



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157

WASHINGTON, MONDAY, JANUARY 24, 2011

No. 9

Senate

The Senate was not in session today. Its next meeting will be held on Tuesday, January 25, 2011, at 12 noon.

House of Representatives

MONDAY, JANUARY 24, 2011

The House met at noon and was called to order by the Speaker pro tempore (Ms. FOXF).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
January 24, 2011.

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

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

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 1:50 p.m.

LET'S GET REAL ABOUT THE DEFICIT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFazio) for 5 minutes.

Mr. DEFazio. Well, by all accounts we're finally going to get serious about

the mountain of debt that's been built up over the last 10 years that we're going to leave for our kids and grandkids—nearly \$14 trillion, a number that's hard to actually understand.

Now, I'm hopeful it will really be a serious discussion, but it can't be as long as the Republican rules stand. The Republicans have said that if you reduce income to the government that that doesn't count toward the debt or the deficit. You have to borrow the money—probably from China—and it goes on the debt for our kids and grandkids. But they don't count that because it's your money. We're giving it back to you. Except, of course, we're still spending more than is coming in.

Now, I'm all for looking at the expenditure side, and there are a lot of places I'd like to cut. Republicans have put some of them off-limits.

We can't look anywhere in the Pentagon who is still acquiring through cost-plus contracts weapons that were designed to fight during the Soviet era. We're wasting a fair amount of money over there. It's well documented.

The Pentagon is the only agency of the Federal Government that can't be audited. Every other agency is audited. Most of them get good grades. The Pentagon, they say maybe within 5 years they will have an accounting system that could be audited. Come on. And we're going to exempt them from scrutiny and review and cuts?

The war in Afghanistan, they've exempted that from cuts. They want to spend about \$200 billion this year on the wind-down in Iraq and the war in

Afghanistan. But that's off the table as far as Republicans are concerned.

And Social Security they say is off the table, and that's good. Medicare is off the table. They just added to the costs of Medicare with legislation they passed last week, but that doesn't count either. That was exempt.

So what's left? Well, we're going to have, because of the tax cuts adopted in December, a \$1.6 trillion 1-year deficit. Now, if we were only going to get to a balanced budget this year with cuts, that would mean eliminating the entire government of the United States of America. We'd still make our Social Security payments. And we wouldn't be able to exempt the Pentagon, which they want to do, if we wanted to really get to \$1.6 trillion.

No more Border Patrol. No more Homeland Security. No more Coast Guard. No more Postal Service. No more Centers for Disease Control. Department of Education, gone. They wouldn't care much about that. Park Service I guess would probably sell off the parks to the highest bidder. I don't know.

So you can't be serious and stand here and say we're going to put this hand and tie it behind our back, which is the revenue side. Oh, and by the way, if we give millionaires and billionaires tax cuts and reduce our income, that doesn't count. If we allow corporations to continue to use overseas tax loopholes to avoid paying a responsible level of taxes here in the United States, that doesn't count. Can't close any loopholes. That would be bad. No.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H399

They just say we're going to do it all in cuts. It's an impossible task.

But I worry even though they say they've exempted Social Security that that's not really their game plan. Because for the first time this year, we will borrow money to put into Social Security. Never been done since the program was created. It's always been funded by its own tax.

But this year, the Republicans cooked up an idea—which President Obama bought into lock, stock, and barrel—to reduce the Social Security tax under the guise of giving people back their money and putting people to work. Every Member of Congress will get over \$2,000 in tax breaks this year because of that one provision. Every millionaire and billionaire will get over \$2,000 in tax breaks. Working people will get a tax break, too—and they can use a tax break—but there are better ways to do it, less costly ways to do it, and ways to do it without jeopardizing the future of Social Security.

So part of the borrowing this year, a couple of hundred billion dollars of that borrowing this year is going to be from China, the government will borrow, to reinject into the Social Security trust fund.

So I fear the Republicans are going to say, “Well, wait a minute. We can't subsidize that Social Security thing. And oh, by the way, you can't restore the taxes and run Social Security on its own income.” So they're creating some impossible scenarios here.

I'm hopeful the President will chart a better path, one that doesn't go after Social Security. Social Security didn't create, until this year, one penny of the debt of the United States but this year it will create \$200 billion of debt for the United States. A very bad precedent set by a bipartisan problem—the Republicans and President Obama and some few Democrats.

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

Mr. DEFAZIO. Let's get real about the deficit.

GOVERNMENT REGULATIONS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Madam Speaker, as one who is firmly in the camp of not just supporting the benefits but the necessity of government regulation, I nonetheless welcomed the President's recent op-ed in the Wall Street Journal and his executive order to review the regulations we have in place.

This is a unique opportunity to reframe at least part of the regulatory debate to satisfy both sides and better serve the public. The area of opportunity lies in creating a new generation of environmental protections that are performance based. Pioneering efforts to protect the environment, like the Clean Air Act and the Clean Water Act, were regulatory based that

worked well for their time. Public health requirements, citizen expectations have evolved. Subsequent efforts have become more difficult, expensive, and time consuming.

Having these agencies dictate specifics is not necessarily providing the most innovative, timely, nor cost-effective solutions.

There is an alternative to rules-based procedures, command-and-control rules process. Such a model would give latitude to parties on how they comply with the standards for protection as long as they met or exceeded the requirement.

In Oregon, we were able, some years ago, in partnership with the EPA and the State Department of Environmental Quality, to work with a major industrial presence in our community, Intel, on a plant expansion where latitude was granted for air quality compliance. The company made an enforceable commitment to the requisite clean air and environmental regulations, but the environmental agent regulators did not micromanage how the company complied. The result? Clean air with less cost and time.

There are countless opportunities for this principle to save time, money, and create innovation, and importantly, the potential to reduce opposition to the regulatory process itself: building trust and confidence, partnerships between the regulator and the regulated with more control, more flexibility, producing a cleaner, safer environment.

This requires first and foremost an administration that can be trusted to act in good faith because too often, regulatory reform is a tactic of those who are simply opposed to the regulation in its first instance.

□ 1210

This approach will only invite fierce opposition to watered-down protection. The Obama administration has established its environmental credentials and should be able to avoid, or at least lay to rest, that sort of concern.

There are two other necessary elements. The standards must be clear, and the parties must be both responsible and have the capacity to be held accountable. Nothing must allow the protection in question to be undercut. Indeed, it may be reasonable for performance-based approaches to require higher standards and environmental protection. And we certainly don't have to suspend current rules or regulations. Just give an alternative path for compliance that we can always fall back upon if people fall short.

Once it's clear that we can produce the environmental or other desired protections on a performance basis, perhaps we can tackle redundant regulatory processes. For instance, California has arguably more stringent environmental regulations than the United States Government itself. Can we figure out a way to apply that single, more stringent standard rather

than forcing individuals, government agencies to comply with both?

In sum, it's always helpful for an administration to make sure our efforts at government regulation are effective and relevant. By all means, eliminate the unnecessary or the ineffective. What is more important, however, is to usher in a new era of performance-based protections to improve regulations, save money, and protect the public welfare.

THE BUDGET AND SUSTAINABLE DEFENSE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio (Mr. KUCINICH) for 5 minutes.

Mr. KUCINICH. As we begin this great debate over what our priorities are, it's worth reflecting on an article that was written nearly 3 years ago in the Sunday Times of London by Nobel Prize-winning economist Joseph Stiglitz and his associate Linda Bilmes. Here is what they write:

“The Bush administration was wrong about the benefits of the war”—talking about the Iraq war—“and was wrong about the costs of the war. The President and his advisers expected a quick, inexpensive conflict. Instead, we have a war that is costing more than anyone could have imagined.

“The cost of direct U.S. military operations—not even including long-term costs such as taking care of wounded veterans—already exceeds the cost of the 12-year war in Vietnam and is more than double the cost of the Korean War.

“And, even in the best case scenario, these costs are projected to be almost 10 times the cost of the first gulf war, almost a third more than the cost of the Vietnam war, and twice that of the First World War. The only war in our history that cost more was the Second World War, when 16.3 million U.S. troops fought in a campaign lasting 4 years, at a total cost, in 2007 dollars, after adjusting for inflation, of about \$5 trillion.”

They go on to write that, “With virtually the entire Armed Forces committed to fighting the Germans and Japanese, the cost per troop, in today's dollars, was less than \$100,000.” That's in 2007 dollars. “By contrast, the Iraq war is costing upward of \$400,000 per troop.

“Most Americans have yet to feel these costs.” This was written almost 3 years ago. “The price in blood has been paid by our voluntary military and by hired contractors. The price in treasure has, in a sense, been financed entirely by borrowing. Taxes have not been raised to pay for it—in fact, taxes on the rich have actually fallen. Deficit spending gives the illusion that the laws of economics can be repealed, that we can have both guns and butter. But, of course, the laws are not repealed. The costs of the war are real even if they have been deferred, possibly to another generation.”

That from Joseph Stiglitz and Linda Bilmes almost 3 years ago.

One of the biggest causes of our soaring debt and economic insecurity ends up being Pentagon spending. The budget for the Pentagon consumes more than half our discretionary spending. We have seen countless stories of U.S. taxpayer dollars going unaccounted for in Iraq and Afghanistan. We have had countless high-profile hearings on contractor fraud and the lack of oversight at the Department of Defense.

According to the Friends Committee on National Legislation, 39 percent of our income tax dollars last year went to Pentagon spending on past and current wars. And Stiglitz, again, has said that the Iraq war “didn’t just contribute to the severity of the financial crisis . . . it kept us from responding to it effectively. Increased indebtedness meant that the government had far less room to maneuver than it otherwise would have.” So what we have is the U.S. financing war on borrowed money.

We must examine our connection between soaring debt and these two wars, the war in Iraq and war in Afghanistan. Between 2003 and 2008, the U.S. debt increased by almost \$4 trillion. A quarter of that debt is directly attributed to the war in Iraq. The cost of the war in Afghanistan has been over \$455 billion to date, and the deadline for that keeps sliding past 2014.

Now, in the nationalpriorities.org, they talk about a sustainable defense. And one report says that there are options for reducing military spending, saving nearly \$1 trillion over the next decade without adversely impacting U.S. national security interests. So we can have a strong defense, but we’re spending so much money, we’re undermining our ability to be able to provide for the American people here at home. And we have to start taking care of things here at home.

What will we sacrifice? Will we sacrifice the education of our children for these wars? Will we sacrifice Social Security for these wars? Will we sacrifice Medicare or Medicaid for these wars? Will we sacrifice our infrastructure for these wars? Or will we say the war in Iraq was based on lies; let’s bring these troops home? Will we say that Afghanistan is a hopeless, corrupt mess and it’s time to bring our troops home, and then begin to use the resources of our country, those resources that are hard-earned taxpayer dollars, use that money for things here at home? Let’s have that debate as we talk about cutting the budget.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o’clock and 18 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 p.m.

PRAYER

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

Infinite God, You are without beginning or end. We begin each formal session of this law-making Chamber with reflection on Your Holy Word and prayerful petition.

This representative government, Lord, is laden with great expectations and innumerable problems; so in the early hours we seek Your light and inspiration to set priorities and shape proper means to achieve common goals of legislation.

In this information age surrounded by media opinions, kindly lead us to the essential truth on all the issues.

In the evening, before we take our rest, Lord, help each Member find the time for grateful prayer to renew love and loyalty, lest we be consumed by work or become tepid due to debate and criticism. Renew us in our commitments to be faithful both in love and service.

In the beginning and in the end of each passing day, may we draw closer to You now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Indiana (Mr. YOUNG) come forward and lead the House in the Pledge of Allegiance.

Mr. YOUNG of Indiana 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.

NLRB THREATENS VOTERS OF SOUTH CAROLINA

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

Mr. WILSON of South Carolina. Mr. Speaker, this week I was startled to read in Free Times a brief by Corey Hutchins that the National Labor Relations Board announced plans to sue South Carolina and three other States because voters approved ballot amendments in November.

In South Carolina, more than 85 percent of voters chose “yes” on an

amendment to give employees the constitutional vote by secret ballot on union representation. This threat is an insult to the voters of the Palmetto State, and it is an insult to the sacred right of secret ballot. Sadly, this is an underhanded admission by the administration that union bosses want to evade voters and deny Congress its right to stop Card Check, which has forced unionization of workers.

It’s an admission workers know that today union leaders are more focused on their own personal enrichment with union dues than the rights of workers.

Fortunately, South Carolina is a right-to-work State where workers are protected, new jobs are created, and we respect the votes of all citizens. I commend the efforts of South Carolina Representative Eric Bedingfield and Senate Majority Leader Harvey Peeler for sponsoring the amendment.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

HONORING PRIVATE FIRST CLASS ZACHARY SALMON

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

Mr. YOUNG of Indiana. Mr. Speaker, I rise today to honor Private First Class Zachary Salmon, an Army Cavalry Scout with the 1st Battalion, 32nd Cavalry Regiment, 1st Brigade Combat Team, 101st Airborne Division. On January 12 of this year, he was killed in action in Kunar province in Afghanistan after insurgents attacked his unit. This past Friday, he was laid to rest in Lawrenceburg, Indiana. Just 21 years old, PFC Salmon enlisted in the Army 3 years ago as a way to provide for his then-newborn son, Noah, whom he adored.

While I never had the honor of meeting him in person, I learned at his wake this past Friday that he exhibited all the best qualities of our men and women in uniform: a patriotic sense of duty, a strong desire to help others, and a keen awareness of his weighty responsibilities as a man in uniform. Known to his friends as “Fish,” he also had a bright sense of humor and a huge heart. In addition to his son, Noah, PFC Salmon leaves behind his mother and father, his stepfather, his brother, and two sisters. We all owe a debt today to PFC Salmon for making the ultimate sacrifice on behalf of our country.

Thank you, PFC Salmon. May God watch over you, little Noah, and the rest of your family.

THE NATIONAL DEBT—NO DEPARTMENT SHOULD BE EXEMPT FROM BELT-TIGHTENING

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

Mr. DUNCAN of Tennessee. Mr. Speaker, later today we will vote on a resolution to reduce Federal non-security spending to the 2008 level or in some cases less. This is a very good first step if we follow through and abide by this resolution. However, we need to make sure that these cuts are real and not simply cuts that will be reinstated later in an end-of-the-year omnibus spending bill.

More importantly, I want to add my voice to the growing chorus that is saying loud and clear that nothing should be left off the table. There is waste in every Federal department and agency, and the waste in the Defense and Homeland Security Departments is huge. No department should be given a free pass and made exempt from cost savings and belt-tightening.

We have a national debt of over \$14 trillion, a mind-boggling incomprehensible figure. Even *The Washington Post*, which has usually supported every Federal spending program imaginable, editorialized recently, "It's time to stop worrying about the deficit—and start panicking about the debt. The fiscal situation was serious before the recession. It is now dire."

THE LEAVING ETHANOL AT EXISTING LEVELS ACT

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

Mr. BURGESS. Mr. Speaker, today I want to talk about legislation that I will reintroduce that will put a pause on the Environmental Protection Agency's actions in moving forward with a waiver for an increase in the amount of ethanol in gasoline.

Currently, gasoline contains a 10 percent blend wall. In October of this past year, the EPA granted a waiver for the allowable amount of ethanol to increase to 15 percent.

I have questioned their decision to move forward with a waiver for E15. I was wholly dissatisfied with the response they gave in a briefing last fall. They deferred to the Department of Energy's research. Does the EPA not employ its own scientists and experts? Is it the EPA's position that it is incapable of doing its own research?

Mr. Speaker, we are all aware of the problems that occurred in 2008 with food-to-fuel diversion and the resultant increase in price in commodities. I don't believe the EPA has done its due diligence. And certainly they haven't provided information that would disprove any fears about the use of E15 causing mechanical failures and fires, particularly in smaller engines.

My bill will allow for a pause and allow for more assurances to be made that the increase in the blend wall for ethanol will be safe. The security of the public's well-being should be paramount in this issue.

CALLING FOR A SPECIAL ENVOY ON RELIGIOUS MINORITIES IN THE MIDDLE EAST AND SOUTH CENTRAL ASIA

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

Mr. WOLF. Mr. Speaker, last week the Tom Lantos Human Rights Commission held a hearing on the plight of Christian minorities in Iraq and Egypt. In the wake of the devastating attacks targeting Christians in both countries, it is clear that religious minorities in the Middle East are facing a serious threat that must be addressed. This recent spate of violence has driven many Christians and other religious minorities to flee the lands they have inhabited for centuries and attempt to emigrate to the West. If the international community fails to speak out, the prospects for religious pluralism and tolerance in the region are bleak.

President Reagan once said that the U.S. Constitution is "a covenant that we have made not only with ourselves, but with all of mankind." I believe the United States has an obligation to speak out for the voiceless around the world.

This week I will introduce, with other Members, a bill which would require the administration to appoint a Special Envoy for religious minorities in the Middle East and South Central Asia in order to make this issue a foreign policy priority, and I ask my colleagues to join me.

□ 1410

HONORING TODD BUCH

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

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize the Middletown Community Foundation and to honor one of my constituents from Bucks County, Pennsylvania, Mr. Todd Buch.

Each year, the Middletown Community Foundation honors a local resident with the Humanitarian of the Year award. The Middletown Community Foundation is a nonprofit organization created to improve the quality of life for individuals who live and work in my hometown of Middletown Township, Bucks County.

This year it is the Humanitarian Award that is being presented to Mr. Todd Buch. Todd is the president of McCafferty Auto Group in Langhorne. Todd and his family have been generous and enthusiastic supporters of their community for decades, and his award from the Middletown Community Foundation is very fitting. Todd's business achievements alone have been impressive, with his dealership sustaining hundreds of jobs in Bucks County. Todd's contributions to the community have gone beyond his leadership in the business community.

Mr. Speaker, the time allotted to this speech today is frankly insufficient to list all of Todd's achievements and contributions in this regard. Just a few recipients of Todd's generosity have been the Neshaminy High School Choir, the Neshaminy High School Aloha Bowl Parade, Pennsbury High School, Bristol Township High School, the United Way, Middletown Township, and countless others.

Mr. Speaker, during a month when we honored the service of Martin Luther King, I am reminded of the great civil rights leader's quote that "anyone can be great because anyone can serve." By this measure and countless others, Todd Buch is truly great; and I am proud to honor him today.

MEDICAID

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

Mr. PITTS. Mr. Speaker, most States, including my own State of Pennsylvania, are facing significant budget problems this fiscal year. The fiscal situation in some States eerily resembles Greece and Ireland.

Unfortunately, the Federal Government is adding fuel to the fire with new Medicaid mandates that could cost the States billions of dollars. ObamaCare burdens the States in two ways. First, it requires them to enroll millions more beneficiaries. While the Federal Government will at first pay for the benefits of these new enrollees, the States will gradually have to start picking up the tab. Second, the Federal Government will only help cover the cost of benefits, not the administrative costs associated with all these new enrollees. Since some States will be forced to nearly double their Medicaid rolls, this will certainly hit their budgets hard.

We cannot forget that 49 of 50 States are required to balance their budgets every year. They will face the grim choice of discontinuing their Medicaid program, raising taxes, or slashing other essential government services.

We have talked a lot about ObamaCare bankrupting the Federal Government, but we can't forget that it could drive States over the cliff at the same time.

RECESS

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

Accordingly (at 2 o'clock and 12 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1715

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro

tempore (Mr. MACK) at 5 o'clock and 15 minutes p.m.

PROVIDING FOR CONSIDERATION OF HOUSE RESOLUTION 38, REDUCING NON-SECURITY SPENDING TO FISCAL YEAR 2008 LEVELS OR LESS

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 43 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 43

Resolved, That upon adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 38) to reduce spending through a transition to non-security spending at fiscal year 2008 levels. The amendment in the nature of a substitute recommended by the Committee on Rules now printed in the resolution shall be considered as adopted. The resolution, as amended, shall be considered as read. The previous question shall be considered as ordered on the resolution, as amended, to final adoption without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Rules or their respective designees; and (2) one motion to recommit with or without instructions.

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

Mr. DREIER. Mr. Speaker, I am happy to yield the customary 30 minutes to my good friend from Worcester (Mr. McGOVERN). All time yielded will be for debate purposes only.

Pending that, I yield myself such time as I may consume.

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

Mr. DREIER. Mr. Speaker, runaway Federal spending is one of the most significant issues that this Congress is facing. Our national debt has implications for nearly every major challenge that we must confront. It's tied to our economic recovery, it's tied to our national security, it's tied to our ability to deliver on our constitutional mandate for transparent, limited and responsive government.

The time to exercise our power of the purse with discipline and restraint is long overdue. Let me say that again: the time for us to exercise our power-of-the-purse restraint is long, long overdue. We must return to pre-bailout, pre-binge spending levels for funding the Federal Government.

We know that a great deal of hard work and tough decisions lie ahead for every single Member of this institution. We know that a great deal of hard work is there; and we're going to face some very difficult, tough, tough decisions. They are going to be difficult decisions; but, Mr. Speaker, they are decisions that we're going to have to make.

First and foremost, we must get our economy growing and our workforce

expanding again. Strong growth and job creation will increase tax revenues and provide greater resources that are needed; but, Mr. Speaker, that's only half of the equation. Economic growth is critically important. We need to do it so that we can enhance the flow of revenues to the Federal Treasury to deal with those essential items that are there, but it is half the equation.

We can't get back onto firm ground with sound fiscal standing unless we have a leaner Federal budget. Some of this can be accomplished by eliminating waste, fraud and abuse. Everybody is always in favor of eliminating waste, fraud and abuse. And what is the best way to do that? Robust oversight. Robust oversight will allow us to streamline Federal spending and make better use of taxpayer dollars, but we have to acknowledge up front that hard work and painful cuts lie ahead. We all know that this is not going to be an easy task, but it is absolutely essential.

Just as families and small businesses across this country have been forced to cut back during these difficult economic times, we here in this institution are going to have to do the same. That's the message that we got last November that brought people like my Rules Committee colleague, Mr. SCOTT, who is sitting next to me on the floor here, that's the message that has been carried here.

Some Federal programs, Mr. Speaker, are wasteful and duplicative and deserve to be cut. There will be others that have merit, but which we simply cannot afford at the current levels. We have to be honest about that. We have to engage in a responsible debate about what our priorities must be.

□ 1720

What we cannot do is allow this debate to degenerate into false accusations about the other side's intentions. And I'm going to repeat that, Mr. Speaker. We cannot let the kind of free-flowing, rigorous debate that we need to have degenerate into these accusations that we so often seem to hear around here.

There is no one in this body who wants to gut funding for key essential programs, like veterans' programs, or like education, child nutrition. No one wants to gut these programs. So I think it's important for us to state that. And there is no evidence that any proposal out there would undermine things like support for our Nation's veterans.

We are all entering into this debate with good faith, good intentions, and a commitment to responsibly address the need to implement fiscal discipline. We will have to make hard choices, but that process will not be served by unfair or disingenuous accusations.

We also recognize that this will be a lengthy process. We are just beginning what is going to be a 2-year process focused on this.

Today's underlying resolution, the measure that we're going to be consid-

ering through this rule and then on the floor tomorrow, is merely the first step in this ongoing effort to bring our Federal budget back into the black. Our committees will have to conduct extensive oversight, as I mentioned earlier, of Federal programs. We will have to dispense with fiscal year 2011 spending, which the last Congress failed to do, before we can even begin to deal with the coming fiscal year.

The underlying resolution that we have before us today lays down a marker for reducing spending and puts the House on record for its commitment to tackle this issue in a serious way. The hard work will follow.

As this process proceeds, rank and file Members of both political parties, Democrats and Republicans alike, will have the opportunity to participate in our effort to address these very tough decisions.

Through constructive debate, we can finally begin to impose real accountability and discipline in our Federal budget. In concert with pro-growth policies—and I said to me the most essential thing is implementing pro-growth economic policies—but going hand-in-hand with these pro-growth policies, Mr. Speaker, this effort will put us back onto the path of economic recovery and job creation.

Today's rule sets the stage for the start of that effort. I'm going to urge my colleagues to support this rule and demonstrate their resolve to tackle runaway Federal spending in a serious way.

I reserve the balance of my time.

Mr. McGOVERN. Mr. Speaker, I thank the chairman of the Rules Committee for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I rise in strong opposition to this closed rule. So much for an open process, and so much for a free flow of ideas. I also rise in strong opposition to the underlying resolution.

Once again, the Republican majority is choosing to ignore the single most important issue facing the American people: jobs. My Republican friends have instead brought forth a resolution, H. Res. 38, that they tout as some sort of spending reduction measure. In fact, the resolution doesn't cut a single dollar—not one dime—from the Federal budget.

If this were a good-faith effort, there would be some numbers in this resolution. Instead, the resolution says that we should "assume non-security spending at fiscal year 2008 levels or less" without defining "non-security" spending or specifying exactly what those levels might be. In other words, Mr. Speaker, this is a budget resolution without any numbers, which is why it is so meaningless.

We are told that the numbers are on their way, that the Congressional Budget Office will tell us on Wednesday of this week what the impact of this resolution would be if it were actually put into place. So why are we here

today debating this issue? Why can't we wait until Wednesday when we have the numbers? The answer is as plain as the calendar on the wall: it's politics, pure and simple.

The Republican leadership has scheduled a vote on the resolution tomorrow just before President Obama addresses the Nation in his State of the Union Address. That way, they'll have a fresh set of talking points for their response to the President. They'll be able to say, "Look how serious we are about cutting government funding," when, of course, they haven't cut anything.

Another problem with the resolution is that it reinforces the terrible precedent that the Republican majority established in their rules package at the beginning of this Congress. Under those rules, a single Member of Congress, the chairman of the Budget Committee, has the authority to determine spending levels for the government for the rest of the year.

Now, like all of my colleagues, I have a great deal of respect for the current chairman of the Budget Committee, Mr. RYAN. But I strongly disagree with the notion that he and only he should determine something as fundamental as the budget of the United States.

Mr. Speaker, we have to vote in this House to change the name of a post office. But we can't have a vote on how much we should spend on education, on food safety, on infrastructure, on environmental cleanup, or on medical research? That's a far cry from the openness and transparency that my Republican friends promised.

Last week in the Rules Committee, I offered an amendment to this resolution that would have allowed the other 435 Members of the House the opportunity to vote on this critical issue. But my Republican colleagues defeated my amendment on a party-line vote.

And finally, Mr. Speaker, the resolution walls off defense spending from the budget axe. We hear all the time from my friends on the other side of the aisle that everything should be on the table. Why then would they take hundreds of billions of dollars of potential savings off the table right out of the gate? Even Speaker BOEHNER on a recent interview said, "I believe there's room to find savings in the Department of Defense." Well, if that's true—and it most certainly is—then why does this resolution treat defense spending as sacred and untouchable?

Mr. Speaker, when it comes to the Federal budget, the Republican majority is not off to a good start. Their rules package paved the way for them to add nearly \$5 trillion to the deficit. Last week, they voted to repeal the health care law and add another \$230 billion to the deficit. And now they are rushing a 1-page bill without a single number and without any specifics about how and where they want to cut.

What we are doing today, Mr. Speaker, is not real. There are no tough choices being made today. This is show business, and quite frankly, it dimin-

ishes the legislative process. The American people deserve much, much better. I urge my colleagues to reject this closed rule, and I urge them to reject the underlying bill.

I reserve the balance of my time.

GENERAL LEAVE

Mr. DREIER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on this rule that we are considering.

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

There was no objection.

Mr. DREIER. Mr. Speaker, at this time I am very happy to yield 2 minutes to one of our new Members whom I mentioned in my opening remarks, the gentleman from North Charleston, South Carolina, my Rules Committee colleague, Mr. SCOTT.

Mr. SCOTT of South Carolina. Thank you, Mr. Chairman.

Mr. Speaker, as a business owner who's only been in Congress for 19 days, I know as a small business owner that if we want more jobs in our economy, we must be serious about spending cuts.

Deficit spending in Washington is burdening future generations. Unborn Americans will have to pay for the benefits that we ascribe to ourselves. During the previous 2 years, Congress has added nearly \$3.3 trillion to the national debt. Is it any wonder then that during the same time period our unemployment rate has skyrocketed from 7.8 percent to 9.4 percent? It's not.

As a small business owner, when I don't have to pay higher taxes, I'm able to hire more people. When I don't have to pay higher taxes, I'm able to invest in more equipment and more services.

□ 1730

Every dollar taken from me by the government means that I have to go out and earn \$2 more just to break even. That's why I offered the amendment in the Rules Committee for spending even less, even less than the 2008 levels. 2008 levels are just a start. And we need to go much deeper than that. I support this rule.

Mr. MCGOVERN. Mr. Speaker, let me acknowledge the presence of my new colleague who is on the Rules Committee and simply say that, if this were a serious effort, there would be numbers in this bill. There are none. This is about issuing a press release after the State of the Union so that Republicans can have a talking point to go home with. This is not a serious effort. And if it were, there would be real numbers in there. If we were interested in rigorous debate, this would be an open rule.

I yield 3 minutes to the gentleman from Maryland (Mr. VAN HOLLEN), the ranking member on the Budget Committee.

Mr. VAN HOLLEN. I thank my colleague.

Here we go again. As my colleague said, if this were a serious proposal on the budget, you would have a budget number in this document. There is no number in this document.

Look, on opening day our Republican colleagues passed a measure that immediately gutted the pay-as-you-go rule that we have in this body and did an end run around the pay-as-you-go law. A few days later, we figured out why they did that, because they added \$230 billion to the deficit over 10 years and \$1.4 trillion over 20 years. Those aren't my numbers, those are the numbers of the independent, nonpartisan Congressional Budget Office with respect to the impact of their effort to repeal health care reform instead of doing what we should be doing, which is focusing on jobs.

That measure on opening day also did another thing. It gave the chairman of the Budget Committee unprecedented power to unilaterally pick the budget ceilings, the spending ceilings for this entire Congress. No input from anybody else, no debate, no vote. So all of us thought when this new measure was coming up maybe now we're going to have some accountability. Maybe this body will have an opportunity to vote on the very important spending ceilings for the United States Congress and for the government. But lo and behold hold, when you look at the resolution, there's no number. Where's the beef?

And I have to say to my colleagues that, if you want transparency, why are you hiding the ball? Is the number going to be 100 billion? Is it going to be 80 billion? Is it going to be 60 billion? We hear all different numbers in the press out there, and they haven't put it in the measure. Instead, they've said once again, we're going to allow the chairman of the Budget Committee to decide.

Now, I have great respect for the chairman of the Budget Committee, but none of us should be contracting out our votes and our responsibilities to another Member of Congress. We shouldn't ever do that. Certainly we shouldn't be doing that on something as important as setting the overall budget and spending ceilings for the United States Government. That's irresponsible. And yet that's what this rule will ask every Member to do—contract out his or her vote to one person.

So why are we doing this? Why are we bringing a budget resolution to the floor with no number? As my colleague said, timing is everything here. This is an opportunity to have a press release tomorrow, the day the President's going to deliver the State of the Union address, to create the illusion that they're making progress on the budget number, without a number.

Now, we heard from our colleagues on the Republican side, Well, you know what? We have to wait for the Congressional Budget Office to tell us what their projections are so we can figure out the magnitude of the reductions.

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

Mr. MCGOVERN. I yield the gentleman an additional 1 minute.

Mr. VAN HOLLEN. We asked them, Why don't we have the number? They said, Well, we've got to wait for CBO.

We are pleased to hear the newfound respect for the CBO numbers, but here's my point. That's going to happen within 24 hours of tomorrow. Twenty-four hours. We could have a budget resolution with the beef, with the number, so everyone could decide what the ceilings are going to be. No, we've got to do it tomorrow. Why? State of the Union address. Great press release.

Now, I've heard my colleagues say they've got to do this because there was nothing in place in the House from a budget perspective. Well, in fact, the House last year passed a budget enforcement act. I've got it right here. It's got a number in it. It's got a number in it like these budget documents have.

Mr. DREIER. Mr. Speaker, Will the gentleman yield?

Mr. VAN HOLLEN. I yield to the gentleman from California.

Mr. DREIER. I would like to ask my friend what was the vote in the House on that budget that my friend was just talking about?

Mr. VAN HOLLEN. I don't remember the exact vote, but it passed, Mr. Chairman.

Mr. DREIER. It was deemed. There was never a vote in this institution on it, Mr. Speaker.

I thank my friend for yielding.

Mr. VAN HOLLEN. There was a vote on a resolution in the House.

If you want to talk about deeming—

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

Mr. DREIER. I yield the gentleman an additional 30 seconds.

Mr. VAN HOLLEN. Thank you, Mr. Chairman.

Listen, what we are doing today is the ultimate example of deeming. We are passing a resolution that deems, in advance, the passage of a number that we don't even know, and it's going to be decided by one person. We are deeming that individual all the authority. And the shame of it is that that's a process that I think we all recognize is flawed. And yet this is deeming on steroids.

So I would suggest that we come up with a real number, put some beef on this, have a real argument, and let every Member vote and take responsibility.

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

Let me say that I think that one of the things that we have to recognize here—and I am happy to engage in rigorous debate, and I'm happy that we have not at this point had any of our friends on the other side of the aisle talk about the prospect of starving children, throwing people out of

schools, depriving veterans of access to the things that they need. So I express my appreciation to my colleagues, because when we were up in the Rules Committee, that was the tenor of the discussion that took place upstairs.

One thing that I want to say, Mr. Speaker, is that, in 1974, the Congress put into place legislation known as the 1974 Budget and Impoundment Act. I happen to believe that that needs to be overhauled, because Democrats and Republicans alike recognize that the 1974 Budget and Impoundment Act has been a failure, an abject failure. And I've been working with my friend from Maryland, the distinguished ranking member of the Budget Committee, and Mr. RYAN, the chairman of the Budget Committee, as well as the chair and ranking member, Messrs. CONRAD and SESSIONS, in the Senate on the notion of our working together in a bipartisan, bicameral way to bring about an overhaul of the 1974 Budget and Impoundment Act.

Now, one of the reasons that I believe it is essential is that last year was the first time ever that we have not seen a budget passed. It's the first time since implementation of the 1974 Budget and Impoundment Act. And, Mr. Speaker, with all due respect to the crocodile tears that are being shed so often on this House floor, I think it's important to note that that is why we are in the position where we are today. We wouldn't be here had we had a budget passed.

Now, many people talk about this calendar year, but we are 5 months—we are 5 months—into the fiscal year, and that is the reason that we are in a position where we're having to make the kinds of tough decisions that we are.

My friend from North Charleston, my very, very thoughtful colleague is a new member of the Rules Committee, has been raising with me some very simple and commonsense questions about the process that we have been going through. One of the things that he just said in a meeting that we just participated in was that we need to recognize that we, at this moment, are beginning the process, we are beginning the process of cutting spending. This is going to be a 2-year struggle. So this is not going to be the end of our effort to try and rein in wasteful Federal spending.

I know my friend had some thoughts on that, and I would be happy to yield to him if he would like to either pose a question or offer any comments that relate to either the health care bill and the vote that we just had or any other issue.

I yield to my friend from South Carolina.

Mr. SCOTT of South Carolina. Thank you, Mr. Chairman.

Question for you: Is it the first time since 1974 that the House has operated without a budget?

Mr. DREIER. Reclaiming my time, I thank my friend for giving me the opportunity to repeat what I just said so that we can underscore it.

Never before have we failed to have a budget. And yet, for the first time in 36 years, that happened.

□ 1740

That's why I believe that we have a chance to work, Democrats and Republicans together, with our colleagues in the other body to bring about real reform of the Budget Act itself.

I am happy to further yield to my friend.

Mr. SCOTT of South Carolina. Thank you, Mr. Chairman.

When you think about the repeal of the national health care bill, is that not a savings of \$2.7 trillion, at least the elimination of a \$2.7 trillion hole or an abyss on an entitlement program? Does it not reduce the debt by \$700 billion? Are these not real numbers? And if we really wanted a number, if we were looking for the number, would they not have passed a budget last year?

Mr. DREIER. Reclaiming my time, let me say that my friend is absolutely right.

Throughout the debate that took place last week, we heard that, in fact, repealing the \$2.7 trillion health care bill would end up costing \$230 billion based on the numbers provided to us by the Congressional Budget Office's estimates. We kept hearing that, and in one of the exchanges we had with Mr. PENCE, only in Washington, D.C. can bringing about the elimination of a \$2.7 trillion expenditure actually cost money.

Now, Mr. Speaker, I think that the thing that we need to point to is not only the smoke and mirrors that went into the recommendations that were provided, whether it is dealing with the CLASS Act, which the chairman of the Senate Budget Committee has described as a Ponzi scheme—he used that term to describe it, whether it's that—or, to me, the most important thing to point to is the fact that in that measure there is a three-quarter of a trillion—Mr. Speaker, that's three-quarter of a trillion—dollar tax increase that is being posed along with the mandate.

So my friend from North Charleston is absolutely right, Mr. Speaker, when he points to the fact that we were, in fact, saving dollars with the action that we took last week, and we are very committed to ensuring that people have access to quality, affordable health insurance by allowing for the purchase of insurance across States lines, pooling to deal with preexisting conditions, associated health plans so that small businesses can get lower rates, the idea of meaningful lawsuit abuse reform, which the President of the United States talked about last year in his State of the Union message.

I mean, these are the kinds of things that we believe can immediately drive the cost of health insurance and health care down itself and at the same time we can disengage the Federal Government's dramatic involvement in this.

So my friend from North Charleston is absolutely right and I appreciate his, as a small businessman, coming to this body, bringing the common sense that he is sharing with us.

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

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

I am glad my friends on the other side of the aisle are happy that they voted to repeal the affordable health care bill, but I will tell that you there are real people in this country who are benefiting from the real protections in the bill who are quite anxious about the fact that there are people who want to remove the protection, for example, that prohibits insurance companies from discriminating against people with preexisting conditions. There are parents who can keep their kids on their insurance until they are 26 who are not too happy about that repeal. There are senior citizens who are benefiting from the closing of the doughnut hole who are actually feeling some benefits from this health care bill. They're not too happy that the Republicans want to repeal all of that. And on top of that, the CBO said it adds considerably to our deficit.

At this point I would like to yield 1 minute to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I am amazed that my colleague from California brings up the health reform. We were using CBO numbers, actual numbers that were provided by the CBO to say that we have a \$230 billion reduction in the deficit in the first 10 years and a trillion dollars beyond that. We're giving them actual numbers from the CBO to talk about deficit reduction.

But I don't see any numbers on this budget resolution that's on this floor today and tomorrow. I call it the "budget-less" resolution, because it contains no numbers, no specifics, and worst of all, no ideas for job creation or economic recovery, and it doesn't even include a serious plan to reduce the deficit.

This is not the way to manage the budget. It's worse than arbitrary. It's like budgeting with blindfolds on. It gives no thought, no reasons, no real discussion on how the cuts would be made and what the ramifications would be. Worst of all, the Republican resolution continues to ignore job creation and economic recovery. It doesn't even contain a real plan to reduce the deficit.

We gave you numbers with the health care reform that would actually reduce the deficit. This is a numberless budget, nothing at all.

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

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to my colleague, the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I was unclear in my own mind

which was worse, the terrible procedural abuse of this resolution or the serious substantive flaw, but I then realize they come together because it is procedurally outrageous so as to protect a substantive grave error.

First of all, it is a major piece of legislation, and it's not amendable, just like the health care bill. You may remember, Mr. Speaker, what people on the Republican side said about open rules. It will be a fond memory but apparently not a reality.

We have a very important piece of legislation subject to no amendment. I chaired a committee for 4 years and never would I have brought a bill to the floor with such an impact and had no amendments in order whatsoever. But I understand why they don't want an amendment, because it would reveal the grave flaw. This says reduce non-security spending to the level of 2008. In other words, exempt about half of discretionary spending. All security, I assume they mean military spending.

Now we have a war and we have to defend the people who we put out there. I have to say those who talk about shutting the government down—I don't know what they are going to tell the people in Afghanistan who are out there being shot at—but we have got tens of billions that we are spending subsidizing our wealthy allies in Europe and Asia.

The argument that you exempt military spending from budgetary discipline is one of the reasons we are in the terrible hole we are in. Now it is clearly indefensible to argue that you would exempt military spending from budget discipline. So how do you defend it? You defend it by not allowing an amendment that would bring it forward.

Why, Mr. Speaker, are we not able to say, well, not just non-security and maybe non-security shouldn't go down to the level of 2008, but it ought to go down somewhat or ought to be limited somewhat. This is part of a philosophy that puts pressure on all of the domestic spending, everything that affects the quality of life in America.

Now by "security," by the way, I mean police officers in the streets of the cities I represent and firefighters and bridges that won't collapse. But that's not security as it's defined by the Republicans. That's the kind of spending that will be severely cut.

Instead, we have a total exemption for the Pentagon. We have Mr. Gates, a Bush appointee, kept on wisely by Mr. Obama, saying it's time to start to reduce the military. The Republicans have attacked him for that.

So let's be very clear. There cannot be a sensible, comprehensive, balanced approach to deficit reduction when you follow this philosophy, not only totally exempt the military, but don't even allow an amendment that would make it something that you could talk about.

The notion that you give all this power to one person is also very inter-

esting. I guess what we are learning is, then, the gentleman from Wisconsin (Mr. RYAN) has been somewhat more courageous than some others in what he has talked about. I disagree with him.

So apparently what we are learning today is that the Republican Party has the courage of PAUL RYAN's convictions. I wish they had the courage to let us debate whether or not military spending should be included.

Mr. DREIER. Mr. Speaker, I yield myself such time as I might consume to say to my friend that again this is just the first step in a long process which will allow the kind of free-flowing debate that we are talking about. Now my friend will recall that never before have we gone through the appropriations process the way we did the last 2 years, that being, when my friend and I arrived here in 1981, and when it came to the issue of spending, Members had the opportunity to stand up on the House floor and offer an amendment to the appropriations bill.

And I will tell you that it's our intention to once again have that kind of debate that we had all the way up until the last 2 years. So I can assure my friend that our goal of having a freer flowing debate is important.

The second point I would like to make, and then I will yield to my friend, is that while my friend has continually said that we didn't make amendments in order to this measure, there were no amendments submitted to the Rules Committee that would have given us the opportunity to do that.

We did make an amendment in order that modifies this, that came from Mr. SCOTT in the Rules Committee, that actually said that we should get to '08 levels or less, and it is true. My friend from Worcester did ask to make in order an amendment by Mr. VAN HOLLEN, but, as I said, there were no amendments that had been actually submitted to the Rules Committee.

□ 1750

So that vote was taken by the Rules Committee. That decision was made.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. DREIER. I am happy to yield to my friend from Massachusetts.

Mr. FRANK of Massachusetts. I'm a little puzzled. You said no amendments were submitted, but Mr. MCGOVERN did ask for one on behalf of Mr. VAN HOLLEN. Why did that not qualify?

Mr. DREIER. Reclaiming my time, Mr. Speaker, what I would say is that amendments submitted to the Rules Committee we do not actually have. I mean my friend knows very well that when it comes to the Rules Committee, when we are getting ready to report out a rule, there are amendments that are submitted. There was one amendment that was proposed by Mr. MCGOVERN. The Rules Committee chose not to make that amendment in order.

There was an amendment that did, in fact, bring us to lower spending—

Mr. FRANK of Massachusetts. Will the gentleman yield to me?

Mr. DREIER. If I might complete my statement. I think I control the time here.

It is very important to note that we did have an amendment that was considered in the Rules Committee by Mr. SCOTT which actually brought us to lower levels. It said 2008 levels or less.

I am happy to further yield to my friend.

Mr. FRANK of Massachusetts. First of all, I think the RECORD will show the gentleman has just amended his statement about amendments because he said no amendments were offered, then he later said—and I would ask people to look at the RECORD tomorrow. He then said, Oh, an amendment was offered. His first statement was no amendments were offered—

Mr. DREIER. Mr. Speaker, may I reclaim my time. I reclaim my time to say the following—and I will yield to my friend again. I want to clarify what it was that I said.

Amendments are submitted up to the Rules Committee. There were no amendments that actually had been submitted to the Rules Committee, and that's the point that I wanted to make.

There is another issue that we need to point to also, and that is there is going to be something that was often denied, I would say to my friend, and that is a motion to recommit with instructions is going to be included in this measure so that, in fact, the minority will have a bite at the apple that was more often than not denied in the past. And so that is a step in the direction towards a more open process.

And again, as I said, this is the beginning. This is the beginning of a process that will allow for consideration of a budget resolution and an appropriations process which will give Members, Democrats and Republicans alike, an opportunity to participate.

With that, I am happy to yield 2 minutes to my friend from San Diego—

Mr. FRANK of Massachusetts. Will the gentleman yield to me?

Mr. DREIER. Of course. I have yielded three times to my friend, and I know that Mr. MCGOVERN has lots of time.

The gentleman from San Diego has asked to be recognized. I have had an exchange with him. And now I would like to yield 2 minutes to my friend from San Diego (Mr. BILBRAY), and then if Mr. MCGOVERN chooses to yield time to my friend, I am happy to engage in a discussion with him again.

Mr. BILBRAY. Mr. Speaker, let me say as somebody who had the privilege for 18 years to be in local government, I think those of us in the Federal Government have to understand that there are jurisdictions and priorities that we need to set.

Some people believe that it is as much a responsibility of the Federal Government to hire police officers as it is to maintain a military. I'm sorry. The constitutional line for those of us

who are mayors and county chairmen recognized that we need the Federal Government to concentrate on our responsibilities—defending our borders, defending our national security. Those of us that served at local government would be able to address their issues much more appropriately and have a lot less burden.

But I really want to speak about the opportunities we have to work in a bipartisan effort. When we talk about budget reduction, rather than denying Americans the right to live in the United States unless they buy certain insurance, why aren't we talking about doing cost reductions like California has done, not exactly a right-wing legislature?

MICRA there has had such an impact on the cost of insurance on physicians that an OB/GYN in Los Angeles pays 30 to 40 percent less for insurance than the same doctor in New York. Now, you can't tell me the cost of living is that much different, except for the fact that Sacramento has recognized that tort reform and limitations of trial lawyers' impact on health care is an essential one. If the legislature of California can agree to maintain that, why can't we work together to address those issues?

If we're talking about wanting to reduce costs, why didn't the health bill allow Americans, rather than taking away the rights to live in the country, the freedom to buy across State lines? That is well within our jurisdiction as a Federal body.

Why didn't we give freedom the answer to be able to reduce costs rather than talking about taking away the rights of Americans to live here? That is a real scary concept that we can't join on tort reform—and let's face it, the liability issue is sort of an interesting one. The Federal Government and States can actually address issues that say that somebody who is—

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

Mr. DREIER. Mr. Speaker, I would like to yield my friend 1 additional minute.

Mr. BILBRAY. Let me point this out. I know this because I was at the county running a health care system and supervising the health care system for over 3 million people.

The Federal Government has special protection for physicians if they're in community clinics that we do not give to other physicians. The Federal Government accepts the situations where somebody on Medicaid has more right to sue their physician than the men and women in uniform in this country. And I challenge you to tell me how it's justifiable that, if somebody doesn't pay for their medical costs in the military, they don't get to sue their doctor, but somebody who is on welfare and public assistance, they get to sue them. Can we talk about bringing those issues together and addressing the ability for a lawyer to get into an operating room is not as important as the right or the need of physicians to be able to do their job that is so essential?

And I want to close with this. We have not been talking about health care in the last year. We've been talking about health insurance. And the crisis that's coming down this pike is that in 10 years you may be able to call the health insurance people, but you won't be able to find a doctor unless you call 1-800 and get it over the phone.

Mr. MCGOVERN. Mr. Speaker, I appreciate the gentleman's comments, although it has really nothing to do with the bill we're talking about here today. And our concern about this budget bill before us is that there's no number in it, and it essentially is a press release, I guess, to be able to talk about tomorrow after the State of the Union.

I also want to clarify what happened in the Rules Committee. I did offer an amendment that was rejected on party line that said that Members of Congress ought to have the ability to vote on this magic number that the chairman of the Budget Committee will come up with. That was rejected.

There was also an amendment offered by Mr. HASTINGS of Florida which would have allowed Mr. VAN HOLLEN, who is our ranking member on the Budget Committee, a substitute. That was rejected. And there was also an amendment for an open rule so that we could have a free and open debate, and that was rejected. So there were amendments that were offered, and they were rejected.

I yield 1 minute to the gentleman from Massachusetts (Mr. FRANK) for a point of clarification.

Mr. FRANK of Massachusetts. First, I want to address this notion that police officers in our local streets pale in significance to the military. We have troops in Western Europe where our Western European allies are cutting their military budgets. And yes, I do think that funding police officers and firefighters in our cities is more important than allowing Germany and England and our European allies to reduce their military budgets because we subsidize them.

Secondly, I will say to the gentleman from California that I am somewhat disappointed. He did say there were no amendments offered. We have now just heard three were offered. If he meant that there were none on paper previously submitted, maybe he should have said that, because it would have been of real great relevance. The fact is amendments were offered, and they were rejected.

Mr. DREIER. Will the gentleman yield?

Mr. FRANK of Massachusetts. No. The gentleman wouldn't yield to me at the end when he—

Mr. DREIER. Of course I will. Mr. Speaker, I'm happy to yield my friend 30 seconds.

Mr. FRANK of Massachusetts. Regular order.

The gentleman from California wasn't happy with what he said. He didn't want to continue the debate; so I won't continue it either.

I would just urge people to read the RECORD tomorrow. Read his statement that no amendments were offered and read what the gentleman from Massachusetts said and see where the truth lies.

Mr. DREIER. Mr. Speaker, I yield myself 15 seconds to say what it is that I said. What I said is there were no amendments submitted to the Rules Committee.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 4 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, as we meet this afternoon, there are 15 million Americans without a job. And this debate represents yet another wasted opportunity for us to come together and address the real number one issue of the country, which is putting people back to work.

The debate also represents a curious lack of clarity as to what exactly the majority is proposing. And there are words in this resolution, but there aren't numbers. So I did some research of my own about numbers. Let's take FBI agents, for example. Now, the resolution says that security spending is exempted, but it doesn't define security spending. When we passed the budget for FBI agents here, that budget is under the Commerce, Justice, Science budget, so I don't know whether this is within security spending or not.

But here is what I do know. Here is what I do know. In the present fiscal year, if we maintain the budget that we've been living under since October 1, we are on track to spend \$7.6 billion on FBI agents. If we do what the resolution says, which is to go back to what was spent in 2008, we would spend 22 percent less than that, or \$6.5 billion.

□ 1800

If you look at the average salary of an FBI agent, that would mean we would have to make do with 1,720 fewer FBI agents than we do today.

Now, I would be happy to yield to the sponsor of the resolution for him to tell me whether or not that is true. If this passes, are we going to have that level of reduction in FBI agents?

Mr. DREIER. I thank my friend for yielding.

Obviously, and it has been indicated early on, we are not going to see across-the-board spending cuts. The goal, I would say to my friend, is to get to '08 levels, and I believe that we can preserve the FBI.

Mr. ANDREWS. Reclaiming my time, the chairman has said we won't have across-the-board cuts. That, of course, means that we will have to find larger cuts than 22 percent in other areas of the Justice Department budget. The court system? Enforcement of the im-

migration laws? The other things that the Justice Department does? The resolution says nothing about what those would be, so I think we can be critical on another area.

For the budget year that we are in, we are spending about \$5.8 billion a year on cancer research at the National Institutes of Health. If we do what the resolution says, we will cut by 22 percent and spend \$4.6 billion on cancer research. The average cancer research grant is about \$350,000. That means that we would have 3,628 fewer cancer research grants. If we are not going to have an across-the-board cut, I would again say: Where else in the National Institutes of Health will we cut? Research for Alzheimer's? Research for diabetes? Research for other areas? The resolution says nothing.

And here is what a prominent American has to say about resolutions like this:

"You can't fix the deficit or the national debt by killing NPR or the National Endowment for the Humanities or the Arts. Nice political chatter, but that doesn't do it. And I'm very put off when people just say let's go back and freeze to the level 2 years ago. Don't tell me you're going to freeze to a level. That usually is a very inefficient way of doing it. Tell me what you're going to cut, and nobody up there," meaning Capitol Hill, "yet is being very, very candid about what they are going to cut to fix this problem."

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

Mr. MCGOVERN. I yield the gentleman an additional 1 minute.

Mr. ANDREWS. The author of that quote is not a Democratic Member of the House. It is not a White House spokesman. The author of that quote is retired Secretary of State Colin Powell who said yesterday: "Tell me what you're going to cut."

The minority doesn't want to grapple with that problem, which is why there are no amendments made in order, no numbers in the bill, and no reason to vote for this amendment.

Mr. DREIER. Mr. Speaker, I yield myself a minute and-a-half to respond to my friend with a couple of comments.

First, this is about job creation and economic growth. Today we live with an economy where there is a tremendous degree of uncertainty, and we know right now that there are job creators, investors, who have resources on the sidelines. I don't believe that there is anything that we could do—well, there are a number of things that we could do that may be as important, I mean, reducing the tax burden on job creators, opening up new markets around the world. But one of the things that I think is critically important for us to do is to begin getting our fiscal house in order so that that will provide an incentive for job creation and economic growth.

The next point I would like to make is that while I congratulated my

friends, Mr. MCGOVERN and Mr. VAN HOLLEN, for not engaging in the sky-is-falling threats about what might happen down the road, or actually determining what would happen, I have to say that I was a little concerned and I have come to the conclusion that if one can't prioritize, Mr. Speaker, they resort to demonizing.

The fact of the matter is that we are beginning a process that will see us for the first time in 2 years have a free-flowing debate on appropriations. When my friend mentioned both the National Institutes of Health and the FBI, I believe those are important priorities that Democrats and Republicans alike want to fund.

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

Mr. DREIER. I yield myself an additional 30 seconds.

My friend has concluded that somehow he knows exactly what will be cut based on this resolution. My friend has concluded that he knows exactly what level is going to be cut when it comes to the National Institutes of Health and the FBI. There are, as we move ahead with this appropriations level debate, debate that is going to be coming in the next several months, we obviously will be in a position where we will be able to, Democrats and Republicans alike, establish our priorities.

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

Mr. DREIER. I yield myself an additional 30 seconds.

Mr. ANDREWS. Will the gentleman yield?

Mr. DREIER. I yield to the gentleman from New Jersey.

Mr. ANDREWS. First of all, I am most assuredly not demonizing the gentleman. I think the gentleman speaks with great sincerity.

What I am saying is that the gentleman said I know exactly what is going to be cut. No one knows exactly what is going to be cut.

Can you tell us, Mr. Chairman, where in the NIH budget you are going to make up the difference for not cutting cancer research by 22 percent?

Mr. DREIER. Reclaiming my time, Mr. Speaker, let me say that obviously it does not have to be done within the National Institutes of Health, the notion of saying that it has to be cut there. We have seen a doubling in the level of funding under President Bush for the National Institutes of Health, Mr. Speaker, and I think that there are areas where we can bring about cuts.

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

Mr. DREIER. I yield myself an additional 15 seconds, Mr. Speaker.

We can do that without in any way jeopardizing the important priorities that we have.

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

Mr. MCGOVERN. I yield 30 seconds to the gentleman from New Jersey.

Mr. ANDREWS. I thank the chairman, and he is correct that in the NIH

budget it could come from Labor or Health and Human Services. And I would ask him: In that bill, where will you make up for not cutting the cancer research by 22 percent?

I would be happy to yield.

Mr. DREIER. I thank my friend for yielding.

What I would say is that this is the beginning of a process which will allow us, with a free-flowing debate on appropriations, to do just that. The country survived at 2008 levels.

Mr. ANDREWS. Reclaiming my time, this is what General Powell was talking about: tell us where to cut, and we get verbiage, but no real answer.

Mr. DREIER. May I inquire of the Chair how much time is remaining.

The SPEAKER pro tempore. The gentleman from California has 6 minutes, and the gentleman from Massachusetts has 9½ minutes.

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

Mr. MCGOVERN. Mr. Speaker, I just want to point out one of the reasons why these questions are coming up is because when this resolution was brought before the Rules Committee, the chairman of the Budget Committee didn't show nor did the chairman of the Appropriations Committee. And there are no numbers in this bill. So we are very, very concerned about what numbers might exist out there. I think people in this House, Democrats and Republicans, ought to know what the real numbers are.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

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

Mr. DREIER. I thank my friend for yielding.

Let me just say that this resolution did not emerge from the Budget Committee. This is a resolution of the House Rules Committee. We are the committee of jurisdiction for H. Res. 38.

Mr. MCGOVERN. I appreciate the gentleman for making that point of clarification. However, what we are talking about is setting the spending levels for this House which directly impacts the chairman of the Budget Committee and the chairman of the Appropriations Committee. So if there are questions about how deep these cuts are going to be and where they are going to come from, it is because we have no clarity.

At this point I would yield 2 minutes to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. I thank my colleague.

Mr. Speaker, as those of us on this side of the aisle have said, we need to focus our efforts on job creation and getting the economy going. I know that the chairman said that is what this bill is all about, but let's look at what the Bipartisan Commission on Deficit and Debt Reduction said. They said two things: one, absolutely we need to put our country on a sustain-

able path toward deficit reduction, and we should work together to get that done.

But they also said another thing. They said draconian cuts right now would, in fact, reverse the economic progress that we are making, and that it would threaten the fragile economic recovery and it would hurt job creation in this country, which is one reason we would like to know what the number is, and I would yield immediately if you can tell me whether it is going to be \$100 billion this year, \$80 billion, \$60 billion, whatever it will be, because there is no number. And if you've got it, it should have been in here.

Let me get to the other issue the gentleman raised. We have pointed out that if you do the \$100 billion cut, which is what you all talked about in the fall, right now in the immediate moment, it results in approximately 20 percent across-the-board cuts. Now, all of you say, whenever we raise specifics like cutting research for treatment and cures at NIH, no, no, no, we're not going to cut that. Then we say, okay, you're going to cut the FBI budget because that is not a part of the protected budget. No, no, no, you say, we're not going to cut that. You keep moving stuff off the table.

You know what that does to the rest of the budget? It means it goes from a 20 percent cut to 30 percent to 40. Who knows what it is.

But the point we are making is you haven't given us the starting point number; so you don't have a clue, and of course we don't either. But you don't have a clue because you haven't come up with a number. And we know there has been a lot of discussion on your side of the aisle—it's no secret—about what that number will be, you amended this rules provision, but if you've got the number, put it in here now, and if you're going to get it the day after tomorrow, on Wednesday, wait 24 hours, and let this body vote on it.

□ 1810

Mr. DREIER. I yield myself 1 minute to say to my friend that it is very interesting to have this debate, and I am happy to be standing on this side, saying that we got the message of last November 2, and I know the 87 new Members on our side who have come to this institution have made it very clear: The goal of moving in a direction of bringing about spending cuts is critically important.

Now, my good friend has just become the ranking member of the Committee on the Budget, and I know that it is a new assignment for my friend, but I'd like to take just a moment to explain what the budget process consists of.

We are going to see your committee proceed with establishing the broad 302(a) allocations, and that big number will be determined. In this institution, Democrats and Republicans alike—and, again, we haven't seen it in the last 2 years, unfortunately, because we shut down the appropriations process; but

we are this year going to allow Members the opportunity, allow Members under a privileged resolution on the appropriations bills, to actually participate in establishing those priorities. That is going to be a joint effort.

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

Mr. DREIER. I yield myself 15 seconds, Mr. Speaker.

Our priority is to get the economy back on track and create jobs. We know very well that getting our fiscal house in order is going to be essential if we are going to have the job creation that both Democrats and Republicans want.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 30 seconds to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. I thank the chairman of the Rules Committee for his very useful guidance, but let me just tell you this: The fact of the matter is, in the spring, we will begin the budget process in the Budget Committee. We are now dealing with fiscal year 2011.

As the chairman knows, there was a budget resolution in effect at the end of the last Congress that had a number in it. You chose not to extend it. Now, for the first time ever, you have asked this House—every Member—to surrender his or her responsibility on the number to one person. That is budget malpractice, and it also cedes our responsibility as Members on both sides of the aisle.

Mr. DREIER. I yield myself 30 seconds.

Mr. Speaker, I really appreciate the gentleman's dramatically raising the level of a simple two-paragraph House resolution that is the first step in a process that will allow the Budget Committee to do its work, to allow the appropriators and, through the appropriators, the full House—Democrats and Republicans alike—to establish those priorities.

Mr. VAN HOLLEN. Will the gentleman yield?

Mr. DREIER. I will yield in just a second.

So I would say to my friend that we do very much want, Mr. Speaker, to have a chance for this institution—and I hope Democrats will join in support of H. Res. 38 when it's voted on tomorrow—to go on record, demonstrating the institution's commitment to having heard the message from the American people.

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

Mr. DREIER. Out of respect for my friend, I yield myself 15 seconds and I am happy to yield to my friend.

Mr. VAN HOLLEN. My question, Mr. Chairman, is simple: Do you think it makes a difference to the process whether the number that ends up being here is \$120 billion, which may mean a 30 percent across-the-board cut, or do you think it matters that it's \$100 billion or \$80 billion?

Mr. DREIER. Reclaiming my time, I will say, Mr. Speaker, that across-the-

board cuts is not something that is being considered here. We are pursuing 2008 levels, and I believe that that's what this resolution says. We hope very much that we can get to lower levels of spending, and I suspect that some Members on the other side of the aisle will want to join us in working together in that effort so we can get our fiscal house in order.

I reserve the balance of my time.

Mr. McGOVERN. I would remind my colleagues, when they read the resolution, it is 2008 levels or less, so it muddles the number even more.

At this point, Mr. Speaker, I would like to yield 3 minutes to the gentleman from California (Mr. BERMAN).

Mr. BERMAN. I thank the gentleman for yielding me this time.

I oppose this resolution. I oppose it because I think its provisions with respect to our own economic recovery and the production of jobs is offset tremendously by its passage.

But I want to focus my time on the limited question but the very important question of what is in and what is not in security funding, because security funding, as has been pointed out, is exempted from the requirements to go back to fiscal year 2008 functions or less.

The chairman of the Rules Committee, when asked at the Rules Committee whether foreign assistance, diplomacy, and development were part of security—was that part of the exemption?—he said no.

My definition—me, DAVID DREIER, chairman of the Rules Committee, out of which this resolution comes—is as we have outlined in here: This is discretionary spending—that is non-security spending—other than defense, military construction, VA, and homeland security.

I assume the gentleman's interpretation is one he still holds to less than a week later.

Mr. DREIER. Will the gentleman yield?

Mr. BERMAN. I am happy to yield.

Mr. DREIER. I will say to my friend that that is the definition of "security spending": defense, homeland security, VA, and military construction.

I thank my friend for yielding.

Mr. BERMAN. Thank you.

Reclaiming my time, I appreciate the gentleman for reaffirming that position. Now let's take a look at what that means.

That means not exempt from these drastic cuts are: weapons in training to build the capacity of key partners in the fight against terror in Yemen, in Pakistan, in the Philippines. That's all part of our security assistance package, part of our international affairs budget; financing for the purchase of U.S. military equipment to ensure Israel's qualitative military edge; defense items and services that enable other countries to cooperate with us on counterterrorism.

In Afghanistan, they're cuts that would mean an end to the civilian

surge. It would force the military to perform civilian jobs. The reductions would harm four Provincial Reconstruction Teams and forward operating bases, security forces and police training, explosive ordnance disposal, counternarcotics and poppy eradication programs.

In Iraq, the state programs that would be harmed by virtue of the gentleman's definition of "non-security funds" that have to be dramatically cut back are: training for Iraqi police and security forces to take over when the U.S. troops depart; funding for our Special Inspectors General in Iraq and Afghanistan to ensure that programs are designed to achieve maximum impact and are properly managed and implemented.

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

Mr. McGOVERN. I yield the gentleman 15 seconds.

Mr. BERMAN. Everything the gentleman has stood for in his years in Congress is going to be undermined by virtue of what he is proposing.

Mr. Speaker, I rise in opposition to the rule, which provides for consideration of a resolution to reduce what is being called "non-security" spending to 2008 levels.

That resolution, H. Res. 38, sends a very damaging message that the Congress will not stand up to protect those programs that are absolutely essential to jobs and the economy. It also rejects a key principle that military leaders and Presidents of both parties have clearly recognized: Foreign assistance and diplomacy are essential to United States national security.

That principle has been honored on a bipartisan basis ever since the tragic events of September 11, 2001. On that terrible morning, Americans woke to the realization that while the Cold War was over, their safety and security could be threatened by much less sophisticated means. The ideologies and the weapons of terror could not be thwarted by military power alone.

In 2004 the Republican-controlled Congress passed the Intelligence Reform and Terrorism Prevention Act by a vote of 336-75. It was supported by all the Members who are now in positions of leadership in this body. The Speaker, the Majority Leader and the Budget Committee Chairman all voted for it.

The bill, now Public Law 108-458, states: "Long-term success in the war on terrorism demands the use of all elements of national power, including diplomacy, military action, intelligence, covert action, law enforcement, economic policy, foreign aid, public diplomacy, and homeland defense."

It continues: "To win the war on terrorism, the United States must assign to economic and diplomatic capabilities the same strategic priority that is assigned to military capabilities."

In fact, the portion of the bill that makes these findings is known as the "9/11 Commission Implementation Act of 2004." It states: "The legislative and executive branches of the Government of the United States must commit to robust, long-term investments in all of the tools necessary for the foreign policy of the United States to successfully accomplish the goals of the United States."

All of the tools necessary—that includes diplomacy and foreign assistance, which would be slashed under this resolution. The 9/11 Commission Implementation Act of 2004 goes on to say that these investments "will require increased funding to United States foreign affairs programs."

In May of this year, Admiral Mullen, the Chairman of the Joint Chiefs of Staff, wrote to then-Speaker PELOSI regarding proposed cuts to the international affairs budget. The opening paragraph stated: "We are living in times that require an integrated national security program with budgets that fund the full spectrum of national security efforts, including vitally important pre-conflict and post-conflict civilian stabilization programs."

He was reinforcing a message that had also been communicated, on several occasions, by Secretary Gates, when he wrote: "The diplomatic and developmental capabilities of the United States have a direct bearing on our ability to shape threats and reduce the need for military action. It is my firm belief that diplomatic programs as part of a coordinated strategy will save money by reducing the likelihood of active military conflict involving U.S. forces."

Admiral Mullen penned a personal note at the end, which read: "The more significant the cuts, the longer military operations will take, and the more and more lives are at risk!"

President Bush, when sending up his war-time supplemental request in FY 2006, integrated diplomatic and military spending. He asked Congress to provide "the Resources to Win the War on Terror."

The message from our military leadership, this Congress, and even former President Bush is clear: U.S. civilian agencies must be fully resourced to prosecute the fight against terror effectively. A cut to the 150 budget harms U.S. national security and puts American lives at risk.

And yet, the Chairman of the Rules Committee explained, during consideration of this resolution, that "security spending" does not include diplomacy and development. He said, "No, my definition, my definition is, as we have outlined in here, this is discretionary spending other than defense, military construction, V.A. and homeland security." The resolution itself does not define what is security or non-security, but the authors say they do not consider diplomacy and development part of our national security budget.

Before voting on this resolution, I would urge my colleagues to think about what the practical implications would be of major cuts in the international affairs budget.

In 2008, the vast majority of U.S. assistance to Iraq was provided by the military. This year, at long last, we are withdrawing the remainder of our troops, and handing over the job to civilians. If we cut our diplomatic and development budget for Iraq, then all the investments we've made, and all the American lives that have been lost, will be in vain.

The civilian presence costs only a tiny fraction of what we were spending on the military. But this resolution would make that civilian presence impossible. The proposed cuts will mean snatching defeat from the jaws of victory.

Returning to the past would also mean violating our Memorandum of Understanding with Israel, under which we pledge to help Israel maintain its qualitative military edge against

those who seek its destruction. Do my colleagues suggest we renege on our commitment to Israel?

In Afghanistan and Pakistan, we cannot defeat violent extremism by military power alone. As Secretary Gates recently said, “without development we will not be able to be successful in either Iraq or Afghanistan.” Our military strategy in Afghanistan is often described as “clear, hold, and build.” How can we succeed if there is no one to do the holding and the building?

Foreign assistance programs protect us even outside the areas of active combat or potential conflict. Our efforts to stop the spread of HIV/AIDS and other deadly diseases, counter the flow of illegal narcotics, prevent proliferation of weapons of mass destruction, reduce human misery and halt environmental destruction, all help to protect the safety and security of American citizens.

Mr. Speaker, we can't afford to go back to the isolationist, unilateralist policies of the past. Cutting spending to 2008 levels takes us back to a period when America's standing in the world was at an all-time low.

Whether it's finding new markets for U.S. goods and services, addressing climate change, sharing the burden of peacekeeping, enforcing sanctions against Iran, or improving travel and communications, we need to build strong international relationships.

We all remember the period when the United States tried to go it alone, unwilling to cooperate with other countries and demonstrate global leadership.

We've finally begun to turn that all around. Let's not go back to the bad old days when the U.S. turned away from the rest of the world, and lost so much of its influence and respect.

Mr. Speaker, we all recognize the very difficult budget and economic situation that confronts us. There is no doubt that well-crafted reforms will help us to use our foreign assistance dollars more effectively and efficiently, and ensure that aid reaches those who need it. That is why I am continuing my efforts to develop legislation to modernize our foreign assistance policies and programs.

But what we need to do, as one conservative blogger has suggested, is to “mend it, not end it.” Comparatively speaking, diplomacy and development don't cost much, and save us money over the long run.

International affairs funding helps promote U.S. exports and saves U.S. jobs. Our economy can't grow without creating and expanding new markets abroad. Our diplomats help to identify export opportunities, help American companies navigate foreign political systems, and level the playing field for American products around the globe.

We should also keep in mind that international affairs accounts for just one percent of the budget. Even if we eliminated such spending entirely, it wouldn't balance the budget and it wouldn't make a dent in our national debt. But it would devastate our economy and our national security.

As Secretary Gates said last fall, “Development is a lot cheaper than sending soldiers.”

In places like Haiti and Sudan, we provide assistance not only for purely humanitarian reasons, but also because a failure to do so could lead to chaos and bloodshed that would be far more costly in the long run.

Going back to 2008 levels of global AIDS funding would mean ending antiretroviral treat-

ment for people who are currently receiving it. It would mean abandoning pregnant women who run a high risk of transmitting HIV to their newborns. It would mean fewer orphans and vulnerable children will get care and support, and fewer people in poor countries will get HIV counseling and testing.

President Bush made clear not only the need to not cut funding, but to make greater investments in these programs when he wrote, just a few months ago, “there are millions on treatment who cannot be abandoned. And the progress in many African nations depends on the realistic hope of new patients gaining access to treatment. . . . On AIDS, to stand still is to lose ground.”

Mr. Speaker, these are only a few of the most obvious and damaging implications of reducing the international affairs budget to 2008 levels. This resolution would set the stage for reckless cuts that endanger our national security, abandon our national interests and throw Americans out of work, and I urge my colleagues to oppose it.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. All Members will suspend.

Members should bear in mind that the Official Reporters of Debate cannot be expected to transcribe two Members simultaneously.

Members should not participate in debate by interjection and should not expect to have the reporter transcribe remarks that are uttered when not properly under recognition.

The Chair must ask Members to bear in mind the principle that proper courtesy in the process of yielding and reclaiming time in debate—and especially in asking another to yield—helps to foster the spirit of mutual comity that elevates our deliberations above mere argument.

Mr. DREIER. Mr. Speaker, I yield myself 30 seconds to say to my friend that I very much appreciate his recognizing the commitment that I have had to security through foreign assistance programs and to make it very clear that, again, we are just beginning a process today. We are beginning a process today that will allow this House to work its will. It is obvious that going to 2008 levels is not going to gut all of the very important national security aspects that we have of foreign assistance programs. My friend knows very well, Mr. Speaker, that it is essential that we get our fiscal house in order, and this is the first step on a road towards doing just that.

With that, I have no further requests for time, and I reserve the balance of my time.

□ 1820

Mr. MCGOVERN. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Massachusetts has 3 minutes.

Mr. MCGOVERN. Thank you, Mr. Speaker.

Mr. Speaker, let me close by saying that this is not the way we should deal with the budget. And transparency, I will tell my Republican friends, means

knowing what the budget number is. I don't know why that's such a radical idea. And accountability means that everybody in this House should be able to vote yes or no on whatever that number is. It shouldn't be up to one person to unilaterally determine that number. This budget process that the Republicans have put together politicizes unnecessarily a budget process and sets, I think, a lousy precedent.

Mr. Speaker, I'm going to urge my colleagues to vote “no” on the previous question. If the previous question is defeated, I will modify this rule to provide that immediately after the House passes this rule it will take up an amendment to exempt cuts in funding for the FBI's counterterrorism program. My Republican colleagues said they won't cut programs that protect our Nation's security, but the resolution itself doesn't even bother to define “non-security spending.” And the definition I have heard from the other side of the aisle would not include the FBI's counterterrorism program.

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

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, a “no” vote on the previous question will allow the House to consider an amendment exempting cuts in funding to the FBI's counterterrorism program, an amendment that will ensure we do not sacrifice our Nation's security in this post-9/11 world.

I urge all of my colleagues on both sides of the aisle to vote “no” on the previous question so that we can ensure that we continue to protect this Nation from terrorism.

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

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

Mr. Speaker, every Member of this institution, Democrat and Republican alike, knows full well that the American people are hurting. We have an unemployment rate that is at 9.4 percent. We have, in my State of California, a 12½ percent unemployment rate. I see my friend Mr. LEWIS here on the floor. In the Inland Empire of California, the unemployment rate is 15½ percent. People are out there making very, very tough decisions, and the economic uncertainty that exists today is playing a big role in diminishing the kind of investments that we need to create jobs.

This resolution is a very simple one. It says that we shouldn't spend money we don't have. We shouldn't spend money we don't have. That's what we're saying as we begin this process. Those are the decisions that families are making all across this country. They're not spending money they don't have. In fact, we've seen, because of this economic downturn, lots of families today saving more than they have

in the past because they don't want to get themselves into this position that the Federal Government is.

We're going to have to make some tough choices around here. It's not going to be easy. No one is saying that it's going to be easy. But this resolution that we're going to debate tomorrow, H. Res. 38, simply says that we are going to go to 2008 levels or less, because frankly 2008 levels, as far as I'm concerned, were too high. I believe that we need to cut back even more.

Now we continue to hear this argument that we are going to decimate research into very important diseases out there. We began the debate, as I said in the opening, not going there, but we did go there. And, as I said, if you can't prioritize, you end up demonizing and creating this great deal of fear that is out there. Or the FBI is going to close down if we go to '08 spending levels. Well, Mr. Speaker, obviously that is not the case. This institution is not about to undermine the Federal Bureau of Investigation. But we do know that with adequate oversight—which is our constitutional responsibility—and focusing, yes, on those three things that Democrats and Republicans alike say—waste, fraud and abuse—we will be able to rein in this behemoth.

Again, it's going to be tough, but this resolution is just the first step in a 2-year process to get our economy growing, create jobs, and to rein in the size and scope and reach of the Federal Government so that we can encourage individual initiative and responsibility.

So Mr. Speaker, I urge my colleagues to vote for this rule. And tomorrow, when we bring the resolution, H. Res. 38, to the floor, I urge their support of this measure. I hope very much that we will have Democrats joining with Republicans for this very commonsense approach to do exactly what these 87 new Members on our side of the aisle—and I suspect even some of the nine new Members on the Democratic side of the aisle—have come here to do, and that is to rein in this wasteful government spending that we have seen.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today in strong opposition to H. Res. 43, "A rule providing for consideration of the Republican Budget-less Resolution."

Through the American Recovery Act of 2009 (stimulus bill), Congress threw out a massive lifeline to save Americans who were on the verge of losing their jobs and to create jobs for those who were unemployed. We have received numerous reports from our constituents and the Administration of the positive impact the stimulus funding is having on our economy. Yet, we know there is still more work to do. This bill will undermine and erode the many sacrifices Americans have made to adjust to the downturn in the economy. This bill is turning America backwards in the wrong direction.

The new proposal of the House Republican Study Committee (RSC) to cut and then freeze non-defense discretionary spending at 2008 levels from 2012 through 2021 would mean cuts of more than 40 percent in edu-

cation, environmental protection, law enforcement, medical research, food safety, and many other key services.

For example, the U.S. Environmental Protection Administration (EPA) funding at the FY2008 enacted level instead of the FY2010 enacted level would result in a decrease \$2.83 billion—\$7.46 billion enacted for FY2008 vs. \$10.29 billion enacted for FY2010. The majority of this decrease below the FY2010 appropriations would be the result of a \$2.04 billion decrease within the State and Tribal Assistance Grants (STAG) account, and a \$665.8 million decrease within the Environmental Programs and Management (EPM) account.

The decrease within the STAG account would be attributed primarily to funding for capitalization grants for the Clean Water and the Drinking Water State Revolving Funds (SRFs), although numerous other grants also are funded within this account. The SRF funding specifically supports local wastewater and drinking water infrastructure projects, such as construction of and modifications to municipal sewage treatment plants and drinking water treatment plants, to facilitate compliance with the Clean Water Act and the Safe Drinking Water Act, respectively.

Furthermore, the EPM account funds a broad range of activities involved in EPA's development of pollution control regulations and standards, and enforcement of these requirements across multiple environmental media, such as air quality and water quality.

This proposal would represent the deepest annual cut in funding for these programs in recent U.S. history. It would remove substantial purchasing power from a weak economy, thereby costing hundreds of thousands of jobs and raising risks of a double-dip recession.

If imposed across the board, such a cut would mean 42 percent less for healthcare for veterans; 42 percent less for K–12 education; 42 percent less for protecting the environment; 42 percent less for the FBI, Drug Enforcement Administration, and border security; 42 percent less for the National Institutes of Health and the Centers for Disease Control and Prevention; 42 percent less for food safety and inspection; and so on.

Specifically, in my Congressional District, the 18th Congressional District of Houston, Texas, two active Light Rail construction projects are underway. These projects exemplify urban mobility, jobs, economic prosperity, energy independence and sustainable growth for the city of Houston. The projects are commonly referred to as the North Corridor Line and the Southeast Corridor Line. It is critical that these projects continue so that the construction can proceed and the benefits of the new service can be available to the traveling public as soon as possible. In the FY2011 appropriations legislation that passed the House of Representatives, we were able to secure \$150 million for Houston METRO. However, we were unable to preserve this funding in the legislation that passed the Senate, which resulted in the Continuing Resolution passed by Congress at the end of last year not including this funding or any other funding for specific New Starts projects for Houston METRO. I want to ensure that my constituents are in a position to feed their families, to secure employment and further his or her education by preserving this important funding.

I represent an international energy hub and global business city. Twenty-six companies on

the 2010 Fortune 500 list maintain their headquarters in Houston and many more have administrative operations located in Houston. More than 3,000 firms conduct international business in over 200 countries, making Houston a truly global city. Houston is also a burgeoning leader in the information technology, nanotechnology, aerospace, and health care industries.

To adopt this resolution would be crippling my District and eliminating the guarantee through these projects of thousands of jobs for Houstonians. It is factual that Houston's expertise in global business and energy will provide the southwest region with an economic boost that will ensure the United States remains an international economic leader.

Consequently, the House majority, of course, could decide to meet its overall target for non-defense discretionary spending while protecting one or more of the programs and services listed above. But, a cut of less than 42 percent in, say, education or environmental protection would necessitate even more draconian cuts in, say, food safety and border security.

Our Border States are frustrated and in need of targeted assistance. Over the last year, I attended a number of different hearings, meetings with local and state officials, and press conferences on immigration, combating the drug trade, and improving the border, and in almost all instances, I have heard the same comment: Border States are frustrated. The deeply misguided Arizona Law, (SB 1070) for example, is an expression of that frustration. Unless we want to see more of a backlash, we in the federal government must do more to help our Border States, which are vital to securing our nation and upholding our immigration laws, and helping local and state officials secure our Border States.

The United States continues to fight the battle against the powerful drug trafficking organizations that have plagued our sister cities just across the border with violence. We have been fortunate thus far that for the most part the violence has not spilled over into the United States, but we cannot depend on being insulated forever. Instability abroad, especially on the border, is a danger to stability at home, and we have a vested interest in helping our neighbors to the southwest combat the criminal organizations that have threatened the safety of their citizens and brought drugs into our country.

First of all, we need to provide more "boots on the ground" to help secure our borders. While deterrence through additional personnel is essential to improving security, several members of the law enforcement community have also stressed the importance of providing more resources for investigators and detectives, who can help to ferret out and dismantle the criminal activities taking place on our borders.

Moreover, while federal agencies have improved their coordination with the Border States, communication within local and state authorities continues to be problematic. Communication in disperse rural areas presents a particular challenge. At a hearing on the Merida Initiative, I heard the moving testimony of a rancher from rural Arizona, Mr. Bill McDonald. He pointed out how a lack of resources and a rapid turnover rate make communication extremely important, but extremely

lacking. These rural areas, and the people who live there, are in many cases the most vulnerable to human traffickers and drug traffickers.

There is a desperate need for Border States to receive the necessary support to effectively secure our borders from threats and ensure a safe and stable environment for our border residents. More robust, well funded, and well resourced law enforcement systems are exactly what our Border States and residents demand.

It is quite disappointing that we cannot accurately evaluate this resolution because it does not really provide a clear breakdown of the \$100 billion in cuts it claims for the 2012 budget. The first \$80 billion in savings would be to "Replace the spending levels in the continuing resolution (CR) with non-defense, non-homeland security, non-veterans spending at FY 2008 levels." That, obviously, is incredibly vague.

This legislation would end federal subsidies for Amtrak, which basically means the end of train travel in the United States. This resolution would end federal involvement in Fannie Mae and Freddie Mac, which would, as Ezra Klein says, likely plunge the mortgage securitization market into chaos and send housing prices skidding again. It would repeal the federal support for state Medicaid budgets that has plugged the gap for many states with budgets hit hard by the recession, meaning many poor people would likely lose their access to medical care.

Mr. Speaker, I ask my colleagues to join me in opposition to H. Res 43.

Mr. BERMAN. Mr. Speaker, I rise in opposition to the rule, which provides for consideration of a resolution to reduce what is being called "non-security" spending to 2008 levels.

That resolution, H. Res. 38, sends a very damaging message that the Congress will not stand up to protect those programs that are absolutely essential to jobs and the economy. It also rejects a key principle that military leaders and Presidents of both parties have clearly recognized: Foreign assistance and diplomacy are essential to United States national security.

That principle has been honored on a bipartisan basis ever since the tragic events of September 11, 2001. On that terrible morning, Americans woke to the realization that while the Cold War was over, their safety and security could be threatened by much less sophisticated means. The ideologies and the weapons of terror could not be thwarted by military power alone.

In 2004 the Republican-controlled Congress passed the Intelligence Reform and Terrorism Prevention Act by a vote of 336–75. It was supported by all the Members who are now in positions of leadership in this body. The Speaker, the Majority Leader and the Budget Committee Chairman all voted for it.

The bill, now Public Law 108–458, states: "Long-term success in the war on terrorism demands the use of all elements of national power, including diplomacy, military action, intelligence, covert action, law enforcement, economic policy, foreign aid, public diplomacy, and homeland defense."

It continues: "To win the war on terrorism, the United States must assign to economic and diplomatic capabilities the same strategic priority that is assigned to military capabilities."

In fact, the portion of the bill that makes these findings is known as the "9/11 Commission Implementation Act of 2004." It states: "The legislative and executive branches of the Government of the United States must commit to robust, long-term investments in all of the tools necessary for the foreign policy of the United States to successfully accomplish the goals of the United States."

All of the tools necessary—that includes diplomacy and foreign assistance, which would be slashed under this resolution. The 9/11 Commission Implementation Act of 2004 goes on to say that these investments "will require increased funding to United States foreign affairs programs."

In May of this year, Admiral Mullen, the Chairman of the Joint Chiefs of Staff, wrote to then-Speaker PELOSI regarding proposed cuts to the international affairs budget. The opening paragraph stated: "We are living in times that require an integrated national security program with budgets that fund the full spectrum of national security efforts, including vitally important pre-conflict and post-conflict civilian stabilization programs."

He was reinforcing a message that had also been communicated, on several occasions, by Secretary Gates, when he wrote: "The diplomatic and developmental capabilities of the United States have a direct bearing on our ability to shape threats and reduce the need for military action. It is my firm belief that diplomatic programs as part of a coordinated strategy will save money by reducing the likelihood of active military conflict involving U.S. forces."

Admiral Mullen penned a personal note at the end, which read: "The more significant the cuts, the longer military operations will take, and the more and more lives are at risk!"

President Bush, when sending up his wartime supplemental request in FY 2006, integrated diplomatic and military spending. He asked Congress to provide "the Resources to Win the War on Terror."

The message from our military leadership, this Congress, and even former President Bush is clear: U.S. civilian agencies must be fully resourced to prosecute the fight against terror effectively. A cut to the 150 budget harms U.S. national security and puts American lives at risk.

And yet, the Chairman of the Rules Committee explained, during consideration of this resolution, that "security spending" does not include diplomacy and development. He said, "No, my definition, my definition is, as we have outlined in here, this is discretionary spending other than defense, military construction, V.A. and homeland security." The resolution itself does not define what is security or non-security, but the authors say they do not consider diplomacy and development part of our national security budget.

Before voting on this resolution, I would urge my colleagues to think about what the practical implications would be of major cuts in the international affairs budget.

In 2008, the vast majority of U.S. assistance to Iraq was provided by the military. This year, at long last, we are withdrawing the remainder of our troops, and handing over the job to civilians. If we cut our diplomatic and development budget for Iraq, then all the investments we've made, and all the American lives that have been lost, will be in vain.

The civilian presence costs only a tiny fraction of what we were spending on the military.

But this resolution would make that civilian presence impossible. The proposed cuts will mean snatching defeat from the jaws of victory.

Returning to the past would also mean violating our Memorandum of Understanding with Israel, under which we pledge to help Israel maintain its qualitative military edge against those who seek its destruction. Do my colleagues suggest we renege on our commitment to Israel?

In Afghanistan and Pakistan, we cannot defeat violent extremism by military power alone. As Secretary Gates recently said, "without development we will not be able to be successful in either Iraq or Afghanistan." Our military strategy in Afghanistan is often described as "clear, hold, and build." How can we succeed if there is no one to do the holding and the building?

Foreign assistance programs protect us even outside the areas of active combat or potential conflict. Our efforts to stop the spread of HIV/AIDS and other deadly diseases, counter the flow of illegal narcotics, prevent proliferation of weapons of mass destruction, reduce human misery and halt environmental destruction, all help to protect the safety and security of American citizens.

Mr. Speaker, we can't afford to go back to the isolationist, unilateralist policies of the past. Cutting spending to 2008 levels takes us back to a period when America's standing in the world was at an all-time low.

Whether it's finding new markets for U.S. goods and services, addressing climate change, sharing the burden of peacekeeping, enforcing sanctions against Iran, or improving travel and communications, we need to build strong international relationships.

We all remember the period when the United States tried to go it alone, unwilling to cooperate with other countries and demonstrate global leadership.

We've finally begun to turn that all around. Let's not go back to the bad old days when the U.S. turned away from the rest of the world, and lost so much of its influence and respect.

Mr. Speaker, we all recognize the very difficult budget and economic situation that confronts us. There is no doubt that well-crafted reforms will help us to use our foreign assistance dollars more effectively and efficiently, and ensure that aid reaches those who need it. That is why I am continuing my efforts to develop legislation to modernize our foreign assistance policies and programs.

But what we need to do, as one conservative blogger has suggested, is to "mend it, not end it." Comparatively speaking, diplomacy and development don't cost much, and save us money over the long run.

International affairs funding helps promote U.S. exports and saves U.S. jobs. Our economy can't grow without creating and expanding new markets abroad. Our diplomats help to identify export opportunities, help American companies navigate foreign political systems, and level the playing field for American products around the globe.

We should also keep in mind that international affairs accounts for just one percent of the budget. Even if we eliminated such spending entirely, it wouldn't balance the budget and it wouldn't make a dent in our national debt. But it would devastate our economy and our national security.

As Secretary Gates said last fall, “Development is a lot cheaper than sending soldiers.”

In places like Haiti and Sudan, we provide assistance not only for purely humanitarian reasons, but also because a failure to do so could lead to chaos and bloodshed that would be far more costly in the long run.

Going back to 2008 levels of global AIDS funding would mean ending antiretroviral treatment for people who are currently receiving it. It would mean abandoning pregnant women who run a high risk of transmitting HIV to their newborns. It would mean fewer orphans and vulnerable children will get care and support, and fewer people in poor countries will get HIV counseling and testing.

President Bush made clear not only the need to not cut funding, but to make greater investments in these programs when he wrote, just a few months ago, “there are millions on treatment who cannot be abandoned. And the progress in many African nations depends on the realistic hope of new patients gaining access to treatment. . . . On AIDS, to stand still is to lose ground.”

Mr. Speaker, these are only a few of the most obvious and damaging implications of reducing the international affairs budget to 2008 levels. This resolution would set the stage for reckless cuts that endanger our national security, abandon our national interests and throw Americans out of work, and I urge my colleagues to oppose it.

Mr. KUCINICH. Mr. Speaker, as we begin the debate on the reduction of non-defense and security spending, a visit to recent history reveals a telling connection between our soaring debt and the two wars our country is waging.

The Center for Arms Control and Non-Proliferation estimates that the wars in Iraq and Afghanistan have cost the average American family of four almost \$13,000 last year. We know from our constituents when we return to our districts that the average American family of four cannot afford that. They cannot afford to pay for wars that undermine our national and moral security. Many families can barely afford to stay in their homes.

Nobel Prize winning economist and author of *The Three Trillion Dollar War*, Joseph Stiglitz, says that there is “no question that the Iraq war added substantially to the federal debt. This was the first time in American history that the government cut taxes as it went to war. The result: a war completely funded by borrowing. The global financial crisis, he says, was due at least in part to the war.”

If this sounds familiar, it is because we are pursuing the same policies today. The ramifications of our spending on the Iraq War—soaring oil prices, federal debt and a global economic crisis—were during a time when the resources dedicated to Iraq were much greater than those being dedicated to Afghanistan. The commitment of an additional 30,000 troops and a continually slipping withdrawal date commits us to an endless war and an endless stream of borrowed money. It commits us to seemingly endless economic insecurity.

Moving past the costs of waging war, there are the costs of providing returning veterans with the care they need. When these costs are factored in, the costs of health care and benefits for veterans significantly increases the \$3 trillion price tag to nearly \$5 trillion.

It is time to question the way we enhance our national security and our economic secu-

urity. It will be a grave mistake to miss this opportunity.

The facts tell us that the policies we have been pursuing in recent years have led us further from the very goals we claim to be working toward. The facts tell us that it is fiscally irresponsible to continue defense spending at current rates.

By ignoring this responsibility—by pretending that it doesn’t exist—we fail to heed the lessons from our economic decline. The costs of maintaining the status quo are great. The moral and human costs are even greater.

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

Strike the last sentence and insert in lieu thereof the following:

“The previous question shall be considered as ordered on the resolution, as amended, and any amendment thereto to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Rules or their respective designees; (2) an amendment if offered by Representative McGovern of Massachusetts or a designee to ensure that FBI Counterterrorism funding is considered security spending, which shall be in order without intervention of any point of order, shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question; and (3) one motion to recommit with or without instructions.”

(The information contained herein was provided by 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 Repub-

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

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

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

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

The yeas and nays were ordered.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the House will stand in recess subject to the call of the Chair until 6:30 p.m., a period not longer than 15 minutes.

Accordingly (at 6 o’clock and 25 minutes p.m.), the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MACK) at 6 o’clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: Ordering the previous question on House Resolution 43, by the yeas and nays; adoption of House Resolution 43, if ordered.

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

PROVIDING FOR CONSIDERATION OF HOUSE RESOLUTION 38, REDUCING NON-SECURITY SPENDING TO FISCAL YEAR 2008 LEVELS OR LESS

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 43) providing for consideration of the resolution (H. Res. 38) to reduce spending through a transition to non-security spending at fiscal year 2008 levels, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 238, nays 174, not voting 22, as follows:

[Roll No. 17]

YEAS—238

Adams	Dent	Hunter
Aderholt	DesJarlais	Issa
Akin	Diaz-Balart	Jenkins
Alexander	Dold	Johnson (IL)
Altmire	Donnelly (IN)	Johnson (OH)
Amash	Dreier	Johnson, Sam
Austria	Duffy	Jones
Bachmann	Duncan (TN)	Jordan
Bachus	Ellmers	Kelly
Barletta	Farenthold	King (IA)
Bartlett	Fincher	King (NY)
Barton (TX)	Fitzpatrick	Kingston
Bass (NH)	Flake	Kinzinger (IL)
Benishek	Fleischmann	Kissell
Berg	Fleming	Kline
Biggert	Flores	Labrador
Bilbray	Forbes	Lamborn
Bilirakis	Fortenberry	Lance
Bishop (UT)	Fox	Landry
Black	Franks (AZ)	Lankford
Blackburn	Frelinghuysen	Latham
Bonner	Gallely	LaTourette
Bono Mack	Gardner	Latta
Boren	Garrett	Lee (NY)
Boustany	Gerlach	Lewis (CA)
Brady (TX)	Gibbs	LoBiondo
Brooks	Gibson	Long
Broun (GA)	Gohmert	Lucas
Buchanan	Goodlatte	Luetkemeyer
Bucshon	Gosar	Lummis
Buerkle	Gowdy	Lungren, Daniel
Burgess	Graves (GA)	E.
Burton (IN)	Graves (MO)	Mack
Calvert	Griffin (AR)	Manzullo
Camp	Griffith (VA)	Marchant
Campbell	Grimm	Marino
Canseco	Guinta	Matheson
Cantor	Guthrie	McCarthy (CA)
Capito	Hall	McCaul
Carter	Hanna	McClintock
Cassidy	Harper	McCotter
Chabot	Harris	McHenry
Chaffetz	Hartzler	McKeon
Coble	Hastings (WA)	McKinley
Coffman (CO)	Hayworth	McMorris
Cole	Heck	Rodgers
Conaway	Heller	Meehan
Cravaack	Hensarling	Mica
Crawford	Herger	Miller (FL)
Crenshaw	Herrera Beutler	Miller (MI)
Culberson	Huelskamp	Miller, Gary
Davis (KY)	Huizenga (MI)	Mulvaney
Denham	Hultgren	Murphy (PA)

Myrick	Roy	Smith (NJ)
Neugebauer	Roe (TN)	Smith (TX)
Noem	Rogers (AL)	Southerland
Nugent	Rogers (KY)	Stearns
Nunes	Rogers (MI)	Stivers
Nunnelee	Rohrabacher	Stutzman
Olson	Rokita	Sullivan
Palazzo	Rooney	Terry
Paul	Roskam	Thompson (PA)
Paulsen	Ross (AR)	Thornberry
Pearce	Ross (FL)	Tipton
Pence	Royce	Turner
Petri	Runyan	Upton
Pitts	Ryan (WI)	Walberg
Platts	Scalise	Walden
Poe (TX)	Schilling	Walsh (IL)
Pompeo	Schmidt	Webster
Posey	Schock	West
Price (GA)	Schweikert	Whitfield
Quayle	Scott (SC)	Wilson (SC)
Reed	Scott, Austin	Wolf
Rehberg	Sensenbrenner	Womack
Reichert	Sessions	Woodall
Renacci	Shimkus	Yoder
Ribble	Shuster	Young (AK)
Rigell	Simpson	Young (FL)
Rivera	Smith (NE)	Young (IN)

NAYS—174

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

NOT VOTING—22

Bralley (IA)	Gutierrez	Shuler
Butterfield	Hinche y	Sires
Duncan (SC)	Hurt	Smith (WA)
Emerson	Larsen (WA)	Tjiberi
Giffords	Lee (CA)	Westmoreland
Gingrey (GA)	Pingree (ME)	Wittman
Granger	Ros-Lehtinen	
Grijalva	Rush	

□ 1853

Mr. KILDEE, Mrs. McCARTHY of New York, Messrs. CARNEY, LARSON of Connecticut, BECERRA and CUMMINGS changed their vote from “yea” to “nay.”

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

So the previous question was ordered. The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 240, noes 168, not voting 26, as follows:

[Roll No. 18]

AYES—240

Adams	Ellmers	Landry
Aderholt	Farenthold	Lankford
Akin	Fincher	Latham
Alexander	Fitzpatrick	LaTourette
Altmire	Flake	Latta
Amash	Fleischmann	Lee (NY)
Austria	Fleming	Lewis (CA)
Bachmann	Flores	LoBiondo
Bachus	Forbes	Long
Barletta	Fortenberry	Lucas
Bartlett	Fox	Luetkemeyer
Barton (TX)	Franks (AZ)	Lummis
Bass (NH)	Frelinghuysen	Lungren, Daniel
Benishek	Gallely	E.
Berg	Gardner	Mack
Biggert	Garrett	Manzullo
Bilbray	Gerlach	Marchant
Bilirakis	Gibbs	Marino
Bishop (UT)	Gibson	Matheson
Black	Gohmert	McCarthy (CA)
Blackburn	Goodlatte	McCaul
Bonner	Gosar	McClintock
Bono Mack	Gowdy	McCotter
Boren	Graves (GA)	McHenry
Boustany	Graves (MO)	McKeon
Brady (TX)	Griffin (AR)	McKinley
Brooks	Griffith (VA)	McMorris
Broun (GA)	Grimm	Rodgers
Buchanan	Guinta	Meehan
Bucshon	Guthrie	Mica
Buerkle	Hall	Miller (FL)
Burgess	Hanna	Miller (MI)
Burton (IN)	Harper	Miller, Gary
Calvert	Harris	Mulvaney
Camp	Hartzler	Murphy (PA)
Campbell	Hastings (WA)	Myrick
Canseco	Hayworth	Neugebauer
Cantor	Heck	Noem
Capito	Heller	Nugent
Carter	Hensarling	Nunes
Cassidy	Herger	Nunnelee
Chabot	Herrera Beutler	Olson
Chaffetz	Huelskamp	Palazzo
Coble	Huizenga (MI)	Paul
Coffman (CO)	Hultgren	Paulsen
Cole	Hunter	Pearce
Conaway	Issa	Pence
Cravaack	Jenkins	Petri
Crawford	Johnson (IL)	Pitts
Crenshaw	Johnson (OH)	Platts
Culberson	Johnson, Sam	Poe (TX)
Davis (KY)	Jones	Pompeo
Denham	Jordan	Posey
	Kelly	Price (GA)
	King (IA)	Quayle
	King (NY)	Reed
	Kingston	Rehberg
	Kinzinger (IL)	Reichert
	Kissell	Renacci
	Kline	Ribble
	Labrador	Rigell
	Lamborn	Rivera
	Lance	Roby

Roe (TN)	Scott (SC)	Tipton
Rogers (AL)	Scott, Austin	Turner
Rogers (KY)	Sensenbrenner	Upton
Rogers (MI)	Sessions	Walberg
Rohrabacher	Shimkus	Walden
Rokita	Shuster	Walsh (IL)
Rooney	Simpson	Webster
Roskam	Smith (NE)	West
Ross (AR)	Smith (NJ)	Whitfield
Ross (FL)	Smith (TX)	Wilson (SC)
Royce	Southerland	Wolf
Runyan	Stearns	Womack
Ryan (WI)	Stivers	Woodall
Scalise	Stutzman	Yoder
Schilling	Sullivan	Young (AK)
Schmidt	Terry	Young (FL)
Schock	Thompson (PA)	Young (IN)
Schweikert	Thornberry	

NOES—168

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

NOT VOTING—26

Bass (CA)	Granger	Ros-Lehtinen
Braley (IA)	Grijalva	Rush
Butterfield	Gutierrez	Shuler
Carney	Hinchev	Sires
Cleaver	Hurt	Smith (WA)
Duncan (SC)	Jackson (IL)	Tiberi
Emerson	Larsen (WA)	Westmoreland
Giffords	Lee (CA)	Wittman
Gingrey (GA)	Pingree (ME)	

□ 1901

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 against:

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent for votes. Had I been present, I would have voted "no" on rollcall votes 17 and 18.

PERSONAL EXPLANATION

Ms. LEE of California. Mr. Speaker, today I missed rollcall vote No. 17 on "Ordering the Previous Question" regarding H. Res. 43, and rollcall vote No. 18 on agreeing to H. Res. 43. Had I been present, I would have voted "no" on both votes.

TRAGEDY IN ST. PETERSBURG, FLORIDA

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

Mr. YOUNG of Florida. Mr. Speaker, I rise to inform my colleagues of a tragedy that took place in St. Petersburg, Florida, this morning. Two St. Petersburg police officers, Sergeant Thomas Baitinger and Officer Jeffrey Yaslowitz, were killed in the line of duty and a Deputy U.S. Marshal, whose name I cannot release just yet, was seriously injured while serving a warrant this morning.

This is a sober reminder that the men and women who serve us as law enforcement officers put their lives on the line every day. In the past 24 hours alone, 11 law enforcement officers across our Nation have been shot in the line of duty.

It is my hope that my colleagues will keep the families of Sergeant Baitinger, Officer Yaslowitz and our Deputy U.S. Marshal in their prayers during this difficult time. It is also a good time to say thank you for all of those who serve us in uniform at home or abroad.

Mr. Speaker, I thank my colleagues for listening to this announcement, and I have to say, God bless the families of those who were killed and wounded.

COMMENDING MAYOR JOE GURECKY

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

Mr. OLSON. Mr. Speaker, I rise to commend Mayor Joe Gurecky, a statesman and a friend, for his service as the mayor of Rosenberg, Texas.

Mayor Gurecky has served his citizens for 16 years, first as a council member, then as the mayor from 1999 to 2011, making him the longest continually serving mayor in the history of Rosenberg. Mayor Gurecky recently announced that he wasn't going to seek reelection.

Joe Gurecky practiced four of the basic ideals of fiscal conservatism: accountability, fighting excessive spending, reducing taxes, and providing a safe community for his beloved city.

During his 12-year tenure, Mayor Gurecky oversaw a fourfold increase in property values and a 40 percent decrease in crime while simultaneously lowering taxes on the residents of Rosenberg.

Mayor Gurecky will be missed as the mayor. I thank him and his wife, Doris, for their service and wish them well in the future.

MOURNING THE LOSS OF DICK WINTERS

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, Shakespeare penned the words that gave title to a true story of the 101st Airborne during World War II. In "King Henry V," he wrote:

"We few, we happy few, we band of brothers;

"For he today that sheds his blood with me

"Shall be my brother."

Stephen Ambrose wrote a book that became the miniseries, "Band of Brothers." Dick Winters was part of that story. Actor Damien Lewis brought his character to life in the series, but for Pennsylvanians, Winters was a real-life hero, and his story, the stuff of legends. Winters died in Campbelltown, Pennsylvania. He was 92.

On D-day, June 6, 1944, Winters and his men parachuted in to take on a German artillery nest on Utah Beach. His troops from Easy Company fought through the Battle of the Bulge, the liberation of a death camp at Dachau, and made it to Hitler's Eagle's Nest at Berchtesgaden.

Winters never sought fame, never thought of himself as a hero, and characteristically he asked that his funeral be private. But as Tom Hanks put it, "When the world needed heroes, he served in a company of heroes."

Pennsylvania and the Nation mourn the loss of this "brother."

THE RAPISTS OF BANGLADESH

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

Mr. POE of Texas. Mr. Speaker, Jess Smocek joined the Peace Corps in 2004 and went to Bangladesh to help that Third World country. Soon after arriving, a group of local men groped her sexually, however. She reported the improper conduct, but no one did anything. While in Bangladesh, Smocek felt unsafe and continued to report the hostile environment to the Peace Corps. But no one did anything.

Later, a group of criminals kidnapped her, beat her, raped her and abandoned her in an alleyway. And no one did anything. In fact, for political reasons, the Peace Corps did everything it could to ignore and cover up the dastardly deed, blaming the crime on the victim.

Rape is not the fault of the victim. It is the fault of the criminal. And according to ABC News, over 1,000 rapes and assaults occurred in the last 10 years against American women working for the Peace Corps. But apparently no one is listening.

Those days need to end, and it's time for justice for Jess Smochek, because justice is what we do in this country.

And that's just the way it is.

EPA DISREGARDS STATES' RIGHTS

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

Mr. HALL. Mr. Speaker, I'm very troubled by the U.S. Circuit Court of Appeals for the District of Columbia's decision to allow the Environmental Protection Agency to disregard States' rights in implementing the Clean Air Act by seizing control of greenhouse gas permitting activities in our State of Texas. The EPA's regulatory interference in the State permitting process will have a very detrimental effect on jobs and the economy of not just Texas, but potentially the entire Nation.

The authority for EPA's action is grounded in the agency's "endangerment finding," which is based on controversial scientific conclusions regarding the threat and impact of climate change. EPA's pursuit of job-killing regulation is the last thing this economy needs right now.

Congress and the Obama administration both owe it to the public to base regulatory action on methods that are beyond reproach.

□ 1910

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. GOHMERT). Under the Speaker's announced policy of January 5, 2011, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

AMERICA'S PRIORITIES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. McDERMOTT) is recognized for 5 minutes.

Mr. McDERMOTT. Mr. Speaker, at its core, the budget is a statement of America's priorities. It says what we as a Nation value. After all of the Republican budget-cutting promises that preceded and followed the recent midterm elections, we are finally seeing what the Republicans are really about, what they really value—press releases.

Their whole legislative agenda since they gained control of the House has amounted to nothing more than Republican theater. The Republicans are doing the exact opposite of what they promised. They are offering no transparency and no thoughtful consider-

ation of the budget in the Congress, and no job proposals. Instead, they are just offering a radical Republican wish list to appease their base.

Sadly, the budget process is going to be just another backroom deal. Mr. RYAN of Wisconsin has been appointed to determine, on his own, with no input from the rest of the House, what the budget spending limits will be. If you care about openness and transparency, you're going to be disappointed.

The Republicans said everything would be on the table, with increased input and debate among the Members. Instead, we're going to get a budget number drafted by one Member, and we'll be forced to accept it without a vote. If you care about fairness and democracy, you are about to get a very rude awakening. If you care about making smart investments where all Americans can benefit and prosper, you're going to be disappointed. And if you're a faithful deficit hawk who thought a Republican-controlled House would reduce the deficit, you've been hoodwinked.

In the runup to the midterm elections, Republicans promised that if they won the House, they would cut \$100 billion from the budget. They didn't have a plan, but \$100 billion sure sounded like a good number. Well, it is now months after the election, and they still don't have a plan, no specifics, no baseline number. And boy, are they running away from that \$100 billion commitment as fast as possible.

The Republicans do have a list that includes over 100 cuts that completely disregard the economic and social impacts the cuts would have. Mr. Speaker, budgets are about values. They are a moral document. In general, you are either in favor of making smart investments and helping the less fortunate—so, you're smart and compassionate—or you demonize collective government and it's everybody for himself, laissez-faire capitalism.

The Republican Study Committee's list of budget cuts shows us which side of the values equation the Republicans are on. They want to preserve hundreds of billions of dollars for corporate tax breaks but take away student loans from tens of thousands of students. They want to keep building weapons systems that the Pentagon doesn't want, but they cut historic preservation. They want to encourage the offshoring of jobs, but want to cut programs that help our exporters.

Mr. Speaker, we are a month into the Republican leadership of this House, and we haven't seen a single move toward creating jobs. We are a month into the Republican leadership of this House, and we don't have a budget number. We haven't had a hearing, and we have no budget proposal that can be honestly debated.

Cutting the budget is no easy task, and I strongly urge the Republicans to end the political theater and think about our country's values and priorities when it comes to laying out the

budget. Let's have an open, fair, and transparent discussion of job creation. The talk of shifting all of the costs of Medicaid onto the States is foolish. You know the poor will suffer with that kind of a proposal. So let's work together toward a responsible budget that reflects that we are both smart and compassionate.

BRING OUR TROOPS HOME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES. Mr. Speaker, I am on the floor again tonight, and I have said that I intend to be on the floor each and every night that I can be on the floor to talk about bringing our troops home from Afghanistan.

I hope tomorrow night when the President gives the State of the Union, that he will stay to and keep his word when he said he will start bringing our troops home in July of 2011. The reason I am somewhat concerned, there have been leaders in both parties, primarily on the Senate side, who have said that they think that they need 4 more years in Afghanistan. Well, you know, that might be a dream, but that is all it is, a dream. You're not going to change history. History has spoken many, many times, from Alexander the Great to the English to the Russians, that Afghanistan is a vast country of many, many tribes, and they never have had a national government, and they will not under Karzai. He is corrupt. He is very corrupt.

So I hope that the President will stick to his timetable of bringing our troops home beginning in July of this year, and that he will be not swayed by anyone who says just 4 more years. I say that for this reason: I am on the Armed Services Committee, and I remember a few years ago when they were telling us, these generals would come in—and I respect each and every one of them—and they would say to us: Well, we're making progress. We're training the Afghans to be policemen. We're training the Afghans to be soldiers.

Well, we are 10 years later, and we are still training. How much more can you do? It is costing us \$8 billion a month. And more important than the money is the lost lives and the broken bodies of our men and women in uniform.

Recently I had the opportunity, the privilege, to go to Walter Reed in Bethesda. Mr. Speaker, for the first time before I walked into this young soldier's room, I was told out front by the major that escorted me that he has no body parts below his waist. They have all been blown away.

Then I had an opportunity to see a marine sergeant during the same visit who had been to Afghanistan four times, and on the fourth tour, he had his left leg blown off. What in the world are we trying to do? Why don't

we understand from history: nobody is going to ever conquer Afghanistan. So, therefore, I hope the President will stay to his word and start bringing our troops home.

We are spending \$8 billion a month in Afghanistan, and yet throughout America, including my district, the Third Congressional District of North Carolina, we can't even fix the roads. We can't even fix the schools because we are spending money we don't have that we are borrowing from the Japanese, the Chinese, UAE and other countries.

It is time that this Congress speaks up and listens: 63 percent of the American people say it is time to get out of Afghanistan. So I hope that the President will speak tomorrow night about Afghanistan. I hope he will say that he intends to start bringing our troops home this year.

Mr. Speaker, I have here photographs of marines from the Camp Lejeune area, which is in my district. They are young, anywhere from 19 to 38 years of age, who have given their life for this country. And yet many times I wonder here in Congress why don't we bring up this issue of bringing our troops home from Afghanistan.

So, Mr. Speaker, tonight I want to thank you for giving me this chance to speak. I want to thank those who are on the floor, I hope you join us, RON PAUL and myself and JIMMY DUNCAN on our side, who have been saying that it is time to bring our troops home. Let's join together in a bipartisan way and start talking about bringing our troops home.

Mr. Speaker, before closing, as I do each and every night, as I think about the pain that I have seen at Walter Reed and Bethesda, I think about the families who are burying their loved ones now who have died in Afghanistan, that it is time to say to God, God please continue to bless our men and women in uniform and their families. God, in Your loving arms, hold the families who have given a child, dying for freedom in Afghanistan and Iraq.

□ 1920

God, please continue to bless the House and Senate that we will do what is right in Your eyes for Your people.

God, give wisdom, strength, and courage to President Obama that he will do what is right in Your eyes for Your people.

And three times I will say, God, please, God, please, God, please continue to bless America.

SMART SECURITY: INCREASE DEVELOPMENT AID

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, it's not often that you'll hear me, LYNN WOOLSEY, say this, but I have recently found myself on the same page of a very im-

portant issue, at least in principle, with the leaders of the tea party movement and other top lawmakers on the other side of the aisle.

They've said that the military budget must be on the table in any discussion about reducing Federal spending. I agree. I agree completely. The Progressive Caucus has for several years offered specific cuts that would in no way impact our ability to provide for the national defense but that would actually cut the Pentagon spending. Here is the problem, Mr. Speaker:

When it came time for the rubber to meet the road, well, guess what happened. The Republican Study Group released their list of cuts last week, and lo and behold, not a single dime of actual Pentagon cuts was in there.

What was included were irresponsible cuts to public housing, high-speed rail and economic development, among other things, to say nothing of what would happen to funding for national parks, Pell Grants and NIH, if they followed through with their plans to cut non-defense discretionary spending to what they recommend—to 2006 levels. But perhaps the most reckless of all was the proposal to zero out funding for USAID, the United States Agency for International Development.

It just goes to show the narrowness of their perspective when it comes to national security. When they think about protecting America, they think only of weapons and warfare. In fact, that's the approach our policymakers have taken for the last decade in Iraq and Afghanistan, and it has cost us nearly 6,000 American lives, plus more than \$1 trillion of the people's money, while doing next to nothing to defeat the terrorist threat.

What we need instead is a SMART Security policy, with humanitarian aid like the kind distributed by USAID as a centerpiece. Instead of a military surge, we need a civilian surge. Wherever there is poverty and deprivation around the world, we need to be there with assistance that promotes stability and keeps terrorism from taking root in the first place. I'm talking about everything from debt relief to democracy promotion, to human rights, to sustainable development, to education, especially including education for women and girls.

Mr. Speaker, development aid gives the taxpayer plenty of bang for the buck, and it actually costs pennies on the dollar. It represents a microscopic portion of the Federal budget. Yet development aid has great influence when it comes to creating the conditions for global stability and global peace.

If we are serious about national security in the 21st century, if we are serious about projecting moral authority and honoring American values, then we must dramatically increase humanitarian aid, and we must not cut it. If we are serious about deficit reduction, it is time to address the real waste and excess—the Pentagon—which has enjoyed a blank check for far too long.

So I applaud the majority if they are truly prepared to cut military spending; but so far, I hear more talking points than serious proposals. I have to remind you, Mr. Speaker, that it is all talk until it is not, and if the majority party wants to do something that would advance our security goals while dramatically reining in Federal spending, then they should join me in a call to immediately bring our troops home from Afghanistan.

THE RUNAWAY FEDERAL RESERVE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

Mr. PAUL. Mr. Speaker, in the last several weeks, there have been several articles published by officials from the Federal Reserve system. This is a little bit unusual because they are critical of anybody who criticizes them and are critical of me in particular. In these articles, they are trying to discredit anybody who disagrees with their policies, and they are very defensive of this.

They have argued the case that they should have total secrecy. In this total secrecy, I claim they have tremendous power to do the things that they want to do, and it has only been recently that the American people and this Congress have awakened to this. Although we did not get a full audit of the Fed last year, we did get a partial audit of the emergency funding, but still the Fed's argument is they have to have total independency while the American people believe there should be transparency.

The Fed's argument is that they literally are the saviors of the economy, that they came in as an emergency when the markets were crashing, and that they were able to rescue the entire world economy by their injection of hundreds of billions, if not trillions, of dollars.

The fallacy of all this is that they may have rescued some banks and that they may have rescued some big businesses, but they didn't rescue the American people. The consequence of all this has been high unemployment, people losing their houses, and people who can't pay their mortgages.

So, in their claim that they prevented a deep depression, they prevented a depression for some very wealthy, well-connected people on Wall Street, who were making a lot of money anyway in the bubble period of time. Now the people who are suffering the most are the average people, who have had to suffer the consequence of the Federal Reserve policies. This is a policy that punishes the innocent people and that actually rewards the guilty people and the people who were the beneficiaries.

You know, the very people who are claiming that they have solved all of our problems are the very ones who created the problems, and they never

once predicted the trouble that was coming. There were numerous economists from around the country, especially the free-market Austrian economists, who predicted and explained the housing bubble—that it was coming and that there would be a collapse; but the people at the Federal Reserve, who now are claiming they solved all our problems, never once said that we could be in trouble.

When asked, they said, No, there's no housing bubble. Where do you get all this?

So now we are supposed to believe everything they tell us. They created it. They didn't tell us there was trouble coming, and now they've solved all of the problems, and we are not supposed to question this. If we do, then we're going to be on the receiving end of severe criticism.

The conclusion of many of these articles has been that they want to deflect the concentration on the Federal Reserve. They will say that, yes, there still are problems, but they're all on the Congress, that it has nothing to do with them. They save us from ourselves, and they take care of us. They create good times and take care of us when we are in bad times.

The whole thing is they claim that our deficits are a problem—and I agree with them on that. The deficits are a problem. But, if you think about it, why do the deficits get run up? We as Members of Congress—this whole Congress for decades on decades—have run up deficits to pay for welfare programs and warfare. Endless spending. We tax the people until we can't tax anymore. We borrow, and there is a limit on borrowing or your interest will rates go up.

Guess who monetizes the debt and enables the Congress to continue this spending. It's the Federal Reserve. They are the ones who literally facilitate the deficit financing.

So, for them to turn around and say it's all the blame of the Congress, they are absolutely being disingenuous. It is the Federal Reserve and a monetary system that encourages runaway deficits, runaway spending, runaway militarism, and runaway welfarism.

□ 1930

The Fed, over the years, has had two mandates: to have price stability and full employment. Well, think about the price stability. Did they have price stability with the NASDAQ stocks back in the year 2000 that collapsed when that bubble developed? Have they had steady prices, price stability with medical care costs or housing costs or education costs? No, absolutely none. Today, bond prices are sky high. We have a bond bubble going on right now, and it's the result of Federal Reserve policy, but they don't want you to think and talk about that.

And the full employment mandate, I mean, just think of it; the government, our government, Labor and Statistics admits there is 9.5 percent unemploy-

ment. And then they say, well, if you count more people who are partially unemployed, it's 17 percent. But if you have a free market approach and count everybody who's unemployed, our unemployment rate is 23 percent. That's why the American people are feeling lousy about what's going on, even though Wall Street once again is making money. The banks are making money, they're repaying their bills, but it's all because of a collusion between the Federal Reserve System, the banks, and the large corporations while the people are still unemployed.

Congress has a proper responsibility, and it is oversight. It was never meant for the Federal Reserve to have free rein and not have any oversight whatsoever. And we have to realize this whole issue of central banking is not a new issue; it was here from the very beginning. Hamilton and Jefferson argued about it; Jefferson and Jackson and many others were absolutely opposed to central banking. So it's not a new issue, but there is no authority in the Constitution that grants this right to have a central bank and to create money out of thin air just to accommodate the politicians.

We have a right and an obligation and a responsibility for oversight of the Federal Reserve, and our responsibility is to look at bad policy. The Federal Reserve is responsible for the inflation in the business cycle, the unemployment. It is up to us to do something about it and look into it, first to look into it and understand it because then it will be realized that we need to have more oversight.

Right now there is tremendous support; in the last Congress we had 320 Members of this House who supported an audit of the Fed. So we're making progress here. It annoys the Federal Reserve. For the first time in their history, they've hired a PR agency and lobbyists to lobby for their position. So they know they are under the gun as far as people are waking up and realizing that the Federal Reserve has been responsible for so much havoc that we've had in this country. I think it is our responsibility to continue to look at the Fed and find out how they have caused so much trouble.

CATHOLIC SCHOOLS WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 5 minutes.

Mr. LIPINSKI. Mr. Speaker, as a proud graduate of St. Symphorosa Grammar School and St. Ignatius College Prep, and as a strong supporter of Catholic education, I am again introducing a resolution to honor Catholic Schools Week and highlight the contributions to our Nation made by America's Catholic schools. Unfortunately, changes in House rules would like to prohibit this resolution from being brought to the floor, so I'm going to speak about it tonight.

Since 1974, the National Catholic Education Association and the United States Conference of Catholic Bishops have provided exemplary leadership in conceptualizing and organizing Catholic Schools Week. This year, it is celebrated from January 30 through February 5. The theme this year is "Catholic Schools—A Plus for America," which celebrates the fact that Catholic schools are an added value, a plus for our Nation.

By always emphasizing the necessity of a well-rounded educational experience and instilling the values of giving back to the community and helping others, America's Catholic schools produce graduates that have the skills and strength of character needed by our businesses, governments, and communities. Nearly 95 percent of Catholic schools have a service program, and in 2009 their students contributed about half a million hours of service to their communities and parishes. My own desire to serve was fostered by dedicated teachers throughout my formative years at Catholic schools.

Today, over 2.1 million elementary and secondary students are enrolled in over 7,000 Catholic schools. Catholic school students, on average, surpass other students in math, science and reading in the three grade levels tested by the NAEP test. The graduation rate for Catholic high school students is 99 percent, with 97 percent going on to college or technical school. As we continually hear disturbing reports about our national test scores, these statistics are truly remarkable and should be commended.

Catholic schools are also known for embracing students from all walks of life and are highly effective in providing educational opportunities for minority students and disadvantaged youth. Almost 15 percent of students at Catholic schools are not Catholic. Over the past 30 years, the percentage of minority students enrolled in Catholic schools has more than doubled. Despite exceptional results, the success of Catholic schools does not depend on selectivity, as they accept nine out of every 10 students who apply.

Now in addition to producing well-educated students, Catholic schools save American taxpayers billions of dollars every year by lowering the number of students in already overburdened public schools. In fact, it is estimated that taxpayers in the Chicago area alone save over \$1 billion because of Catholic schools and approximately \$20 billion nationwide. The importance of these savings is undeniable to American taxpayers, especially now, while many State and local governments are struggling with budget gaps.

I was born and raised and lived in the Chicago archdiocese, which still has one of the most successful school systems in the country. More than 93,000 students attend 258 schools. In my district alone, there are seven Catholic high schools and about 50 grammar schools, including one of the best in my

home parish of St. John of the Cross in Western Springs.

My own Catholic education in Chicago gave me the knowledge, discipline, desire to serve and love of learning that enabled me to earn my doctorate degree and become a teacher before being elected to Congress. In recognizing Catholic Schools Week, we pay a special tribute to dedicated teachers and administrators who sacrifice so much, in many cases working for less than they could earn elsewhere. Many of my favorite memories are of teachers, including many nuns who taught me the value of faith and service. Throughout the United States, millions of others have similar memories of their dedicated sisters, priests and lay teachers who gave their hearts and souls to touch the lives of their students.

Mr. Speaker, next week I look forward to attending Catholic Schools Week events in my district to deliver the praise, support and gratitude that they deserve. I encourage my colleagues to do the same.

BLM MISMANAGEMENT OF WILD HORSES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana. Mr. Speaker, last week, at the request of a lady named Madeline Pickens, I met with Mr. Bob Abbey, who is the head of the Bureau of Land Management, to talk to him about dealing with the wild horses, the mustangs that roam out west in the western States. The Bureau of Land Management has somewhere between 35,000 and 40,000 of these mustangs in pens around the country; and the cost of this is estimated to be as much as \$2,500 per horse per year. The Bureau of Land Management just last week started rounding up another 3,000, 4,000, 5,000 of them to take them to holding pens and move them to Oklahoma.

Now, the thing that's interesting about this is that when I talked to Mr. Abbey, he admitted that they want to move these horses from Nevada 1,000 miles to Oklahoma in order to put them in these pens. Now Ms. Pickens, she is very concerned about these mustangs because they're part of America's heritage, and she wants to protect them as much as possible. Toward that end, she bought two ranches, the Spruce Ranch, which has 14,000 acres in it, and the ranch next to it in Nevada, the Warm Creek Ranch, which has about another 4,000 acres; and then she got permits for another 550,000 acres so that they could put those horses on this land, protect them, and save the taxpayer money and make sure that these horses will not be put in pens and shipped all over the country.

□ 1940

But the Bureau of Land Management is recalcitrant. They want to move

these horses 1,000 miles into these pens, and they want to keep them there at a cost of as much as \$2,500 per year per horse.

Now, Ms. Pickens says that for \$500 a year, she can keep them on her range and protect them, create a kind of museum for these horses so that people can come and see them in the wild. And she would have them injected so that they can't reproduce; therefore, they wouldn't have to worry about an expanding population of mustangs, but they would be protected. But the Bureau of Land Management wants to move them a thousand miles, where her ranch and her permits are within just a few miles of where the horses are right now.

Now, when I talked to Mr. Abbey last week, he said that they couldn't reach an agreement with Ms. Pickens, that there'd have to be some major changes made over at the Bureau of Land Management in order for them to facilitate what she wants to do.

This is another bureaucratic nightmare that we in this Congress should not—and I don't believe will—put up with. And I'm going to ask the Appropriations Committee to cut the budget of the Bureau of Land Management because they're wasting the taxpayers' money by millions and millions and maybe hundreds of millions of dollars.

Last year, the government spent about \$144 million managing private livestock on Federal public lands, and they only collect \$21 million for grazing rights. So they lost at least \$123 million per year. And some people estimate that they lose as much as \$500 million a year, half a billion dollars, by keeping these grazing lands in private hands where people get them for almost nothing. \$21 million was what the fee was that they got last year.

So they're losing as much as \$500 million; they're moving these horses up to a thousand miles, and they're doing it for no good purpose other than the bureaucracy wants to keep control of them.

Now, the reason Ms. Pickens started this organization to protect these mustangs was because, in 2008, the Bureau of Land Management said, well, they weren't sure they could take care of all of these horses—they have almost 40,000 in these pens right now—so they were thinking about killing them, euthanasia, starting to kill these horses.

Well, the people who love these mustangs and love the West the way it was don't want this to happen. So they came up with this organization to deal with the problem in a realistic way so that the horses wouldn't be killed. The organization they started when they heard they were going to euthanize them was called Saving America's Mustangs, and they offered to enter into a contract with the Bureau of Land Management to relocate at least 9,000 of these horses into these lands that they just bought and got permits for so they wouldn't have to be shipped to these pens a thousand miles away.

Now, it makes absolutely no sense to me, at a time when we're fighting fiscal problems in this country—we've got trillions of dollars in debt, and unless we start cutting spending, we're going to see this country go into bankruptcy. Moody's has already said they may have to reevaluate the bond rating for the country.

Let me just end up, Mr. Speaker, by saying it seems to me that we ought to be frugal with the public's money. We ought to cut the Bureau of Land Management's budget so that we can save the money and save the mustangs. That's what this is all about—a humane way of treating the mustangs in this country, which are a part of our heritage.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

MAKE IT IN AMERICA

The SPEAKER pro tempore. 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, I'm joined this evening by my friend from the great State of New Jersey (Mr. PALLONE), and tonight we want to talk about the economy. We want to talk about what's happened over the last 2 years, how the United States economy has pulled itself out of the Great Recession and moving towards a much, much brighter future.

Earlier today, or actually yesterday, it was reported that our esteemed majority leader on the opposition side issued a statement taking credit that in just 3 weeks, the return of the Republican Party to the majority in this House has led to an astounding improvement in the economy. Well, that's kind of like—I don't know how exactly to describe that as to say that's just an overemphasis of the facts and a complete distortion of what actually has happened.

In the previous 2 years, as the Obama administration and the majority then

held by the Democrats, my colleagues, worked to pull the American economy out of the Great Recession, the Republican minority voted “no” on every single bill to address the problem of the economy.

Starting with the American Recovery Act, the stimulus bill, not one Republican voted for it, even though that bill clearly, by all economic studies, created or allowed to continue well over 2 million jobs in this Nation. Infrastructure projects that were in my district and in every other district of this Nation were funded by that piece of legislation—yet not one Republican vote.

In the effort to reform Wall Street and to create a stable banking system in this Nation, once again, not one Republican vote. On all of the jobs bills, not one Republican vote. On every single piece of legislation that was passed, not one Republican—or only a handful of Republicans voted for those bills that actually stopped the Great Recession and began to return America to employment.

Now, really our subject matter for tonight is Make It In America. But before I get there, the comments that were made by the new majority leader deserve a complete analysis.

This is a chart of private sector growth that goes back to December of 2007 when the Great Recession began. And you can see here the decline of private sector jobs, 2007, 2008, until January of 2009, when the new Obama administration came into power.

At that point in January of 2009, the Recovery Act was passed and then followed by other pieces of legislation that turned the American economy around. And so the job loss began to taper off so that here we are in December of 2009, we began to see private sector job growth. These are not government jobs. These are all the private sector job growth.

So that beginning in the fall of 2009, we began to see the private sector come back to life and no longer shedding jobs but, rather, adding jobs. And every quarter since that time, all of 2010 and again now in January of 2011, we are continuing to add private sector jobs.

So the fact of the matter is—and you can say whatever you want to say—but at some point you really need to look at the facts. The facts were that every major bill to restart the American economy the Republican Party opposed in this House either by a unanimous “no” vote or by just a handful of Republicans voting for those pieces of legislation.

□ 1950

So that’s really where we are today, is the situation where we are beginning to see the American economy come back. Job one for all 435 Members of this House, job one is jobs for Americans. American jobs now, not later. Our total emphasis must be on American jobs now.

And to bring those jobs back, one of the principal issues that the President will be talking about tomorrow is jobs and make it in America. It’s high time that we can go once again to auto dealerships, to WalMart or Target and find “Made in America” on the products on those shelves. America still is a very strong manufacturing Nation, and in the strength of manufacturing we find America’s economic strength.

And so we are setting out, as we did last year, on a set of policies that will rebuild the American manufacturing sector. And we call it the strategy to Make it in America, American jobs now in the manufacturing sector because manufacturing matters. This is where the great middle class jobs are to be found, in the manufacturing sector.

And actually back to the original thing I was talking about, General Motors, flat on its back, Chrysler, flat on their back, about to go bankrupt. The Obama administration, the Democratic Congress stepped forward and poured billions of dollars into those companies, stabilizing General Motors and tens of thousands of companies that were providing parts and services to General Motors. And now we find General Motors back healthy, strong, and reentering the private stock market. America, our public investment is now being recouped as General Motors once again becomes a strong, vibrant part of the American manufacturing sector.

How many Republicans supported that? Nary a vote. Nary a vote. But we have General Motors and Chrysler back on their feet, once again providing great manufacturing jobs. That’s the theme of tonight’s discussion, How can America make it? By making it in America, rebuilding the great manufacturing industries of America.

Joining me tonight is my colleague from the great State of Pennsylvania, and we are going to continue our discussion. So with permission of the Speaker, we would like to carry on a colloquy here. FRANK?

Mr. PALLONE. Thank you. First of all, I wanted to thank my colleague from California for coming down here tonight and many nights and talking about the Make it in America agenda and why manufacturing matters. And the fact of the matter is that manufacturing, there was a recent report out that said that manufacturing, last year for the first time more jobs were created in manufacturing than were lost. And I think that was the first time in 10 years. And we had, as you know, I think you mentioned over a million private sector jobs created in 2010.

I don’t like to talk about how wonderful everything is, because I know that it’s not. I know that unemployment continues to be high, and many of my constituents talk to me all the time about how hard it is to find a job and how difficult it is for them to make ends meet; but the fact of the matter is that we are improving things. And we are beginning to see

signs of the recovery; and most importantly, we are actually seeing more manufacturing jobs. So anybody says to me, well, you can’t make things in America anymore, I simply say look at the facts. The facts are that manufacturing jobs are on the rise.

You know, I wanted to say, I was amazed today because I came down to the floor, we came in, I guess, we had debate around 5:15 and then we voted around 6:30, and I look at the agenda for the week, and we are now into the fourth week of the Republican majority in the House, and to my knowledge not a single thing has been done or has been proposed to be done this week that would actually create jobs or address the economy.

In fact, I was listening to the debate on this budget resolution, and one of your colleagues from California, Mr. DREIER, started talking about the deficit and health care, the health care repeal again. You know, for 3 weeks, or at least for 2 weeks, and 1 week of course we had the tragedy with our colleague GABBY GIFFORDS, but for the last 3 weeks all the talk has been about repealing health care reform, which of course is not going to happen because the Senate’s never going to take it up and the President is never going to sign it. So it’s a complete waste of time. And he was talking again about how that’s going to reduce the deficit, the repeal would reduce the deficit.

And I got up and I said, well, it’s just the opposite. The CBO, which at least has provided us with numbers—your budget resolution that’s coming up tomorrow that the Republican have doesn’t have any numbers—but we know that the CBO told us that the health care reform actually reduces the deficit over the next 10 years by \$230 and a trillion dollars in the second decade. And I said, you know, what is your plan? What is the Republican plan to reduce the deficit? What is the Republican plan to create jobs? What is the Republican plan to help the economy? And I don’t see anything.

I mean, all I see is, again, 3 weeks on repealing health care reform, now some budget resolution that has no numbers about, you know, what the budget’s actually going to be, and nothing to indicate how it’s really going to create jobs or reduce the deficit. And then I saw that on Wednesday we are taking up a resolution which will repeal the Presidential election public financing system, which again is nothing but another corporate giveaway, because what it means is that if we don’t have public financing of the Presidential elections, then we are probably going to rely more and more on these corporate ads, these secret corporate ads that were used this last November that we don’t even know where the money came from. It’s all corporate money. And, again, I don’t see anything being done by our Republican colleagues to address the issue of jobs.

Now, on the other hand we have the President and you, Mr. GARAMENDI,

talking about this every day. I mean, the President, you know, we sort of got a little prelude to what he is going to do in the State of the Union tomorrow, but the whole focus is going to be on jobs. And we will wait and see, but that's what we are hearing. We are hearing it's going to be about innovation; it's going to be about investment in things like R&D, in transportation infrastructure, in education, a vision for the future that trains Americans for better jobs, that creates the infrastructure, the mass transit, the highways so that our goods can travel around the country, the R&D to put us ahead.

You know, in my district a lot of R&D is done in the manufacturing of drugs and new products, medical devices. I mean, this is what the President's talking about. And I assume that my colleague from New York's going to talk about his visit to your district, which was all job oriented. And then when the President, or Premier, of China came, President Obama's whole message to him was you know, you got to let in our exports. You got to lower the barriers so that we can create things here and export them to China because you have to open your markets.

So, you know, the President like a laser beam is focusing on jobs. I know the Democrats in the House with the Make it in America agenda are focusing on jobs. I don't think you mentioned it, but I have a paper here that says that this week, Congressman GARAMENDI, you are going to address two Make it in America bills. Maybe you should talk about that, and Mr. TONKO can talk about the President's visit to his district. But all our focus is on creating jobs, and I don't hear anything from the other side of the aisle, from the Republicans on this issue.

Mr. GARAMENDI. Thank you very much, Mr. PALLONE, for pointing out the facts. The facts are that 4 weeks into this and not one discussion from our Republican colleagues about the central issue of America, which is jobs, how are we going to create jobs.

You are quite correct, our colleague from the great State of New York, which was and is and will be an even greater manufacturing center, General Electric, Schenectady, New York. You wouldn't know where that is, Mr. TONKO, would you? If you do, please join us and tell us about it.

Mr. TONKO. Well, you know, it's great to represent Schenectady, which is dubbed The City that Lights and Hauls the World. It was the birthplace of an energy revolution over a century ago. And to have the President visit just the other day, on Friday, to tout the efforts at GE, where he speaks to the vibrancy of American manufacturing. You know, we lost a third of manufacturing jobs during the decade that preceded this administration. I think it was through neglect.

Mr. GARAMENDI. That was the George W. Bush administration.

□ 2000

Mr. TONKO. Right, and I think it was through neglect on manufacturing. They focused on the service sector, primarily the financial services. They ignored agriculture, they ignored manufacturing, and now we are paying the price. Even though we lost a third of the manufacturing jobs in this country, we are still perched as number one in the global race. However, if we are to allow that neglect to continue, we would eventually fall out of the number one position.

So the 4.6 million jobs lost, manufacturing jobs lost due to that neglect, that trend has to be turned around, and I was so delighted to hear the President speak to a progressive agenda, a proactive quality, to the tone he was establishing at that center with his speech. He talked about the strength of America's manufacturing and how we can impose a strong uplift for the middle class of this country.

You know, 66 percent of the wealth that was generated, of the recovery during 2001 and 2007, went to 1 percent, of the top 1 percent of wealth in this country. So they accumulated all that wealth, and it's middle class America that needs to get that clout now. We can do that because the investment in R&D, the investment in basic research that transforms into jobs that allows us to be more productive in our start-up small businesses and in our big industries like GE.

If we introduce a soundness of basic research in R&D that then equates into jobs that translates into an empowerment of the middle class. I think that's an important message that was shared by this President, and the Nation accepted that speech. It was shared across this country, and it was emanating from GE, from the floor, from the factory floor where innovation and invention were coming from the working class on the assembly line.

It was their ideas, their creative genius that allowed us to have all the mills in that Erie Canal corridor that I so proudly represent become the epicenters of innovation and invention in their heyday. That is still within our DNA. That is our pioneer spirit that is uniquely American. The President wants to tap into that spirit, and he wants us to be that innovation economy.

You know, the other day, many of us on this floor here shared in the fiftieth anniversary celebration of JFK, that remarkably strong and powerful and inspirational inaugural address. And so many people highlighted many of the challenges that President Kennedy issued in that address, amongst them, exploring the heavens, exploring the heavens.

And what it did was empower us, just the tone he established, enabled us as a nation to embrace with a great degree of passion a resolve to win that race. And we entered that global race in space to win it. And we won it, and we unleashed untold, untold amounts of

technology, science and technology that has strengthened every dynamic of life.

Here, fast forward some 40 years later, some 40-plus years later, a rather youthful President is challenging a nation to enter a global race, this time on the clean energy economy, the innovation economy. We should have within us the fortitude to go forward and invest in a way that allows us to empower our working families, the middle class of this country, through investment, in soundness of manufacturing that enables us to build it in America, make it in America again and be proud of that.

So, Representative GARAMENDI, thank you for bringing us together this evening to voice our support for the President's vision, for the vision that we share as a caucus in this House. I think it's the empowering vision that enables us to go forward with a Make It in America mantra that enables us to promote the correct policy and the resources associated with that policy to truly make a difference.

Mr. GARAMENDI. Well, Representative TONKO, I think you were at the President's speech there in your district.

Mr. TONKO. We flew up from Washington on Air Force One and then returned with the President because we had our jobs conference in Maryland.

Mr. GARAMENDI. You and I had this colloquy on the floor where we discussed American manufacturing in making it in America. But I can see you came back charged up from that visit.

Mr. TONKO. We are charged up. We are fired up.

Mr. GARAMENDI. General Electric and the great Erie Canal manufacturing sector is about to rise up, but I am not going to take second fiddle to your place because I represent the great innovation part of California, and we, too, know that we have the potential to really drive the American economy forward, the innovation economy.

One thing you said when you harkened back to the space race and President Kennedy calling upon us to explore the heavens; his next statement, not in the inaugural address but shortly thereafter was, we will put a man on the Moon within a decade. And the Federal Government collected the resources of this Nation and met that challenge, and within a decade, we, Americans, were on the Moon.

The lesson here is the focused attention of America on a goal, and in that case and in this case the investment that America must make to succeed. It was an American investment. A lot of tax dollars went into that.

But not only did we put a man on the Moon, but we created an enormous industry that gives us everything from, I don't know, the ability of this iPhone to work, satellite, all of the great technologies that we have, many of the great technologies we have today on communications and travel and defense

came directly from that initial investment that was made by the American people to put a man on the Moon.

And when the President talks about the innovation economy, he is talking about the same kind of let's do it, let's build this thing for the future. And from that leadership, we will find the opportunity to really grow our economy and enter a whole new industry. You talked about the electrical industry that was generated a century ago, and now you talked about the great space industry, and we are going to enter a new industry.

It will be the solar technologies, it will be the wind, the energy technologies, it will be transportation. When one talks about transportation, you have got to figure out some way to get to and out of the cold of the middle America.

Joining us today in the warm 20-degree temperature of Washington, D.C., is Representative ELLISON from the upper Midwest, where it is somewhere below zero.

Mr. ELLISON. Somewhere. But you know what, Congressman, although the weather is cold, our spirits are warm. Every time we hear about Making it in America.

This campaign that we are on—

Mr. GARAMENDI. I thought you were going to talk about Green Bay and the Packers and all of that.

Mr. ELLISON. You know what, if the Vikings aren't in it, I don't know.

Mr. GARAMENDI. That's right. You are from Minnesota and the Minnesota Vikings. Okay, we will get past that.

Mr. ELLISON. I think the Vikings for the NFC north, hey, hope springs eternal next year, right? But we are happy to see the Green Bay Packers and the Bears fight it out, definitely. We are known as the black and blue division, and they definitely played hard.

But the truth is we are used to making things in the Midwest, whether you are talking about from Pittsburgh to Detroit, to Cleveland, to Milwaukee, to Minneapolis, we make stuff in the Midwest as you do in the West in California, and as they do in the East in Congressman TONKO's district, Congressman from upstate New York. The fact is that manufacturing and making things is an American value.

But, Congressman, the thing I want to say is that this campaign of Making it in America, before we make anything, we have to believe that we can make things in America again.

We have to believe that we can compete on quality, we can compete on efficiency, and that the goods manufactured by American workers are among the best in this world and can be better. It is a matter of belief, it is a matter of commitment, and it is a matter of vision.

So we set forth a vision, Congressman, and we say that, you know what, in this great Nation we can forge these, we can make this steel, we can build the roads.

We can have a vision that this country can build things that the whole

world needs and wants. And if we have that desire, that innate desire at the cellular level, we will begin to see the innovative capacity of this country making the windmills, making the semiconductors, making the cars, making anything and everything. But it's matter of vision, it's a matter of will, it's a matter of commitment. And that vision and will has to be backed up by sound policy, hard work, and the spirit of entrepreneurship. And if these things come together we can certainly do it.

But I believe on this House floor, and in shops across America, unions and in management, people are saying, You know what? We can make stuff in America. America is still the world's leading manufacturer. That's important to bear in mind. We can't forget that we are still the world's leading manufacturer, and we have the highest quality steel, the best technology, the strongest workers.

But you know what, when people want to be penny-wise and pound-foolish, they might want to offshore jobs because they say, well, maybe we can get somebody to do it for less.

□ 2010

But can you get somebody to do it better? And the world wants something that's quality. The world wants something that's made well, that's made right. And that's what Make it in America is all about.

Mr. GARAMENDI. Let me pick up on a couple of those themes before I turn back to Mr. PALLONE.

A lot of this has to do with the will, the desire, and the determination to do a task. It also has a lot to do with policy, which you just said, policy. For example, before last year, there was a policy in America that American corporations would get a tax break when they shipped a job offshore. Hello?

Mr. ELLISON. Bad policy.

Mr. GARAMENDI. What did you say, Congressman?

Mr. ELLISON. Bad policy.

Mr. GARAMENDI. American corporations received a tax reduction when they shipped a job offshore. In this House, a bill was introduced. It eliminated that tax deduction, bringing back \$12 billion annually to the Treasury, helping the deficit. Our Republican colleagues voted "no." They wanted to continue that tax break. We need to understand that we make decisions here. Policies are important. One example of a policy to use our tax system to help or to hurt American workers, just one. No support from our Republican colleagues to end that tax break. This is about policies that will drive the American economy.

We are going to spend the next 30, 40 minutes here focusing on some of those policies and investment. Mr. TONKO talked about space. That was an investment the American people made, and it paid off big-time, whole new industries, millions of jobs were created.

Mr. PALLONE, you come from an area where manufacturing matters, where

it's important, where people do make things, also where they have a little bit of fun on the New Jersey beaches, but we'll let that go tonight.

Mr. PALLONE.

Mr. PALLONE. I'm glad you talked about my district. I want to talk about my district, and I also want to talk about Mr. TONKO and his district and what the President did last weekend because, as you know, it was a GE plant that he visited in Schenectady. But in addition to that, the president of GE is the guy that President Obama has now tapped to be the head of the Council on Jobs and Competitiveness. And he wrote an opinion piece in The Washington Post talking about what he wants to do, which I wanted to reference because it harks back.

I wanted to mention my district first and just say briefly that we in my district pride ourselves on being the invention center of the country, or the world, because the heart of my district is Edison, New Jersey, named after Thomas Edison. And Menlo Park where he invented the light bulb and so many other things, is located in Edison. That's why it was named after him after he passed away. And Edison, of course, is the epitome of someone who used invention and research to practically come up with solutions that made a difference for people's lives and created a tremendous amount of jobs.

What the President is saying, let's just talk about the R&D, because I know he's going to talk about that tomorrow. And of course it's going to involve some money that's going to have to be spent by the Federal Government, but it is a wise use of funds. Maybe we're going to have to cut somewhere else in the budget in order to fund things that create jobs; but we are going to, as I said, with a laser beam look at things that create jobs.

Now, let you me just give you an example, big manufacturing, and also I should say big research, in my district is with the pharmaceutical industry. J&J is headquartered in New Brunswick. Johnson & Johnson is in my district. And one of the things that I read about, that I was told about actually, the other day was that the President has decided to create a new R&D function, if you will, within the FDA because he has realized that a lot of the drug companies have lagged a little bit in doing a lot of new innovation to create new drugs because of the recession. They don't have the money, whatever reason.

And so now the Federal Government is going to concentrate on that and do more research themselves, applied research in the Edison-type of applied research arena, to sort of jump-start these drug companies so that they can create and do more research to create more innovative drugs. Now there's a good example. We've always been a leader in the world with drug or pharmaceutical innovation. Now we're starting to lag a little bit. So the government is going to step in and help to

give us some money and more resources, if you will, into that R&D function, which will create more jobs and boost up the existing pharmaceutical industry.

The same is true, I understand when he went to GE these are turbines or something that are being used for a project in India. So these are going to be shipped overseas. And my understanding is you talked about 1,200 American manufacturing jobs and more than 400 American engineering jobs just with that GE plant.

I will yield to you, but I want to come back to what the president of GE is saying about this council.

Mr. TONKO. Absolutely. Thank you, Representative PALLONE. The importance I think of hosting an event like that which the President joined is that we can showcase that there are great things happening. I for one am not going to submit to this notion that manufacturing is dead in America. I cannot, with a pioneer spirit that I detect all the time, for one, for any moment submit to that logic or that thinking. As the President was hosted by GE, specifically by its CEO, Jeff Immelt, he and so many others believe in the workforce and in the creative genius, leaders, labor leaders like the late Joe Battaglini who was a union voice for GE workers, Helen Corinne in the past, all of whom fought for the dignity of the worker because that worker was providing the intellect to take us to the next plateau.

And so what they talked about here was the fact that not only are American workers producing a high-quality turbine, but were also exporting to places like India.

And as the President said in his speech, we have bought many a Chinese good in this country. It is time for China to buy our products. And I think he is setting a good tone so that there is this fairness that is associated with the trade out there and that we as a Nation not only need to make it in America, but we have to put an emphasis on exporting. And when those emphases are put into play, we will then prosper as a Nation.

You talk about the turbine and the manufacturing going on at GE, but the President was also updated with right next door and the activity right next door which is an advanced battery manufacturing center. And it's not the traditional lithium ion of which many people speak as the cutting-edge battery.

This one that GE is creating can deal with heavy fleets, specifically helping that niche of battery application. It can be used for energy generation. And then perhaps one of its greatest functions, it can be used to store intermittent power. So if we reach to the sun, the soil, and the wind to produce our energy needs, and it has an intermittent nature to it, we then put value added into that supply of energy because of the storage potential of this new battery.

And then they also have, across the street from this plant, GE's global renewable energy center. And what they're doing there is doing this global strategy on renewables. And so the turbine blades that are manufactured there, all of this is that cutting-edge technology that enables us not only to create jobs, made in America, exporting around the world, but also growing our own energy independence and our energy self-sufficiency, which to me is a strategic bit of policy.

So this should not be about Republicans fighting Democrats or Democrats competing with Republicans. This should be America moving forward with a progressive plan, with a laser-sharp focus joined with the message of the President to make certain that we compete not with each other but with other nations. Is it robust? Probably. Is it very hard-fought? Most likely. But we've got to be in it, and we have to have the passionate resolve to make a difference by investing in those key functions like education, higher education, basic research, R&D and modernization of our manufacturing centers.

People will tell me when they hear this manufacturing thing, they said we can't compete. Other nations will do it cheaper. We don't have to do it cheapest. We need to do it smartest—smartest. And when we do it smartest, we win. We sharpen our competitiveness, and we can win on the global scale.

Mr. GARAMENDI. I think Mr. PALLONE would like to come back and pick up this investment strategy that you talked about.

□ 2020

Mr. PALLONE. Well, I wanted to just mention briefly, because Mr. TONKO has been talking about GE and the president of GE who is now the head of this new Council on Jobs and Competitiveness, I just thought it was interesting. In last Friday's Washington Post, he wrote an opinion piece about how to keep America competitive. The gist of it was not only can we manufacture things here and do things better here, but we have to. In other words, we cannot grow our economy unless we spend a significant amount of resources, primarily in the private sector, but some government as well, in creating and improving the manufacturing sector. It is crucial to the economy. It is not something that we can just ignore.

He talked about, and one of the things I try to do is dispel the idea that we can't manufacture things here or that we can't be competitive because it is almost like a defeatist attitude. As a Member of Congress, you have to dispel this myth that it can't be done.

He says, and I will read his last section: "It is possible to become a competitive global enterprise and still care about your home. In fact, it is not just possible; it's imperative. There is no easy solution to fix the American economy with persistent and high unem-

ployment, but the pessimism it breeds should not be accepted. We must work together to construct an economy that creates more opportunity."

That is what I want to stress. It pains me when I come here, and I don't want to be negative, but it pains me when I come here and I see the Republicans talk about repeal health care, repeal Wall Street reform, a budget resolution that has no numbers, get rid of Presidential election public financing, all these things, and it is almost as if they don't believe that we can have a vision for the future and don't want to act on it.

And the beautiful thing about the President in the last few weeks, and from what apparently he is going to say tomorrow in the State of the Union, is that he has a vision of America of opportunity. That is what the president of GE is talking about when he talks about creating opportunity for people. We have to have a vision that says that this is the land of opportunity and that we can be better and we can continue to be the manufacturing leader and the greatest power in the world.

Mr. GARAMENDI. We can do those things, but we have to have wise public policy accompanying the spirit of America. The desire for opportunity and the desire to better ourselves has to be accompanied by wise public policy. For example, right now many of our tax dollars are being used to buy buses and solar and wind turbines that are manufactured overseas. Our tax dollars are going overseas to support the foreign industries. Those tax dollars ought to be brought back home to support American-made equipment, whether it is a bus or a train or a photovoltaic system or the like. That is one of the bills that I have introduced. It is very simple. If it is our tax money, use it to buy American-made equipment. If you want to spend your own money, buy whatever you want to buy, but not our tax money, whether it is solar buses or the like. Just some little policy tweaks that will support the innovation that comes from General Electric or from Joe Schmidt's new photovoltaic system that is invented out in the Silicon Valley.

I notice that our esteemed leader has joined us, Mr. STENY HOYER, who is now whip of the Democratic caucus.

Mr. HOYER. I thank the gentleman for yielding.

I want to call to the attention of my colleagues, as the four of you have done so well tonight and in nights past, we just had a very significant conference on the eastern shore of Maryland. In that conference, we discussed the agenda that we call Make It In America. Make It In America, as I am sure you explained earlier in the evening, I heard much of what you had to say, not all, but Make It In America is about succeeding in America, making it. There are a lot of Americans who are not sure that they, or at least their children, are going to make it.

In addition, Americans overwhelmingly respond, and we hear a lot of talk about listening to the American public, I think that is something we ought to do, but they overwhelmingly respond that their belief is in order for us to continue to be the great economic engine for opportunity in this country, it will be necessary for us to continue to make things in this country. To make it in America, whatever "it" is. In addition to that, to grow things in America, as we do so well, and sell them not only domestically but around the world. That's the President's focus on doubling our exports. He knows, as we know, that if we are not making things, the possibility of doubling our exports is zero.

I believe that people around the world respect and want to buy American products. Unfortunately, we are not making as many products as we used to. The President has asked Jeffrey Immelt of GE to head up a task force which looks, in effect, to enhance our ability to make it in America, to grow jobs in America, to grow good paying jobs with good benefits in America.

The American people understand that if we don't do that, 20 years from now the United States of America will not be, as it is today, the economic engine of the world. It is true our competitor in some sense in China is growing, but they still have a far way to go before they match the United States' ability to produce goods and services.

The founder of Intel, Mr. Grove, has written an article about how we need to make it in America; his point being that we are the center of innovation, inventiveness, and development in the world. But his point is then made that in too many instances we are inventing products, innovating how they can be used, developing them, but then bringing them to scale—that is, manufacturing them for consumption on a broad basis—overseas. His premise is, and I agree with him on this conclusion, that if we continue to do that, that our inventors and innovators will migrate to where the product is being taken to scale or, in other words, manufactured for large-scale consumption.

I am hopeful that Republicans and Democrats can join together in this Make It In America agenda. We passed a number of pieces of legislation in the last Congress that were supported on a bipartisan basis, some of which have already been signed by the President, because on both sides of the aisle there is an understanding and I think a commitment to create an environment in which it is possible to make it in America and profit by doing so.

I think we are all harkened by the fact that Ford has brought plants back from Mexico and China, that Whirlpool has brought plants back, that GE has brought plants back, as well as others, and decided to manufacture things here in America and do so profitably; that they can make a quality product here with skilled labor, well-educated labor

that will produce a quality product, higher productivity, and therefore result in profits.

I want to congratulate particularly the gentleman from California, a former State leader in California, still a great leader from California, but he has come to this body just a few years ago to succeed Ellen Tauscher, who became Assistant Secretary of State. He has done an extraordinary job in a very short period of time, and his focus on this Make It In America is unsurpassed, unequaled in this Congress. I want to thank him for his leadership and focus. And I want to thank Mr. ELLISON and Mr. PALLONE and Mr. TONKO for their focus, because I think we are on the right track on this.

I think our Republican colleagues hopefully will join us as partners not to take partisan credit for this but, that America will be advantaged, America's people will be advantaged. The reduction of our deficit as we grow the economy will be advantaged, and we will see an America that is on the rise in terms of growing our economy, creating jobs, good paying jobs, and opportunities and future for our people.

So I congratulate and thank the gentleman from California, the gentleman from New York, the gentleman from New Jersey, and the gentleman from Minnesota for their leadership and communication to the American people of what this Make It In America agenda is all about.

Mr. GARAMENDI. I thank the gentleman from Maryland. You have been a long, long time leader in this House and on the subject of jobs and economic opportunity. I thank you very much for your kind comments.

□ 2030

Mr. GARAMENDI. For me, my work on this actually began in the mid-1980s, in California, where we developed a strategy of how to keep California competitive in this century. Well, this century is now here. We are 10-plus years into this century, and we have a big task.

We said back then in the work that we did that we needed to do six things:

You have to have the best education. That's a public investment that pays off over and over and over again.

Then you have to have the best research and development. That's the innovation economy that our President is talking about. So the research and the innovation go together.

From that, you create the opportunity to make the new things—to manufacture the new electric cars. General Motors was flat on its back, about to disappear, when the Obama administration and Congress stepped forward and brought General Motors back. Now the innovation of an electric car—the Volt—is in place. It's going to happen, and we're going to capture the next round of automobile manufacturing.

Infrastructure is another great and absolutely necessary investment. If

you take that infrastructure and if you apply the Make It In America theme—the steel, the trains, the buses, the bridges—American made for America's future, it's possible. You also have to change. You can't do what you did yesterday.

Those are the strategies that pay off. We need to add to that an energy strategy that frees America from the grips of the petrol dictators.

This is all of our future. This is what we want to do, and this creates the opportunity for Americans, for all Americans, to make it. Making it in America, that's what we all want.

I notice that my colleagues have stood up here.

Mr. ELLISON, you were grabbing that microphone with an intensity that requires attention.

Mr. ELLISON. Congressman GARAMENDI, I don't want to go long because I do want to hear from all of our colleagues, but I just want to mention two quick points. I was inspired by Minority Whip HOYER as he spoke.

Two points:

One is that manufacturing has historically been the high-wage sector for American workers. The middle class was essentially built because we were making things. The higher wages associated with manufacturing employment have been proven to be much higher than your average service jobs. So manufacturing is definitely in the interest of American working and middle class people, and it is something that I think we should get a lot of support for from around the country.

The other thing is that, in order to really bolster a strong manufacturing sector, we need a strong infrastructure. There are over \$1 trillion in infrastructure needs around our country just to keep pace with maintenance. I'm talking about making sure the gusset plates on these bridges are working, that there's not the rust and the crumbling of concrete, and making sure that the bridges and the roads are safe. I'm talking about basic infrastructure.

Now, if we really want to go beyond that by building the transmission lines so that we can move power around and all the new innovative infrastructure—that smart grid—then there is a lot more to do.

The point is that I just want folks to know, before I leave it to our colleagues, that manufacturing is good for the middle class and also the attendant and connected jobs that you need to support manufacturing, like infrastructure development. There are also high-wage jobs that we need to invest in so that we can put America back to work.

Mr. GARAMENDI. Well, tomorrow night on this floor, the President of the United States will be here for his State of the Union Address. He has already signaled that he is going to talk about the innovation economy—that's education and research. He is going to talk about infrastructure, and he is going to talk about creating jobs—making it in America.

So, as we prepare for that, I noticed our colleague from the great State of Texas has joined us.

Please.

Ms. JACKSON LEE of Texas. I want to thank the gentleman from California very much.

I want to add my words of appreciation for having the opportunity to join you tonight and to join the minority whip, still my majority leader, Mr. HOYER, who coined the phrase, as we were beginning to speak to the American people, of how important it is for us to go back to our roots.

I am also delighted to be able to be here with the gentleman from Minnesota, the gentleman from New Jersey, and the gentleman from New York.

But I want to spin it in a different way.

I want us to reclaim America's genius. I could go back, of course, to the Model T or maybe even to Thomas Edison, with the light bulb. There is an excitement about being able to build, create, and invent—frankly, when I came to Congress, I wondered why we were not making submarines anymore. As you well know, we had a shipbuilding industry in Virginia and, of course, in Mississippi—because genius also is part of building. You must have the kind of technology, the kind of expertise to make it the best equipment you possibly can have. That's what I sense that we have lost, and there is an excitement when young people can be part of the genius of America.

I come from Houston, Texas. We are one of the new starts in light rail, and we have been trying to get there for about 30 years. We are just about there when we would be on the precipice of funding for light rail. Yet at the same time, as we talk about putting tracks down, there is a technology of the new light rail cars. We need to, in fact, build those cars here in the United States. Many people view Houston as the energy capital of the world. You don't know that we have wind and solar businesses that are headquartered in my congressional district. The point is, of course, that the turbines, unfortunately, are not built here.

My point is, when the President so appropriately makes the point about investing in America and also of building infrastructure, he is speaking the language of capturing the genius of America.

I would just hold this up because I think this is an example of where we are going. We are going onward and upward. The red is the past administration, which is when no jobs were created or maybe a minimum of a million. We can see we have had some hard times. We don't ignore the fact that we have been in a hard, hard recession. But look where we're going. How can we go backwards? How can we not create more jobs?

We in Houston would really like to be part of not sending our tax dollars overseas. We want to be able to build

buses, railcars, ferryboats, submarines, and large-sized ships, if you will, because that is capturing the genius of America.

So let me thank the gentleman for yielding. I am hoping the President will indicate to us, Mr. HOYER and to all who are here on the floor, that he is going to go forward on his investment in infrastructure and in recapturing the genius of America.

Mr. GARAMENDI. Thank you very much. Indeed, if it's our tax dollars, they ought to be used to buy things that are made in America.

We're going to do a lightning round here. We've got about 6 minutes, and we've got about five of us.

So, Mr. HOYER, our whip.

Mr. HOYER. I'll try to take a minute.

Let me say what I think is so good about this agenda Make It In America.

It is an agenda that, unlike some, brings us together and doesn't divide us. From left to right—Republican, Democrat—people all over this country understand that, if we are going to be a great country, as we are today, and if we are going to remain so in the future, it will be because we continue to be a manufacturing country, a country that makes it in America.

I have talked to the National Association of Manufacturers, the Chamber of Commerce, and organized labor. This is an agenda item that will bring labor and management, business and workers together to cooperate so that America will continue, not only to make it in America, but to do so in an expanding way rather than in a shrinking way. We've been doing some growth in the last few months, in the last year, in the last 2 years, in the last 3 years, but not enough. We can do more.

Make It In America is the agenda for the future.

Mr. GARAMENDI. Thank you very much.

Our colleague from the great State of New York and Schenectady.

Mr. TONKO. I again thank the gentleman from California.

Look, I am ecstatic about the President's choice of Jeff Immelt, the CEO of GE, to be the chair of the Council on Jobs and Competitiveness. We can probably remove a lot of the struggle that occurs on this House floor by listening to the business minds out there, who will advise us about the strength we can provide to create jobs through invention and innovation.

□ 2040

Here is a voice that's highly respected; he is tremendously strong in his beliefs in American manufacturing again. And so we must let those voices speak and resonate in this discussion, in this dialogue on where we go and how we build our economy.

The President made it very clear: he spent his first couple of years stopping the bleeding of the recession. We were losing 750,000 to 800,000 jobs a month, 8.2 million jobs lost to this economy.

Now our assignment is to plan strategically the growth of jobs, what is sustainable.

What is sustainable? Manufacturing, because it incorporates from the trades people over to the Ph.Ds. Everyone has a shot at that economy. It's the muscle we need, it's the American know-how, it's the American intellect. And I thank you again for bringing us together this evening.

Mr. GARAMENDI. I thank the gentleman from New York. Let's hear what New Jersey has to say.

Mr. PALLONE. I'm really excited about the President's speech tomorrow because I know he's going to stress the whole idea of investment and innovation.

He talks about the fact that right now many of the corporations in this country are actually sitting on a lot of profit. I mean, in the last year or so many of them have actually made quite a bit of money. And we want them to reinvest that money in creating private sector jobs here. But one of the points he makes, and I talked a little bit about it tonight, is that the Federal Government has to incentivize all of this. In other words, I used an example with the drug companies that the Federal Government, by doing some research on new drugs, can incentivize the drug companies in my district to do more and create more jobs. But there is also an educational component to it as well. We need to do more in terms of education.

It's no surprise that in the middle of this pharmaceutical industry in my district sits Rutgers University. There is a lot of money through the stimulus act, for example, that went to Rutgers to do R&D that is then taken up by the drug industry. So it's part of a whole package, and I am very excited about it. And I just wanted to thank the gentleman again for all that he has done on this.

Mr. GARAMENDI. Thank you very much for joining us.

Ms. JACKSON LEE, why don't you take 1 minute and I will take 1 minute and we will wrap this thing up.

Ms. JACKSON LEE of Texas. Thank you so very much.

I just thought of something that I did want to add to the discussion. First of all, GE is an inherently American company, so I applaud the selection that allows a creator to move forward to create jobs for all of America. But I want to keep in mind that manufacturing is the employer of all people—women, persons with college educations, those that are in the trades, men, and young people. So families can be hired by manufacturing. And it is particularly important to me that women have the equal opportunity, particularly since we passed the pay equity bill in the last Congress.

But, finally, I also look forward to small and medium minority women-owned businesses partnering with large businesses to create jobs because small

businesses and minority-owned businesses can create jobs and are part of the infrastructure of jobs.

So if the President speaks tomorrow, I hope he speaks for all of America, that all will have an opportunity to retrieve the dream by the opportunity to make it in America.

I thank the gentleman for having us this evening.

Mr. GARAMENDI. We have always thought of America as being the land of opportunity; and it has to be the land of opportunity for everyone in this country, wherever they may be, whatever their status may be. And we know that if we are able to rebuild the manufacturing base in America, small companies, large companies, entrepreneurs and inventors will all participate in it.

So the Make it in America effort will be a bipartisan effort. And if we put our minds to it, it will be a successful effort, and America once again will be in the leadership place.

Mr. Speaker, we yield back our time, and we thank you.

EPA'S WAR ON TEXAS

The SPEAKER pro tempore (Mr. THOMPSON of Pennsylvania). 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. I thank the Speaker for allowing me this time. I am pleased that I can bring up some issues that I think are important.

The title of this is "The EPA's War on Texas," but this is about a lot more than Texas.

I think that most people probably don't realize that a lot of the rules and laws that, especially if they're in business, but even in your own personal life, that seem to touch closest to home, you would think they were done by a vote of this Congress in some form or fashion where we decided that this is good for whatever the rule is for your life or for your business or for the good of our Nation. But, in fact, many of these rules actually come from regulatory agencies. These agencies are given rule-making power, and those rules actually have the power of law.

And so a body of employees of the United States—and a few of them are political appointees, depending on the agency. Some of them are appointed each term by the administration, but most of these people are civil servants who work for civil service and these agencies. There are agencies across this land that take certain sections of our lives and make rules about them—the rule-making authority is given to them by Congress—and the EPA is one of those agencies, the Environmental Protection Agency.

A situation has arisen in Texas which is not only about Texas, but it's about America. The last couple of years I have been talking about the rule of law and the fact that we try to set up a sys-

tem in this Nation that has basic fairness and that there are certain things that are right and certain things that are wrong. When we do that, we don't expect one group to impose its will upon another group inappropriately; but what has happened to Texas, I would argue, is an overstepping of a regulatory agency.

To talk about this, I'm going to have to start off by giving you—so that you understand it not only affects the lives of Texans, but it directly affects the lives of 13 other States immediately, and potentially every State in this Union.

In the last 4 years we have been having an ongoing debate and discussion, both at committee level and on this floor, about the effect of carbon emissions upon the environment. There has been an ongoing debate as to whether or not there is such a thing as global warming. That term now, because the globe doesn't seem to be warming up very much, has turned to climate change, and also because of some kind of falsely manipulated facts concerning global warming, the term has gone to climate change.

But there are those good-meaning people in this Congress who believe that carbon emissions are the new deadly medicine for this country; and if we don't do away with them, it's going to destroy our ability to live on this planet. Al Gore and others are the lead folks on this, and they think it's very important. That debate has been going on now for 4 to 6 years in this Congress, and an attempt has been made to pass what's called cap-and-trade legislation. In fact, by one vote, I believe it was, cap-and-trade, under the Democratic administration of the last session of Congress, was passed out of this House. Cap-and-trade went nowhere in the Senate, and so it never became law. But its purpose was to cap the emissions and tax folks accordingly. That's very simplified; it's much more complex than that. But basically this Congress, made up of the Senate and the House, rejected as a unit the concept of cap-and-trade.

The Environmental Protection Agency decided that even though pretty much America had spoken that carbon emissions were not something that they wanted to impose harshness upon folks about, they decided, well, we don't care what they want, we want the carbon emissions.

□ 2050

So they, starting in December, I believe, of last year, they started issuing new regulations about carbon emissions. And then they started passing them on through the Clean Air Act to the various States.

Now, I'm telling you this because it's going to have a direct effect on your life. Every Member of Congress here and every person that might be watching this discussion someplace else will see that when you start talking about what is maybe happening in Texas, you

have to realize that as you watch the price of gasoline go up at your pump, you have to realize that there can be a direct relationship between what's going on in the market and what happens to the prices for the American consumer.

Here's what has happened in Texas. When they created the Clean Air Act, they gave the EPA the ability to promulgate rules and standards for air quality. But the act specifically says that the local authority and the States have a better means of policing up this act than the Federal Government. So the implementation of the rules, of the standards set by EPA, will be done by the States rather than the Federal Government, and each State is to come up with a plan.

And that bill was passed, I believe, in 1974 or 1976, something like that. Anyway, it was in the 1970s, and it had nothing to do with carbon. It had to do with noxious gasses and other really bad things that were getting into our air and reducing the air quality, and the standards were important.

And each State had the ability to structure their permitting system to fit the needs of their State and then submit that permitting system to the EPA for approval. And the EPA would say, Yeah, I think that's a good system, or, No, we don't think it is a good system.

One of the things that happened when they put together this Clean Air Act and set these emission standards was what they call a grandfather clause. And companies that were already in existence long before the time of the passing of this act were grandfathered out of the act. So basically some of these big refineries, electricity power plants, manufacturing facilities, automobile plants had been around long enough that they would be grandfathered in some certain areas on these emission standards and the requirement for permitting under the law. That was just the way this act was written.

So Texas had a lot of—Texas is the largest energy producing and energy manufacturing State in the United States and has the largest refinery capacity in the United States. I used to be able to name the refineries in Texas, but I'm afraid I'd fall way short today. But needless to say, there are a multitude of refineries and chemical manufacturing facilities just in the Houston area alone and in Corpus Christ and in other parts of our State, both great, gigantic refineries and midsize and small refineries and manufacturing facilities. And they're all dealing with, basically, the petrochemical industry. The oil and gas industry is the base product that they are refining, manufacturing things from and so forth.

So in Texas, looking at what it would take not only to clean up the industries that would fall under the act, which would be the newly permitted industries, but also would start to police up the grandfathered—the folks that

could get out under a grandfather clause—police up those facilities, too.

The people in Texas got together and they came up with a concept called flex permitting, and here's the way it works:

Let's just take a refinery. Baytown has a gigantic refinery that I have visited. They passed a rule that says there's lots of sources of emissions from some form or fashion inside of a refinery—comes from a little thing the size of a faucet to great big smoke stacks can be emitting something into the air. So what we want them to do is take that site and reduce their emissions down to the standard that is required by EPA. And so we're going to let them, so long as their site reduces emissions and meets the goals set up by the Clean Air Act—not every individual place that emits will have to have a permit, but just one permit to cover the whole site. And then as the site reduces its emissions, it all falls under one permit, and it's called a flex permit. So it allows the refinery to go in, fix this first and then fix this second and this third and this fourth; and find the big bad ones first and fix those, and then work down to fix the plant.

And by the way, there is a recent letter from the EPA saying that Texas has met and exceeded the standards under this flex permitting.

But then along comes greenhouse gasses, and they passed the rule about carbon emissions. And they say, Now you have to put that under your permitting systems.

And the other 13 States plus Texas were kind of taken aback by this. But Texas said, No way. We don't think you should be imposing carbon emission standards on us when the Congress refused to impose these standards. And they, as I understand it, started contesting this in the court.

So here's where the rub comes in. The EPA then announces to Texas, We don't approve your flexible permitting system, and every industry in your State is now out of compliance, and you are going to have to have a new permitting system, and we're taking over how that's going to work—even though the act says Texas, or any State, shall be people who administer there.

Now, you may say, Well, that's not too bad. There's a kicker here. Texas created this permitting system in 1994, and since that time, they have been asking EPA to tell them yes or no. Do you approve it or you don't approve it? And tentatively, they sort of said, Well, we'll approve it, but we're going to study it and look at it.

Fifteen years this flexible permitting system has been in place.

And now as the dispute over carbon emissions comes along, to batter Texas into compliance, they have depermitted the whole State. They've announced they depermitted the whole State. Now, the State went to court and at least got a stay on that temporarily.

But think about that. If you had something that you were doing that the government said, Now we'll have to approve that to do it, and you say, Fine, here's what we're doing; would you please approve it or disapprove it, and they waited 15 years to do it, and then when they announced they're disapproving it they say, Oh, by the way, we plan to go back and fine you for the last 15 years for carbon emissions—that's what I understand it's going to be—something is wrong with this picture.

I'm joined by my good friend and fellow judge, LOUIE GOHMERT from Texas, and I'd like to hear his take on this. And if I got anything wrong, he can tell me about it.

Mr. GOHMERT. Thank you. I appreciate your yielding.

And not only do you not have anything wrong, but the Clean Air Act that the EPA is supposedly acting under, but they're actually violating, stipulates that pollution control is “the primary responsibility of States and local government.”

□ 2100

While the national EPA office is supposed to set the overall priorities, States are supposed to have, under this bill that they are supposedly acting under, the States have considerable leeway in their “implementation plans.” That's what the States are supposed to do. And for all these years, when the EPA all of a sudden changes their instructions, States are normally given 3 years. Because what we're talking about is when the EPA says now shut down, you are talking about jobs.

And I realize this is all part of the President's war on jobs. And it's working well. First, the moratorium in the Gulf of Mexico has really decimated Louisiana and many of the Gulf States as he has declared this war on jobs and eliminated so many jobs there in the Gulf region. But what is happening here, as you freeze out refineries, as you declare war on drilling and activity in the Gulf of Mexico, we are now starting to see that effect on everybody else.

And it's one thing to stand up and say, and I am sure we'll hear tomorrow night about how the President cares so much about the working poor in America, and that's who he's out for. But the trouble is, don't watch what is said, watch what's done. And as we watch the price of gasoline continue to go up, and up, and up, the people that are most devastated by that are not the massive companies that can pass these costs on, they're the people that are trying to get to those jobs that have jobs left. So those that hadn't already lost their jobs are going to have to deal with this problem.

The EPA, the regulation chief, Gina McCarthy, just a couple of weeks ago sent notice to Texas saying she had no choice but to seize control of the permitting. I mean this is the Federal Government just deciding that even

though the bill under which she is acting says the States and local government have primary control, she's decided to seize control. This is the Federal Government at its worst, at its most dictatorial, doing what democracy says you will not do, because they couldn't pass the bill, and now they're coming on and doing this with a totalitarian dictatorship.

Now, might as well put “czar” beside Gina McCarthy's name. She's the latest czar. Just hadn't called her that because the name's become unpopular. But now she has seized control of the State and local permitting under the act. She noted “statements in the media” by Texas officials and their legal challenges to EPA's greenhouse gases, but she cited no legal basis for the takeover. And what's more just really offensive is the fact that what in essence they're saying is in 1992, according to this Wall Street Journal article, in 1992, before there was ever any regulation of this horrible carbon dioxide, carbon emission, and unfortunately Gina McCarthy, as she says anything, she's a pollutant, she's a polluter, we need to shut down polluters like folks that are breathing out carbon dioxide. You know, it used to be a joke, Judge, that the government has gotten so overreaching that the next thing they're going to regulate the air you breathe. And now we're here. And that's what's happening.

But in 1992 there were no carbon dioxide concerns. And now they're using the fact that in 1992 Texas was not regulating carbon dioxide as a reason to take over what the Clean Air Act says must be done by the States and local governments. So it's pretty ridiculous. The Wall Street Journal says these words: “The takeover was sufficiently egregious that the D.C. Circuit Court of Appeals issued an emergency stay on Thursday suspending the rules pending judicial review. One particular item in need of legal scrutiny is the permitting takeover as an interim final rule that is not open to the normal and Clean Air Act-mandated process of public notice and comment.” As the article says, so much for transparency in government.

But I guess when you declare a war on jobs, you declare a moratorium on drilling activity, you devastate the hardworking folks in America that are trying to produce energy, and what that didn't kill then you turn right around and take over control of State environmental responsibilities so that you can finish going through with your war on jobs.

Mr. CARTER. And you know, this flex permit's whole purpose was to use common sense and meet the environmental standards without shutting down facilities and losing jobs. That's why they came up with the flex permit. It allowed them, if they met the standards, to do the repairs and fixes in integral parts and not stop until the whole thing is in compliance and have a permit for every faucet in the building

that needs to be adjusted or fixed. But rather let them fix the problem as it goes along.

And we are the model for meeting the air quality act, the model. I mean most States aren't in as good of compliance as the State of Texas under the flex permit system. And yet exactly as my colleague has pointed out, because of this carbon emissions dictatorship and because they're saying you will do as I say or else, the position that's being taken by this czar from the EPA, Texans are sort of the kind of people that just bow up when people say that like that, so we said "no," and we are in this fight. And I think we are in the fight to win. Because I think anybody would say it would be totally unfair for EPA to sit and ponder their duty to approve a plan and spend 15 years looking at it and not do anything with it, and it's meeting its standards, and all of a sudden, bingo, because of this they're taking over our permitting.

I am very pleased to be joined by a gentleman that is probably the most knowledgeable man in Congress about the workings of this particular act, Mr. JOE BARTON, former chairman of the Energy and Commerce Committee and a ranking member of the Energy and Commerce Committee, and now our Texas expert on all things energy and all things environmental. Mr. BARTON, I yield you so much time as you choose to use.

Mr. BARTON of Texas. Thank you, Congressman CARTER. And I want to thank you and Congressman GOHMERT and some of the other Texans who may have been here before I got here. I have been at a Young Guns dinner, which is why I'm late. But I did not want to fail to take advantage of this opportunity. I want to thank you for hosting this Special Order.

I want to kind of set the predicate here in terms of those kind words that Judge CARTER just said about me. I have been in the Congress 26 years. I have been on the Energy and Commerce Committee 24 years. I have been a congressional observer or delegate at large to all the major global warming climate change conferences, or COPS, council of parties. I was at Kyoto when Vice President Gore came over and made his famous speech, and then on behalf of President Clinton agreed to sign the Kyoto Accord, which the U.S. Senate never took up.

Most recently, I was a part of the congressional delegation that then-Speaker NANCY PELOSI took to Copenhagen last year, where President Obama came and pleaded that there be a conference agreement, which then Secretary of State Hillary Rodham Clinton agreed to fund with dollars that the U.S. Government didn't have. So I was at Buenos Aires. I mean I have been to all the major conferences as a congressional observer or delegate.

I chaired dozens of hearings on global warming, authored bills, was an original cosponsor and passed the—I helped to vote for and support the Clean Air

Act amendments of 1990. So I have been involved in this issue for a number of years. Let me say this: CO₂ is not a pollutant under the criteria as put forward by the Clean Air Act. It's not one of the named criteria pollutants like SO₂ or ozone. It is necessary for life as we know it.

□ 2110

The term "greenhouse gas," if you just think what a greenhouse is, self-enclosed, in this case the world, and the greenhouse gases are what create the atmosphere and help trap the heat so that life can exist. CO₂ is a trace gas, it's about 1/10 of 1 percent of the atmosphere. Man-made CO₂, called anthropogenic CO₂ is, I don't know the exact percentage of the total, but it is less than 50 percent.

So what has happened in the last 10 to 15 years is this theory of global warming and climate change needed a bogeyman, and they chose CO₂. They have developed these models that show as CO₂ levels rise in the atmosphere over time the temperature rises.

It is a fact that CO₂ is rising, but it is not necessarily a fact that that rise is causing temperature to rise. In fact, there is quite a bit of data that would indicate that CO₂ rises as a consequence of temperature rising, so it is a follower, not a leader in that.

So in any event, this administration, the Obama administration, when they came into office in January of 2009, began a process, or accelerated a process, to determine that CO₂ was a danger to the atmosphere or a danger to the health of the U.S. population. And they, within 90 days, issued an endangerment finding where they said that since CO₂ was a danger to public health, they had the right to regulate CO₂, and they began to promulgate these proposed regulations.

What does that have to do with the Special Order this evening? The Environmental Protection Agency has made a decision—and I think a political decision—to be punitive towards Texas and has gone down, and I am sure Judge CARTER and Judge GOHMERT have pointed out that they have revoked over 100 existing air-quality permits, some of which have been on the books since the 1990s, for sites and facilities in Texas.

Those permits are for more than CO₂. They actually are required by the Clean Air Act to regulate SO₂ and NO_x and ozone, things of this sort. They revoked all of those.

The EPA has also issued, I don't know the right word, Judge, threats, warnings to the State of Texas that Texas must begin to implement some of these proposed regulations on CO₂. In both cases, I think the EPA is acting without the law being on their side; and in the case of the CO₂ regulations, I am very confident they are acting without the science on their side.

So what those of us who represent Texas here in the Congress, in conjunction with our Governor, Lieutenant

Governor, the Texas House, the Texas Senate and the Attorney General of Texas, are saying is before we go any further, let's see what the real facts are. Let's see, has Texas, as a regulatory entity, through the Texas Council of Environmental Quality, TCEQ, failed in its obligation under the Clean Air Act to, to implement the terms of that act?

I think the answer is Texas has not failed. I think the answer is, if you look at the record, air quality and the criteria pollutants that are specifically regulated by the Clean Air Act is improving in Texas. We have two or three or four, I guess we have, the DFW is a non-attainment area. El Paso is a non-attainment area. Houston-Harris County is a non-attainment area and Beaumont-Port Arthur, I believe, are still listed as a not. So we have four areas that have been non-attainment under the specific criteria of the Clean Air Act.

In all four of those, the State of Texas has submitted what are called state implementation plans, SIPs, and those have been accepted, I think with one exception by the EPA, both regionally and nationally. Under those SIPs, air quality is improving.

And if the EPA were not to keep changing the standard, we would be in attainment in all four regions. But each time we have gotten close, in the DFW area, for example, to be in attainment, they have tightened or changed the standard and said that we were in noncompliance.

So what we are doing this evening under Judge CARTER and Judge GOHMERT's leadership is saying let's begin to have a debate about what the facts are. The first fact that everybody watching this and listening on the floor needs to know is air quality in Texas is improving. The TCEQ, Texas legislature, has done an outstanding job of implementing the terms and conditions which we have passed here in Washington.

Number two, the State of Texas, working with industry, has adopted a flexible permitting program where we work with industry and say here is the standard you need to meet. Here are the various ways you can meet it; let's work together.

And that's worked very well. Compliance costs in Texas are below the national average. Industry sees that. Industry is coming to Texas. People are moving to Texas for its quality of life.

I am sure you all pointed out that Texas has led the Nation in job creation. Texas has led the Nation as one of the leading States in terms of population increase. Now, you cannot be doing all those good things and then be derelict in air quality if, in fact, air quality is improving and water quality is improving.

So we want a dialogue on what the facts are, both on the criteria pollutants under the Clean Air Act and on CO₂, which is a greenhouse gas. And I would hope, Congressman, that we do

more of these Special Orders, that we even do some of these in Texas. I can assure you on the Energy and Commerce Committee, and I am a senior member, I have encouraged our current chairman, Mr. UPTON, and our current subcommittee chairmen, Mr. WHITFIELD, Mr. STEARNS and Mr. SHIMKUS, to hold hearings, bring witnesses on both sides from Texas, bring our friends at the EPA, both up here and in Dallas, come down, come up, and let's put the facts on the table and then let's see what laws, if any, need to be changed.

I am already a cosponsor of a bill that would make it explicit that CO₂ is not a regulated pollutant under the Clean Air Act and should not be. I am not saying that at some point in time we may not need to issue a standard on CO₂, if it's proven that it is a harm to public health. But until that time, it should not be regulated under the Clean Air Act. It was never intended to be, and we think the EPA is wrong to keep insisting that it should be.

Again, I want to thank you, Judge, and thank you, Judge. I am glad to be here and participate.

Mr. CARTER. I thank you for coming here. JOE BARTON really has been dedicating his life to these types of issues for his long tenure in Congress.

But I always wonder if sometimes people back home are sitting around saying so what does this mean to me. Well, I am speculating, okay, I am only speculating, but let me say something that I think everybody agrees.

The last time we had a spike in the price of gasoline, it started, I think, everybody points to how it started, it started when they had a refinery fire in Illinois.

□ 2120

And all of a sudden, the speculators said, whoa, we've got to reduce refining capacity in the oil and gas industry right now. They shut down about half that plant in Illinois. And all of a sudden, we started to see the futures start to move on oil. And that was the kick-off of \$5 gasoline in some parts of the country. Why? Because the speculators say, well, if refinery capacity is reduced, gasoline is going to be in more short supply. Futures, I can buy now, sell later. I can make money off this commodity. And the price started up. Other things happened then, speculators, all of that can be talked about. But it started. Everybody says that there was a fear of reduced refining capacity because right about that same time we had the hurricanes, which reduced refining capacity over in New Orleans.

Now, what's happened since this whole thing started right here which could reduce—remember that Texas has the largest amount of refineries anywhere in the United States. JOE, Mr. BARTON, if I could ask you, what percentage of the refining is in Texas? It's a pretty good percentage of the national refining. Do you know?

Mr. BARTON of Texas. About two-thirds.

Mr. CARTER. Two-thirds. Two-thirds of the refining capacity is in Texas. And all of a sudden as this dispute between EPA and Texas rises its ugly head, and we see that the EPA is taking over this permitting, and industry itself is saying, look, we just want to know what to do. We are at a loss of what to do. And we are willing to work. Industry is saying to them, tell us what the new permit is. Tell us how to do this. What's going to happen? And there's a lawsuit pending, and all this stuff. Now the speculators, I think, are starting to say, oh, the price may be going up again. You tell me. Has the price of gasoline gone up in the last 3 months? Does it look like it's going to continue? I'm not saying this is the cause, but I think I can argue it's one of them.

What Texas does with industry is the perfect example of government and industry working to fix a problem together. That's what we thought we were going to get from the Obama administration when he started out. Instead, we have government working against industry in this present administration, and because of that we start to see it at every level. And by the way, if you think it's just in this particular area, just a little fact: Last year, the Federal Government issued a total of 3,316 new rules and regulations, an average of 13 rules a day. Seventy-eight of the new rules last year were major rules. A major rule is a rule that will result in an annual effect on the economy of \$100 million or more, a major increase in cost or prices for consumers, or significant adverse effect to the economy. And we had, just last year, 78 of those rules, plus an additional 3,000-plus more rules that were passed.

I bring this all up, and I will yield to my friend in just a moment, because I want to talk about one of the solutions that we are looking at. It's a little known thing that is now coming to the forefront. It's called the Congressional Review Act. Back in 1996 under the Contract With America Advancement Act of 1996, as part of the Small Business Regulatory Enforcement Fairness Act, they created the Congressional Review Act, this is Public Policy Law PL 104-121. It allows the Congress to review every new Federal regulation issued by the government agencies and by passage of a joint resolution overrule that regulation. The process is the Federal agencies shall—note that word, that means they have to, although I don't think they all do—submit to each House of Congress and to the Comptroller General a comprehensive report on any major proposed rule. Congress has 60—that's legislative—days to pass a joint resolution of disapproval of any rule. The Senate must—must—vote on the CRA resolution of disapproval if 30 Members of the Senate approve having a vote. Only 30 Members are necessary to have a vote in the Senate.

So this is a tool where we can, in our small way, be a part of this fight on behalf of Texas. And we will be following this procedure that is set out in this act, and we will be attempting to have, and will have, a vote on this House floor on this rule. And I think when people hear the "taint fair" factor in this particular rule, it's going to be a strong vote.

I now yield the time to Mr. GOHMERT that he wishes to take.

Mr. GOHMERT. Well, my friend indicates it's unfair for Texas. But as former chairman of Energy, JOE BARTON, notes, with about two-thirds of the refining capacity for the whole country being in Texas, what this means is regardless how anybody feels about Texas, I know there are a lot of people that don't care for the State, but regardless of how people feel about it, when two-thirds of the refining for the gasoline they put in their cars is coming from the State of Texas, and the EPA has declared war against Texas, violating the laws of this land in order to politically stick it to Texas, the price that will be paid is by rank and file folks across the country. And, as we've seen, manufacturers—we had colleagues across the aisle talking about jobs, jobs, jobs—the things that this administration are doing are killing jobs. They were going to create all these jobs and create all these jobs, and then they did such a terrible job of creating jobs, in fact, we were going in the wrong direction. So then they went to saying, well, we are saving jobs, when the fact is they are driving jobs overseas. We're losing manufacturing jobs constantly. And this very thing we are talking about tonight is one of the reasons. There is so much uncertainty with regard to business in this country.

Now if you want certainty, you could be a friend of this administration, as George Soros is, so his biggest single investment is a drilling company down in South America, and so we loaned them \$2 billion—that's with a B, billion dollars—to drill offshore off Brazil, but in the meantime, we've got a war declared on those who make their living in the gulf coast area, a drilling moratorium. People are still not able to drill, and that has affected so many jobs. But when the price of gasoline continues to go shooting up because this administration is doing everything they can to increase the price of energy and make it harder for people to get cheaper gasoline, people are going to make their voices heard. And what I don't think the administration understands is the timing of all this is going to be such that it's going to be coming around in 2012 and really adversely affecting people's pocketbooks and jobs. Employers can't count on the price of fuel being where they need it, and a lot of businesses are saying, this is something we can't do business with, the EPA, the uncertainty of the requirements.

And what it reminds me, too, is in our Natural Resources Committee with

the Democrats in control they were always able to bring more witnesses. That's just the way procedure works around here. Whichever party is in the majority, they get to bring more witnesses that will say what their position is. They brought a witness to the Natural Resources Committee to testify that, gee, we really need to stop drilling off the coast and basically everywhere. But he said there were over 200 million families in the world that make their living from fishing, and if we allow this drilling off the coast to continue, it's going to destroy fishing for all those 200 million families. Well at my turn, I pointed out, you'll be glad to know that we heard those things in Texas, I did growing up, that if you allow platforms off our coast, then it's just going to kill off all the fishing off the coast of Texas and in the gulf. It turns out, I told the witness, he would be glad to know, that those platforms become an artificial reef. Fish proliferate around those areas. So when you want to go fishing now, they take you out to platforms because it's done so much good for fishing. And I said, as far as you're concerned about the oil that was leaked after Katrina, not one barrel came from any of those platforms, some of which were totaled. They came from onshore tanks which really were the place where tankers bringing oil from overseas came in and unloaded it. Some of that was hit by the hurricane and leaked. And he said, well, look, and this is in a nutshell what he said, I guess the real problem is this: If you produce oil or gas onshore, offshore, wherever it is, at some point it's going to be burned, and it may be it's in an engine, wherever, that produces carbon, the carbon goes into the air, and eventually the rain brings it down either into the ocean or on the land, and it's washed into the ocean. That puts more carbon in the ocean, and as you have more carbon in the ocean, eventually the pH increases, and eventually if you keep doing that long enough, the pH will increase enough, everything dies in all the oceans, and so that's when people can't fish. That's what this administration is basing all of their opposition to drilling and production of fossil fuels on.

□ 2130

We all agree we ought to be moving off of fossil fuels; but if we would allow drilling on Federal offshore areas, Federal onshore areas and designate a percentage of the proceeds of our Federal royalty to go toward development of alternative fuel, we don't run the jobs off, we don't run the poor folks that are just trying to make it into bankruptcy because they can't afford gasoline, and everybody wins. It doesn't have to be an everybody-lose solution.

Mr. CARTER. I yield to Mr. BARTON.

Mr. BARTON of Texas. I want to keep reiterating, air quality in Texas is improving. It is improving. The Clean Air Act gives the Federal Government, through the Environmental Protection

Agency, the right to preempt States when the States either don't implement the Federal regulations on the Clean Air Act, or if the States simply turn it back and ask the Federal Government to take over. So the EPA does have the right under certain circumstances to preempt State implementation.

But in this case, I would postulate, and each of you are former judges before you became Congressmen, that since the State of Texas has complied and air quality is improving and there is a debate about whether CO₂ should be regulated under the Clean Air Act, which is a separate issue, that the Federal Government has overstepped its bounds to come in and unilaterally, against the wishes of the State of Texas, repeal these permits and require that they all be resubmitted and not only resubmitted, but resubmitted in a very specific way.

The State of Texas air quality permitting program has been flexible, says we will regulate an entire site and as long as you are under that cap, you can implement new equipment and new procedures as long as your emissions stay the same or go down. And under the Texas flexible permitting program, they have gone down, in some cases as much as 20-30 percent. This is in a State where population has gone up, where productivity has gone up, and output has gone up. So in my view the State of Texas and the Texas Council on Environmental Quality should be getting awards from the Federal Government, not being punished and not being unilaterally dismissed.

I really respect and thank you, Congressman CARTER, for holding this Special Order. I will tell our friends in Texas that may be watching that this Special Order is not the end; it is simply the beginning.

Mr. CARTER. That's right.

Mr. BARTON of Texas. Those of us who support this initiative support it because we believe you can have improving air quality and improving water quality and increase jobs and economic output. It is not an either/or. It can be a win/win. But if we adopt the EPA's shortsighted, mandatory, very specific command-and-control attitude, you are, as Congressman GOHMERT said, you are going to destroy jobs, destroy the economy, reduce output, and not get very much increased environmental quality.

Mr. CARTER. Reclaiming my time, I believe the Governor pointed out that of the million new jobs created in America in the last 5 years, 3 years, something like that, 850,000 of them were created in Texas. We are a dynamic economy; and we are a dynamic economy because we have had the foresight of all working together to make jobs, to improve the environment by using logical, commonsense methods of doing this regulation.

Mr. BARTON of Texas. If the gentleman would yield, common sense, we are beginning the redistributing proc-

ess now, and the State of Texas is going to gain four additional congressional seats which means our population between 2000 and 2010 has increased approximately 3 million people. My question to you: Would people be coming to Texas if the quality of life was decreasing, if the environmental quality was decreasing, or would they be coming to Texas because it is a better place to live and it has economic opportunity?

Mr. CARTER. Reclaiming my time, that is exactly what is going on, Mr. BARTON. They are all indications. You can stop your new neighbors and ask them why they came, and they will tell you because Texas is where things are happening. It is where you have a tax structure where we can prosper in business, and yet it is a fair tax structure.

You are doing things right so that rather than throwing up roadblocks to new businesses, you are throwing up enhancements to make it easier for new businesses to come and prosper. Not the big monstrous refineries, the little bitty mom-and-pops. Some of those mom-and-pops are a chain of mom-and-pop stores that are all over the State and soon to be all over the Nation. Texas makes sure that we follow basic rules and we don't turn people loose, but we come up with methods where government and industry work together to solve problems.

Mr. BARTON of Texas. If the gentleman would yield for another question, name a State that has one of the more rigid, restrictive, so-called protective environmental regulatory schemes in the Nation?

Mr. CARTER. California.

Mr. BARTON of Texas. The gentleman is correct.

Name the State that has the largest net out-migration from its State to Texas?

Mr. CARTER. California.

Mr. BARTON of Texas. The gentleman is correct again.

So here you have a State that is noted for its State regulatory protection regulations at the State level; and yet that State has one area, the Los Angeles basin, that has been in the worst category for nonattainment for two decades. I wish we had some of our friends from the great State of California on the floor, and they could correct me if I'm wrong, but that particular region has not exhibited any measurable increase in air quality, in spite of the most rigid regulations, and that State has exhibited the largest net out-migration of population to Texas.

I don't think that is serendipity. It is because we have strong environmental protection in Texas. Our air quality is improving. The quality of life is improving; but because of our flexible approach, you still can create jobs in Texas, and there are lots of folks around the country who want to take part in that and become part of that.

Mr. CARTER. As we fight this fight, this fight is not just an oil and gas

fight. This is going to affect power plants around the country that are operating under natural gas, coal, oil, any kind of hydrocarbon. This is just the tip of the iceberg of what is going to happen in this arbitrary decision by the EPA against the will of the Congress and the American people.

We have had 2 years of doing things against the desired will of the American people, and the American people spoke in the last election. It is time for us to make commonsense decisions and do what makes sense. It makes no sense to let people operate under a system that works for 15 years and then come in and say implement this immediately. We are not giving you 3 years to implement it. You will do it now. And when we said, no, wait a minute, let's play by the rules, they say, Fine. We never did get around to giving you the official letter approving your flex permit system, so here is your official letter. It is denied. Because you are not doing anything about it, we are going to come in and take over your permitting system.

I don't think the average American thinks that is the way anybody ought to operate. It is not the way that I think anybody ought to operate. I would be surprised if it is not the way that a majority of the people in this House think these agencies ought to operate.

You know, we always hear the idiot, crazy things and they come out in the newspaper and you will see some of them. But just to let you know it is not just in this industry where new regulations are going to be going strange; there is a proposed regulation that is going to be affecting Texas for sure and a whole lot of other States in this unions: they want to regulate dust.

□ 2140

So, if you've got a dusty road, driving up to your ranch house or to your personal house, they want to come in and regulate the dust that kicks up in the summertime, when it's hot, behind your car.

The solution they came up with for this in California—California, the place where they have the drought in the Central Valley, a shortage of water—is to water down your road every day. Take the water you need for the plants and for people, and squirt it on the road to keep dust from going up in the air.

Like Mr. GOHMERT said, we used to laugh and say, someday, the government is going to regulate the air we breathe and the food we eat. Lo and behold, they are. It's going on right now.

So this is just the beginning. As JOE said, this is just the beginning of bringing this to the attention of the American people—this regulation, what they're doing to Texas—and of standing up for our fellow Texans, who are standing up for our State's compliance record and standing up for our State's ability to create an environment where people can have a job and where they

can pay their own way—and good industry jobs. We're standing up for those people. We're making sure that we don't lose those great jobs in Texas because of this regulatory agency.

This is only the beginning of the fight. There is more to come. We're going to fight, not only this regulation, but many, many more. We'll be bringing them up to let the American people see that the regulators can be dictators.

I just want to correct one thing Mr. GOHMERT said. We're no longer having a moratorium on drilling. I was told today by one of my constituents that we're having a permanent moratorium.

They said, Oh, yes. Where the moratorium's lifted, you just have to get a permit.

So far, there haven't been any permits.

Mr. BARTON of Texas. I just want to make one nonscientific comment.

I flew this morning from DFW Airport up to Reagan Airport to attend this session of Congress. The DFW area is home to approximately 3 million people, to a number of power plants, lots of industry, electronics, general aviation, defense. I flew into Washington, which has almost no industry. The air was clear at DFW. When I came into Reagan, I looked out the window, and I thought, man. I mean, I don't want to be disrespectful to our international friends over in Poland, but it did remind me of the last time, which was several years ago, I flew into Warsaw, and the air was so thick you could see it. I don't know what the issue is here in the Washington region today, but when we flew into Reagan, it was noticeably hazier and browner flying in than it was when I left DFW, where the air was absolutely crystal clear.

Now, that's nonscientific, but I would invite anybody who thinks we've got an air quality problem in Texas to go to Dallas or to go to Houston. Drive out along the Houston ship channel. Go down to Corpus Christi, outside the major refineries on the gulf coast, and you'll see a success story. What you won't see is air pollution that's caused by industry in Texas. Their compliance record is excellent, and they've got the facts to back it up.

Mr. CARTER. I thank you.

At this time, I yield back what little time I have, and remind everybody that the stars are still big and bright deep in the heart of Texas.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. EMERSON (at the request of Mr. CANTOR) for today and the balance of the week on account of medical reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. McDERMOTT, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. LIPINSKI, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. BURTON of Indiana) to revise and extend their remarks and include extraneous material:)

Mr. PAUL, for 5 minutes, today and January 26.

Mr. BURTON of Indiana, for 5 minutes, today and January 26.

Mr. TURNER, for 5 minutes, January 26.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 9 o'clock and 44 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, January 25, 2011, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

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

172. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Emerald Ash Borer; Quarantined Areas; Maryland, Michigan, Minnesota, Missouri, Pennsylvania, Virginia, West Virginia, and Wisconsin [Docket No.: APHIS-2008-0072] received January 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

173. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Pine Shoot Beetle; Additions to Quarantined Areas [Docket No.: APHIS-2008-0111] received January 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

174. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Asian Longhorned Beetle; Additions to Quarantined Areas in Massachusetts and New York [Docket No.: APHIS-2009-0014] received January 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

175. A letter from the Chairman, Congressional Oversight Panel, transmitting the Panel's monthly report pursuant to Section 125(b)(1) of the Emergency Economic Stabilization Act of 2008, Pub. L. 110-343; to the Committee on Financial Services.

176. A letter from the Secretary, Department of Education, transmitting the Department's final rule — Supplemental Priorities For Discretionary Grant Programs [Docket ID.: ED-OS-2010-0011] (RIN: 1894-AA00) received January 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

177. A letter from the Secretary, Department of Commerce, transmitting the annual report for FY 2010 of the Department's Bureau of Industry and Security (BIS); to the Committee on Foreign Affairs.

178. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notification that effective January 2, 2011, the danger pay allowance for Nogales, Mexico has been established; to the Committee on Foreign Affairs.

179. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

180. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

181. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

182. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

183. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

184. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

185. A letter from the Chief Financial Officer, Federal Mediation and Conciliation Service, transmitting the FY 2010 annual report under the Federal Managers' Financial Integrity Act (FMFIA) of 1982, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Oversight and Government Reform.

186. A letter from the Assistant Secretary for Fish & Wildlife & Parks, Department of the Interior, transmitting the Department's final rule — 2010-2011 Refuge-Specific Hunting and Sport Fishing Regulations [Docket No.: FWS-R9-NSR-2010-0036] (RIN: 1018-AX20) received January 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

187. A letter from the Secretary, Department of the Interior, transmitting an order that would cancel construction debt assessed against Indian-owned Lands, pursuant to 25 U.S.C. 386a; to the Committee on Natural Resources.

188. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; 2011 Summer Flounder, Scup, and Black Sea Bass Specifications; Preliminary 2011 Quota Adjustments; 2011 Summer Flounder Quota for Delaware [Docket No.: 101029427-0609-02] (RIN: 0648-XY82) received January 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

189. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Tilefish Fishery [Docket No.: 101116568-0608-01] (RIN: 0648-BA42) received January 12, 2011, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Natural Resources.

190. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Steller Sea Lion Protection Measures for the Bering Sea and Aleutian Islands Groundfish Fisheries Off Alaska; Correction [Docket No.: 101006495-0498-01] (RIN: 0648-BA31) received January 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

191. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Civil Penalties [Docket No.: NHTSA-2010-0114; Notice 2] (RIN: 2127-AK78) received January 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

192. A letter from the Director, Office of Regulations, Social Security Administration, transmitting the Administration's final rule — Amendments to Regulations Regarding Eligibility for a Medicare Prescription Drug Subsidy [Docket No.: SSA-2010-0033] (RIN: 0960-AH24) received January 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

(The following action occurred on January 3, 2011)

Mr. BERMAN: Committee on Foreign Affairs. Legislative Review Activities of the Committee on Foreign Affairs for the 111th Congress (Rept. 111-713). Referred to the Committee of the Whole House on the State of the Union.

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. GINGREY of Georgia (for himself, Mr. DAVID SCOTT of Georgia, and Mr. SMITH of Texas):

H.R. 5. A bill to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system; to the Committee on the Judiciary, 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. SMITH of Texas (for himself, Mr. CONYERS, Mr. COBLE, and Mr. JOHNSON of Georgia):

H.R. 394. A bill to amend title 28, United States Code, to clarify the jurisdiction of the Federal courts, and for other purposes; to the Committee on the Judiciary.

By Mr. MCNERNEY:

H.R. 395. A bill to amend the Federal Water Pollution Control Act to extend the pilot program for alternative water source projects; to the Committee on Transportation and Infrastructure.

By Mr. SESSIONS (for himself, Mr. PLATTS, and Mr. PASCRELL):

H.R. 396. A bill to direct the Secretary of Defense and the Secretary of Veterans Af-

fairs to carry out a pilot program under which the Secretaries make payments for certain treatments of traumatic brain injury and post-traumatic stress disorder; to the Committee on Armed Services, and in addition to the Committee on 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. HERGER (for himself, Mr. SAM JOHNSON of Texas, Mr. TIBERI, Mr. REICHERT, Mr. GERLACH, Mr. BACHUS, Mrs. BLACKBURN, Mr. DENT, Mr. HARPER, Mr. MCCAUL, Mrs. MCMORRIS RODGERS, Mr. GARY G. MILLER of California, and Mr. SESSIONS):

H.R. 397. A bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 and to take meaningful steps to lower health care costs and increase access to health insurance coverage without raising taxes, cutting Medicare benefits for seniors, adding to the national deficit, intervening in the doctor-patient relationship, or instituting a government takeover of health care; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, the Judiciary, House Administration, Natural Resources, Appropriations, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ZOE LOFGREN of California (for herself, Mr. GALLEGLY, Mr. CONYERS, and Mr. SMITH of Texas):

H.R. 398. A bill to amend the Immigration and Nationality Act to toll, during active-duty service abroad in the Armed Forces, the periods of time to file a petition and appear for an interview to remove the conditional basis for permanent resident status, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLAKE:

H.R. 399. A bill to amend the Immigration and Nationality Act to authorize certain aliens who have earned a Ph.D. degree from a United States institution of higher education in a field of science, technology, engineering, or mathematics to be admitted for permanent residence and to be exempted from the numerical limitations on H-1B non-immigrants; to the Committee on the Judiciary.

By Mr. BACA (for himself and Mr. WOLF):

H.R. 400. A bill to require certain warning labels to be placed on video games that are given certain ratings due to violent content; to the Committee on Energy and Commerce.

By Mr. CARSON of Indiana:

H.R. 401. A bill to authorize the President to award a gold medal on behalf of Congress to Muhammad Ali in recognition of his contributions to the Nation; to the Committee on Financial Services.

By Ms. DELAURO (for herself, Mr. ELLISON, Mr. ISRAEL, Mr. WEINER, Mr. TIERNEY, Mr. VAN HOLLEN, Ms. HIRONO, Ms. BORDALLO, Ms. LEE of California, Mr. LARSON of Connecticut, Mr. COURTNEY, Ms. BERKLEY, Mr. HIMES, Mr. BOSWELL, Mr. CONYERS, Mr. MURPHY of Connecticut, Mr. YARMUTH, Mr. LUJAN, Ms. SUTTON, Mr. BRALEY of Iowa, Mr. LYNCH, Ms. RICHARDSON, Mr. GONZALEZ, and Mr. BLUMENAUER):

H.R. 402. A bill to facilitate efficient investments and financing of infrastructure projects and new job creation through the establishment of a National Infrastructure Development Bank, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FILNER:

H.R. 403. A bill to amend title 10, United States Code, to require the Secretary of Defense to use only human-based methods for training members of the Armed Forces in the treatment of severe combat and chemical and biological injuries; to the Committee on Armed Services.

By Mr. FORTENBERRY:

H.R. 404. A bill to amend the Internal Revenue Code of 1986 to extend and modify the credits for alcohol used as a fuel, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAVES of Missouri:

H.R. 405. A bill to amend title 49, United States Code, to establish additional goals for airport master plans, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. JONES:

H.R. 406. A bill to amend the Federal Election Campaign Act of 1971 to permit candidates for election for Federal office to designate an individual who will be authorized to disburse funds of the authorized campaign committees of the candidate in the event of the death of the candidate; to the Committee on House Administration.

By Mr. JONES:

H.R. 407. A bill to direct the Secretary of Defense to determine and disclose the costs incurred in taking a Member, officer, or employee of Congress on a trip outside the United States so that such costs may be included in any report the Member, officer, or employee is required to file with respect to the trip under applicable law or rules of the House of Representatives or Senate; to the Committee on Armed Services, and in addition to the Committee on House Administration, 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. JORDAN (for himself, Mr. GARETT, Mr. FLORES, Mr. LAMBORN, Mrs. BACHMANN, Mr. SCOTT of South Carolina, Mr. CHAFFETZ, Mr. LANKFORD, Mr. MACK, Mr. FLEMING, Mr. ROSS of Florida, Mr. CAMPBELL, Mrs. BLACK, Mr. MCCLINTOCK, Mr. AKIN, Mr. MULVANEY, Mr. FRANKS of Arizona, Mr. BARTON of Texas, Mr. ROE of Tennessee, Mr. MARCHANT, Mr. FLAKE, Mr. GINGREY of Georgia, Mr. HUELSKAMP, Mr. WALSH of Illinois, and Mr. COFFMAN of Colorado):

H.R. 408. A bill to reduce Federal spending by \$2.5 trillion through fiscal year 2021; to the Committee on Oversight and Government Reform, and in addition to the Committees on Natural Resources, Transportation and Infrastructure, the Budget, Rules, Appropriations, Agriculture, House Administration, Education and the Workforce, Energy and Commerce, Ways and Means, Financial Services, the Judiciary, and Science, Space, and Technology, 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. ROGERS of Alabama (for himself, Mr. LOEBSACK, Mr. BRALEY of Iowa, Ms. BORDALLO, Mr. PAUL, Mr. LATTA, Mr. BARTLETT, Mr. BOSWELL, Mr. BACHUS, Mr. BRADY of Pennsylvania, Mr. CLEAVER, Mr. COURTNEY, and Mr. ADERHOLT):

H.R. 409. A bill to require the Secretary of Defense to develop and implement a plan to provide chiropractic health care services and benefits for certain new beneficiaries as part of the TRICARE program; to the Committee on Armed Services.

By Ms. LINDA T. SANCHEZ of California (for herself, Mr. BERMAN, Mrs. CAPPAS, Mrs. DAVIS of California, Mr. FARR, Mr. FILNER, Mr. GRIJALVA, and Mr. SHERMAN):

H.R. 410. A bill to amend the Immigration and Nationality Act to provide for compensation to States incarcerating undocumented aliens charged with a felony or two or more misdemeanors; to the Committee on the Judiciary.

By Mr. TURNER (for himself, Mr. AKIN, Mr. ALEXANDER, Mr. AUSTRIA, Mrs. BACHMANN, Mr. BACHUS, Mr. BARTLETT, Mr. BILBRAY, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mr. BOEHNER, Mr. BONNER, Mr. BOUSTANY, Mr. BROUN of Georgia, Mr. BURGESS, Mr. BURTON of Indiana, Mr. CALVERT, Mr. CAMP, Mr. CANTOR, Mrs. CAPITO, Mr. CARTER, Mr. COBLE, Mr. COFFMAN of Colorado, Mr. CULBERSON, Mr. DAVIS of Kentucky, Mr. DIAZ-BALART, Mr. DUNCAN of South Carolina, Mr. DUNCAN of Tennessee, Mr. FLAKE, Mr. FLEMING, Mr. FORBES, Mr. FRANKS of Arizona, Mr. GALLEGLY, Mr. GARRETT, Mr. GIBBS, Mr. GINGREY of Georgia, Mr. GOHMERT, Mr. GOODLATTE, Ms. GRANGER, Mr. GRAVES of Missouri, Mr. HALL, Mr. HELLER, Mr. HENSARLING, Mr. HERGER, Mr. HUNTER, Mr. SAM JOHNSON of Texas, Mr. JOHNSON of Illinois, Mr. JONES, Mr. KING of New York, Mr. KING of Iowa, Mr. KINGSTON, Mr. KLINE, Mr. LAMBORN, Mr. LANCE, Mr. LATOURETTE, Mr. LATTA, Mr. LEE of New York, Mr. LEWIS of California, Mr. LONG, Mr. LUCAS, Mr. LUETKEMEYER, Mr. MANZULLO, Mr. MARCHANT, Mr. MCCAUL, Mr. MCCLINTOCK, Mr. MCKEON, Mr. MICA, Mr. GARY G. MILLER of California, Mr. MILLER of Florida, Mrs. MYRICK, Mr. NEUGEBAUER, Mr. NUNES, Mr. OLSON, Mr. PENCE, Mr. PITTS, Mr. PLATTS, Mr. POE of Texas, Mr. POSEY, Mr. PRICE of Georgia, Mr. REHBERG, Mr. REICHERT, Mr. ROE of Tennessee, Mr. ROGERS of Kentucky, Mr. ROGERS of Alabama, Mr. ROSS of Florida, Mrs. SCHMIDT, Mr. SESSIONS, Mr. SHIMKUS, Mr. SHUSTER, Mr. STEARNS, Mr. TERRY, Mr. TIBERI, Mr. WALDEN, Mr. WESTMORELAND, Mr. WILSON of South Carolina, Mr. YOUNG of Florida, and Mr. YOUNG of Alaska):

H.J. Res. 22. A joint resolution proposing an amendment to the Constitution of the United States to prohibit the United States from owning stock in corporations; to the Committee on the Judiciary.

By Mr. LATHAM (for himself, Mr. BOSWELL, Mr. KING of Iowa, Mr. LOEBSACK, and Mr. BRALEY of Iowa):

H. Res. 49. A resolution providing Capitol-flown flags for recipients of the Medal of Honor; to the Committee on House Administration.

By Mr. BURTON of Indiana:

H. Res. 50. A resolution providing for enclosing the visitors' galleries of the House of Representatives with a clear and bomb-proof material; to the Committee on House Administration.

By Ms. LEE of California (for herself,

Mr. MEEKS, Mrs. CHRISTENSEN, Ms. WATERS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SERRANO, Mr. JACKSON of Illinois, Ms. BORDALLO, Mr. FRANK of Massachusetts, Mr. JOHNSON of Georgia, Ms. JACKSON LEE of Texas, Mr. ELLISON, Mr. HINCHAY, Mr. RANGEL, Ms. BALDWIN, Ms. NORTON, Mr. GRIJALVA, Mr. BISHOP of Georgia, Ms. MCCOLLUM, Ms. EDWARDS, Ms. SCHAKOWSKY, Mr. BUTTERFIELD, Mr. BERMAN, Ms. CLARKE of New York, Mr. AL GREEN of Texas, and Mr. HASTINGS of Florida):

H. Res. 51. A resolution supporting the goals and ideals of National Black HIV/AIDS Awareness Day; to the Committee on Energy and Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. PLATTS introduced a bill (H.R. 411) for the relief of certain aliens who were aboard the Golden Venture; which was referred to the Committee on the Judiciary.

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. GINGREY of Georgia:

H.R. 5.

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 3 of the Constitution, as health care-related lawsuits are activities that affect interstate commerce.

By Mr. SMITH of Texas:

H.R. 394.

Congress has the power to enact this legislation pursuant to the following:

Clause 9 and Clause 18 of Section 8 of Article I of the Constitution; and Section 1 of Article III of the Constitution.

By Mr. MCNERNEY:

H.R. 395.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution grants Congress the power to enact this legislation.

By Mr. SESSIONS:

H.R. 396.

Congress has the power to enact this legislation pursuant to the following:

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;

By Mr. HERGER:

H.R. 397.

Congress has the power to enact this legislation pursuant to the following:

Section 2 of the "Reform Americans Can Afford Act" repeals the Patient Protection

and Affordable Care Act and the Health Care and Education Reconciliation Act, which include several specific provisions that exceed the powers granted to Congress by the Constitution. The general repeal of these laws is consistent with the Tenth Amendment, which reserves to the States and to the people those powers that are not delegated to the United States by the Constitution.

Division A (Sections 101 and 111), Title IV of Division B, and Division F are enacted pursuant to Article I, Section 8, Clause 1 of the Constitution, which grants Congress the power to collect taxes to pay debts and provide for the common defense and general welfare of the United States.

Division A (except Sections 101 and 111), Division B (except Title IV), Division C, Division E, and Division G are enacted pursuant to Article I, Section 8, Clause 3 of the Constitution, which grants Congress the power to regulate interstate commerce.

Division D removes the federal government from the doctor-patient relationship consistent with the rights and powers reserved to the states and the people under the Ninth and Tenth Amendments.

Division F (Section 602) protects the right of the people to free exercise of religion under the First Amendment, and the right of the people to the equal protection of the laws under the Fourteenth Amendment.

By Ms. ZOE LOFGREN of California:

H.R. 398.

Congress has the power to enact this legislation pursuant to the following:

Clause 4 of Section 8 of Article I of the Constitution.

By Mr. FLAKE:

H.R. 399.

Congress has the power to enact this legislation pursuant to the following:

The enumerated powers listed in Article I, Section 8 include the power to "establish a uniform Rule of Naturalization," which has been interpreted to also include regulation of immigration.

By Mr. BACA:

H.R. 400.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CARSON of Indiana:

H.R. 401.

Congress has the power to enact this legislation pursuant to the following:

Clause 2 of Section 5 of Article I of the Constitution, Clause 1 of Section 8 of Article I of the Constitution, and Clause 18 of Section 8 of Article I of the Constitution.

By Ms. DeLAURO:

H.R. 402.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. FILNER:

H.R. 403.

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 (Clauses 1, 14, and 18), which grant Congress the power to provide for the common Defense and general Welfare of the United States; to make rules for the Government and Regulation of the land and naval Forces; and to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

By Mr. FORTENBERRY:

H.R. 404.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. GRAVES of Missouri:

H.R. 405.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Article 1, Section 8, Clause 3 of the United States Constitution, Congress shall have power to Regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

GRAVES 003 seeks to add an additional goal for Airport Master Plans under Section 47101 of Title 49, United States Code.

By Mr. JONES:

H.R. 406.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 4 of the U.S. Constitution, which grants Congress the authority to make law governing the time, place and manner of holding federal elections.

By Mr. JONES:

H.R. 407.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 5 of the U.S. Constitution, which grants Congress the authority to determine the rules of its own proceedings, and Article 1, Section 8 of the U.S. Constitution, which grants Congress the authority to make rules for the government and regulation of the armed forces.

By Mr. JORDAN:

H.R. 408.

Congress has the power to enact this legislation pursuant to the following:

The bill makes specific changes to existing law in a manner that returns power to the States and to the people, in accordance with Amendment X of the United States Constitution.

By Mr. ROGERS of Alabama:

H.R. 409.

Congress has the power to enact this legislation pursuant to the following:

The power of Congress to make rules to provide for the common defense, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution.

By Ms. LINDA T. SANCHEZ of California:

H.R. 410.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 of the Constitution.

By Mr. PLATTS:

H.R. 411.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, subsection 4 and Amendment XIV.

By Mr. TURNER:

H.J. Res. 22.

Congress has the power to enact this legislation pursuant to the following:

Article V of the United States Constitution, Constitutional Amendments.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 3: Mr. AMASH, Mr. COBLE, Mr. GOSAR, Mr. GRIFFITH of Virginia, Mr. MACK, Mr. PETRI, Mr. RIVERA, Mrs. ROBY, Mr. ROSS of Florida, Mr. SMITH of Nebraska, Mr. WALBERG, and Mr. WALDEN.

H.R. 4: Ms. SEWELL and Mr. OWENS.

H.R. 21: Mr. GRIMM.

H.R. 23: Ms. SUTTON, and Mr. KEATING.

H.R. 25: Mr. HUELSKAMP, Mr. KLINE, and Mr. HALL.

H.R. 44: Mr. REHBERG.

H.R. 96: Mr. LATHAM and Mr. POSEY.

H.R. 97: Mr. BUCSHON, Mr. TIBERI, Mr. LANKFORD, Mr. GRIFFITH of Virginia, Mr.

GRAVES of Georgia, Mrs. BACHMANN, and Mrs. MILLER of Michigan.

H.R. 104: Mr. HUIZENGA of Michigan and Mr. HIGGINS.

H.R. 121: Mr. YOUNG of Florida, Mr. RIBBLE, Mr. CONAWAY, and Mr. POSEY.

H.R. 127: Mr. CRAWFORD.

H.R. 136: Mr. GRIMM.

H.R. 152: Mrs. MYRICK.

H.R. 153: Mr. CHAFFETZ, Mrs. BLACKBURN, Mr. GIBBS, Mr. REHBERG, and Mrs. BACHMANN.

H.R. 154: Mr. BACHUS.

H.R. 198: Mr. MEEHAN, Mr. FILNER, and Mr. WITTMAN.

H.R. 205: Mr. YOUNG of Alaska and Mr. COLE.

H.R. 234: Mr. FLEMING, Mr. NUNNELEE, and Mr. DUNCAN of Tennessee.

H.R. 280: Mr. YOUNG of Florida and Mr. CRAVAACK.

H.R. 283: Mr. KUCINICH, Mr. STARK, and Mr. GRUJALVA.

H.R. 284: Mr. COHEN.

H.R. 286: Ms. JACKSON-LEE of Texas.

H.R. 287: Mr. FILNER, Ms. WOOLSEY, Mr. MCGOVERN, and Mr. SCHIFF.

H.R. 297: Mr. WALBERG and Mr. TURNER.

H.R. 308: Mr. GUTIERREZ, Mr. SIRES, Mr. CARSON of Indiana, Mr. RANGEL, Mr. MARKEY, and Mr. FILNER.

H.R. 330: Mr. GRUJALVA.

H.R. 333: Mr. PLATTS, Mr. TURNER, Mr. COSTELLO, Mr. CALVERT, Mr. SIRES, and Ms. LINDA T. SANCHEZ of California.

H.R. 358: Mr. WALBERG, Mr. ROGERS of Alabama, Mr. YOUNG of Florida, Mr. CASSIDY, Mr. LUETKEMEYER, and Mr. NUNNELEE.

H.R. 359: Mr. OLSON, Mr. LUCAS, Mr. PAUL, Mr. NUNNELEE, Mrs. ELLMERS, Mr. GARDNER, Mrs. MILLER of Michigan, Mr. CHAFFETZ, Mr. LATTI, Mr. HANNA, and Mr. LUETKEMEYER.

H.R. 363: Mr. CICILLINE, and Ms. HIRONO.

H.R. 371: Mr. HENSARLING and Mr. GIBBS.

H.R. 384: Mr. CARNAHAN, Ms. ZOE LOFGREN of California, and Ms. MCCOLLUM.

H.J. Res. 13: Mr. KLINE and Mr. ROSS of Arkansas.

H. Con. Res. 3: Mr. YOUNG of Florida.

H. Con. Res. 11: Ms. MOORE.

H. Res. 20: Mr. POLIS.

H. Res. 35: Ms. FUDGE, Mr. BUTTERFIELD, and Mr. CLARKE of Michigan.

H. Res. 36: Ms. LINDA T. SANCHEZ of California, Ms. FUDGE, and Mr. RICHMOND.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. DANIEL E. LUNGREN OF CALIFORNIA

The provisions that warranted a referral to the Committee on House Administration in H.R. 359 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of Rule XXI.

OFFERED BY MR. DANIEL E. LUNGREN OF CALIFORNIA

The provisions that warranted a referral to the Committee on House Administration in H. Res. 49, the "Staff Sergeant Salvatore A. Giunta Medal of Honor Flag Resolution", do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of Rule XXI.

PETITIONS, ETC.

Under clause 3 of rule XII,

1. The SPEAKER presented a petition of the City of Miami, Florida, relative to Resolution R-10-0567 urging the members of Congress to introduce legislation opposing cultural exchanges between Cuba and the United States; which was referred to the Committee on Foreign Affairs.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 359

OFFERED BY: MR. PETERS

AMENDMENT NO. 1: Page 2, line 23, strike "Treasury." and insert "Treasury, to be used only for reducing the deficit."

H. RES. 38

OFFERED BY: MR. JORDAN

AMENDMENT NO. 1: Strike: "for the remainder of fiscal year 2011 that assumes non-security spending at fiscal year 2008 levels or less."

Add: "that provides a total non-security fiscal year 2011 allocation that is at least \$100 billion less than provided for in House Report 111-565."