bandit.

Mr. PERLMUTTER. Uncle Rex.

Mr. GARAMENDI. So that was to freeze the level of expenditure and to put in place tax policies so that your oil company executive would begin paying a fair share, rather than getting a very significant tax break, beginning to pay their share back into this economy.

Over time, and this was about in 7 years, the percentage of the GDP, the gross domestic product, that was to debt, or to the deficit, would fall from around 11 percent down to about 3 percent, so that it would be managed over time.

Going back to your analogy, you've got all of those debts built up during the 2000 to 2010 period or 2008 period, and then, taking time, 6, 7 years, to bring it back under control, not with the kind of chaotic cuts that are now being proposed by our Republican friends where we would actually slow down the economy, throw some 700,000 people out of work, reducing tax revenues, increasing unemployment, unemployment expenses go up, hospital, emergency room expenses go up because people no longer have health care, and on the other end, people losing their homes. They don't have a job, you can't pay the mortgage, you're going to lose your home, so the housing market would also be hit as a result of the proposal that actually passed this floor with Republican support. I think there were only three or four Democrats who voted for it.

We need to have a wise policy. We need to make cuts. To be sure, we need to make cuts. And I want to put one example on the table here before we go any further and people think that we're not supporting cuts. We asked last year the Congressional Research Office, a nonpartisan group, to take a look at governmental programs and to tell us where the duplication is, where the unnecessary programs are in governmental programs.

That report just came out yesterday. And I was thumbing through it quickly. I don't have it in front of me, but I was going through it. And what struck me was that most of the duplication, most of the unnecessary programs and the waste turned out to be in one Department of this government. It happens to be the Department of Defense. No surprise. No surprise. Duplication, unnecessary expenditures and line after line after line came up that that's where we should be focusing. There are other programs, to be sure, but the big bucks, the big dollars were in the Department of Defense.

Now, it is pretty well known, certainly in my district, and I'd like anybody else to know, that I think this war in Afghanistan ought to end right away. That's $120 billion. Let's just say we leave behind in Afghanistan for social and economic development, to deal like a laser on al Qaeda, the real terrorists that may be there and in Pakistan and in other places, let's just say we can take back $100 billion. That happens to be $40 billion more than the continuing resolution that was put forth here. I don't want to get too far off track, but that's a lot of money. And ultimately, we're going to leave, and they're going to go about doing what they need to do over there. But we need to focus on the terrorism and focus significantly like a laser on that.

Maybe I got a little bit off track with it, but if you want to save $100 billion, there's $100 billion.

Mr. PERLMUTTER. Would the gentleman yield?

Mr. GARAMENDI. Please.

Mr. PERLMUTTER. So I just say to my friend from California, just going back to my analogy, or my metaphor, of voluntary pay cut and then all of a sudden you're building two houses after you just took a voluntary pay cut, being the two wars, but the good news, but there still is much work to go, is that the war in Iraq, we had 150,000 people there. Under the Obama administration, that's been drawn down to about 50 and is shrinking, we're saving already $100 billion a year there alone. Obviously, you've got to look at Afghanistan and a continued drawdown because that's money that could go towards not increasing the debt, but ultimately reducing the debt.

The other thing is that the best way to shrink the deficit, just in that same analogy I was giving, is to put people back to work. The more people that are working, the better off we are. We are in this together. That's the whole point of this. This country's motto is ''e pluribus unum,'' from many one. We're in this together. Big guys, those guys making a lot of money, God bless them. The little guys who are working their fannies off, God bless them. We are in this together. And the only way we deal with problems in this Nation is when we deal with them together.

And this country is a great Nation. We will solve these problems. There will always be problems in the future, and we just take them one at a time as they come. We can do this. We will do

this. We will have a prosperous future for all of us. But we've got some work to do right now.

And my plea to my friends on the Republican side of the aisle is don't cut off the Nation's nose to spite its face. We can take care of these responsibilities and pay these bills. That's what America does. It pays its bills. We need to do it in a sensible way and not cut out the future and the opportunity that so many Americans get from their education, from the infrastructure that needs to be rebuilt, and from making things here in this country.

□ 1530

Mr. GARAMENDI. I am delighted to hear the gentleman from Colorado's perspective.

Two things immediately on my mind, and I see my senior colleague from the great State of New York has joined us. I will call on him in just a second.

One of the things that we are focused on in the Democratic Caucus is making it in America, rebuilding the manufacturing in America so that America can make it. Manufacturing really matters because this is where the middle class is. This is where the middle class jobs are, when you couple that with the power of the unions to make sure that working men and women, the middle class, get a share of the wealth that is generated when we manufacture things.

Some what is going on in the Midwest, in Minnesota, Wisconsin, and Ohio, and other States is really important in making sure that the wealth that is generated in this Nation is available to everyone in this Nation, particularly those people who are making things in America once more. Wouldn't we all love to go into a Target store and find on every shelf ''Made in America.'' Chinese, fine, you guys are doing okay. But I want those things made in America.

Two pieces of legislation that I have introduced, along with many others that my colleagues have introduced, simply say if it is our tax money that is being used to support, for example, solar, photovoltaic systems, the wind turbines, the biofuel systems, if it is our tax money that is being used for the production tax credits or to subsidize the solar cells on your house, buy American-made cells. Buy American. That is American dollars. Use that money in America.

Similarly, you and I, we are paying 18½ cents on every gallon of gas to support traffic, to support highway construction, buses, trains, and light rail systems. Our money should be used to purchase trains and buses and light rail systems that are made in America.

Mr. PERLMUTTER. Would the gentleman yield one more time?

Mr. GARAMENDI. Certainly, and then I will turn it over to Mr. RANGEL.

Mr. PERLMUTTER. On that point, you raise a great point. Here we are finally making some real progress on energy efficiency and renewable energy, and we know that you have to have the whole menu of ways to power this country. It's oil and gas; it's going to be carbon-based fuels; it's going to be nuclear; it's going to be renewable energy and energy efficiency. But under my Republican colleagues' plans, we are going to go right back to where we were as we start to see gasoline starting to go through the roof. So we are always going to be at the whim of importing oil.

I mean, I feel like sometimes my friends on the Republican side of the aisle, their mantra is: Let's export jobs and import oil. It's just wrong. It's wrong for this Nation. It's wrong for the future, for our future, and for our kids. We really have to be focusing on that. This Nation needs to come together because we can build that better future together and not just doing some of the I think knee-jerk things that the Republican Party has requested of the Congress. It is bad for America. It goes way too far, and I know we can do better.

Mr. GARAMENDI. Mr. RANGEL, please join us here.

Mr. RANGEL. Well, thank you so much. I was in my office doing a lot of work, and I couldn't figure who you people were talking about; it must be some foreign enemies of the United States that really were not supporting the things that, as far as I am concerned, it just makes common sense. It's just a patriotic agenda. It's just something that if America has given us the opportunity to get to where we are, and our parents are where they are, it just seems to me that we cannot afford to talk like Democrats and Republicans. We're talking about America, an America that can be and continues to be a beacon for countries all over the world.

You mentioned manufactured, made in the United States. I remember I was on a trade mission in the Caribbean and there were some difficulties some Members had about whether or not we should give preferential trade to these small countries. My contribution was I just walked around everything that was in the places where we were. The corn flakes came from the United States. The cars came from the United States. The lamps came from the United States. The furniture came from the United States. Doing trade with them meant we were encouraging our base to do what we do best, and that is to make things. So it just seems to me that when we get a flicker of hope coming out of Detroit—and, oh, my God, Detroit, when I was a kid after World War II, I really thought I was in heaven to see middle class people with cars and little boats and kids going to college, and their parents never dreamed it. But they were making things. They were making money. They were investing in our future.

And now that they're coming back, I cannot see why any police cars, fire cars, commuter cars, anything, how we can say that—we ought to go to Detroit first before we go to Tokyo, before we go to Taiwan and all of these other countries. It is the sense in saying that you made an investment in a country that created an atmosphere that makes us all proud.

To me, I like fighting Republicans. I mean, it's what the country should be all about. And I have been here for four decades. It has been exciting. And people said, well, didn't this happen in 1994? No; we fought then, but we were still friends. We didn't have people putting down our country. We had different ideas how to reach the same objectives. We were concerned about jobs always, but also education, also health care.

It's inconceivable how anybody, Republican or Democrat, can cut programs when, if you go into an emergency ward in a hospital, they don't ask for your voting card. They don't ask whether you are a Democrat or a Republican. If you are laid off, and you go home and you have to tell your wife or pull your kids out of school, the loss of self-esteem, the loss of the security you have, the embarrassment that you are going to lose your house, nobody asks, are you a Democrat or Republican, are you liberal or conservative. And it gets contagious as to what happens in one block when a house is foreclosed. Then it happens in a community, and then is happens to America. And that is what is happening today. It is happening to our country.

And so it seems to me that when people have campaigned and said that they want to stop spending, they want to stop borrowing and they want to raise revenue, they want to balance the budget, that's not Republican, that's American. But where do you ever get the concept that just stopping spending in certain areas, it means that you have savings? I mean, you can cut someone's foot off, but still you're going to have a problem with the rest of the economy. And if, indeed, the specialists, Republicans or Democrats, economists can tell you, that their H.R. 1 continuing resolution is going to lose 700,000 jobs, how in the world could we not debate that? How in the world can we not discuss that?

How can not a group of Democrats and Republicans say, well look, we made these campaign promises. They were ridiculous. We really believe we ought to make sensible cutbacks. Let's see how we can cut back without causing more economic problems for our country. Let's see whether or not the environmental problems still are going to continue, whether or not health problems are still going to be there.

And my God, education. Education, the United States of America. Education has been the key to opening the doors for imaginations to capture the entire world. And you don't have to have any bad feelings about other people in other countries; it's just that we're so used to being proud as Americans. We're so used to saying that if

it's made in America, it must be better. And what we're not used to is asking for handouts. And what we're not used to is having people say that they're not going to help us with unemployment insurance when we didn't want that, we wanted employment. And they say no, they can't even give us assistance while we're waiting for a break.

Right here in America, there are so many people who have lost their jobs. And do you know, JOHN, those jobs will never be there for them because productivity, technology, has closed the opportunity. My God, they have to be retrained; and they reach a certain age where retraining is not even an option.

□ 1540

For our young people to go to school or for them to continue to believe in their communities, in their families and in their country, you've got to have training and education to find out what the demand is going to be. It won't be the same demand that we had, perhaps, when I was a kid or when my parents were kids; but there should be great opportunities in the greatest country in the world.

Make no mistake about it: We are not broke. We are not broke. We did not get into this thing in a Democrat way or in a Republican way. People made big, big, big mistakes, but it wasn't the guy working on the job or the guy in the union who made the mistake. It wasn't that we overcompensated public employees. They didn't cause this deficit.

It just seems to me, JOHN, that we shouldn't have to have this debate on this floor. People listening ought to recognize that cutting billions of dollars of resources and causing pain to our young people and to our senior citizens is a campaign promise that shouldn't have been made and that certainly shouldn't have been carried through.

Mr. GARAMENDI. If the gentleman would yield, first, thank you so very much for joining us and for bringing a perspective of four decades of extraordinary work here on the floor and in the committees, for keeping us on track, and for keeping that vision that America is a great place. Americans are strong and resilient and really want to improve their positions and, even more so, want to improve their children's positions. Therefore, the key investments that we must make for today and on into the future are pretty straightforward.

We need to have the best education in the world. We've got a long way to go. We're not going to get there by eliminating Head Start, by eliminating the Pell Grants, by forcing kids out of school, by shutting down classes or by taking classes from 20 to 35 kids. That's what my daughter faces. She's a second-grade teacher. She now has 33 kids in her class. She'll probably have 35 in a couple of months. She had 20 last year. We can't improve the education system. Research. That's tomorrow. Research is tomorrow. If we don't do it today, we will lose this.

Already I'm getting companies coming to me, saying we have to improve the research. We have to have that research tax credit because what's happening is the manufacturing isn't in America—it's overseas—and now the research is following the manufacturing. We've got to turn that around. Yet the continuing resolution cuts research: energy research, research in manufacturing, research in health care.

So where is tomorrow?

Tomorrow is going to be overseas unless we return it to America with smart investments in the future: infrastructure; transportation, moving people here and there; information infrastructure. The continuing resolution cuts infrastructure. Those are ''today'' jobs that give us the future. We can go on and on here, but we are nearly out of time.

What I would ask my Republican colleagues is to put the feeding frenzy aside and to sit down and look at what really can be cut without harming the future. We can do this. We can make it once again in America if we use our tax policy wisely, if we use our tax money to support American-made products—buses, trains, solar cells, wind turbines. Our tax money should be used to buy those pieces of equipment that are made in America.

Mr. RANGEL. Will the gentleman yield?

Mr. GARAMENDI. I would love to yield to you anytime.

Mr. RANGEL. Just on what you were talking about, the tax policy, and knowing that the top 1 percent of the wage earners, or the income people, in this country own 40 percent of the Nation's wealth. The President of the United States has to go to the United States Chamber of Commerce and remind them of the hundreds of billions of dollars that taxpayers have given to them so that they will be able to survive. Yet they won't take a gamble with their country in terms of helping us in partnerships to create the jobs that we need so badly. If we cleaned up the Tax Code, we could find so much that we could reduce the rates and make certain the incentives that we have would be to encourage people to invest in the good USA.

So let me thank you so much for the contribution you're making. To me, anyone watching this ought to throw away Republican and Democrat ideas and try to find out what's good for our great country.

Mr. GARAMENDI. This is a great country, and we're going to have a great future. We're in tough times right now, and we've been in tough times in the past. But if we have wise, thoughtful policies, we'll pull this country together, and we will deal with the deficit. We just can't do it in ways that are not wise and that do not give us the investments for the future.

I think our time has expired. Thank you so very much for joining us. Thank you for your years of service to this Nation as a Member of Congress and as a war hero. We thank you.

Mr. RANGEL. Thank you for your great contribution.

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

THE CONGRESSIONAL REVIEW ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. CARTER) is recognized for 60 minutes as the designee of the majority leader.

Mr. CARTER. Thank you, Mr. Speaker. I appreciate being recognized.

In 1994, when the Republicans were placed in control of the House and Senate, they produced a magnificent piece of legislation, a legislative weapon against the overreaching of government. This was done in the Clinton administration, and it was signed into law by that President. This weapon hadn't been used but once during the Clinton administration and not at all during the three GOP years of President Bush.

What it's called is the Congressional Review Act. This is an act that requires all Federal agencies to submit any new major regulation to the United States Congress for 60 legislative days prior to its enactment, during which time the Congress can vote to block these new rules if the Congress sees fit.

With Mr. Obama in the White House and Senator REID still throttling back in the Senate, the Congressional Review Act gives the House the potential to block or at least to expose the outrageous new rules being promulgated on the American people. These were done by the entrenched leftists in the Federal bureaucracy, and they are controversial rules that cost Americans jobs.

If there is one thing that the American people have told us they are most interested in, besides the fact that we are running away with spending in this Congress, it's that they want jobs. You can do whatever you want to a family, but if you give a family a job, that family has at least the security of that employment. Since by that very destructive nature these regulations have the potential, rather than to create jobs, to destroy jobs, they should be seriously looked at by this House of Representatives.

One of the things that people don't understand about how the Federal Government works—in fact, we had this said to us all the time—is ''you passed X law, and it's really affecting and hurting my business,'' when in reality the law, itself, may not do any harm to one's business at all. The regulations, though, promulgated by the authority that has been given rulemaking power on that legislation have the effect of law. Yet they're not passed by this

Congress. They're passed by the various agencies and bureaus of the country when the Congress gives them regulatory authority.

Now, if you really don't know what's going on here, you may ask: How important is that? Well, let's just take a look at last year.

Last year, the Federal Government issued a total of 3,316 new rules and regulations, which is an average of 13 new rules a day. Seventy-eight of those new rules last year were major rules. The definition of a ''major rule'' is a rule that may result in having an annual effect on the economy of $100 million or more—a major increase in prices or in the cost to the consumer. It may have a significant effect on the economy, including employment.

□ 1550

The ObamaCare bill, which was passed by this Congress in the last session of Congress, the health care bill, it arguably is the mother of all rule creators. The Congressional Research Service reports that ObamaCare gives Federal agencies substantial responsibility and authority to fill in the details of that bill and of that legislation with subsequent regulations. There are more than 40 provisions in the health care bill—that is called the overhaul bill—that requires, permits or contemplates Federal rulemaking authority just in that one act of Congress. Forty different agencies can create rules that affect the health care of every American citizen. This House can fight back on those rules with this Congressional Review Act.

Now what is the Congressional Review Act? As I said, they filed this with the Congress. And then for 60 legislative days—and ''legislative days'' has a definition. A legislative day is a day that this Congress is available to act. So if the Congress recesses for 3 days, those 3 days are not counted in the number of days. So it's not 60 calendar days; it's 60 legislative days.

For instance, if you look at the last Congress, rules that were filed last summer, last June, in fact, which would be more than 6 months from the 1st of January, those rules are still available for review. Now, how is that possible? Well, between the 1st of June and the end of the year, this legislative body was not in legislative session 60 days. We had the longest recess in probably the institute of the Republic that took place in August because of the political world that the majority saw itself in and the fact that they felt like they needed to have 6 weeks back home to do the politics. So the majority gave us the long recess. We had a break in the 4th of July week. Then we came back for 2 weeks. Then we went back home for campaigning. And then we came back, after campaigning, in December for 2 weeks. So, in total, we didn't reach 60 legislative days. But all that counting starts over with a new Congress.

Something that most Americans don't know is, every time we have a new Congress, everything starts over. So when we wrote rules for 2 years ago that governed this body, we had to write new rules for this session of Congress. At the end of this 2-year period, we will write new rules for the next session of Congress because we are required—you've heard it's a new world every morning. Well, at least for Congress, it's a new world every 2 years because the nature of our very existence is we are the people's court. The House of Representatives is the people's House, and the people's House changes depending on who gets elected every 2 years.

So now we have started a new 60-day period. The 60-day period, the rules that were filed that would be subject to this Congressional Review Act, those rules were all filed on the 15th of February because that was the first time that both Houses were completely in session. And so these things will expire sometime in June. After that clock has run, then this House can no longer act. So the House has, right now, during this period of time, from February to June, to act on a lot of regulations. This gives us a chance to make a determination.

This is kind of the Congressional Review Act right here. I want to give you some examples of some kind of rules that are available to be dealt with under the Congressional Review Act and will be dealt with under the Congressional Review Act.

The FCC has proposed rules that would allow the Federal Government to act as a gatekeeper and prohibit broadband providers from selectively blocking or slowing Web traffic. These new FCC rules will restrict access to the Internet and stall innovation in our country, further damaging the economy and hindering job creation.

Most people think the Internet works pretty good right now, but there are those who think the Federal Government should intervene in the Internet and the agency in the executive branch should have a chance to actually regulate and decide how the Internet is going to operate. We can't affect the Internet worldwide, but we can affect the Internet in the United States. Most of us feel that we should not, in fact, be intruding on the Internet. This is now coming up for disapproval under H.J. Res. 37. GREG WALDEN is carrying the ball on this, and that clock expires on the 14th day of June.

The NESHAP rule for Portland cement manufacturing. What is Portland cement? Portland cement is that bag of powder that you mix with gravel and so forth to make concrete. That's what Portland cement is. Portland cement is manufactured in the United States and manufactured all over the world. There is a regulation which would require the closing of 18 cement plants in this country. These jobs from these cement plants, as a result of the regulations that are being proposed, would be forced to move to India and China if they wanted to continue to produce Portland cement because they would not be able to meet the standards that would be established by this rule.

The U.S. cement industry today provides more than 15,000 highway jobs, with an average compensation of $75,000 per year, along with allied industries that account for nearly $27.5 billion of the gross domestic product. A statement made by the concrete industry is that there is only one element in the world that is more prevalent in construction than concrete, and that's water. You have to realize that the second element most important to construction around the world is the production of cement, the production of concrete, and water is the only one that's more important. It's a pretty amazing amount of concrete that is required in the world; and yet as a result of this rule, there is a distinct possibility that we will be looking at about 70 percent of our concrete manufacturing being done outside of our country.

Now, there has been a lot of criticism of this challenge to this rule because people are saying, but look, these cement manufacturers put mercury into the air; they don't regulate mercury. Well, I just want to show you something that I think was very interesting when this argument was made.

This map, prepared by the Electric Power Research Institute. Now remember, this is the most and this is the least amount of mercury production on our chart. Now, you will notice that all of the red and these green and yellows here, they're scattered in there, is heavy concentration of mercury in the air. The source of that mercury originates outside the United States.

This is not the result of American production of Portland cement; this is the result of foreign production of Portland cement, because these are regulated industries already in this country and nobody regulates those industries outside of this country. And because of the prevailing winds from the Far East, more than half of the United States has a major mercury output. And the solution is to write a bill that will force more companies to go overseas. That means more mercury will be in the air because they will be sending them to unregulated countries.

This is a bill that wasn't thought out. This rule was not thought out well enough, and so we should stop it. We should sit down and work out a clean air set of regulations that actually work to reduce this mercury production and, in fact, bring more people to producing in this country rather than not producing in this country.

□ 1600

One of the things I hear every day when I go back to Texas is: When are you going to stop outsourcing our jobs to other countries? And yet we're writing a regulation right now under Clean Air that is going to outsource thousands of American jobs to other countries.

This is something that needs to be thought through. Many times these agencies, because they don't answer to the American public in any form or fashion, other than this review, these are things that they need to be sat down and we need to get their heads on straight.

This new rule, we will try to raise this rule. You say, This is how it works in the House of Representatives. How does it work in the Senate? Well, what makes this a really interesting rule is you first need to know what the rules of procedure are in the Senate. It takes 60 Senators to agree to bring anything to a vote in the Senate, which makes it difficult to bring things to a vote when more than half of the Senators have to agree just to bring something to a vote. But written into this act, signed by President Clinton into law, is the provision that this particular examination of rulemaking authority only requires 30 Senators to agree for a vote, that it can be brought to a vote.

So when it passes out of the House and goes over to the Senate, it only takes 30 Senators to agree to bring this to a vote. If it passes the Senate, then it is sent to the President's desk. Then basically he's got the only vote left, in many cases to prevent bad regulations. The President told us the last time he had a press conference that he was going to stop job-killing regulations in this country. The regulations we are going to be working on are job-killing regulations. And so we're going to give him the opportunity to do that. If he chooses to veto it, so be it. Basically, he had the one vote that could have stopped the job-killing regulation.

The Office of National Coordinator for Health Information Technology has promulgated complex, confusing and costly rules establishing what it means for hospitals and physicians to have a certain EHR, whatever that is. I don't know what that is. If not simplified, the rules will prevent health care providers from receiving incentive payments and increase the cost of EHR installations and limit the innovation in the health information technology market.

Another rule that's out there is called the boiler MACT rule. Basically, the Environmental Protection Agency is proposing four separate rules that would establish more stringent emission standards on industrial and commercial boilers and process heaters. The broad-reaching proposals could cost manufacturers over $20 billion in compliance costs and place hundreds of thousands of jobs in jeopardy. This needs to be dealt with by the 21st of June.

The Florida numeric nutrient water quality standards rule. This is also by the EPA, as I understand it. This rule mandates nutrient standards for Florida lakes, rivers, streams and estuaries in response to litigation initiated by environmental and special interest groups. The Florida Department of Agriculture and Consumer Services concludes that Florida's agriculture community will lose 14,545 full-time or part-time jobs and $1.148 billion in sales annually if this rule is approved. This is why this Congress ought to look at this rule.

HHS rule on medical loss ratio requirements under the Patient Protection and Affordable Care Act. This regulation requires all health plans to pay a minimum of 80 percent of premiums toward health services. Larger insurers should pay a minimum of 85 percent. Industry analysis estimates that as many as 47 percent of the participants in individual and small group plans which have higher administrative costs due to economies of scale will lose their health insurance if this regulation becomes law. So this one regulation, which comes out of what we call the ObamaCare bill, could cause 47 percent of the people who have small to midsize health care plans to lose their health care plan.

We actually have a bill that is coming before this Congress. GEOFF DAVIS of Kentucky has introduced this bill. It mandates that all new major rules must be approved by Congress before becoming law.

This one is pretty simple, and it just supplements what we're already dealing with. It uses the same definition for major rules and requires Congress to approve all major rules and Federal regulations before they become effective.

Why would we do that? To start off with, 3,000-plus new regulations were passed last year. These regulations could cause you or others to lose their jobs. And so if it is our responsibility, and I think it is our responsibility in this House, for us to come up with solutions that make jobs be created rather than make jobs disappear, then those things that have a potential to make jobs disappear, it's part of our responsibility to take a hard look at those regulations that might make jobs disappear. This is not rocket science. This is pretty easy stuff.

We who are the people's representatives, who are elected to represent the people of the United States—and remember how our Founding Fathers set up our Constitution: The Senators represent States and the House of Representatives represents people. Our districts are drawn based on the population in those districts. Their district is the whole State, and they represent the State of Texas or the State of New Jersey or the State of New York or the State of California and all the other States. So we are the direct link to the people.

We are the only branch of this House and Senate where no one can sit in these seats and be a Member of Congress unless they were elected. That's something a lot of people don't know. If we should have a Senator, heaven forbid, die while in office, that Senator can be temporarily replaced by an appointment by the Governor of the State that that Senator represents. But if we have a Member of Congress, heaven forbid, die while in office, that Congressman has to be elected before they can serve in the House of Representatives.

We are the people's House. We are the only House that depends upon the vote of the people to keep us here under all circumstances. So if that's how we get here and our responsibility in today's economy is to try to get ourselves out of the poorhouse with all the borrowing we've been doing and to help create jobs so Americans can get back to work, if Americans get back to work, we will have a solution in many instances to the problems that face our country right now as far as debt and other things, because if they are working, they are paying taxes and those taxes will help alleviate the issues we have.

If that's the case, why wouldn't it make just decent common sense that this Congress, the people's House, would have the opportunity to look at regulations that might destroy jobs? And if we have credible people that are saying they will destroy jobs, then we need to look seriously at those regulations. And maybe it's just a matter of killing the job-killing regulations so that we can renegotiate regulations that solve the problem without driving industries overseas or killing the jobs that these industries create.

Sometimes agencies are not putting priorities on people; they're putting priorities on other things. Therefore, we need to examine our priorities. Our job on the floor of this House is to make sure of the safety and welfare of our constituents back home and make sure that we do everything we can to make sure that they've got a job so they can support their families and support themselves.

Right now, with, not 9 percent anymore, 8.9 percent unemployment, which is about as close to 9 as you can get without being there, we are still in an unemployment nightmare in this country.

□ 1610

I can remember back during the Clinton administration when there were public service announcements made that said 5.5 unemployment was full employment for the United States. We later learned that unemployment got down, during the early part of the last decade, to a much, much lower number than that. But we certainly know we cannot continue to tolerate somewhere between the top end of 8 and 10 percent unemployment and expect our economy to be healthy. We've got to get our people back to work. These regulations are part of the issues that are going to be important to discovering the solutions to this problem.

Some would say this is controversial. Some would say that if the Congress interferes with regulatory authority then Congress is going to take on something that by plan was passed out to the regulatory agencies to keep us

from having to work so hard and getting into the weeds on all these bills. I didn't come up here, and I don't think anybody came up here, not to work hard. If they did, they probably don't belong being up here.

If the actions of a regulatory board or an individual that is in charge of a regulatory agency has a dire effect upon the employment of any American citizen, I think we as the Members of this Congress have a duty and a responsibility to at least look at it. If we don't think it's bad, we can vote accordingly. But to just ignore it and let these things be created, and I would argue without a serious due process of law, because the only people that police this up is the various agencies in the executive branch of the government, and it's generally done by career bureaucrats. And they make these decisions. These people don't answer to the American people. They don't go before the American people for a vote every 2 years. Therefore, they don't feel the pressure of the damage that can be done by some of these regulations.

Some of these regulations that are going to come before this House are going to be good regulations, and I would expect them to be voted for and upheld. But if we have the responsibility and the duty to protect our fellows, then I think we should step forward and do that job.

My friend from Florida is here. Welcome. I will yield you whatever time you would like to join me in commenting on this regulatory overreach.

Mr. POSEY. I thank the gentleman from Texas for recognizing me.

I didn't plan to speak today. But I was in my office and I was listening to your explanation of this abhorrent and out of control administrative rules process, where people who are not elected and are not accountable make up the rules as they go along however they may want them to. We have had a number of cases that have injured my constituents, or at least caused them a lot of sleepless nights already.

As you may know, sir, earlier this year the Securities and Exchange Commission exposed their intent now to examine the entities that they regulate not just based on their conformance with securities law, but on their environmental stewardship. Now, these are the same people that couldn't put Bernard Madoff away when they were given an open and shut case 10 years before Madoff basically turned himself in. This is the same agency that hasn't disciplined anybody. Nobody's been reprimanded. Nobody's had their wrist slapped. Nobody's had a day off yet. They can't do the job they are supposed to do now, but they're going to start regulating companies for their environmental stewardship based upon rules that they promulgated. And you're correct that's the wrong thing to do.

Most recently, and near and dear to my heart because it affects so many people in my State, is the new rule the IRS has proposed to deal with banks and foreign deposits. You know, for over 90 years this country has encouraged foreign investors to put their money in our banks. It makes good sense. We have their money, we can loan it out, it creates jobs for Americans. It's a win-win situation. It's a win for them, it's a win for us.

Now, the IRS has decided that they're going to promulgate a rule that says the banks must notify the governments of every foreign depositor regarding how much money they have in our banks. Now, what's the benefit to the United States for that? There is no benefit to the United States. They don't owe taxes in the United States. What's the liability to the United States for that? The liability is that $200 billion to $400 billion will leave American banks and go back into foreign banks.

Now, can you imagine if you were unfortunate enough to be governed by Hugo Chavez, Ahmadinejad, or Castro what would happen if they found out that you had assets in the United States of America? You would not only lose your assets; you might lose your life. But more importantly, this wrong-headed rule would cause a dramatic destimulus effect on our economy when you look at a stimulus bill of $800 billion that basically didn't perform like it was supposed to.

It doesn't make much sense to write a rule that would take $200 billion to $400 billion, up to as much as 50 percent of what our stimulus bill was, out of our economy. The IRS tried to do this about 10 years ago. Over 100 Members of Congress stepped up and said this is a lousy idea, and it needs to be defeated. So my plea today, sir, is that we can have at least 100 Members of this Congress that will again stand up and say this was a bad idea 10 years ago, it's a bad idea now. Let's kill this rule and don't let it happen.

Mr. CARTER. I am glad you brought that up. You know, what's really interesting, Mr. POSEY, is they've got this new rule, I am not sure who promulgated it, that if you are a volunteer on a commission or a board that has anything, any form or fashion that handles money, you have to pay a $600 licensing fee to get a license to serve on the volunteer board. You know, the one that comes to mind is, every city of any size has what's called a planning and zoning commission. I happened to serve as the chairman of that commission in my hometown of Round Rock, Texas. It's a hard job. It's in many ways a thankless job.

But now, in order for a volunteer to come in and serve to decide how the city's going to plan and zone its area for various construction and business, you got to pay a fee to volunteer, 600 bucks. But that's not how ridiculous it is; any board, agency, or commission. And every State has literally thousands of these volunteer positions that people do to help out their State, their city, their county. If there is any form or fashion of bonding capacity for any relative group that you serve, you have to buy a license for 600 bucks because you are considered to be in the investment business.

I yield to the gentleman from Florida.

Mr. POSEY. I thank the gentleman again. You know, many people, even elected people aren't really familiar with what exactly an administrative rule is. We talk about these administrative rules as rules, and people wonder what they are. I used to explain to people that in Florida, where I first got interested in the administrative rule process, all the laws on the books passed by their elected State officials were in four law books this big. They were shocked by that.

They said, well, what about the commercials where we see the attorney in front of all the books advertising for Dewey, Cheatem and Howe? What are all those? Aren't those our State's laws? Yeah, that's last year's edition and the edition before that, and the interpretations of them. But all those rules are in those four books. They are shocked at that.

They said, well, we thought there were a lot more laws than that. I would say, well, there are a lot more laws than that, but those are all the laws that were made by people you elect. The administrative rules are laws which are made by unelected people that you don't vote for. And usually, they could fill up half the room. They would probably fill out a quarter of this room. So that's what most people don't understand, the relatively few laws that are passed by people they elect, and the plethora of rules that are passed by people they don't elect.

□ 1620

I remember it's one of the reasons I ran for the State legislature. I had promised my wife when I got off the city council I'd never run for office again as long as I lived. She made me promise her. That changed, and one of the reasons was I was upset by the runaway proliferation of rules in that State, which seemed like they were making rules willy-nilly that were causing an inconvenience for every business and putting jobs in danger.

So I got elected and, Judge, you know, the first bill I passed made it a third-degree misdemeanor for a bureaucrat to promulgate a rule that wasn't authorized by statute. Of course, people thought I was crazy. A lot of the media made fun of me, and I was the brunt of a lot of jokes.

The Governor at the time had a hit squad go after that bill, and when I had it come up in committee they went around and met every member and said, Kill this bill. But it still got out of committee. So they referred it to six more committees, and we weren't able to advance that.

I struggled with trying to change the way the administrative laws are promulgated and come up with a system

for about 4 years, to no avail. Representative Simler, Representative Pruitt were doing the same thing, and it just seemed like we were getting nowhere. And then in the 4th year, the Governor that had previously seemed so disgruntled with my legislation gave his final State of the State address wearing one of these belts like they wear at Walmart or Home Depot or Lowe's so you don't hurt yourself, and he was holding all the rules that applied to a cook shack that he wanted to build on Chemonie Plantation. And he said, We have got to do something about this out-of-control rules process.

And he gave every member of the House and every State senator at the time a copy of a book by Philip Howard called, ''The Death of Common Sense.'' It is a great book that I implore people to read. It is very short and it is an easy read. It talks about how the rules process has worked to harm society.

You know, Mother Teresa at one time wanted to have a house for the homeless in New York City. She located the perfect spot, got the contractors ready, was ready to open the doors, but the building department said, No, you can't do that here. She said, Why? Because that building does not have enough restrooms. So we have to continue to let the people sleep on the sidewalks and use the street for a restroom because of the rigid, monolithic interpretation of the laws and the rules.

So, as a result, finally, of his personal experience, the Governor said, We need to change rules, the rules procedure, and we did. And you know, we changed the way rules are vetted. There's a joint administrative procedure committee which reviews every rule to make sure there's specific statutory authority to write that rule.

The new process wasn't in order very long before one of the State agencies determined that any land with a new type of fern or fauna on it should be considered a wetland and couldn't be used for any development. Fortunately, it impacted a very large landowner down there who challenged the rule through an investigative court, an administrative rule through an administrative judge. The administrative judge ruled in favor of the bureaucrats, saying the legislature could not possibly have meant exactly what they said. That was the crux of their 38-page decision.

So the next year we passed House Bill 107, which basically said we mean unequivocally exactly what we said, and from a rules perspective the State has lived happily ever after.

Now, Washington is more dysfunctional than I anticipated that it would be when I got here, and one of the worst dysfunctions is the administrative procedures or the administrative rules process here. It's shocking that it's a very old process built on a flimsy foundation. There have been numerous attempts to fix it. None of them have been really successful, and I think, as you and I have discussed before, we need to have total reform. We need to start with a clean sheet of paper, and we need to make the agencies accountable for the rules they write, and they need to be specifically statutorily authorized to do those things.

And so I hope that our colleagues will join with us as we move forward trying to seek an accountability and an efficiency in our government that is greatly lacking right now but is within our grasp.

Mr. CARTER. Reclaiming my time, we're joined by the gentleman from Arkansas (Mr. CRAWFORD), one of our new Members. We're proud to have you.

Mr. CRAWFORD. Thank you.

Mr. CARTER. We're talking about the regulatory overreach of the Federal Government.

Mr. CRAWFORD. Absolutely. I appreciate the opportunity to be heard, Mr. Speaker.

Under the Obama administration, the executive branch has hijacked the legislative process. The administration is riddled with unelected officials who are regulating the American people. The FCC, for example, the EPA, and dozens of appointed czars have way too much to say. Congress needs to take back the reins on legislating, which is what we were elected to do.

Appointed friends of the President, they don't know what the people need. That's why we have Congress. We were elected to know our districts and represent our districts' needs. That's why I know how detrimental the EPA's regulations are to farmers, for example.

Time and again, the EPA has produced regulations that go way beyond the intent of the Federal law. For instance, the Clean Air Act was intended to keep our air safe and clean, but the EPA has turned it into something it is not: a means to regulate dust. Mr. Speaker, I have actually risen in support of legislation to not fund their ability to regulate dust, and here I am again talking about this very same thing.

I represent a heavily agricultural district in the great State of Arkansas, and the farmers in the First District will tell you this. Food comes from the ground; and in the process of taking it out of the ground, they're going to stir up some dust, and now the EPA wants to regulate that dust. It's a natural byproduct of growing and harvesting crops and has been since man first put seeds in the ground. In order for these farmers to do their job and feed the millions of hungry mouths in our country, they should be allowed to do their job without being further poked and prodded by EPA bureaucrats.

Under the new national ambient air quality standards, the total estimated cost to industry lies near $90 billion a year. A huge portion of this will be a direct hit to our farmers, putting many permanently out of business. Mr. Speaker, I am certain that the Clean Air Act was not legislated to put farmers out of business.

Another example of unelected officials missing the mark is EPA's fuel containment regulations; once again, the EPA overstepping its bounds. They want to tell farmers how best to run their farms. Not only does the EPA not trust farmers to run their operations well, the parameters end up costing the farmers tens of thousands of dollars, depending on the size of their farms.

What the EPA needs to remember and understand is that farmers are smart people. It is in the best interest of them to invest in containment berms to ensure the land remains productive. Farmers don't want to spend money to clean up a fuel spill, which is why they already take the necessary safety measures. They shouldn't be forced to spend $10,000 for each containment facility when $1,000 would do the trick. Farmers know best how to protect their own land.

We can't forget to protect the farmers. Folks, if we eat, we're involved in agriculture. There are over 300 million people to feed in America and only 1 million farmers. In fact, out of that 1 million farmers, 250,000 account for 80 percent of the total food production. I know here in Washington we can barely agree on anything. But I think there's one thing we can agree on regardless of our political affiliation, age, race, or gender, and that is: We like to eat. So why are we harming the people who feed us?

We need to bring common sense back to Washington. Quit letting the bureaucrats in Washington run a rice farm in northeast Arkansas, and let them do their jobs.

The Clean Air Act and fuel containment are two solid reasons why the congressional relief act is necessary, and I proudly stand with my colleagues in this effort to scale back rogue agencies such as the EPA in order to restore congressional intent to the regulations that are being produced. No longer should we let the tail wag the dog.

Mr. CARTER. I thank you for your comment. I'm sure there have got to be some people that are listening to this who want to say, Did he really say ''regulate dust''?

Mr. CRAWFORD. Absolutely right.

Mr. CARTER. Yes. There is a proposed rule to regulate dust. Now, that statute actually exists in the State of California, which is closest to bankruptcy of any State in this country. And the Central Valley of California has had an issue about water and the shortage of water in the Central Valley, one of the breadbaskets of the entire Nation, because of a debate over water. Until it started to rain, they've been dry as a powder keg, but they have the dust regulation in California.

So we inquired of them, What do you do if you've got a gravel road going up to your farmhouse to keep the dust down?

Well, we have to water it every day. We have to take this shortage water that we don't have enough to even

grow a clump of spinach, and we water our roads so we don't violate our local Clean Air Act in California.

□ 1630

And I got humorous about that because I went to school at Texas Tech in Texas. And although we have come a long way up on the south plains of Texas in reducing the amount of dust storms that have been up in the panhandle of Texas, we still have dust storms. And when I was at Texas Tech, we had dust storms that were so bad that if you drove into the wind, they would literally sandblast the front paint off of your car. Now I want to know what the fine is going to be and who's going to have to pay the fine when there's dust blowing in all the way from New Mexico and Arizona that comes blowing into your State, and who is the EPA going to punish? I haven't got a good idea. But chances are, the farmer. And that's the real tragedy here.

Certainly there are particles in the air that are bad for folks like me who have asthma, and we have to be concerned about it. And we're not going to let people overproduce any kind of disaster. But to say you can produce no dust on a farm is pretty close to crazy. Just the turn of a plough creates dust. Just the driving of the pickup to the barn creates dust. And I think it's a little overreaching.

I was talking about this $600 fee that you've got to have to be a volunteer. I tried to think of one that everybody might understand, and I thought of a good one. Everybody has got a school board in their State somewhere, a local school board. And generally these local school boards are either wanting to have a tax increase or they are wanting to float a bond issue or something like that. So they create these volunteer groups called ''friends of the school board'' who go out in the community and try to help the school board get this bond passed so they can have better schools for the children of that school district. Everybody experiences that across this whole Nation, and every Member of this Congress probably knows something about that. But under the new proposed regulation, every one of those volunteers that goes out and promotes the bond issue would have to pay a $600 federal fine to get a license to talk about the bond issue, as if they were some kind of financial adviser to the American public. And what we really have there is a new revenue source created by the bureaucrats to put more money in the coffers of their bureau or their agency. That's the kind of thing that makes no sense.

My secretary was bragging on the fact that she thought the county commissioner was going to appoint her to this volunteer board. And I said, well, you'd better get a check ready for 600 bucks. She said, well, no, it doesn't pay anything. I said, yeah, and by the way, the regulation also says that the person, the entity that appoints you to that board, cannot pay your $600 for you. You have to pay it, because you are now a financial adviser because that board has the ability to issue bonds. Now that's just a little bit too much.

I had an old cowboy back in Texas that made a comment to me. He said, we don't have very many shortages in this country, but the one shortage we got in Washington, D.C. is, we have a severe shortage, dang near a drought, as he put it, of common sense. And part of the reason we have the Congressional Review Act is so that hopefully the common sense of the representatives of the people can prevail in these issues that are going to either harm our individual constituents, cost us jobs, or drive industries offshore, overseas, as we did with the cement manufacturers if we impose these severe penalties upon people who produce Portland cement. Portland cement doesn't mean it's from Portland; it means it's the process that they use to make cement.

So today we're talking about what, I think, is something that the American people, now that they hopefully know a little bit about how much the agencies of this country and the bureaucrats and the secretaries and all the people that follow them, of all the Cabinet members in this executive branch, the kind of power they have to change the life of the individual and the life of the job producers and the job seekers in this country.

And if we are going to give them that kind of control and that kind of power over people's individual lives, over the employer's ability to make the profit necessary to hire and create new jobs, if we're going to allow them to have that power, just like anything else, someone has to have oversight over these people and take a look at what they're doing and see if it is to the good of the American people and the good of our country. And that's why we have the Congressional Review Act. And in that Congressional Review Act, we get the chance to look at it. Just because it hasn't been used but rarely does not mean it shouldn't be used when the number of regulations have grown by geometric progressions in the last 2 years.

When we create one bill, one bill, the health care bill that was created in the last session of Congress that creates 40 entities with rulemaking authority, 40 new entities that can create rules that affect the individual life and the health care of the American people—we have one particular entity that will actually be able to say what treatment can and cannot be given to certain people—surely this House would want to at least take a look at those regulations, because it might mean life or death to an American citizen if we do not allow that. So it is important.

Congresswoman ELLMERS from North Carolina, we are pleased to have you here. We would like you to explain what you want to show us here today.

Mrs. ELLMERS. Thank you so much, Mr. Chairman.

Today, I rise on behalf of the people of Garner, North Carolina. They are faced with a very difficult situation these days, one that is threatening, and it actually as we speak is basically shutting Garner down for business. As you can see from the chart, I will point out the red line there. That red line is essentially going through the town of Garner, North Carolina. It is an extension of Highway 540. And this is the proposed site from the Army Corps of Engineers. And as you can see, if you look at the chart, there are some other very colorful options to consider as well. However, those options go through areas of wetlands and things, and the area that goes through Garner, North Carolina, that's the option that they are looking at because it's the only option that is outside of any wetlands and out of any areas that would harm such things as the dwarf wedge mussels.

Now, basically, what we are faced with today is a situation where Garner, North Carolina, is shut down for business. Right now, potential businesses wanting to relocate or set up shop or move to the area, individuals maybe wanting to move to Garner, North Carolina, are reconsidering that choice because they see that there is a potential highway going through the center of their community, which is kind of a ridiculous situation. Many of the organizations that are involved right now have all said that this is not a viable option. And yet we continue to look at it. We continue to allow Garner, North Carolina, to be shut down for business, potential loss of jobs. We have individuals that live in Garner such as Brenda and Jerry Summer, who are an elderly couple that have children and grandchildren who have moved back to Garner to be near them, and they have the threat of having that highway go right through the middle of their living room.

We also are faced with a situation where the Springfield Baptist church, which has been there for 140 years, 2,000 parishioners, they will literally lose their church and 50 acres of land. This is continuing because of the Clean Water Act and basically the Army Corps of Engineers' refusal to remove the red line from consideration.

□ 1640

We have met with them. We have asked them to take that option off the table and to save the American taxpayers that expense of doing the study. They know it is not a viable option. They know it's going to hurt business. They know that there are potential other options there, and yet we continue to look at it.

I have the utmost respect for the Army Corps of Engineers but, quite frankly, this is a waste of American taxpayer money and a potential threat to business, and continuing in Garner,

North Carolina, all so that we can preserve a mussel, all so that we can preserve and route around wetlands. You can go anywhere in North Carolina and it is pretty much considered a wetland except your developed areas that are already in progress.

I'm not against the highway, the loop being finished, but certainly there are other options that could be looked at. You can see there is an orange line, a blue line, a pink line. They're all there. They all connect, and these are all viable options.

Some of the other organizations that are involved in this, like the North Carolina Turnpike Authority, have already dropped three other options from consideration because of public protests in those towns about potential harm to the communities. Garner stands to lose a projected worth of $9 million in investments and hundreds of jobs. Investors are literally walking away while the town stands in limbo because of this potential project that is going to take place here.

We cannot continue this. This is what is happening. We must stand for the people of Garner, North Carolina. We must stand for the people of America, who are continuously saying: Let's use common sense. That's the issue here today. Common sense. If we all know this is not going to be the project that's ultimately proposed, let's take it off the table. Let's not spend American taxpayer dollars. Let's preserve the business community of Garner, North Carolina, and all the good folks there who are potentially going to lose their homes. Let's do it now. Let's not wait. This is a ridiculous situation, and I think the American people have had just about enough of it.

Thank you, Mr. Speaker, so much for allowing me to stand for the people of Garner, North Carolina.

Mr. CARTER. If the gentlelady would yield for a question, if I understand you correctly, the main reason for this route is because of the Clean Water Act and the Endangered Species Act?

Mrs. ELLMERS. Yes; that is correct.

Mr. CARTER. It is a mussel, you're saying?

Mrs. ELLMERS. It is. It's a particular mussel. Let's find the name just so you're familiar with it. It is the dwarf wedge mussel, and apparently that dwarf wedge mussel is found down in the wetlands of the lower area there, so they have avoided that area. And then there are some other wetlands there as well. Certainly there are ways we can work around these issues and not go through an entire town that has been developed for years and years.

Mr. CARTER. This is the town, here, which they are going to go in and condemn basically all of the town?

Mrs. ELLMERS. Go right through, go right through the very middle of it.

Mr. CARTER. Yes, I can see why people are a little upset about that.

Mrs. ELLMERS. And the thing is, there is potential for that highway to go through there, but right now as we speak, the town of Garner is basically stuck. There is no growth. There is none whatsoever because any potential business, any potential job that could be coming there is not. It is turning away from Garner, North Carolina, for this very reason.

Mr. CARTER. I can understand that. So if I am a potential employer who wants to build a factory and that is one of the places I might look at, I look at this and say wait a minute, I can buy the land, build my building, and then here comes the Corps of Engineers which puts the highway right through the middle of my building?

Mrs. ELLMERS. Absolutely.

Mr. CARTER. So the builder says I think I'll wait or look somewhere else?

Mrs. ELLMERS. And they look somewhere else. That is what is happening. This is why the people of Garner, North Carolina, are outraged. And rightly so. This is a situation which has been hanging for awhile. It needs to be addressed, and it needs to be addressed today. I have asked all entities involved, let's all look at this and use some common sense and make the right choices and let's save the American taxpayers some money.

Mr. CARTER. These regulations should be looked at by this House if they are available to be looked at. Of course, some of these may be long since on the books before we had this tool to examine regulations as they come out. But still, it is good for you as the Representative of your folks in your district to come up and speak for the people because that's our job.

Mrs. ELLMERS. It is.

Mr. CARTER. I'm going to reclaim my time because I think we are about to run out of it. I want to thank the Speaker for this hour.

ENERGY FOR AMERICA

The SPEAKER pro tempore (Mr. HUIZENGA of Michigan). Under the Speaker's announced policy of January 5, 2011, the gentleman from Indiana (Mr. BURTON) is recognized for 30 minutes.

Mr. BURTON of Indiana. Mr. Speaker, one of the things that the American people are really upset about right now is gasoline is $3.50, and in some parts of the country it is close to $4 a gallon. And the President of the United States and his administration, for whatever reason, is obstructing our ability to become energy independent.

On February 17, U.S. District Judge Martin Feldman, who gave the Department of the Interior information on the deepwater drilling in the Gulf of Mexico earlier, he gave the administration 30 days to rule seven deepwater drilling permits okay, to approve them. He overturned the ban put in place in June of 2010 that allowed the government to arbitrarily impose a moratorium that would cause irreparable harm to businesses along the gulf coast. In fact, it will cost as many as 24,000 jobs. But the thing about it that really concerns me is that we have the ability to become energy independent within a relatively short period of time.

Everybody would like to see us move towards alternative sources of energy and clean-burning fuels to help the environment. I don't think anybody opposes that. The problem is in the process. Do we want to become more energy dependent on the rest of the world?

Now we get between 25 and 30 percent of our energy from the Middle East. Anybody who has been watching the news at all knows that there is a war going on in Libya, Egypt is in turmoil, and Bahrain is having problems. There are potential problems in Jordan and in Saudi Arabia. Now if something goes wrong over there—and Iran is trying to undermine us by, under the covers, doing everything that they can to stop us from getting energy and to put us in a trick bag—if the Suez Canal is bottled up, if the Strait of Hormuz is closed or the Persian Gulf is closed, we are going to lose or have substantially delayed as much as 30 percent of our energy. You can imagine what that would do to this place.

The prohibition against drilling in the Gulf of Mexico takes away about 11 percent of our energy, and the President won't allow us to have permits in that area.

Now, he says that he is concerned about it because of the environmental damage that was done by the oil spill down there when the derrick blew up. What isn't said is that the tankers that come from the Middle East and from South America spill more oil, spill more oil than that environmental tragedy that took place in the gulf spill. People don't realize that.

Now, we can drill in an environmentally safe way and we can do it in a number of places in this country and move rapidly toward energy independence. We can drill up in Alaska in the ANWR, and people in the environmental community say: Well, we're worried about the bears up there and the small animals and so forth.

I've been up there. Does anybody have any idea how big Alaska is? It is three-and-a-half times the size of Texas, and there's only 500,000 to 600,000 people who live in Alaska, and all the rest of that is wilderness except where we are drilling. If we drill in the ANWR, we could produce a great amount of oil and energy that would make us less dependent on Saudi Arabia, the Middle East, and on the communist dictator in Venezuela, Mr. President Chavez.

So we are not doing what we should do to make sure that we provide energy for this country and make sure that the cost of energy is low so people can afford it, so employers can afford to hire more people and produce more goods that could be sold here and around the world.

□ 1650

The President, for whatever reason, is blocking this, and I just can't understand why; but I think the American

people need to know that and that they need to be talking to the President, to the administration and to other Congressmen and Senators about this because, if everything goes south over in the Middle East or if the President of Venezuela decides to cut us off, we're going to see oil prices go up, up, up and the cost of gasoline go to $3, $4, $5, $6 a gallon. It's already over $3.50. If it gets to $6 a gallon, it's going to have a devastating impact on this economy. In fact, it already is having a devastating impact.

If you talk to 18-wheeler truckers, the people who haul goods and services all across this country, they'll tell you that they can't afford to keep their prices low for trucking our goods and services if the price of diesel fuel goes above $4 by very much a gallon. Yet it is above $4 a gallon right now, and it's trending higher.

If we have a problem in the Middle East or in the Gulf or in South America, wherever we get oil, it's going to have a tremendous impact, not only on our ability to buy gasoline at the pump or to provide oil for heating and for our electrical companies to provide electricity to keep our lights on, but it's going to cost us more when we go to Walmart, when we go to the grocery store, wherever we go to buy goods, food and services, because the truckers who truck those goods across the country are going to have to pay more for their fuel, and they'll pass that along to the consumer in higher prices. So this has a devastating impact on our economy because we depend too much on foreign oil.

Another thing I think everybody in this country ought to know, Mr. Speaker, is that we have the largest reserves of coal in the world, which could be converted into oil if we were to use coal-to-liquid technology. We could get as many as 5 million barrels of oil a day in the not-too-distant future, and the amount of oil we could get out of coal/shale is up to 8 trillion barrels of oil. In North and South Dakota, they just found one of the biggest oil reserves in the whole world that we could use to bring down the price of energy in this country, but we can't drill there because the President and the administration and the Environmental Protection Agency and the Department of Energy are blocking that.

Now, I know a lot of people around the country say, well, we've got to be concerned about the environment—and we do have to be—and we ought to be transitioning into these other technologies, but that's going to take 10, 15, 20 years. To get a nuclear plant up takes forever because you have to go through all the permits and all the governmental regulations. Sure, we could get there, but it's going to take time. In that interim period, we're dependent on fossil fuels, and we're getting those from the Middle East, from South America and from the Gulf of Mexico when we can drill there.

So it's extremely important, Mr. Speaker, that we pay attention to this and send a very strong signal to the administration that it's time for us to get on with drilling here in the United States in order to become energy independent.

I want to talk about one more thing, Mr. Speaker, which I think is extremely important. It deals with our southern border, between us and Mexico. The President of Mexico told President Obama that he did not want any government agents from the United States—the FBI or our DEA—to be able to carry weapons when they're in Mexico.

We just had one of our agents shot to death in Mexico about 2 weeks ago. It was one of our special drug agents that we had in Mexico. These agents have no ability to defend themselves. One of them was killed, and the other was severely wounded. Along the Texas American border, we've had all kinds of problems. We had a Border Patrol agent just shot recently and killed. We have farmers all over the place and ranchers down there who are scared to death to go out of their houses because these people are coming across the border—drug dealers and people who are bringing illegal aliens in.

Some of the farmers are even selling their ranches. We have one fellow down there who has had a 6,000-acre ranch in his family for over 100 years, but he sold his farm. Joe Aguilar sold his ranch because he said he's had enough. They're going across his ranch every day. We have another rancher down there who found a cache of narcotics on his land. He turned it over to the Drug Enforcement Agency. Days later, thugs came into his house and beat him and his wife half to death. The thugs said, If you do this again, we'll kill you.

Now, how would you like to live in that kind of an environment? Well, you say, That's right on the border. That can't happen here. It's 80 miles north of the Mexican-American border. It's 80 miles into the United States right now. We have signs posted, saying it's not safe for you as an American citizen to go south of here between that 80-mile marker and Mexico. Can you imagine that? Americans are afraid to even walk on American soil because of drug dealers, thugs, illegal aliens, and people who are transporting them into the country who might kill them.

We had one Border Patrol agent who was shot and killed about a week ago. When he was shot and killed, we found out that he had told these drug dealers or illegal aliens or people who were bringing illegals in to stop. Since they wouldn't stop, our Border Patrol agents were told they had to use beanbags. Get this. They had to use beanbags to fire at these people who were across the border illegally who may have been drug dealers or whatever. The fellows they were pursuing turned around with AK–47s—automatic weapons with high-velocity bullets—and shot and killed this one Border Patrol agent. The President of the United States told them the first thing they should use if they suspect people of bringing illegal drugs in and they can't get them to stop are these beanbags.

I can't imagine anything like that. These people are risking their lives day in and day out. Some are being killed, and some are being taunted day in and day out. They can't even defend themselves down there. President Obama, along with the President of Mexico, agreed that our DEA agents, when they go across the border into Mexico, can't even carry weapons.

How many people do you think who are trying to enforce our drug laws and who are sent down into foreign countries to defend this country against drug dealers and drug cartels are going to want to go down into those areas when they can't even protect themselves? Would you want to do it? I wouldn't want to do it. I'd want to have a weapon so I could at least try to survive in the event they tried to kill me.

Unfortunately, the President of the United States just said in the last few days that he will not allow any of our agents—FBI, CIA, DEA or any of them—to carry weapons when they go into Mexico because the President of Mexico, Mr. Calderon, said that he doesn't think we should.

Well, we're in a war down there on that border. If you talk to the people in Texas, they'll tell you there is a war between us and the drug dealers and the thugs who are coming across that line into our country; and there is a high suspicion that we're seeing al Qaeda- and Taliban-type terrorists coming across the border into the United States as well.

There was an article that was written just recently. I'd like to read part of it, Mr. Speaker.

It reads: ''In Texas, nearly 8,200 farms and ranches back up to the Mexican border. The men and women who live and work on those properties say they're under attack from the same drug cartels blamed for thousands of murders in Mexico. 'It's a war, make no mistake about it,' Texas Agriculture Commissioner Todd Staples said, 'and it's happening on American soil,' in this country.

''Texas farmers and ranchers produce more cotton and more cattle than any other State, so Staples is concerned this war could eventually impact our food supply, and calls it a threat to our national security.

''To raise awareness, Commissioner Staples launched the Web site ProtectYourTexasBorder.com. It's a place where frustrated and scared farmers can share their stories.

''One Texas farmer, who asked not to be identified, said it's common for him to see undocumented immigrants'' and drug dealers ''walking through his property. 'I see something and I just drive away,' he said. 'It's a problem. I've learned to live with it, and pretty much I've become numb to it.' ''

Isn't that a sad commentary on this country? We can't even defend Americans in Texas and Arizona.

Another farmer, Joe Aguilar, who I talked about earlier, said, ''You either have to beat 'em or join 'em, and I decided not to do either,'' so he sold his farm of 6,000 acres that his family had had for 100 years.

Our farmers and ranchers can't afford their own security detail, Staples said. We're going to become more dependent on food and commodities from other countries if we don't do something about it.

The President sent 14,000 National Guard people or 17,000 National Guard people down to the Gulf of Mexico when that oil spill took place off that derrick, but we've only sent 1,400 National Guard troops down to the Texas American border, which is 1,980 miles long.

We are never going to solve that border problem unless we really realize that it is an area that we have to focus on, that it's a war, that our citizens are in danger down there, and that we can't any longer allow drug dealers to have sites in the United States where they have binoculars and weapons so they can watch for the Border Patrol agents and so they can tell their counterparts to bring drugs across the border or to bring terrorists across the border because they know that the coast is clear.

□ 1700

This is something that we can't tolerate. We need to protect our border agents. They ought to have guns that they can use to stop these people. They shouldn't be shooting beanbags at them. And we certainly shouldn't be asking our CIA, DIA, DEA agents to go into Mexico to fight the drug dealers and find out what's going on and tell them they can't even have a weapon to protect themselves. This is insane.

The other thing I talked about earlier was the oil situation. It's insane for us to become more dependent on foreign energy at a time when our economy is floundering, we've still got unemployment at around 9 percent, business people can't make plans because they don't know what their energy costs are, and the people who go to work are paying $3.50 to $4 for a gallon of gas.

We can do better, and the President ought to do better. And I hope, Mr. Speaker, that the message will get to the White House loud and clear before it's just too late and our economy is hurt further.

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

OBAMACARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Iowa (Mr. KING) is recognized for 30 minutes.

Mr. KING of Iowa. Mr. Speaker, it is again a privilege to be recognized to address you here on the floor of the House of Representatives. And it's a privilege to sit here in this Chamber and listen to the gentleman from Indiana (Mr. BURTON) talk about these critical issues for the United States of America.

Each of us that come down here on so many days come here for the purpose of bringing up these critical issues and informing you, Mr. Speaker. And while that's going on, there are people all across America that are listening in and deciding for themselves the priorities and deciding for themselves what kind of job we're doing here in Congress.

I'd love to step in on the immigration debate and burn up about 30 minutes talking about that, but Mr. Speaker, I need to have this discussion with you about ObamaCare. There are a fair number of different strategies that are working here in the House of Representatives—and perhaps a number of different strategies, to some degree, going on in the United States Senate—but the circumstances are this:

Almost 1 year ago, ObamaCare passed the United States Congress and was messaged to the President, where he eagerly signed the bill. It was a combination of legislative shenanigans that took place. The bill itself that came to the floor was not a product of committee; it was a bill that was written by Speaker PELOSI's staff and her office with who knows what input and it was dropped on us in a fashion that didn't allow us an opportunity to evaluate it there, then, or on the spot. It was a combination of two bills. One of them was ObamaCare as it went out of the House over to the Senate. The Senate then promised, on the condition that ObamaCare be passed—and the votes that were necessary to pass the basis of ObamaCare were generated because the Senate decided that they would, under a reconciliation plan, avoid the filibuster rules of 60 votes in the Senate. They sent us a reconciliation plan that altered and amended ObamaCare itself. And in that package was a promise from the President of the United States that he would issue an Executive order that would take care of the concerns of the pro-life Members—pro-life Democrats who wouldn't vote for ObamaCare as long as it funded abortion.

And so the audacity of the President of the United States to take the position that he could amend legislation that passed this Congress by Executive order—which is not a constitutional position, Mr. Speaker—but that audacity was swallowed by enough people that they voted ObamaCare out of the House marginally. The reconciliation package that came from the Senate squeaked out of there because of the promises that were made and came over here and was passed because of the promises that were made. And the final cap on it was the President's Executive order that was supposed to amend ObamaCare.

And what do we have in all of this mess? We have 2,500 or so pages that are so convoluted—and if anybody in this Congress, any lawyers out there that propose to be experts, anybody that's staff on Energy and Commerce, or former Speaker PELOSI, or anybody else out here, I don't think there's a single person on the planet, no matter how good their background, no matter how intelligent, no matter how well read, no matter how many research books they might have to work with, if you would shut them in an office and cut the wires and the wireless to the outside world, not a single person out of these 6-plus billion people on this planet could read ObamaCare and be able to analyze all that it does or its implications on the lives of 300-plus million Americans. It's not possible to do so. We did, I think, a very good job of analyzing what it was in broad terms.

Some of us knew going in that there was deceptive language written into ObamaCare that automatically appropriated funds that would set up the implementation of ObamaCare—even if Congress appropriated no money to it, that would put the implementation in place and churn it on in perpetuity, Mr. Speaker. Some of that information I believe came out of some of the members of the Energy and Commerce Committee that had been analyzing this bill last fall. I believe that we had some verbal discussions on it—not here on the floor necessarily, but on-the-side conversations that I had with some of the better-informed Members of this Congress, and they aren't all here any longer in this 112th Congress.

But as we came into January, I'm thinking about how we unfund ObamaCare. And it has been my argument all along, Mr. Speaker, that the strategy is this: That first, a lot of us used all of our energy to do the best we could to kill ObamaCare. In spite of all of that, in spite of the tens of thousands of people that came from every single State in the Union to come in here and surround this Capitol and tell them keep your hands off of my health care, still the former Speaker of the House marched through the crowds with her over-sized gavel in her let-them-eat-cake moment and imposed ObamaCare on America.

Shortly after the moment that that vote went up on the board I went down to the people that had—and I say surrounded this Capitol; it wasn't just a human chain around the Capitol, it was a human doughnut around the Capitol. It was six and eight people deep all the way around the United States Capitol, unbroken, human doughnut around the Capitol, still with thousands of people left over in the corner, so to speak. If you envision a circle—there isn't one, I understand, but they were standing in clusters by the thousands. Still, not part of that human doughnut, they came here and said keep your hands off of our health care.

That bill finally passed here on the floor and was messaged to the Senate. And I went down with that group, as did MICHELE BACHMANN and several

others—Pete Hoekstra of Michigan comes to mind as another individual that was back and forth communicating with the people that came here to peacefully petition the government for redress of grievances, exactly in line with the First Amendment to the Constitution. And I promised them, as did MICHELE BACHMANN, that I would introduce legislation to repeal ObamaCare. That happened the very next day, and it happened for us within 3 minutes of each other.

So I laid out, though, the strategy over the next few days and weeks to repeal ObamaCare. And I'm going to refresh this now, Mr. Speaker, for the minds of those who are paying attention, and it's this: First, all energy was focused on killing ObamaCare. I didn't burn up 1 minute of media time that I can think of talking about what to do if it passed. I remember people asking me out here in the crowd, what will you do if it passes? And my answer was, ''I'm focused on killing it. We'll worry about that, that's another subject for another time, I'm focused on killing it.'' Well, it did pass. And we turned the focus, then, on repealing it. And the beginning of that was that opening of business—actually same day because this passed after midnight on a Sunday night, so it was Monday morning. This Congress opened for business at 9 o'clock. At that minute, there were two requests waiting in place to bring the legislation to repeal ObamaCare.

□ 1710

Then I began to lay out this strategy which was, get as many cosponsors on the repeal as possible. And as that number grew, sometime in June, or towards the summer, I introduced a discharge petition. That discharge petition was designed to gain 218 signatures. With that, the Speaker of the House and no one can block it. It must come to the floor, no amendments, for an up-or-down vote. Well, we got to 178 signatures on the discharge petition, which is pretty good. I believe that number was 178. I question that, because there were six Republicans that did not sign it, but all but six signed it. We had one Democrat that signed it. So I guess that takes it down there to maybe 173, looks more like the number. I would just correct that for the record, Mr. Speaker. Let that be 173 signatures on the discharge petition. We were working for 218, is the point. Yet the discharge petition that, if it had been brought to the floor, would have been voted on and could have passed, and if it had been forced to the floor under a discharge petition, it would have passed and we would have repealed ObamaCare from the House then.

But it always was a way to get people on record so we knew who was for repeal of ObamaCare and who was unwilling to go on record for repeal of ObamaCare. And it always was something that candidates for Congress could look at that and challenge the individual that they were running against: ''Why didn't you sign the discharge petition. Are you really against ObamaCare? Your name's not on there.''

It was useful for a good number of candidates, and some of them have said they wouldn't be here in this Congress today if they didn't have the discharge petition to measure their opponent with. So it always had a utility in two ways: seeking to repeal ObamaCare, and putting a marker down so that the American public could discern, who's for ObamaCare and who's against it and who's afraid to take a position.

All that was taking place last summer, all the way on up through August, September, October and into the election on the 2nd day of November, where, through the summer, continuing the strategy. It was not just the discharge petition. It was use it and other things, and win the majority here in the House. When we have the majority in the House, then we can bring the repeal of ObamaCare.

And I said for a long time: Repeal of ObamaCare needs to be H.R. 1. That's the highest priority for the Speaker of the House. The Speaker traditionally gets the first 10 bills to name, H.R. 1 through H.R. 10. You can look at the priority by their number. So number 1, I believe, needed to be the repeal of ObamaCare as the highest priority, Mr. Speaker.

Well, it turned out that H.R. 2 was the repeal of ObamaCare. All right. There's no complaint on my part. That's a very high priority, in any case, and we did pass the repeal of ObamaCare, consistent with the strategy that I laid out way last summer.

And then, way last summer, I was making the case that no money can be spent by the Federal Government unless the House of Representatives agrees to it. We can shut off all funding to ObamaCare here in the House of Representatives, and if the Senate disagrees and the House says no, then no money gets spent by the Federal Government, until we reach an agreement. That's what's going on right now, Mr. Speaker.

So, I argued then and I argue now that part of this strategy to undo ObamaCare has to be to unfund ObamaCare. To defund ObamaCare, to phrase it a little bit differently. It was always part of the strategy going back almost a year. And as we move forward to defund ObamaCare, we need to understand that there were automatic appropriations that were written into ObamaCare, and that's part of the dialogue that was going on last fall in a very quiet little way but no one had drilled into it that I know of and looked at all of the pieces, on our side. On the other side, they wrote it in.

So I'd like to hear from someone who was involved in that on the Democrat side, I'd like to hear from former Speaker PELOSI, or maybe I'd like to hear from the whip, STENY HOYER: Did they know it was in there? Of course they did. Did they direct their staff to write it in there? Probably. Who on that staff devised this strategy to put in all of these threads that add up to $105.5 billion? I would like to know the answer to that question. That will emerge over time, as history has a way of uncovering these things.

But, in any case, the automatic funding was there. Another way to phrase it would be self-enacting funding was there. And I drafted language to cut off the funding to ObamaCare patterned off of the funding that was shut off to put an end to the Vietnam War. That's in the CONGRESSIONAL RECORD and in the media record some time back. But about 5 or so years ago, I got curious as to how I remembered the Vietnam War being ended versus what actually happened. I went back and read the CONGRESSIONAL RECORD and the debate on that, Mr. Speaker. The CONGRESSIONAL RECORD reveals this: There were about three different places and perhaps more, but we uncovered three different places in appropriations bills where Congress shut off the funding to carry out the war in Vietnam. It began in 1973. The most significant was on a continuing resolution in the spring of 1974. As I read through that language, maybe 5 years ago, it gave me an inspiration on how to bring language to shut off the funding to ObamaCare.

I'm going to go from memory here. It's in the CONGRESSIONAL RECORD. So it won't be precisely accurate but it thematically will be right. The language that was written into a continuing resolution in the spring of 1974 that shut off the American support in the war in Vietnam reads close to this: Notwithstanding any other provision of law, no funds in this act and no funds in any act heretofore appropriated shall be used for offensive or defensive operations in the land of Vietnam, in the skies over it, the seas adjacent to it or in the adjacent countries, and it names at least Laos and Cambodia along the side. I believe they also said Thailand. But it named the countries next to it and it said, no funds shall be used for offensive or defensive operations, Vietnam, the skies over it, the seas adjacent to it or the countries adjacent to it, and no funds in any act heretofore appropriated shall be used for such purpose.

In other words, whatever money was in the pipeline got shut off. They shut off all involvement. And you can imagine, and I don't know it to be factually true, Mr. Speaker, that there were bullets and grenades and munitions that were being unloaded on the dock at Da Nang that were loaded back up again on the ship and hauled away. I don't know that to be fact, but figuratively that's what happened. They shut off everything. With language written into a continuing resolution, they shut off a war here in the United States Congress.

Now if we can shut off a war here in the United States Congress and stop all the money that's in the pipeline and

any money that might be coming at the same time and all the funds that are in the act, none of them can be used to conduct the operations in Vietnam, we can sure as the world in a continuing resolution write legislation that will shut off all of this automatic funding that was written into ObamaCare. How could anyone imagine that somehow because the Congressional Research Services defined the spending that is automatic spending here in the ObamaCare act, they called it mandated appropriations and fund transfers. Mandated appropriations and fund transfers have been defined by some folks as mandatory spending. And then they go on to argue that mandatory spending cannot be addressed in an appropriations bill. I would remind them, this is the United States Congress, and the former majority in this Congress wrote all this into a bill. And it's automatic funding. It's self-enacting funding. It's not completely unprecedented as a tactic, but it is completely unprecedented in its magnitude. Therefore, this Congress can't be hiding behind a rule or defining a piece of legislation as mandatory spending. We're not mandated by any previous Congress. No Congress can bind a subsequent Congress. If this House of Representatives says no, then ''no'' means ''no.'' We sometimes have to remind the Senate over and over again, and we would have to do that under the proposal that I'm making.

But I will tell you, Mr. Speaker, that this is an unconstitutional bill. It's been pushed through this Congress in an unprecedented fashion, with a series of shenanigans that this country has never seen before. Two Federal courts have found it unconstitutional, Judge Vincent found it completely unconstitutional, and it's on its way through the circuit and to the Supreme Court and it should be expedited directly to the Supreme Court, except the White House is holding the ball. The White House is holding the ball because their tactic is to try to get ObamaCare implemented to the maximum amount before such time, so that it becomes too late to pull it out by the roots. That's part of the tactic.

So from the litigation standpoint, the unconstitutional components are the unconstitutional mandates, compelling States in violation of the 10th Amendment that they have to comply with an act to provide these services, and compelling individuals that they have to buy insurance even though they're not participating in the system whatsoever.

□ 1720

That's never been done before. It's completely unprecedented, Mr. Speaker. So we see the Obama administration now offering a little carrot out there to the States, to the Governors, saying we will waive the mandate for the States. Now, the caveat is you have to provide an equal or better policy yourself in order to be able to qualify for the waiver, and you've got until 2014 to do that.

But that act, which likely won't come to any kind of fruition, is a means, I believe, to take away the argument that it's an unconstitutional mandate on the States. The White House has also had language that came out a couple of weeks ago that they would consider or entertain the alteration or perhaps the elimination of the individual mandate.

Now, that's the second component that might come out of the White House that would, if those two provisions were altered in practice, they can go before the Supreme Court and argue that it's not a constitutional violation because it's not really a mandate. And that's how they hope to walk through this thicket of constitutional prohibitions and hopefully they can find a decision at the Supreme Court level that will allow them to impose ObamaCare on the rest of America. That's their litigation tactic, Mr. Speaker.

Their legislation tactic is this: The pressure that grows, they're trying to take the pressure off. So when the House played into their hands a week or so ago by bringing legislation on the 1099 component of this, this outrageous requirement that people report to the IRS any cumulative transactions with any entity that meet or exceed $600 in a year, which means if you pay somebody to mow your lawn you have to turn in a squeal form to the IRS. And this is something that was put into ObamaCare, these extra requirements, because they were able to score it as, my memory is that it was then $17 billion it was supposed to generate in taxes because the IRS was going to go in and audit these squeal forms, the 1099 forms.

Well, in any case, that was the most objectionable component in the short term that came with ObamaCare. Therefore, this House picked this up and sent it to the Senate. And what happens? The Democrats in the Senate are going to take it and send it to the President. Why? Because they think that people shouldn't be required to file the 1099 forms and they can find another place to come up with $17 billion? No, Mr. Speaker, that's not it. It's this: They understand that the objections to the 1099 squeal forms that were written into ObamaCare are the most egregious of all in the short term, and they want to take the lid off the pressure cooker, let some steam out, put the lid back on, and they want to continue to frantically implement ObamaCare with the $105.5 billion that is written into it and the self-enacting automatic spending that is there.

So as the pressure builds against ObamaCare, they're willing to take a little piece off here, lift the lid off the pressure cooker there, and drain that heat down so that they can hang on to the major components of ObamaCare and get it implemented. And while we have a whole series of different initiatives that are going on around here driven now by the new Republican majority, five different proposals within Energy and Commerce to change the language from mandatory spending to, I suppose, optional spending or something, all of those are authorization pieces of language. There is no leverage to get them passed. If Energy and Commerce passes that legislation, it goes over to HARRY REID's desk where it probably goes directly into the trash, not into the desk drawer.

So we can't produce leverage to change the definition. We have to look at the leverage that we have, the leverage that we're gifted with. And it's this: This government comes to, runs out of money at midnight, March 18. We are all staring at that deadline. And the House of Representatives has demonstrated clearly that we want to avoid having the President or HARRY REID shut this government down. We want to keep this government functioning in a responsible fashion.

But I will say, Mr. Speaker, that functioning in a responsible fashion is not turning a blind eye to $105.5 billion. It is not wondering where this number came from. This number is in this CRS report. This is a Congressional Research Services report titled, ''Appropriations and Fund Transfers in the Patient Protection and Affordable Care Act.'' It's written by C. Stephen Redhead, specialist in health policy, and it's dated February 10, 2011.

In this, now that the numbers are in here, when you go through and highlight the numbers, we put it into a spreadsheet. This spreadsheet, Mr. Speaker, this spreadsheet shows the total of all these automatic appropriations. They come to $105.464 billion, and that's over a decade period of time. This is the minimum. This is the threshold number. It's not the maximum amount that can be spent.

Just to give an example, here is one of the items in here of automatic appropriations, self-enacting appropriations that shows this. Let's see, it totals $10 billion through FY19. But this is for Medicare innovation. Medicare innovation. This is funds that goes to Congressional Medicare or Medicaid Services, CMS, FY11 it's $1 billion. And it's written in such a way that it's $1 billion every year, and here's the language, in perpetuity, Mr. Speaker.

This is one example of Medicare innovation that gets appropriated automatically, written and hidden into the bill, a billion dollars every year for Medicare innovation that goes on in perpetuity. And it doesn't require an act of Congress. It's not an act of an Appropriations Committee in the 112th Congress that funds the FY12 or 11 or any subsequent year. This is the perpetual motion machine that keeps spitting out money. It will spit out money forever. It will spit out money until Congress conducts an affirmative act to shut off this funding.

That's what I sought to do with the amendment that I offered in H.R. 1, which said, patterned off of the Vietnam War amendment, it said—and I'm

going to do this in summary, too—notwithstanding any other provision of law, no funds in this act, and no funds in any act previously enacted, shall be used to carry out the provisions of, in summary, ObamaCare. That language pulls out by the roots everything that's here in this CRS report and shuts off the automatic appropriations.

There is an issue, also written into ObamaCare, another sleight of hand that took place. There are many others, but this one is particularly egregious that grants the authority to the Secretary of Health and Human Services to do transfers to fund the implementation of ObamaCare essentially at her discretion, and probably out of the U.S. Treasury, just to do the automatic appropriations; to grant that kind of authority to a bureaucrat, to circumvent Congress, to set up that authority, a transfer authority, which is the equivalent of an appropriations authority that goes on in perpetuity to the Secretary of Health and Human Services. While there are automatic appropriations to the tune of $105.5 billion for a decade that also go on in perpetuity without—so binding the future Congress in a way that requires an affirmative action on this Congress's part to shut it off.

So, Mr. Speaker, where I am is this: I am done dancing around with all of this. I've looked at it. I've analyzed it. I've joined with some of my colleagues. I thank my colleague MICHELE BACHMANN for raising this up in the media and doing as much media as she has done over this last week or so. I drove this with all that I had back when we were working on and building up to and passing H.R. 1. I will continue to do so.

We must shut off this funding. We must do it affirmatively. We need to do it where we have leverage. There are only two places where there is leverage: that is in the continuing resolution in one place, and the other one is the debt ceiling. But what I have said is I will vote for no appropriations bill that funds Planned Parenthood. I will vote for no appropriations bill that should be shutting off the funding, the automatic funding especially to ObamaCare. That's where I stand. That's where I will stand.

If enough Members of this Congress stand with me, we will put an end to ObamaCare. And we need do so early. We've got a lot of good work to do in this Congress. We can either look forward to a long, protracted battle, a war of attrition over this that goes on over the entire 112th Congress and on through the elections of 2012, including the Presidential election of 2012, or we can pull this tumor out by the roots, this malignant tumor called ObamaCare that is metastasizing as we speak while this automatic funding is being poured in and likely being transferred. We can put the brakes on it.

□ 1730

We can pull it out by the roots, every bit of it, get rid of it lock, stock, and barrel. That's what we must do. It's our obligation, our pledge, and this House has voted to repeal it. This House has voted to unfund it, and every Republican in the House and every Republican in the Senate has voted to repeal ObamaCare. Two Federal courts have found it unconstitutional. It is irresponsible to tolerate the funding to ObamaCare while it goes on on our watch, while we have the power to shut it off, and while we understand that it is unconstitutional into the bargain.

So, Mr. Speaker, I came to this floor tonight to urge this House to stand together, to write the language into the CR that I asked be written into H.R. 1 so we can go forward and join with the American people, the supermajority of the American people that have rejected ObamaCare, that want their liberty back, that want constitutional legislation coming out of this place. The very reason that there are 87 new freshman Republicans in this House of Representatives: Every one of them ran on repeal of ObamaCare. Every one of them voted to repeal it. They brought a new mandate here. Many of us have been standing here fighting it.

I welcome them, God's gift to America, and I ask all, Mr. Speaker, to join with me. Let's shut off all of this funding to ObamaCare; that that is in the existing appropriations and that that is automatically appropriated, whether some might want to call it mandatory spending—I call it self-enacting automatic appropriations—written in a deceptive fashion, must be shut off, and I will continue to work on this cause with every effort that I have, Mr. Speaker.

I appreciate your attention and your indulgence.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HURT (at the request of Mr. CANTOR) for today on account of attending the memorial service of a fallen soldier.

Mr. REICHERT (at the request of Mr. CANTOR) for today on account of the passing of his mother-in-law.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 31 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, March 10, 2011, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Speaker-Authorized Official Travel during the third quarter of 2007; third and fourth quarters of 2008; first, second, third and fourth quarters of 2009; and first, second, third, and fourth quarters of 2010 pursuant to Public Law 95–384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2010

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒											
Committee total					$0.00		$0.00		$0.00		$0.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. FRANK D. LUCAS, Chairman, Feb. 1, 2011.

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2010

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Barbara Lee	10/5	10/7	Brazil		1,085.44						1,085.44

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2010—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
							[3] 5,573.20				5,573.20
Pearl Alice Marsh,	10/5	10/7	Brazil		1,020.44						1,020.44
							[3] 1,619.70				1,619.70
Committee total					2,105.88		7,192.90				9,298.78

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Round-trip airfare.

HON. HOWARD L. BERMAN, Feb. 17, 2011.

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2010

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Eni F.H. Faleomavaega	8/5	8/7	Vanuatu		1,405.00						1,405.00
	8/7	8/8	Samoa		632.00						632.00
							[3] 8,540.17				8,540.17
	8/13	8/14	Samoa		538.00						538.00
	8/15	8/20	Fiji		1,742.00						1,742.00
							[3] 984.00				984.00
Committee total					4,371.00		9,524.17				13,841.17

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Round-trip airfare.

HON. HOWARD L. BERMAN, Feb. 17, 2011.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2007

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Steve Chabot	7/19	7/23	Serbia		914.00						914.00
			Bosnia								
			Croatia								
Hon. Nydia Velázquez	8/18	8/20	Tunisia		482.00						482.00
	8/20	8/22	Turkey		1,242.00						1,242.00
	8/22	8/24	Croatia		1,064.00						1,064.00
	8/24	8/27	Germany		1,629.00						1,629.00
Committee total					5,331.00						5,331.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. NYDIA M. VELÁZQUEZ, Feb. 28, 2011.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Nydia Velázquez	8/18	8/18	Morocco		284.00						284.00
	8/19	8/21	Kenya		714.00						714.00
	8/21	8/22	The Netherlands		455.00						455.00
Hon. Steve King	8/25	8/26	Germany		216.00						216.00
Hon. Steve Chabot	8/27	8/30	Chad		786.00						786.00
Committee total					2,455.00						2,455.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. NYDIA M. VELÁZQUEZ, Feb. 28, 2011.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2008

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Nydia Velázquez	11/06	11/09	Peru		1,384.12						1,384.12
	11/09	11/11	Chile		635.56						635.56
	11/11	11/13	Paraguay		372.37						327.37
Committee total					2,392.05						2,392.05

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. NYDIA M. VELÁZQUEZ, Feb. 28, 2011.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2009

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. NYDIA M. VELÁZQUEZ, Feb. 28, 2011.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2009

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Nydia Velázquez	4/04	4/06	Bahrain		892.00						892.00
	4/06	4/08	United Arab Emirates		1,418.00						1,418.00
	4/08	4/10	Italy		1,122.00						1,122.00
	4/10	4/13	Italy		1,842.00						1,842.00
Committee total					5,274.00						5,274.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. NYDIA M. VELÁZQUEZ, Feb. 28, 2011.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2009

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. NYDIA M. VELÁZQUEZ, Feb. 28, 2011.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2009

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Steve King	12/4	12/5	Kuwait		159.00						159.00
	12/5	12/6	Afghanistan		78.00						78.00
Committee total					237.00						237.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. NYDIA M. VELÁZQUEZ, Feb. 28, 2011.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2010

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. NYDIA M. VELÁZQUEZ, Feb. 28, 2011.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2010

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. NYDIA M. VELÁZQUEZ, Feb. 28, 2011.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2010

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. NYDIA M. VELÁZQUEZ, Feb. 28, 2011.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2010

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. NYDIA M. VELÁZQUEZ, Feb. 28, 2011.

EXECUTIVE COMMUNICATIONS, ETC.

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

782. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, Army Case Number 08-08, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

783. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, Army Case Number 08-04, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

784. A letter from the Acting Under Secretary, Department of Defense, transmitting notification that the Department's report on the amount of purchases from foreign entities for fiscal year 2010 should be sumitted by April 2011; to the Committee on Armed Services.

785. A letter from the Secretary, Department of State, transmitting a report including matters relating to the interdiction of aircraft engaged in illicit drug trafficking, pursuant to 22 U.S.C. 2291-4 Public Law 107-108; to the Committee on Foreign Affairs.

786. A letter from the Chief Operating Officer/President, Financing Corporation, transmitting a copy of the Financing Corporation's Statement on the System of Internal Controls and the 2010 Audited Financial Statements; to the Committee on Oversight and Government Reform.

787. A letter from the Deputy Associate Director for Management and Administration and Designated Reporting Official, Office of National Drug Control Policy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

788. A letter from the Director, National Oceanic and Atmospheric Administration, transmitting the Administration's 2010 report on Apportionment of Membership on the Regional Fishery Management Councils, pursuant to Section 302(b)(2)(B) of the Magnuson-Stevens Fishery Conservation and Management Act; to the Committee on Natural Resources.

789. A letter from the Assistant Attorney General, Department of Justice, transmitting follow-up information concerning those pending cases where Section 3 of the Defense of Marriage Act has been challenged; to the Committee on the Judiciary.

790. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's Thirty-third annual Report to Congress pursuant to section 201 of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, pursuant to 15 U.S.C. 18a(j); to the Committee on the Judiciary.

791. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Quarterly Listings; Safety Zones, Security Zones, Special Local Regulations, Drawbridge Operation Regulations and Regulated Navigation Areas [USCG-2010-0399] received February 17, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

792. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300, A300-600, A310, A318, A319, A320, A321, A330-300, A340-200, A340-300, A340-500, A340-600, and A380-800 Series Airplanes; and Model A330-201, A330-202, A330-203, A330-223, A330-243 Airplanes [Docket No.: FAA-2010-1279; Directorate Identifier 2009-NM-258-AD; Amendment 39-16573; AD 2010-02-05] (RIN: 2120-AA64) received February 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

793. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; B/E Aerospace Protective Breathing Equipment (PBE) Part Number 119003-11 Installed on Various Transport Airplanes [Docket No.: FAA-2010-0797; Directorate Identifier 2010-NM-141-AD; Amendment 39-16562; AD 2011-01-09] (RIN: 2120-AA64) received February 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

794. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing company Model 757-200, -200CB, and -300 Series Airplanes [Docket No.: FAA-2010-1208; Directorate Identifier 2010-NM-270-AD; Amendment 39-16527; AD 2011-01-15] (RIN: 2120-AA64) received February 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

795. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30764; Amdt. No. 3409] received February 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

796. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30763; Amdt. No. 3408] received February 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

797. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Fort Worth NAS JRB (Carswell Field), TX [Docket No.: FAA-2010-0183; Airspace Docket No. 10-ASW-5] received February 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

798. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Kwajalein Island, Marshall Islands, RMI [Docket No.: FAA-2010-0808; Airspace Docket No. 10-AWP-14] received February 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

799. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No.: 30760; Amdt. No. 491] received February 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

800. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Crew Resource Management Training for Crewmembers in Part 135 Operations [Docket No.: FAA-2009-0023; Amendment No.: 135-122] (RIN: 2120-AJ32) received February 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

801. A letter from the Secretary, Department of Health and Human Services, transmitting annual report pursuant to the MINER Act of 2006; jointly to the Committees on Education and the Workforce and Energy and Commerce.

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. BISHOP of New York (for himself, Mr. MCNERNEY, Mr. WALZ of Minnesota, Mr. MCINTYRE, Mr. BRALEY of Iowa, Mr. YARMUTH, and Mr. CHANDLER):

H.R. 964. A bill to protect consumers from price-gouging of gasoline and other fuels, and for other purposes; to the Committee on Energy and Commerce.

By Ms. SLAUGHTER:

H.R. 965. A bill to amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antibiotics used in the treatment of human and animal diseases; to the Committee on Energy and Commerce, 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. SMITH of Texas:

H.R. 966. A bill to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes; to the Committee on the Judiciary.

By Mrs. SCHMIDT:

H.R. 967. A bill to amend the Food, Agriculture, Conservation, and Trade Act of 1990 and the Federal Insecticide, Fungicide, and Rodenticide Act to support efforts to control and eradicate bed bugs with respect to public health, and for other purposes; to the Committee on Agriculture.

By Mr. MCKEON (for himself, Mr. THORNBERRY, Mr. SCHILLING, Mr. WITTMAN, Mr. FORBES, Mr. GRIFFIN of Arkansas, Mr. ROONEY, Mr. SHUSTER, Mr. WILSON of South Carolina, Mr. AKIN, Mr. LAMBORN, Mr. ROGERS of Alabama, Mr. TURNER, Mr. WEST, Mr. FLEMING, Mr. LOBIONDO, Mr. CONAWAY, Mr. RIGELL, Mr. COFFMAN of Colorado, Mr. RUNYAN, Mr. MILLER of Florida, Mr. KLINE, Mr. HECK, Mr. PALAZZO, and Mr. BROOKS):

H.R. 968. A bill to provide for certain processes and limitations relating to the detention of certain individuals by the United States, and for other purposes; to the Committee on Armed Services.

By Mr. PRICE of Georgia (for himself, Mrs. BLACK, Mr. ROE of Tennessee, Mr. BILBRAY, Mr. THOMPSON of Pennsylvania, Mr. COFFMAN of Colorado, Mr. CASSIDY, Mr. GINGREY of Georgia, and Mr. FLEMING):

H.R. 969. A bill to prohibit conditioning licensure of a health care provider upon participation in a health plan; to the Committee on Energy and Commerce.

By Mr. HALL (for himself and Mr. PALAZZO):

H.R. 970. A bill to reauthorize the civil aviation research and development projects and activities of the Federal Aviation Administration, and for other purposes; to the Committee on Science, Space, and Technology.

By Ms. BALDWIN (for herself, Mr. PAULSEN, and Mr. LANCE):

H.R. 971. A bill to improve the understanding and coordination of critical care health services; to the Committee on Energy and Commerce.

By Mr. ROE of Tennessee (for himself, Mr. KLINE, Mr. WILSON of South Carolina, Ms. FOXX, Mr. HUNTER, Mr. THOMPSON of Pennsylvania, Mr. WALBERG, Mr. DESJARLAIS, Mr. HANNA, Mr. ROKITA, Mr. BUCSHON, Mr. GOWDY, Mrs. NOEM, Mrs. ROBY, Mr. HECK, Mr. ROSS of Florida, Mr. KELLY, Mr. PRICE of Georgia, Mr. JORDAN, and Mr. MULVANEY):

H.R. 972. A bill to amend the National Labor Relations Act to ensure the right of employees to a secret ballot election conducted by the National Labor Relations Board; to the Committee on Education and the Workforce.

By Mrs. ADAMS (for herself, Mr. POSEY, Mr. AKIN, Mr. COBLE, Mr. SENSENBRENNER, Mr. GOHMERT, Mr. CARTER, Mr. WESTMORELAND, Mr. KING of Iowa, Mr. BURTON of Indiana, Mr. GINGREY of Georgia, Mr. GARRETT, Mr. PITTS, Mr. ROE of Tennessee, Mr. MCCLINTOCK, Mr. MANZULLO, Mr. NEUGEBAUER, Mr. NUGENT, Mr. HUELSKAMP, Mr. BROOKS, Mr. KINGSTON, Mr. DUNCAN of South Carolina, Mrs. MCMORRIS RODGERS, Mr. STUTZMAN, Mr. MILLER of Florida, Mr. FLORES, Mr. ISSA, Mr. PENCE, Mr. GALLEGLY, Mr. FORBES, Mr. MARINO, Mr. ROSS of Florida, Mr. CHAFFETZ, Mr. DANIEL E. LUNGREN of California, Mrs. BLACK, Mrs. MILLER of Michigan, Mr. COLE, Mrs. SCHMIDT, Mr. PAUL, Mr. REED, Mrs. ELLMERS, Ms. BUERKLE, Mrs. BLACKBURN, Mr. MCCOTTER, Mr. WILSON of South Carolina, Mr. BARLETTA, Mr. BACHUS, Mr. GOODLATTE, Mr. WALBERG, Mr. DUNCAN of Tennessee, Mr. ROONEY, and Mr. JONES):

H.R. 973. A bill to amend title 28, United States Code, to prevent the misuse of foreign law in Federal courts, and for other purposes; to the Committee on the Judiciary.

By Mr. BRALEY of Iowa (for himself and Mr. JONES):

H.R. 974. A bill to direct the President to submit to Congress a report on the long-term costs of Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom in Iraq and Afghanistan, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on Foreign Affairs, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIS of Illinois:

H.R. 975. A bill to amend the Safe and Drug-Free Schools and Communities Act to include bullying and harassment prevention programs; to the Committee on Education and the Workforce.

By Mr. DENHAM:

H.R. 976. A bill to terminate certain hydropower reservations, and for other purposes; to the Committee on Natural Resources.

By Mr. HUIZENGA of Michigan (for himself and Mr. CAMP):

H.R. 977. A bill to designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, and for other purposes; to the Committee on Natural Resources.

By Mr. ISRAEL:

H.R. 978. A bill to amend title II of the Social Security Act to preclude use of the social security account number on Government-issued identification cards issued in connection with Medicare, Medicaid, and SCHIP benefits and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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. LYNCH (for himself, Mr. CUMMINGS, Mr. CLAY, Ms. NORTON, Mr. CONNOLLY of Virginia, and Mr. MORAN):

H.R. 979. A bill to amend chapter 89 of title 5, United States Code, to ensure program integrity, transparency, and cost savings in the pricing and contracting of prescription drug benefits under the Federal Employees Health Benefits Program; to the Committee on Oversight and Government Reform.

By Ms. NORTON:

H.R. 980. A bill to amend the District of Columbia Home Rule Act to make local funds of the District of Columbia for a fiscal year available for use by the District at the beginning of the fiscal year at the rate of operations provided under the local budget act for the fiscal year if the regular District of Columbia appropriation bill for a fiscal year does not become law prior to the beginning of such fiscal year; to the Committee on Oversight and Government Reform.

By Mr. NUGENT:

H.R. 981. A bill to allow Members of Congress to decline certain retirement benefits and contributions by the Federal Government, and for other purposes; to the Committee on House Administration, and in addition to the Committee on 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. OWENS:

H.R. 982. A bill to amend the Internal Revenue Code of 1986 to provide a refundable credit against income tax to assist individuals with high residential energy costs; to the Committee on Ways and Means.

By Mr. RAHALL:

H.R. 983. A bill to ensure that American materials are used for Smithsonian construction activities and are sold in Smithsonian gift shops, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ROGERS of Michigan (for himself, Mr. BOREN, Mr. FLEMING, Mr. ROSKAM, Mr. TIBERI, Mrs. BACHMANN, Mr. FLORES, Mr. HARRIS, Mr. BURGESS, Mrs. MCMORRIS RODGERS, Mrs. BLACKBURN, and Mr. BENISHEK):

H.R. 984. A bill to amend title I of the Patient Protection and Affordable Care Act to provide for a process for waiver of requirements of that title where the requirement is asserted to otherwise result in a significant decrease in access to coverage or significant increase in premiums or other costs; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, 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. SABLAN (for himself, Mr. PIERLUISI, Mr. FALEOMAVAEGA, Ms. BORDALLO, Mrs. CHRISTENSEN, and Ms. NORTON):

H.R. 985. A bill to amend title 10, United States Code, to require the Armed Forces to display the flags of the District of Columbia, Commonwealth of Puerto Rico, United States Virgin Islands, Guam, American Samoa, and Commonwealth of the Northern Mariana Islands whenever the official flags of all 50 States are displayed; to the Committee on Armed Services.

By Mr. SABLAN (for himself, Ms. BORDALLO, Ms. LEE of California, Mr. FALEOMAVAEGA, Mr. CONYERS, Mr. GRIJALVA, Mrs. CHRISTENSEN, Mr. COSTA, Ms. CHU, Mr. PIERLUISI, Mr. POE of Texas, Mr. HONDA, Ms. MOORE, and Ms. RICHARDSON):

H.R. 986. A bill to provide for American Samoa and the Commonwealth of the Northern Marianas to be treated as States for certain criminal justice programs; to the Committee on the Judiciary.

By Mr. SARBANES (for himself, Mr. CONNOLLY of Virginia, Ms. NORTON, Mr. GALLEGLY, and Mr. LYNCH):

H.R. 987. A bill to amend section 5542 of title 5, United States Code, to provide that any hours worked by Federal firefighters under a qualified trade-of-time arrangement shall be excluded for purposes of determinations relating to overtime pay; to the Committee on Oversight and Government Reform.

By Mr. SCHIFF (for himself, Mr. REICHERT, Mr. TIPTON, and Mr. SHERMAN):

H.R. 988. A bill to authorize the Attorney General to award grants for States to implement minimum and enhanced DNA collection processes; to the Committee on the Judiciary.

By Mr. VAN HOLLEN (for himself, Ms. PINGREE of Maine, and Mr. SARBANES):

H.R. 989. A bill to amend title XIX of the Social Security Act to require, at the option of a State, drug manufacturers to pay rebates to State prescription drug discount programs as a condition of participation in a rebate agreement for outpatient prescription drugs under the Medicaid program; to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska:

H.R. 990. A bill to amend the Marine Mammal Protection Act of 1972 to allow the importation of polar bear trophies taken in sport hunts in Canada; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 991. A bill to amend the Marine Mammal Protection Act of 1972 to allow importation of polar bear trophies taken in sport hunts in Canada before the date the polar bear was determined to be a threatened species under the Endangered Species Act of 1973; to the Committee on Natural Resources.

By Mr. KUCINICH (for himself, Mr. JONES, Mr. STARK, Mr. PAUL, Mr. FILNER, Ms. LEE of California, Mr. HONDA, Ms. WOOLSEY, Mr. ELLISON, and Mr. CONYERS):

H. Con. Res. 28. Concurrent resolution directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove the United States Armed Forces from Afghanistan; to the Committee on Foreign Affairs.

By Mr. POE of Texas (for himself, Mr. BILBRAY, Mr. SAM JOHNSON of Texas, Mr. GOHMERT, Mr. JONES, Mr. WESTMORELAND, Mr. NUGENT, and Mr. GINGREY of Georgia):

H. Con. Res. 29. Concurrent resolution expressing the sense of the Congress that State and local governments should be supported for taking actions to discourage illegal immigration and that legislation should be enacted to ease the burden on State and local governments for taking such actions; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, 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. HENSARLING:

H. Res. 155. A resolution electing a Member to a Standing Committee of the House of Representatives; considered and agreed to.

By Mr. KUCINICH:

H. Res. 156. A resolution calling for an environmental and social responsibility amendment to the United States Constitution; to the Committee on the Judiciary.

By Mr. ELLISON:

H. Res. 157. A resolution expressing the sense of the House of Representatives that a Global Marshall Plan holds the potential to demonstrate the commitment of the United States to peace and prosperity through poverty reduction in the United States and abroad; to the Committee on Foreign Affairs.

By Mr. ISRAEL:

H. Res. 158. A resolution expressing support for the goals and ideals of National Patient Safety Awareness Week; to the Committee on Energy and Commerce.

By Mr. DANIEL E. LUNGREN of California (for himself, Ms. WILSON of Florida, Mr. CAMPBELL, Mr. KING of Iowa, Mr. SHULER, Mr. SENSENBRENNER, Mr. WOLF, and Mr. SMITH of New Jersey):

H. Res. 159. A resolution condemning al Shabaab for its practice of child conscription in the Horn of Africa; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BISHOP of New York:

H.R. 964.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Ms. SLAUGHTER:

H.R. 965.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1, 3, and 18 of Section 8 of Article I of the Constitution.

By Mr. SMITH of Texas:

H.R. 966.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this legislation is based is found in Article I, Section 8, Clause 9; Article III, Section 1, Clause 1; and Article III, Section 2, Clause 2, of the Constitution, which grant Congress authority over federal courts.

By Mrs. SCHMIDT:

H.R. 967.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. McKEON:

H.R. 968.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to ''provide for the common defense,'' ''make Rules concerning Captures on Land and Water,'' ''raise and support armies,'' and ''provide and maintain a navy,'' as enumerated in Article I, Section 8 of the United States Constitution.

By Mr. PRICE of Georgia:

H.R. 969.

Congress has the power to enact this legislation pursuant to the following:

Current law has created an unconstitutional regulatory structure over the health care system. In order to make this system more compatible with a proper Constitutional structure, this bill will ensure that there is less regulation impeding the doctor-patient relationship.

By Mr. HALL:

H.R. 970.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Article I, Section 8, Clause 18.

By Ms. BALDWIN:

H.R. 971.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 3 and 18 of the Constitution of the United States.

By Mr. ROE of Tennessee:

H.R. 972.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution.

By Mrs. ADAMS:

H.R. 973.

Congress has the power to enact this legislation pursuant to the following:

Article III, Section 2—The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority . . .

By Mr. BRALEY of Iowa:

H.R. 974.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. DAVIS of Illinois:

H.R. 975.

Congress has the power to enact this legislation pursuant to the following:

Civil Rights Enforcement: Fourteenth Amendment, Sections 1 and 5—Section 1: All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws. . . . Section 5: The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

Spending Authorization: Article I, Section 8, Clause 1—The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States.

By Mr. DENHAM:

H.R. 976.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Specifically regarding Public Lands: Federal and State Powers Thereover, ''The comprehensive authority of Congress over public lands includes the power to prescribe the times, conditions, and mode of transfer thereof and to designate the persons to whom the transfer shall be made, to declare the dignity and effect of titles emanating from the United States . . . (Gibson v. Chouteau, 80 U.S. (13 Wall.) 92, 99 (1872))''

By Mr. HUIZENGA of Michigan:

H.R. 977.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 of the United States Constitution.

By Mr. ISRAEL:

H.R. 978.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3; Article I, Section 8, Clause 18.

By Mr. LYNCH:

H.R. 979.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the Constitution.

By Ms. NORTON:

H.R. 980.

Congress has the power to enact this legislation pursuant to the following:

Clause 17 of Section 8 of Article I of the Constitution.

By Mr. NUGENT:

H.R. 981.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 6 of Article I of the Constitution as amended by the 27th Amendment to the Constitution. This section of the Constitution allows Congress to set their own compensation so long as new representatives have been elected.

By Mr. OWENS:

H.R. 982.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. RAHALL:

H.R. 983.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the Constitution.

By Mr. ROGERS of Michigan:

H.R. 984.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article I, Section 8, Clause 18 of the Constitution, which states ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.''

By Mr. SABLAN:

H.R. 985.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (Clause 14), which grants Congress the power to make rules for the government and regulation of the land and naval forces.

By Mr. SABLAN:

H.R. 986.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 and Article IV, Section 3, Clause 2 of the Constitution.

By Mr. SARBANES:

H.R. 987.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8 of the U.S. Constitution.

By Mr. SCHIFF:

H.R. 988.

Congress has the power to enact this legislation pursuant to the following:

The Katie Sepich Enhanced DNA Collection Act is constitutionally authorized under Article I, Section 8, Clause 18, the Necessary and Proper Clause. The Necessary and Proper Clause supports the expansion of congressional authority beyond the explicit authorities that are directly discernible from the text. Additionally, the Preamble to the Constitution provides support of the authority to enact legislation to promote the General Welfare.

By Mr. VAN HOLLEN:

H.R. 989.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Clause 3 of Section 8 of Article I of the United States Constitution.

By Mr. YOUNG of Alaska:

H.R. 990.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. YOUNG of Alaska:

H.R. 991.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 27: Ms. SCHAKOWSKY, Mr. TOWNS, and Mr. HOLT.

H.R. 69: Mr. GRIMM.

H.R. 91: Mr. POE of Texas, Mr. HARRIS, Mr. POSEY, Mr. KLINE, Mr. LAMBORN, Mr. FLEMING, Mrs. SCHMIDT, Mr. OLSON, Mr. NEUGEBAUER, Mr. FARENTHOLD, Mr. FINCHER, Mr. RIGELL, Mr. YODER, Mr. FRANKS of Arizona, Mr. PRICE of Georgia, Mr. FLAKE, Mr. HULTGREN, Mr. WALSH of Illinois, Mr. WALBERG, Mr. WEST, Mr. JOHNSON of Ohio, and Mr. PEARCE.

H.R. 98: Mr. WOLF.

H.R. 104: Ms. JACKSON LEE of Texas.

H.R. 114: Mr. STEARNS and Mr. GERLACH.

H.R. 178: Mr. TIBERI, Mr. PEARCE, Mr. BURGESS, Mrs. MCMORRIS RODGERS, Mr. COSTELLO, Mr. MICA, Mr. TURNER, Mr. REYES, Mr. YARMUTH, and Mr. FITZPATRICK.

H.R. 181: Mr. TIBERI and Mr. TURNER.

H.R. 186: Mr. BURGESS.

H.R. 350: Mr. FILNER.

H.R. 401: Mr. FRANK of Massachusetts.

H.R. 428: Mr. POE of Texas.

H.R. 463: Mr. BURTON of Indiana, Mr. ROSS of Florida, and Mr. CANSECO.

H.R. 471: Mrs. SCHMIDT.

H.R. 481: Mr. HONDA.

H.R. 529: Mr. COBLE.

H.R. 531: Mr. RAHALL.

H.R. 589: Mr. WAXMAN and Ms. BALDWIN.

H.R. 606: Mr. MICA.

H.R. 616: Mrs. NAPOLITANO and Mr. LYNCH.

H.R. 642: Mr. PEARCE, Mr. YODER, Mr. LATHAM, and Mr. HARRIS.

H.R. 673: Mr. MANZULLO.

H.R. 674: Ms. FOXX, Mr. AKIN, Mr. COURTNEY, Mr. YARMUTH, and Mr. WALBERG.

H.R. 679: Mrs. ELLMERS and Mrs. BLACK.

H.R. 680: Mr. NEUGEBAUER and Mr. GARY G. MILLER of California.

H.R. 683: Mr. CONYERS.

H.R. 694: Mr. CONNOLLY of Virginia.

H.R. 709: Mr. CLEAVER.

H.R. 721: Mr. OLVER, Mr. NEAL, Mr. MCINTYRE, Mr. MICHAUD, Mr. HUELSKAMP, and Mr. SCHRADER.

H.R. 733: Mr. LATHAM and Mr. YARMUTH.

H.R. 743: Mrs. MCMORRIS RODGERS.

H.R. 745: Mr. TIPTON, Mr. FLEMING, Mr. SOUTHERLAND, Mr. FINCHER, Mr. GOHMERT, Mrs. MYRICK, Mr. HARRIS, Mr. YODER, Mr. WEST, Mr. BRADY of Texas, Mr. FRANKS of Arizona, Mr. PENCE, and Mr. PEARCE.

H.R. 746: Mr. CAMPBELL.

H.R. 749: Mr. HERGER, Mr. SCHOCK, Mr. BOUSTANY, and Ms. BERKLEY.

H.R. 750: Mr. HUIZENGA of Michigan.

H.R. 763: Mr. CHABOT and Mr. OLSON.

H.R. 819: Mr. PLATTS, Mr. WALZ of Minnesota, and Mr. CARNEY.

H.R. 825: Mr. SHUSTER and Ms. BROWN of Florida.

H.R. 835: Mr. BERMAN, Mr. BISHOP of New York, Ms. BORDALLO, Mr. CARNAHAN, Mr. FILNER, Mr. HOLT, Ms. MATSUI, Mr. MCCOTTER, Mr. MILLER of North Carolina, Mr. PRICE of North Carolina, Mr. TONKO, Ms. WASSERMAN SCHULTZ, Mr. FRANK of Massachusetts, and Mr. WEINER.

H.R. 840: Mr. CANSECO and Mr. OLSON.

H.R. 862: Ms. LEE of California, Mr. GRIJALVA, and Mrs. MALONEY.

H.R. 872: Mr. STUTZMAN, Mr. LABRADOR, Mr. MARINO, Mrs. MYRICK, and Mrs. NOEM.

H.R. 875: Mr. HERGER, Mr. CARTER, Mr. STUTZMAN, and Mr. FLEMING.

H.R. 880: Mr. DUNCAN of Tennessee.

H.R. 887: Mr. GOSAR.

H.R. 894: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BISHOP of Georgia, Mr. RYAN of Ohio, Ms. NORTON, Ms. BALDWIN, Mr. GRIJALVA, and Mr. MILLER of North Carolina.

H.R. 900: Mr. MICHAUD, Mr. BARROW, and Ms. SCHAKOWSKY.

H.R. 910: Mr. GIBBS, Mr. HUIZENGA of Michigan, Mr. RIBBLE, and Mrs. NOEM.

H.R. 920: Mr. AKIN, Mr. WESTMORELAND, Mr. BENISHEK, Mr. ROSS of Florida, Mrs. LUMMIS, Mr. ROE of Tennessee, Mr. HARRIS, Mr. YODER, Mr. SCOTT of South Carolina, Mr. TIPTON, Mr. PEARCE, and Mr. PENCE.

H.R. 943: Ms. HANABUSA.

H.R. 948: Mr. COURTNEY.

H.R. 959: Mr. HUNTER, Mr. SHIMKUS, Mr. HIGGINS, Mr. LIPINSKI, and Ms. KAPTUR.

H.J. Res. 37: Mr. KLINE, Ms. FOXX, Mr. WALBERG, Mr. FLORES, Mrs. BLACK, and Mr. GARY G. MILLER of California.

H.J. Res. 47: Mr. DEUTCH and Mr. VAN HOLLEN.

H. Con. Res. 23: Mr. BARTLETT and Mr. TIPTON.

H. Res. 23: Mr. CANSECO.

H. Res. 83: Mr. MCCOTTER.

H. Res. 100: Mr. JACKSON of Illinois, Mr. OLVER, Ms. WASSERMAN SCHULTZ, Ms. NORTON, Mr. CAPUANO, Mr. BERMAN, Mr. CROWLEY, Mr. MCDERMOTT, Ms. HIRONO, Mr. HINCHEY, Mr. COHEN, Mr. WAXMAN, Mrs. MALONEY, Ms. MOORE, Mr. TOWNS, Ms. LEE of California, Mr. MORAN, Mr. NADLER, Mr. STARK, Ms. SPEIER, Mr. HIGGINS, Mr. GRIJALVA, Ms. RICHARDSON, Mr. ISRAEL, Ms. BERKLEY, Mr. DEUTCH, and Ms. WOOLSEY.

H. Res. 135: Mr. LEVIN.

H. Res. 140: Mr. WALBERG.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 830

OFFERED BY: MR. PAULSEN

AMENDMENT NO. 4: Page 6, line 15, strike ''AND''.

Page 6, line 16, before the period insert the following: '', AND MEMBERS AND VETERANS WITH SERVICE-CONNECTED DISABILITIES AND THEIR FAMILIES''.

Page 7, line 11, strike ''or''.

Page 7, line 17, strike the period and insert ''; or''.

Page 7, after line 17, insert the following:

(D) such members and veterans of the Armed Forces who have service-connected injuries, and survivors and dependents of such members and veterans of the Armed Forces with such injuries.

H.R. 830

OFFERED BY: MS. WATERS

AMENDMENT NO. 5: At the end of the bill, add the following new section:

SEC. 4. STUDY ON IMPACTS REQUIRED.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Housing and Urban Development shall, in consultation with the Secretary of the Treasury, conduct a study on the negative impacts of underwater mortgage loans on the housing market and the economy of the United States and report to the Congress on the findings of such study, including recommendations to the Congress on how to mitigate such impacts.

(b) UNDERWATER MORTGAGE DEFINED.—For purposes of this section, the term ''underwater mortgage'' means a mortgage loan on an owner-occupied residential property that has an appraised value that is less than the outstanding obligation under such mortgage loan.

H.R. 830

OFFERED BY: MS. WATERS

AMENDMENT NO. 6: At the end of the bill, add the following new section:

SEC. 4. PUBLICATION OF MEMBER AVAILABILITY FOR ASSISTANCE.

Not later than 5 days after the date of the enactment of this Act, the Secretary of Housing and Urban Development shall publish to its Website on the World Wide Web in a prominent location, large point font, and boldface type the following statement: ''The FHA Short Refinance Program, which would have provided borrowers who are current on their mortgage but owe more than their home is worth with the ability to refinance into an FHA loan with better terms, has been terminated. If you owe more on your mortgage than your home is worth, please contact your Member of Congress for assistance.''.

H.R. 830

OFFERED BY: MR. GARAMENDI

AMENDMENT NO. 7: At the end of the bill, add the following new section:

SEC. 4. TREATMENT OF BONUSES FOR FINANCIAL SECTOR EMPLOYEES.

The Federal regulatory agencies for banking and financial institutions and for securities regulation shall jointly issue regulations that—

(1) require all new employees of any institution, company, or entity regulated by such a regulatory agency, upon hiring, to sign a contract stipulating that any bonus income provided to such employee will be paid in securities or obligations that such institution, company, or entity creates or deals in in its regular course of business;

(2) require that any such bonuses paid shall be held in escrow for such period as may be necessary to determine whether the such securities or obligations created or dealt with by such institution, company, or entity are of substandard quality or cannot be readily identified as an asset or a liability;

(3) require such escrow accounts to be portable so that an employee may change jobs without hindrance; and

(4) prohibit use of any such bonuses to hedge against future losses.

H.R. 830

OFFERED BY: MR. HOLT

AMENDMENT NO. 8: At the end of the bill, add the following:

SEC. 4. MODIFICATION OF REAL PROPERTY STANDARD DEDUCTION.

(a) EXTENSION.—Subparagraph (C) of section 63(c)(1) of the Internal Revenue Code of 1986 is amended by striking ''in 2008 or 2009'' and inserting ''after December 31, 2007, and before January 1, 2015''.

(b) ADJUSTMENTS FOR INFLATION.—Subparagraph (B) of section 63(c)(4) of such Code is amended by striking ''and'' at the end of clause (i), by striking the period at the end of clause (ii) and inserting '', and'', and by inserting after clause (ii) the following:

''(iii) 'calendar year 2010' in the case of dollar amounts contained in paragraph (7)(B).''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to taxable years beginning after December 31, 2009.

(2) INFLATION ADJUSTMENT.—The amendments made by subsection (b) shall apply to taxable years beginning after December 31, 2011.

H.R. 830

OFFERED BY: MRS. MALONEY

AMENDMENT NO. 9: After section 1, insert the following new section:

SEC. 2. CONGRESSIONAL FINDINGS.

The Congress finds that—

(1) there are 35,610 underwater mortgages in Alabama;

(2) 7,801 underwater mortgages in Alaska;

(3) 648,387 underwater mortgages in Arizona;

(4) 27,580 underwater mortgages in Arkansas;

(5) 2,172,700 mortgages in California;

(6) 221,097 underwater mortgages in Colorado;

(7) 97,244 underwater mortgages in Connecticut;

(8) 23,906 underwater mortgages in Delaware;

(9) 2,029,128 underwater mortgages in Florida;

(10) 449,971 underwater mortgages in Georgia;

(11) 24,664 underwater mortgages in Hawaii;

(12) 61,566 underwater mortgages in Idaho;

(13) 431,050 underwater mortgages in Illinois;

(14) 68,196 underwater mortgages in Indiana;

(15) 28,976 underwater mortgages in Iowa;

(16) 32,787 underwater mortgages in Kansas;

(17) 24,880 underwater mortgages in Kentucky;

(18) 298,554 underwater mortgages in Maryland;

(19) 222,599 underwater mortgages in Massachusetts;

(20) 519,716 underwater mortgages in Michigan;

(21) 90,090 underwater mortgages in Minnesota;

(22) 122,543 underwater mortgages in Missouri;

(23) 8,650 underwater mortgages in Montana;

(24) 21,388 underwater mortgages in Nebraska;

(25) 390,192 underwater mortgages in Nevada;

(26) 37,488 underwater mortgages in New Hampshire;

(27) 286,293 underwater mortgages in New Jersey;

(28) 29,375 underwater mortgages in New Mexico;

(29) 129,633 underwater mortgages in New York;

(30) 160,007 underwater mortgages in North Carolina;

(31) 3,582 underwater mortgages in North Dakota;

(32) 441,379 underwater mortgages in Ohio;

(33) 24,411 underwater mortgages in Oklahoma;

(34) 108,335 underwater mortgages in Oregon;

(35) 132,805 underwater mortgages in Pennsylvania;

(36) 45,511 underwater mortgages in Rhode Island;

(37) 85,226 underwater mortgages in South Carolina;

(38) 133,956 underwater mortgages in Tennessee;

(39) 367,954 underwater mortgages in Texas;

(40) 98,093 underwater mortgages in Utah;

(41) 276,910 underwater mortgages in Virginia;

(42) 209,577 underwater mortgages in Washington;

(43) 15,240 underwater mortgages in Washington D.C.;

(44) and 81,267 underwater mortgages in Wisconsin.

(45) the aggregate number of mortgages estimated to be underwater in such States is 10,780,236; and

(46) by voting to terminate the FHA Refinance Program under this Act without a suggested replacement, the Congress is voting to terminate a program that may have helped these underwater borrowers.

H.R. 830

OFFERED BY: MR. DEUTCH

AMENDMENT NO. 10: Page 7, line 11, strike ''or''.

Page 7, line 17, strike the period and insert ''; or''.

Page 7, after line 17, insert the following:

(D) a person who is 62 years of age or older.

H.R. 830

OFFERED BY: MR. FITZPATRICK

AMENDMENT NO. 11: Page 5, line 12, after the period insert the following: ''All such unexpended balances so rescinded and permanently canceled shall be retained in the General Fund of the Treasury for reducing the debt of the Federal Government.''.

H.R. 830

OFFERED BY: MR. INSLEE

AMENDMENT NO. 12: Page 6, line 16, before the period insert ''AND REPLACEMENT PROGRAM''.

Page 6, line 19, before ''the extent'' insert ''(A)''.

Page 6, line 20, after ''section 2'' insert '', including''.

Page 6, line 21, before the period insert the following: '', and (B) the need, and appropriate guidelines and standards for, a mortgage insurance program of the Secretary that (i) provides for loan modification involving a write-down of the remaining principal balance on existing mortgages on 1- to 4-family residences under which such principal balance exceeds the appraised value of the mortgaged residence, and (ii) serves the needs of covered homeowners with such mortgages''.

Page 7, line 1, after ''paragraph (1)'' insert the following: '', setting forth the Secretary's determination of the need for, and the appropriate guidelines and standards for, the mortgage insurance program determined pursuant to paragraph (1)(B),''.

Page 7, line 1, after ''best practices,'' insert ''including''.

Page 7, line 3, before the period insert the following: ''and to the mortgage insurance program identified and described pursuant to paragraph (1)(B)''.

Page 7, after line 17, add the following:

(4) IMPLEMENTATION.—Upon the expiration of the 90-day period beginning upon the submission to the Congress of the report required under paragraph (2), the Secretary of Housing and Urban Development shall implement the mortgage insurance program described in such report pursuant to paragraph (1)(B) through issuance of appropriate guidelines and standards set forth in the report.

H.R. 830

OFFERED BY: MR. INSLEE

AMENDMENT NO. 13: At the end of the bill, add the following new section:

SEC. 4. STUDY OF BORROWERS OTHERWISE ELIGIBLE FOR FHA REFINANCE PROGRAM.

Not later than the expiration of the 90-day period beginning on the date of the enactment of this Act, the Secretary of Housing and Urban Development shall conduct a study, and submit to the Congress a report regarding the results of such study, to determine the effects that authorizing bankruptcy courts, in bankruptcy proceedings under chapter 13 of title 11, United States Code, to reduce the debt secured by a mortgage on the principal residence of a debtor would have on mortgagors who, but for termination of the FHA Refinance Program under this Act, would have qualified for refinancing of a mortgage under such Program, under the terms of such Program as in effect immediately before the enactment of this Act.

H.R. 830

OFFERED BY: MR. INSLEE

AMENDMENT NO. 14: At the end of the bill, add the following new section:

SEC. 4. ENFORCEMENT OF FORECLOSURE LAWS.

The Attorney General of the United States, in consultation and coordination with the Secretary of the Treasury, the Federal Deposit Insurance Corporation, the Director of the Federal Housing Finance Agency, the Secretary of Housing and Urban Development, the Board of Governors of the Federal Reserve System, the Director of the Bureau of Consumer Financial Protection of the Federal Reserve System, any other appropriate Federal banking regulatory agencies, and the Attorneys General of the States, shall pursue, to the fullest extent of the law, criminal prosecution of directors and officers of any financial institutions that the Attorney General, in such consultation and coordination, determines have failed to comply with State laws relating to foreclosure of mortgages on residential real property and shall provide appropriate assistance to such State Attorneys General in such prosecutions.

H.R. 830

OFFERED BY: MS. LORETTA SANCHEZ OF CALIFORNIA

AMENDMENT NO. 15: Strike all after the enacting clause and insert the following:

SECTION 1. USE OF FUNDING FOR FHA REFINANCE PROGRAM.

Effective on the date of the enactment of this Act, all unexpended balances remaining available as of such date of enactment of the amounts made available under title I of the Emergency Economic Stabilization Act (Public Law 110-343; 12 U.S.C. 5211 et seq.) that have been allocated for use under the FHA Refinance Program (pursuant to Mortgagee Letter 2010-23 of the Secretary of Housing and Urban Development) of the Making Home Affordable initiative of the Secretary of the Treasury shall be available to the Secretary of Housing and Urban Development for carrying out a program for insuring mortgages made to refinance existing mortgages on 1- to 4-family residences, in accordance with such guidelines and standards as the Secretary shall issue, which shall provide that under such program—

(1) the residence subject to a mortgage being refinanced and to the insured refinancing mortgage shall be the principal residence of the mortgagor;

(2) the mortgagor under the insured refinancing mortgage shall have an annual family income not exceeding $180,000;

(3) the insured refinancing mortgage shall have a term to maturity of 30 years;

(4) the insured refinancing mortgage shall bear interest at a single rate of 4.0 percent annually for the entire term of the mortgage; and

(5) the mortgagor under the insured refinancing mortgage may not have failed to timely make any payments due under the mortgage being refinanced.

H.R. 836

OFFERED BY: MR. PAULSEN

AMENDMENT NO: 3: Page 5, line 23, strike ''AND''.

Page 5, line 24, before the period insert the following: '', AND MEMBERS AND VETERANS WITH SERVICE-CONNECTED DISABILITIES AND THEIR FAMILIES''.

Page 6, line 19, strike ''or''.

Page 6, line 25, strike the period and insert ''; or''.

Page 6, after line 25, insert the following:

(D) such members and veterans of the Armed Forces who have service-connected injuries, and survivors and dependents of such members and veterans of the Armed Forces with such injuries.

H.R. 836

OFFERED BY: MS. WATERS

AMENDMENT NO. 4: At the end of the bill, add the following new section:

SEC. 4. PUBLICATION OF MEMBER AVAILABILITY FOR ASSISTANCE.

Not later than 5 days after the date of the enactment of this Act, the Secretary of Housing and Urban Development shall publish to its Website on the World Wide Web in a prominent location, large point font, and boldface type the following statement: ''The Emergency Mortgage Relief Program, which would have provided unemployed homeowners with low-interest loans to assist them in paying their mortgage, has been terminated. If you are unemployed and concerned about not being able to pay your mortgage, please contact your Member of Congress for assistance.''.

H.R. 836

OFFERED BY: MR. CANSECO

AMENDMENT NO. 5: Page 4, line 22, after the period insert the following: ''All such unobligated balances so rescinded and permanently canceled shall be retained in the General Fund of the Treasury for reducing the debt of the Federal Government.''.

H.R. 836

OFFERED BY: MR. CONNOLLY OF VIRGINIA

AMENDMENT NO. 6: Page 6, line 19, strike ''or''.

Page 6, line 25, strike the period and insert ''; or''.

Page 6, after line 25, insert the following:

(D) a teacher in an elementary or secondary school.

H.R. 836

OFFERED BY: MS. LORETTA SANCHEZ OF CALIFORNIA

AMENDMENT NO. 7: At the end of the bill, add the following new section:

SEC. 4. EFFECTIVE DATE.

Notwithstanding any other provision of this Act, this Act shall take effect on, and any reference in this Act to the date of the enactment of this Act shall be construed to refer to, the first date occurring after the date of the enactment of this Act on which the Current Population Survey (CPS) of the Bureau of Labor Statistics of the Department of Labor, as released monthly, identifies that the unemployment rate for the United States is equal to 7.5 percent or less.