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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 8, 2011.

I hereby appoint the Honorable DANIEL WEBSTER 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 11:50 a.m.

HOUSE CONGRESSIONAL PAGES

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

Mr. BLUMENAUER. Mr. Speaker, tonight is a very historic joint session of Congress. Indeed, it is unique in the history of our Nation.

Not because it was the first time a President's request had been refused by the Speaker. No. Or that the President's speech, in and of itself, is somehow going to be extraordinary, although we all hope that it is.

This event is historic because for the first time in two centuries, there will

be no young House pages in attendance when the President takes the podium behind me. There will be no sea of young men and women in blue blazers with bright faces intent on shaking the President's hand and drinking in the ceremony and the significance of a joint session of Congress.

This is sad on so many levels, especially as a symbol of why Congress is held in such low esteem. Many here understand the cost of a program but fail to understand its value.

Dedicated staff were dismissed without notice in a decision that was announced via press release without a chance for the people who care passionately about the program to argue for its future or help pay for it. It may save a few million dollars, but we lose the opportunity to enrich thousands of lives whose influence and contributions have spread across the decades and across America, while strengthening and uplifting this institution. This is part of a disturbing trend here in Congress, devaluing youth and civic education.

Also scheduled for elimination is the Classroom Law Project sponsored "We the People" program and the national high school Constitution competition that takes place every year all across the country. This is at a time when our friend, the esteemed documentary producer, Ken Burns, points out that the average teenager can name eight kinds of blue jeans but can't name eight American Presidents. Yet Federal support for civic education is not on the radar screen here in Washington, D.C.

This is not really any different than the other basic infrastructure that is falling victim to reckless budget knives and congressional indifference. The young people who participate in the page program and the Classroom Law Project could easily construct a path forward for this Congress and the President.

These young people would craft a path forward that featured a balanced

and fair revenue system that would raise revenue and reduce the deficit. They would accelerate health care reform, not put sand in the gears. They would right-size and redirect our military involvement, and they would reform agricultural programs to help more family farms and ranchers while saving money.

These alumni could figure it out, while those who control the levers of power in the House pursue an extreme agenda that is not what America needs or what Americans want. These young people, the pages, may not be in attendance here this evening, but their absence speaks volumes about political dysfunction and a shortsighted agenda.

I hope we will all listen to them.

CHIEF ENFORCER OF THE LAW OR CHIEF IGNORER OF THE LAW?

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

Mr. POE of Texas. Mr. Speaker, I come today to talk to you about something pretty basic—that is our Constitution, the way our Constitution was set up. We all learned in civics that this body, Congress, writes the laws for the people.

Down the street the Supreme Court interprets that law, they judge that law. And the executive branch is the branch of government that we expect through our Constitution to execute the law or enforce the law. In fact, our Constitution in article 2 states specifically about the President and gives the President a job and a duty that no other person in this country has under our Constitution.

Besides taking the oath to uphold the Constitution, article 2, section 3, says that the President shall "take care that the laws be faithfully executed", that the laws are in the hands of the President, and he is to take care that he fulfills his obligation to execute

☐ 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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those laws, to follow those laws. That's the way our Constitution is set up, but that is not occurring. Because, you see, we have laws in this country that this body has passed that the administration doesn't want to enforce.

In fact, recently, the administration sent down an edict through its administrative agencies and said no longer will the President be the chief enforcer of the law. He will, in my opinion, become the chief ignorer of the law, the immigration laws. Because, you see, Immigration Services has decided, well, we are really not going to enforce the law that applies to all of those people that are here in the United States illegally.

So we are going to defer action. What does that mean? Here's what it means, Mr. Speaker. It means that people who have been charged with being in the country illegally, who are waiting for their hearings, waiting to be deported, they are going to get a pass if they haven't committed some serious crime or some other condition that Immigration Services has outlined.

And if people are in this country illegally and they haven't committed a violent crime, well, they are going to get a pass too. They are not going to be deported because the law will not be enforced. The action of prosecuting them will be deferred indefinitely.

Now, whether it's a good idea or not to let certain people stay in the country because of certain reasons is not the issue. The issue is Congress has not authorized this so-called prosecutorial discretion. I was a prosecutor, many Members were prosecutors. Before I was a judge, I was a prosecutor.

Prosecutorial discretion means this: A case comes before the prosecutors's office and you read the case and you find out, hey, this person may not be guilty or there is no evidence to prove they did this. So you dismiss that case because the person is innocent.

The law sets up reasons for why there is prosecutorial discretion, but not so anymore. The Administration has written exceptions to the law. There are 20 reasons, Immigration Services says—by no means these are exhaustive—why people should not be deported any longer.

What that means is Immigration Services has given a list of reasons, well, we are not going to deport these people for these reasons. They don't have that authority. Congress writes the laws, not the administration. And just because the administration doesn't like the law gives them no authority to say we are going to ignore certain laws for this reason. I notice that this memo that came out from Immigration Service came out while Congress was in recess.

The chief enforcer of the law has the duty to enforce the rule of law. We write them, the President enforces it. Whether the President, the administration, Immigration Services likes it or not, they are going to enforce the rule of law and not come out with some

memo saying, well, here are some exceptions to the law, we are just not going to get around to deporting people because of these numerous reasons.

□ 1010

In essence, the administration has altered the law by edict—or by memo in this case. It is the obligation of the chief enforcer of the law to enforce the rule of law, not to give a pass to certain people that are in this country illegally because of certain reasons. I don't know the reason why the President has made this decision. People can conjecture up their own reasons why certain folks are getting a pass.

But it is great news for people who are in the country illegally. It's great news for people who are coming to the country illegally. The Government is saying: "It's okay to stay in America as long as you don't commit some serious crime in the United States." And it is an obligation of the President to enforce the law, enforce the immigration laws that we write and not become the chief ignorer of the laws.

And that's just the way it is.

EXERCISING PROSECUTORIAL DISCRETION CONSISTENT WITH THE PRIORITIES OF THE AGENCY FOR THE APPREHENSION, DETENTION, AND REMOVAL OF ALIENS

FACTORS TO CONSIDER WHEN EXERCISING PROSECUTORIAL DISCRETION

When weighing whether an exercise of prosecutorial discretion may be warranted for a given alien, ICE officers, agents, and attorneys should consider all relevant factors, including, but not limited to—

the agency's civil immigration enforcement priorities;

the person's length of presence in the United States, with particular consideration given to presence while in lawful status;

the circumstances of the person's arrival in the United States and the manner of his or her entry, particularly if the alien came to the United States as a young child;

the person's pursuit of education in the United States, with particular consideration given to those who have graduated from a U.S. high school or have successfully pursued or are pursuing a college or advanced degrees at a legitimate institution of higher education in the United States;

whether the person, or the person's immediate relative, has served in the U.S. military, reserves, or national guard, with particular consideration given to those who served in combat;

the person's criminal history, including arrests, prior convictions, or outstanding arrest warrants;

the person's immigration history, including any prior removal, outstanding order of removal, prior denial of status, or evidence of fraud;

whether the person poses a national security or public safety concern;

the person's ties and contributions to the community, including family relationships;

the person's ties to the home country and conditions in the country;

the person's age, with particular consideration given to minors and the elderly;

whether the person has a U.S. citizen or permanent resident spouse, child, or parent;

whether the person is the primary caretaker of a person with a mental or physical disability, minor, or seriously ill relative;

whether the person or the person's spouse is pregnant or nursing;

whether the person or the person's spouse suffers from severe mental or physical illness;

whether the person's nationality renders removal unlikely;

whether the person is likely to be granted temporary or permanent status or other relief from removal, including as a relative of a U.S. citizen or permanent resident;

whether the person is likely to be granted temporary or permanent status or other relief from removal, including as an asylum seeker, or a victim of domestic violence, human trafficking, or other crime; and

whether the person is currently cooperating or has cooperated with federal, state or local law enforcement authorities, such as ICE, the U.S. Attorneys or Department of Justice, the Department of Labor, or National Labor Relations Board, among others.

This list is not exhaustive and no one factor is determinative. ICE officers, agents, and attorneys should always consider prosecutorial discretion on a case-by-case basis. The decisions should be based on the totality of the circumstances, with the goal of conforming to ICE's enforcement priorities.

FOOD INSECURITY

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

Mr. MCGOVERN. Mr. Speaker, every year the Department of Agriculture collects, analyzes, and releases a report detailing the amount of domestic food insecurity. Yesterday, USDA released this report. This may sound like a wonkish, policy-driven report, but it is one of the most important reports written and released by any Federal agency. Simply put, Mr. Speaker, this is a report about hunger in America.

Our country is going through very difficult economic times; the most difficult since the Great Depression. One of the results of this recession has been an increase in hunger. Families who have lost their jobs or have seen their incomes reduced because of the economy have had a difficult time putting food on their tables. It's common to see families who once volunteered at or donated to local food pantries now stand in line for food from these very same nonprofit organizations. Unfortunately, these organizations have had difficulty meeting the demands they've faced over the past few years.

The good news, I suppose, is that the new USDA report shows that fewer people were food insecure in 2010 than in 2009. The bad news is that there are still 48.8 million Americans who struggled to put food on their tables last year.

Frankly, Mr. Speaker, these numbers are unacceptable. It's unconscionable that even one person in this country goes without food, let alone 48.8 million people. It breaks my heart that 16.2 million of these hungry people are children. That's almost a quarter of the total food insecure population.

President Obama pledged to end childhood hunger by 2015. It's clear, barring some dramatic shifts in policy, he's not going to achieve that goal. I regret that very much; so should every elected Member of this Congress.

While 48.8 million hungry Americans is a daunting figure, it's important to realize that these figures would be much worse if it weren't for the Supplemental Nutrition Assistance Program, or SNAP. Formerly known as Food Stamps, SNAP is a true safety net program that helps low-income individuals and families buy groceries. The added benefit of SNAP is that it is also an economic stimulus that benefits local economies. It's a simple concept—for every SNAP dollar spent, \$1.84 goes into the economy.

But despite what SNAP critics may claim, SNAP prevented millions of Americans from going without food. Without a doubt, yesterday's food insecurity numbers would have been much worse if it weren't for SNAP.

Mr. Speaker, hunger is a political condition. We have the means to solve hunger if we muster the political will to do so. SNAP is a proven program, one that prevents hunger while stimulating the economy. It's for both the moral reason and the economic reason that any deficit reduction proposal considered by the Select Committee on Deficit Reduction—the so-called supercommittee—must not cut SNAP or do anything that increases hunger and poverty.

Cutting SNAP or similar antihunger programs will increase hunger, an action which I believe is morally indefensible. That's why I will be circulating a letter urging the 12 members of the select committee not to approve any deficit reduction policies that will increase hunger or poverty in this country. I urge my colleagues, Republican and Democrat, to join with me in this important letter.

A responsibility of government is to protect the most vulnerable people in our country while doing everything we can to ensure that we pass on the strongest country possible to our children and our grandchildren. Cutting SNAP, the program that literally prevents millions of Americans from going hungry, would be wrong. And collectively, we must do everything we can to prevent any actions that increase hunger in America.

These food insecurity numbers are sad and disheartening, but they are also a call to action. We can do better. We must do better.

TAX ON MEDICAL INNOVATION

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

Mr. PAULSEN. Mr. Speaker, last year, as part of the new health care reform law, a new \$20 billion tax on medical devices was put in place. Since the day this ill-conceived tax was first proposed on medical innovation, I have said it would reduce access to new life-saving technologies and put American jobs on the line. Yesterday, a study was released that confirms just that. According to the report, this new tax on

medical innovation, which goes into effect in January 2013, could cost America as many as 43,000 jobs in just the next several years.

Mr. Speaker, there is still time to repeal this tax. There is still time to pass my bill to prevent this job-crushing tax from being implemented and ensuring that we do everything possible to retain these high paying, high-tech manufacturing jobs here in the United States.

Made in America innovation of medical devices is an American success story. But if we don't stop this new innovation tax, we could see more jobs go overseas and the decline of one of our leading U.S. industries.

PROVEN POLICIES RATHER THAN POLITICAL POSTURING

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

Mr. CONNOLLY of Virginia. Mr. Speaker, America needs jobs, and it's time we focused on proven policies rather than political rhetoric and posturing.

We need a real jobs program that builds on actual successes. The President tonight will be putting forward his job creation proposal. Unfortunately, some of our colleagues on the other side of the aisle have already decided that they are not even going to come and respect the President's joint appearance tonight. Talk about closed minds.

According to reports, he will call for infrastructure investments and middle class tax relief through an extension of the payroll tax cut, policies we know can create jobs. I look forward to working with the President and those who are willing to work with us on the other side to jump-start our economy and create American jobs.

To that end, I have introduced two bills to incentivize private sector job creation. They include tax cuts and private sector tax incentives, ideas that work, ideas that Republicans traditionally have supported.

I introduced H.R. 11 to extend the successful Build America Bonds program to leverage private sector investment to facilitate needed infrastructure improvements. Repairing bridges, building hospitals, renovating schools create jobs now. During the last 2 years under the Build America Bonds program, for every Federal dollar we invested, we leveraged \$41 of private sector support for more than 2,000 projects in every State and created hundreds of thousands of jobs. Build America Bonds is the kind of public-private partnership that Republicans generally support, and we know from the Recovery Act that they create jobs.

I have also introduced legislation to expand the tax deduction for business startups. Lending and venture capital investments in small businesses, especially startups, continue to lag significantly behind traditional levels. Ex-

tending this tax deduction for startup expenses gives entrepreneurs greater certainty for their financial planning and greater incentives to start creating jobs. These tax cuts and small business startups will enable the private sector to do what it does best—create jobs.

Make no mistake: The challenge is daunting. The Great Recession was the worst economic collapse in 80 years. At its height, America was losing 700,000 jobs a month; so Democrats in the last Congress took action. We passed the Recovery Act, which cut taxes for 95 percent of all Americans and increased infrastructure investment, saving and creating hundreds of thousands of construction jobs. We provided educational support to train a more highly skilled workforce. We enacted a hiring tax credit to spur private sector hiring of recently laid off workers, and we saw results. After months of horrific job losses, America began more than 1 year of monthly private sector net job growth, peaking earlier this year with 3 straight months of more than 200,000 private sector jobs created. In fact, in the last 18 months, we created 2.4 million private sector jobs. The public sector, however, has lost jobs every single month this year. Isn't this the result for which the Republicans actually advocated?

□ 1020

Didn't they tell us that cutting government will free up the private sector? Then why did we have just 17,000 private sector jobs created in August? In fact, the job results this August, with the Republican economic plan in action, continued cutting and zero net jobs created.

It's time we acknowledge that the Republican "cut to create" philosophy cuts the job market and creates only uncertainty. The choice is simple: Politics versus job creation. We're all going to be listening with great attention tonight to the President, and I hope all of us attend.

FINDING COMMON GROUND FOR JOB CREATION

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

Mr. DOLD. Over the past several weeks, I've had the privilege to meet with people from all over Illinois's 10th Congressional District. Whether I was at a senior center or holding a town hall meeting, one thing was clear: The people are concerned about the economy, and they want Congress to work together to find solutions. Throughout August I toured several factories, held town hall meetings, hosted a job fair where over 600 people attended, and organized meetings with manufacturers and entrepreneurs. At each and every one of these events people eagerly shared their ideas about how to spur the economy. And one thing also was clear, that they were fed up with Washington's politics as usual.

Mr. Speaker, we know Washington doesn't create jobs. Small businesses and entrepreneurs do. But Congress does have the responsibility to create an environment that fosters job creation and removes barriers that stifle innovation and economic growth.

Tonight, Mr. Speaker, we're going to hear from the President. I'm looking forward to finding common ground so that we can put people before politics and progress, before partisanship so we can get America back to work.

WE NEED A BOLD VISION FOR THE ECONOMY

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

Mr. DEFAZIO. We have the economy the tax cuts will give us. Eight years of Bush tax cuts, 2 years of Bush-Obama tax cuts, and now the individual Obama tax cut proposals. We have \$5 trillion borrowed, distributed generally with the Bush tax cuts, principally to the job creators, as the Republicans call them—millionaires and billionaires—and in little bits to working Americans. It's not working. So why would we do more of the same?

Apparently, the President tonight is going to propose again to extend the Social Security tax holiday. Two things wrong with that, maybe three. One, it's not putting anybody back to work. Two, we borrowed \$110 billion this year to put into the Social Security trust fund because we cut the income of Social Security by \$110 billion. And now we're being told perhaps we should double down. Let's give both the employers and the employees a little bit of a Social Security tax holiday.

That's \$20 a week to someone who earns \$50,000 a year. Not bad. They can use it. It's probably about the difference they pay for filling up their car to get to work. But ExxonMobil isn't hiring. Or maybe they use it to put food on the table for the kids or maybe buy junk from China. It's an old economic theory: Put money in the pockets of Americans and the idle plant capacity in America will rev up and hire Americans to make things in America. We don't make things any more because of failed trade policies. Apparently, failed trade policies are going to be part of this jobs proposal.

Three more Bush free trade proposals now adopted by Obama. That would be a disaster if that's a part of this so-called package. It would be a travesty.

Let's forget about the tax cuts. Let's not just have a little dribble or drab of infrastructure investment. People say, Oh, the stimulus failed. What happened? All your infrastructure investment, 40 percent of that stimulus was tax cuts; 7 percent was investment in infrastructure. Yes, it worked, but it was a pathetically small part of the package in a country that has a \$3 trillion infrastructure deficit, with dams that are failing, levees that are failing, highways that are crumbling, bridges

that are falling, transit systems that are based in 19th- and early 20th-century technology; and our competitors are building out a 21st-century infrastructure.

We need a bold vision. We don't need another little dribble or drab in infrastructure. We sure as heck don't need another one of these stupid shovel-ready project things. We need long-term investment. When you do long-term investment, the private companies who build all these projects—these aren't government projects. Taxpayers fund them. The private sector builds them. Many small businesses, they will go out and buy equipment. When they buy equipment, especially if we put Buy America requirements on all these proposals, they'll buy things that will be made in America that will put people back to work in manufacturing.

So this isn't just about construction jobs. It's about manufacturing jobs, it's about engineering jobs, it's about small business jobs. But it needs to be a major, bold, long-term vision on building a 21st-century infrastructure for America to make us more competitive in the world.

Enough with the tax cuts. They don't work. They don't put people back to work. Guess what? If you don't have a job, you don't get a tax cut, do you? Let's do something for the people who need jobs and for the future of the country and for our kids with a grand long-term vision tonight, not more of the same.

PURPLE HEART HOMES HELPS WOUNDED VETERANS LIVE WITH DIGNITY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, over the district work period, I had the chance to attend a celebration sponsored by the Statesville Chamber of Commerce to honor the founders of a remarkable organization called Purple Heart Homes, based in Statesville, North Carolina. John Gallina and Dale Beatty, both combat-wounded disabled veterans, founded Purple Heart Homes in 2008 to help other disabled veterans live with dignity.

Beatty and Gallina were severely injured in Iraq in 2004 when their Humvee was blown up by an anti-tank mine. As a result of their injuries, these two friends discovered a new passion—helping other service-disabled veterans of all ages. Their mission is to provide appropriate housing solutions to disabled veterans at little or no cost. They know firsthand the value of returning home after serving America while deployed, and they understand just how much it means for service-disabled veterans to have a usable and accessible home.

Their leadership, hard work, and commitment to honoring those who have sacrificed so much for their Na-

tion has not gone unnoticed. Last month, Time magazine featured them on its front cover as examples of a new generation of emerging leaders. The people of Statesville and North Carolina could not be more proud of these veterans and their exemplary dedication to serving others.

John Gallina and Dale Beatty have overcome great odds to succeed in their mission of serving others. Their stirring example gives me confidence that they have only just begun to accomplish great things. I hope that many others follow in their footsteps and are inspired to serve those in need.

MEMO TO THE SUPERCOMMITTEE: CUT WAR SPENDING, NOT THE SAFETY NET

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, today the Joint Select Committee on Deficit Reduction holds its first organizational meeting; and it does this as it begins its work on reaching the spending cut benchmarks called for in the debt ceiling compromise.

I have a suggestion for the 12 members who have been entrusted with this responsibility. I know exactly the place they should identify for their savings. It's a government program that's been notorious for waste and cost overruns. It's been cited many times over by neutral experts for its excess and inefficiency. It hasn't achieved its stated goals and it is deeply unpopular with the American people.

I'll give you a hint. It's not Medicare or Social Security. It's not food stamps or unemployment benefits or Pell Grants or WIC. It's not any of the programs that comprise the safety net for our Nation. It's not any initiative designed to lift up the American people and giving them a chance to rise above difficult economic times.

No. It's a decade-long effort that has been fiscally irresponsible, eroded our moral authority around the world, and cost our Nation more than 6,000 precious lives.

□ 1030

That's right, Mr. Speaker, our ongoing wars in Afghanistan and Iraq are the perfect target for the spending cuts our country needs to restore fiscal balance.

I have written a letter to the supercommittee, cosigned by 23 of my colleagues—so far, they're still signing on—strongly urging the committee to take a hard look at the overwhelming crippling costs of these wars. Afghanistan alone is costing the American people at least \$10 billion a month, and to date, Iraq and Afghanistan combined have sucked the Treasury dry to the tune of a staggering \$2.3 trillion—not million, not billion, \$2.3 trillion. Frankly, this would be a rip-off at a fraction of the cost. If these wars were

revenue neutral, if they carried no price tag at all, I would say it's not worth it. Just during the month of August, when Congress was in recess, 70 more brave Americans died in Afghanistan, making last month the single deadliest month of this 10-year war.

The notion that things are looking up in Afghanistan is ridiculous on its face. Our continued occupation is impeding progress, not making it; fanning the flames of the insurgency instead of putting them out; making us less safe, not more. And for this, we are asking our people here in the United States to go without.

Less than 12 hours from now, however, the President will be speaking from the Chamber, and he will be talking about his job creation strategy. My colleagues on the other side of the aisle, I fear, will react by saying we can't spend a dime more to solve our devastating economic crisis and put Americans back to work, yet the overwhelming majority of them have nothing at all to say about the trillions of dollars we've wasted and are continuing to spend on reckless, senseless, immoral wars.

It's true that budgets are about choices. Which will we choose: the human destruction of seemingly endless wars abroad or the pressing human needs we have here at home?

The supercommittee has a big job, Mr. Speaker. It will be grossly irresponsible for them to ignore one of the biggest ticket items when they're making their considerations. Let's help solve our budget crisis and our moral crisis at the same time by bringing our troops home.

JOB CRISIS IN AMERICA

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

Mr. HURT. Mr. Speaker, I rise today to address the current state of the economy and the jobs crisis that is facing Virginia's Fifth District and our Nation.

The August jobs report that was released last week showed that no net new jobs were added to the economy in the month of August, while unemployment remains unacceptably high at 9.1 percent, underscoring the urgent need for real change in Washington so we can get America working again.

To help jump-start our economy, the House has been laser focused on supporting those policies that seek to remove the Federal Government as a barrier to job creation, to unleash innovation and invite opportunity in the private sector. To this end, the House has already passed several pro-growth measures that could immediately help spur job creation in Virginia's Fifth District and across our country. Unfortunately, the Senate has inexplicably refused to take action on these bills, blocking progress on commonsense solutions that would help turn our economy around at a time when we need it most.

Continuing to build on our efforts in the House to grow the economy and create jobs, the majority leader recently announced the upcoming fall and winter legislative schedule for Congress, which will focus on reducing and repealing unnecessary government regulations to create a more certain economic environment to provide our true job creators with the confidence and the freedom necessary to expand and hire.

I was glad that the Farm Dust Regulation Prevention Act, H.R. 1633, a bill I coauthored with Representative NOEM, was included as a part of this overall agenda on jobs and regulatory relief, and I am glad that the House will take action on this important bipartisan legislation. H.R. 1633 will prohibit the EPA from burdening farmers and small business owners in rural America with additional dust regulations so they can focus on growing their businesses and putting people back to work.

As the President prepares to address a Joint Session of Congress this evening to unveil his latest jobs plan, it is my hope that he will take this opportunity to urge the Senate to act on the bipartisan House-passed jobs bills, move past his failed stimulus measures, abandon his threats of more tax hikes, and join with us in the House in supporting those policies that put our economic recovery in the hands of the people of the Fifth District and all Americans instead of the Federal Government.

OUT OF POVERTY CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. TOWNS) for 5 minutes.

Mr. TOWNS. Mr. Speaker, as the ranks of the unemployed continue to swell, all eyes have been focused on the plight of the middle-income working Americans. Many of their fortunes have changed dramatically for the worse. Many have lost their homes to foreclosure, many have seen their retirement accounts all but disappear, and, sadly, many of those who have been out of work for months have fallen below the poverty level.

From 2006 to 2009, more than 7 million Americans joined the ranks of the poor. Next week, on September 13, the Census Bureau will publish its annual report on poverty and income. We expect dire news again. These are not just poor people; they are poor Americans. The vast majority of poor people in this country are not poor because they are lazy and don't want to work or to do better. Many people are poor because they grew up in poverty and could not find the means to escape. They were trapped by failing schools, broken families, poor nutrition, and hopeless conditions.

In recent years, we have witnessed a dramatic increase in the number of children living in poverty. It looked like we were making progress at the

turn of the century when the child poverty rate dipped to 16 percent. By 2009, the rate has risen to 21 percent, with 15.5 million children living in poverty. This disturbs me greatly. Children who grew up in poverty are more likely to be poor during adulthood. Children who were born in middle class families have a 76 percent chance of being middle class. Poor children only have a 35 percent chance of escaping poverty.

On Friday, September 16, in conjunction with the National Association of Social Workers, I will be conducting a forum on The Future of New York City's Children. One thing we will be doing is taking a look at what we are doing for children in poverty. This is still the greatest nation on Earth. We are still the richest nation on Earth. There is just no good reason why so many of our citizens are living in poverty. We must do better.

PRESIDENT OBAMA'S SPEECH ON JOB CREATION

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

Mr. SOUTHERLAND. Mr. Speaker, when the President steps into this Chamber tonight, he will be addressing an American public that has grown weary of unfulfilled promises and empty, prepackaged rhetoric. He will be speaking to a restless Nation that grows louder than ever in its demand for strong, visionary leadership from its government leaders. They want solutions.

Not one job was added during the entire month of August. I will remind all of us that it requires 150,000 new jobs each and every month for this country's economy just to break even. For 31 straight months, the unemployment rate has been above 8 percent, the lowest percentage of Americans holding a job in 28 years, over half of my lifetime.

Two hundred nineteen newly planned regulations are on tap for the American people if not stopped, costing over \$100 million each. The average small business with fewer than 20 employees faces yearly regulatory costs of over \$10,000.

□ 1040

Total yearly regulatory costs equal \$1.75 trillion, according to the Small Business Administration. And according to the EPA Numeric Nutrient Criteria Standards, these standards would cost the State of Florida, my home state, over 14,000 agriculture jobs alone. And a GDP, I might say, that grew this year at just 0.4 percent in the first quarter.

The American small business people, Mr. President, deserve real results. They will expect that tonight. They will expect that from this entire body from this point forward.

American small business people are real people, people like Jay Trumbull.

Jay is a personal friend I've known for a long time. He lives in my own congressional district. Jay is an independent dealer for Culligan Water, a company with offices in Panama City, Tallahassee, and Fort Walton Beach. He has been in business for over 30 years delivering water purification systems and installing water softeners and drilling wells throughout north and northwest Florida.

Jay told me that he's never seen conditions as bad as during the past 3 years of this administration. Over the last 3 years, Jay estimates that his personal business has dropped over 25 percent. Jay says that continued economic uncertainty has made it very difficult, almost impossible for him to expand his work force and to purchase new work vehicles.

He has said that he receives 25 to 30 job inquiries each and every week, people seeking employment, but he says he's stuck in a "holding pattern" due to this administration's failed economic policies.

We've all heard similar stories. With 25 million Americans who are unemployed or underemployed, we can all count family, friends, and neighbors among those who are struggling to find work.

The American people will be listening very closely tonight to this address. They will be hoping, they will be praying that this President acknowledges we need to chart a new course. Government doesn't create jobs, but it certainly, certainly can destroy them.

We need tonight to reduce regulatory burdens on our small businesses. Small businesses make up 85 percent of this Nation's economy. We need to streamline our Tax Code to spur investment and create jobs.

We need to help the American manufacturers be more competitive. We need to expand access to safe, affordable American-made energy. And of course, we all know we should, by now, that we must pay down our crushing burden of our debt. Mortgaging our children's future is immoral. It is unacceptable.

That is the agenda that the American people want to hear about tonight, Mr. President. And until we do our jobs here in Washington, the American people will continue to find it harder and harder, if not impossible, to do theirs.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

CONGRESSIONAL OUT OF POVERTY CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LEE) for 5 minutes.

Ms. LEE. Mr. Speaker, I rise today as one of the founding cochairs of the Congressional Out of Poverty Caucus to, once again, bring to light an issue

that we have swept under the rug for far too long: The fact that millions of children, families and adults are living in poverty in America.

Last month, the Annie Casey Foundation released its KIDS COUNT Data Book, which includes state-by-state rankings and data on child well-being in the United States.

It's a tragedy, Mr. Speaker, that this report reveals that the child poverty rate increased 18 percent from 2000 to 2009. Eighteen percent. Every gain in the fight against child poverty across America in the 1990s was lost from the year 2000 to 2009.

We now have 2.4 million more children across America living below the Federal poverty line. It's a moral outrage that, in this prosperous country, so many of our children are suffering, and we know that the impact is far worse in communities of color.

While the national child poverty rate is a staggering 20 percent, when we break it down, we find some tragic and heart-wrenching numbers. The child poverty rate for non-Hispanic White children is 12 percent. For African American children it's 36 percent. For American Indian and Alaska Native children, it's 35 percent. For Hispanic and Latino children, it's 31 percent. And for Asian American and Pacific Islanders, the rate is 13 percent. But among Southeast Asian American children, the poverty rate is 22 percent.

These statistics, these children, this childhood poverty rate, this is unacceptable. This data confirms what we've seen in our communities all along—the irresponsible fiscal policies of the prior administration plunged working families, especially those in communities of color, into poverty.

This report also reveals the impact of the Great Recession on children and their families. Nearly 8 million children lived with at least one parent who was actively seeking employment but was unemployed in 2010. This is double the number in 2007, just 3 years earlier.

That's why I again call upon the Speaker to bring my legislation and Congressman SCOTT's legislation, H.R. 589, to the floor for an up-or-down vote immediately, to help millions of children with job-seeking parents to get out of poverty.

We have 13.9 million people out of work, 6.2 million of whom are long-term unemployed. Worse yet, these numbers do not include those people across this country who have given up on trying to get a job or those who are unemployed.

And communities of color continue to carry the burden of higher unemployment rates than the national average of 9.1 percent. African Americans have an unemployment rate of 16.7 percent, and Latinos an unemployment rate of 11.3 percent. So the legislation I referenced increases unemployment compensation by 14 weeks for what we call the 99ers.

Our Nation has a job crisis, and this is a national emergency requiring sig-

nificant investment in the programs and projects that not only better our country but put Americans back to work. That's why the cochairs of the Out of Poverty Caucus, Congressman JOE BACA, Congressman BUTTERFIELD, Congressmen CONYERS and MIKE HONDA, we sent a letter to the President asking him to create a big and bold jobs plan that will address the needs of workers and those seeking work across this country. This will result in helping our economy, our communities, and our Nation's children.

While we believe that the investment could and should take many forms, we urge President Obama to include key programs and proposals that will support low income people and grow our economy: Restoring TANF; maintaining the emergency extension of unemployment insurance benefits, extend these benefits by 14 weeks; expand targeted Federal on-the-job training programs; expand Federal programs that support, train and focus on youth; initiate a work-sharing program that would subsidize wages at firms that manage to substitute shorter hours for layoffs.

We look to President Obama to present a bold package of direct investment which is aimed at our Nation's most vulnerable, those facing or living in poverty.

And most importantly, we look to the Republican majority to stop obstructing Democratic efforts to put people back to work. I urge the Republicans to end their "no jobs" agenda that makes it easier for corporations to send American jobs overseas, protects tax breaks for Big Oil, and ends Medicare. I hope they know that to make it in America, we must Make It In America.

ISRAEL

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. ENGEL) for 5 minutes.

Mr. ENGEL. Mr. Speaker, yesterday I came back from a trip to Israel, and I wanted to share with my colleagues some of the things that are going on currently in the Middle East and some of the things that will happen within the next couple of weeks.

First of all, it's always a pleasure to visit Israel, the only democracy in the Middle East. It's a pleasure to watch. Last Saturday night there were demonstrations throughout Israel, the young people, in the democratic way, voicing their feelings about important issues, just like we do here in the United States, and the people in Israel who are doing this. In a region where you have governments in Syria killing their own people, demonstrations and soldiers firing on people in Libya and Egypt, in Israel you have peaceful demonstrations and no fear of the police or the military the harming people because Israel is a full-fledged democracy, just like we are, just like the United States is, and it was a pleasure to be in that country.

□ 1050

There are several things that are happening during the next few weeks, and a number of them are at the United Nations in my home city in New York.

The Palestinian leadership has decided that it will go to the United Nations to try to get a declaration of statehood. Now, that is something that I believe, and any reasonable person believes, should be decided in face-to-face negotiations between Israel and the Palestinians.

In any dispute anywhere in the world, the only way that you can resolve the issue is if the two adversaries sit down and hammer out the issues—not by going to the United Nations, which is, frankly, a kangaroo court against Israel. There are so many resolutions that get passed year in and year out against Israel. Israel can never have a fair shake.

And thinking the Palestinians are thinking that if they go there somehow or other they will have a state, in reality it will make it even worse.

Because what happens is if the United Nations declares a Palestinian state, that shows that there need not be any negotiations. And down the line, the Palestinian leadership will not be able to settle for anything less than what the resolution says. And no Israeli government, frankly, can agree to what a likely resolution is likely to say. And it will set back the cause of negotiation and the cause of peace even greater.

So I would say to the countries of the United Nations not to do a knee-jerk reaction, but to think about what will really bring peace to the region. A two-state solution, which I support—a Palestinian state and Israel living side by side in peace—that is what we want. And I should say the Jewish State of Israel and an Arab-Palestinian state living side-by-side in peace.

If the Palestinians truly want peace, they can get it. They can get it by face-to-face negotiations, not by running to the United Nations and having a resolution that will set back the cause of peace for many, many years to come.

Now, another thing that's happened in the region has been frankly the belligerence of Turkey with Israel. Turkey is a NATO nation, but for some reason the leadership in Turkey has decided that they want to look away from democracy. They want to look towards Iran and towards the Middle East. So they have become increasingly hostile towards Israel.

And we have, of course, the flotilla incident where Israel has a blockade of Gaza because the Hamas terrorist organization is in Gaza and in control of Gaza, and Israel has to be very, very sure that it protects its citizens from terrorism. We have had rockets and rockets and rocket barrages fired into Israel from Gaza, Israeli citizens being killed. No country would ever allow that to happen.

If we had a situation where terrorists were firing missiles at us from any of the border countries, Mexico or Canada, we wouldn't stand for it for a second. We would go in and clean out the terrorists that are threatening our civilian population.

Israel has the absolute right to do that. And the United Nations, in a rare instance where it agreed with Israel, just came out with a report saying that the Israeli blockade of Gaza to prevent weapons and weaponry from killing Israeli citizens was legal.

So of course we had the flotilla. It came from Turkey. And there was an incident that they were trying to break the blockade. And there was an incident. And of course what happened with it was the people were killed. And Turkey has used that as an excuse to be belligerent against Israel.

I would say to Turkey they ought to stop the nonsense, act more like a NATO country, and act more like a country that wants to go into the European Union, not a country that is sympathetic to extremism and not a country that is saying the most belligerent things. Just tone down and scale back its diplomatic recognition with Israel. I ask Turkey to act like a NATO nation.

RECESS

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

Accordingly (at 10 o'clock and 55 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Clark Johnson, First Southern Baptist Church, Topeka, Kansas, offered the following prayer:

Lord God, we begin our day by humbly thanking You for Your love, from which comes the blessings of life. Among those blessings, none seems more important or more needed to this legislative body than the gift of wisdom.

We pray that each Member of this Congress will seek the wisdom that comes from You. We are thankful for the leaders who use that wisdom to discern direction and implement the right course of action to enrich the lives of the citizens they represent. And I pray for them personally, the demands made upon them, the heavy burdens and responsibility, the lifestyle interruptions, that they will physically, mentally, and emotionally remain steadfast to the task.

Lord, we collectively lift our Nation to You, that it will be a blessing to You

and to those to whom we're involved with throughout the world.

It is in the name of Jesus that we pray.

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 gentlewoman from California (Ms. CHU) come forward and lead the House in the Pledge of Allegiance.

Ms. CHU 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.

WELCOMING PASTOR CLARK JOHNSON

The SPEAKER. Without objection, the gentlewoman from Kansas (Ms. JENKINS) is recognized for 1 minute.

There was no objection.

(Ms. JENKINS asked and was given permission to revise and extend her remarks.)

Ms. JENKINS. Mr. Speaker, I am so pleased this morning to welcome a fellow Kansan to the halls of Congress. Pastor Clark Johnson is here today serving as Guest Chaplain to the House of Representatives, and I have to say it was a nice start to the day with a prayer infused with a little Kansas spirit.

Pastor Johnson joined the Topeka community in 1989 when he accepted the call to become senior pastor of the First Southern Baptist Church in Topeka, and over the last 20 years, Pastor Johnson has built a true family at his church with members steadfastly working together for the greater glory of Our Lord and Saviour.

Kansas and Topeka are so blessed to have Pastor Johnson in our community, and the House is especially blessed to have Pastor Johnson with us today. I want to thank him for his service, and wish him well for many years to come.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. POE of Texas). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

EMPOWERING PARENTS THROUGH QUALITY CHARTER SCHOOLS

(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, House Republicans today are seeking to empower parents through the Empowering Parents Through Quality Charter Schools Act.

Charter schools are public schools created through a contract with an authorized agency or local school district. This bipartisan legislation encourages states to support the expansion and development of charter schools. It allows for successful charter school models to be duplicated. Finally, it accounts for an evaluation of the impact charter schools have on students, families, and communities. More importantly, it encourages the sharing of best practices between charter and traditional public schools.

Charter schools enable parents to have a more active role in their children's education. They pave the way for teachers to introduce fresh teaching methods while providing a viable option for students to escape from underperforming schools. This legislation is important to the educational needs of our Nation's families and children.

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

JOBS

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

Ms. CHU. Mr. Speaker, American families are profoundly worried. Many have lost their jobs. They've seen college tuition rise, and watched their nest egg shrink. Unemployment is stuck at 9.1 percent. You can feel the pain.

That is why a jobs bill is so critical. And yet, after 9 months of the Republicans taking over the House, they haven't passed a single jobs bill. Instead, they voted 10 times against job creation plans. They passed bills that gut millions of American jobs.

And Governor Perry even attacked one of the few programs still keeping Americans afloat, calling Social Security "a Ponzi scheme," blaming seniors for defrauding younger generations.

Americans need more than empty promises. Tonight we will hear a proposal from the President. Let's work together to finally provide real solutions that will put people back to work and give them hope for the future.

AN AUTUMN GROWTH AGENDA

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

Mr. HULTGREN. Mr. Speaker, over the last months I've had the privilege to travel across the 14th Congressional District in Illinois. I've met with hundreds of my constituents at town hall meetings, coffee shops, diners, and in their workplaces. Over and over I heard the same concern about our economy and our Nation.

We talked about how to get our economy moving again, and many of my constituents are convinced that we must get government out of the way, cut spending, cut redtape, keep taxes low. They know, as I do, that government itself cannot create jobs. They know that the best thing we can do to help our economy is to create a pro-growth environment, reasonable regulations, fiscal sanity, and a cleaner, fairer Tax Code.

I'm pleased that that will be our agenda here in the House this fall, and I look forward to serving my constituents by giving our job creators the certainty they need to expand, hire, and get our economy moving again.

RESTARTING OUR ECONOMY

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

Mr. MORAN. Mr. Speaker, tonight the President will try, once again, to restart this economy. But the problem is not with the President or his policies. It's here with the House majority who will oppose whatever he proposes. They will say that we tried the stimulus and it didn't work. But one of the reasons why the economy is slowing down is that stimulus dollars are drying up.

They will say that we need to cut corporate tax rates. But corporate after-tax profits are at an all-time high. They will say that we need to deregulate the financial markets, but it was that kind of deregulation that put us into this mess in the first place.

What we need is the faith to invest in this country's future. There are \$2.2 trillion of infrastructure projects that need to be funded. Every billion dollars that goes into this country's infrastructure creates 47,500 more jobs and, in fact, generates \$6.2 billion of additional economic activity.

That's what we need to do. That will work. That will make our country stronger, will reduce the deficit and will put people back to work.

HONORING THE MEMORY OF THE LATE SERGEANT DARRELL CURLEY

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

Mr. GOSAR. Mr. Speaker, I rise today in honor of the memory of the late Sergeant Darrell Curley of the Navajo Police Department who, after 26 years of dedicated service, lost his life in the line of duty on June 25, 2011.

Sergeant Curley was killed in the line of fire responding to a call in his community, Kaibeto, where he lived with his wife, Pauline, and three children, Arielle, Bronte, and Derrick.

Sergeant Curley was a dependable public servant and an outstanding family man whose smile is remembered

warmly by those who knew him. He also was recently appointed to a position of leadership within his faith community, as second counselor in the Bishopric of the Church of Jesus Christ of Latter-day Saints in Kaibeto.

Sergeant Curley was a kind man who was always willing to do for others, dedicating his life to improving the safety and security of the people of the Navajo Reservation, where he was raised and lived his life.

It is outstanding individuals like Sergeant Curley that have the experience and courage to serve and protect our communities, as well as put their lives in danger for the safety of others. My thoughts and prayers are with Sergeant Curley's family, the Navajo Nation, and the broader northern Arizona law enforcement community for such an outstanding individual.

□ 1210

MAKE IT IN AMERICA

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

Ms. HOCHUL. Mr. Speaker, this summer I heard one message over and over as I visited my district: We need to create a jobs program to get our people back to work.

I was sent to Washington to work with anybody and everybody who's willing to put aside the partisan bickering and get the job done for Americans. Yet we wasted a tremendous amount of time this summer fighting over the debt ceiling and issues that had nothing to do with creating jobs in this country. Starting today, let's get back to work.

I've got to tell you, folks, I was also very offended when I was at an Akron "Congress on Your Corner," when a Marine held up a cap that said "United States Marine Corps" on the top and it was made in China. I've got an amazing company right back in my district, New Era Cap, that could have made that.

Let's get people back to work working in America. Make it in America. Let's get the job done.

JOBS

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

Mr. BILIRAKIS. Mr. Speaker, while working in Florida during August, I hosted two small business roundtables because I wanted to hear from my constituents on how the Federal Government can best help the small business community. Their message was loud and clear: Washington needs to get out of the way so small businesses can innovate, grow, and create desperately needed jobs.

Burdensome regulations, the crippling costs of Federal health care reform, and uncertainty surrounding the

Tax Code are holding businesses back from making crucial decisions.

Jeff, a constituent who owns a moving company, told me, "Gus, I have money in the bank. I'd love to do something with it, but I can't when everything is so uncertain."

Reducing unnecessary regulations and simplifying the Tax Code would help provide the certainty that business owners like Jeff need to make the decisions that drive the economy forward.

WORDS OF JOHN ADAMS

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

Mr. QUIGLEY. "I fear that in every assembly, members will obtain an influence by noise, not sense. By meanness, not greatness. By contracted hearts, not large souls."

Mr. Speaker, John Adams wrote those words to his wife over 200 years ago, but the same fear lives today. Congress is back in town and all anyone wants to know is when, not if, we will tear each other apart. I think we are better than that.

As we move into September and tonight's address, let's remember how John ended that letter to Abigail: "There must be decency and respect, and veneration introduced for persons of authority of every rank, or we are undone. In a popular government," wrote Adams, "this is our only way."

PLAN FOR AMERICA'S JOB CREATORS

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

Ms. FOXX. Mr. Speaker, the seasons may be changing but our Nation's jobs crisis is not. With unemployment still at 9.1 percent and no measurable job growth in August, I'm glad to hear that this administration is ready to find common ground with Republicans to help create jobs.

But before he addresses the Nation tonight, the President should take a close look at our Plan for America's Job Creators and know that House Republicans have already paved the path to job growth for him.

So far this year, House Republicans have passed more than a dozen bills that do exactly what countless employers around the country are asking of Washington: Get out of the way so that our private sector can begin creating jobs again.

This fall, we'll continue to roll back job-killing regulations and rebuild long-term confidence for job creators. We all hope the President will join us in this effort.

RELIEF FOR HURRICANE IRENE VICTIMS

(Mr. WELCH asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. WELCH. Mr. Speaker, the scene to my right is a typical scene in Vermont. It's the result of the fury of Hurricane Irene. The damage to homeowners, to businesses, to the State infrastructure is immense.

This scene inflicted itself on 47 districts represented by Members of this House of Representatives. The fury of Irene was indiscriminate in who was on the receiving end of a very bad storm. That was an act of God. The relief will come as a result of an act of Congress.

Republicans represent Democrats in their districts; Democrats represent Republicans in our districts. We have a mutual responsibility to work together to get the tools back to those first responders, to those municipalities, to those volunteer firefighters who are doing the very hard work in each and every one of our districts to recover from Hurricane Irene.

Mr. Speaker, we had a meeting this morning of a coalition to fight for relief for Hurricane Irene. We're going to get the funds back to our first responders, to our municipalities and States, to our families so that they can get the job done.

JOBS AND IMMIGRATION

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

Mr. BROOKS. Mr. Speaker, this morning a "jobs now" protest and chant reverberated through the Rayburn House Office Building.

Per a 2009 study by the Pew Hispanic Center, 7.8 million illegal aliens hold jobs in America.

Mr. Speaker, there is a surefire way to create jobs now for American citizens: Evict all illegal aliens from America and immediately open up millions of jobs for American citizens. That also forces blue-collar wages up, helping American families afford and pursue the American Dream.

Unfortunately, the White House chases a different dream, a nightmare that pits unemployed Americans against illegal aliens in a competition for scarce jobs. The DREAM Act gives amnesty for millions of illegal aliens, thereby legitimizing illegal conduct and depriving American citizens of job opportunities.

Mr. Speaker, Congress and the White House must create jobs now for American citizens. We must fight for American citizens, not for illegal aliens.

WE NEED TO GET TO WORK

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

Mr. COURTNEY. Mr. Speaker, this August I was home holding town hall meetings, meeting with chambers, senior centers. The message was the same: Congress should stop the bickering, get to work, and get some results.

Coming back here, we've got a lot of work to do. We've got a budget that's going to expire at the end of this month, transportation and infrastructure which will expire, Federal aviation, small business, research and development, disaster relief—and, by the way, the post office is about to go bankrupt. Yet with all of these to-do items and 21 days left in this month, the leadership of this House has only scheduled 5 full working days. That is a schedule that would make Homer Simpson blush.

Mr. Speaker, it is time for the leadership of this House to scrap that schedule, get us to work, get these issues done, create some certainty in this country and some confidence that Washington can get the job done and stop the lackadaisical do-nothing schedule which is leading this country totally without trust and confidence about whether or not we as a Nation can address the challenges facing us.

SHOOTINGS IN CARSON CITY, NEVADA

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

Mr. PALAZZO. Mr. Speaker, I rise today to honor the 11 victims of the shooting in Carson City, Nevada, including five of my fellow National Guardsmen.

As a member of the Mississippi Army National Guard, I have the utmost respect for what these men and women do on a daily basis and the trials and tribulations that go along with being a citizen soldier. They risk danger and loss of life every time they put on the uniform. They should not have to face danger in their own backyards.

Unfortunately, the sacrifices that many of these soldiers and their families make for our country go largely unnoticed by many Americans. I hope that my colleagues in the House will join me in commending the work our National Guard does every day both here and overseas.

I hope for a quick recovery for all of those injured, and my thoughts and prayers go out to the families of the members that were killed by this senseless act of violence.

□ 1220

THE SUPERCOMMITTEE AND ITS GOAL OF SOLVING AMERICA'S FISCAL CRISIS

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

Mrs. DAVIS of California. Mr. Speaker, the supercommittee begins its work this week with the goal of setting a course for fiscal stability. We absolutely need to reduce the debt and deficit, but we need to do it in a responsible and balanced manner that supports and rebuilds the middle class.

Nobody is more patriotic and nobody knows more about sacrifice than brave

Americans who serve their Nation in the military. A retired Navy pilot who flew 215 missions during his career wrote to my office to stress that every American should contribute to a solution, especially those in his income bracket. The retired pilot now makes over \$250,000 a year in the private sector and is eager to do whatever he can to help put the Nation back on track fiscally.

The debt crisis impacts every American, and every American should contribute to the solution. We are all in this together. It is the wrong approach to put the entire burden on those struggling the most in the economic downturn, such as the middle class, the unemployed, or seniors.

I urge the committee members to adopt a balanced approach to solving our fiscal crisis.

CREATING JOBS THROUGH COMMONSENSE SOLUTIONS

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

Mr. SCALISE. Mr. Speaker, tonight the President is going to be addressing this Chamber, and the focus is going to be on jobs. Frankly, I hope that the President doesn't give us an instant replay of the first 2 years of his administration, where he tries to push more stimulus spending that didn't work, where he tries to push more bailouts to States that didn't work. What we need to focus on are commonsense solutions that can bring us all together that will actually be proven to create jobs.

If you look at some of the legislation we've already passed out of the House, just to get our people back to work, exploring for American energy could create over 250,000 jobs. There are free trade agreements for Panama, Colombia, and South Korea sitting on the President's desk, trade agreements he has refused to act on, that would create over 350,000 American jobs.

There is bill after bill, but there is regulation after regulation that is holding back our ability to create jobs as you talk to small business owners across the country. The President even acknowledged when he rolled back the ozone standard that EPA is out of control.

We've got to roll back these crazy regulations that are killing jobs as well. That's the solution to this problem that will get our economy back on track.

THE 10TH ANNIVERSARY OF 9/11

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

Mrs. CAPPS. Mr. Speaker, Sunday marks the 10th anniversary of one of our Nation's most tragic days. This weekend, we remember and honor those we lost and those they left behind. In the days and months following

these attacks, our Nation was in mourning, but there was also hope as we came together to build a stronger country. This anniversary, let us reawaken that spirit.

Ten years ago, we stood on the Capitol steps, Republicans and Democrats alike, in a show of national unity and resolve. The spirit of that moment was only a tiny symbolic action dwarfed by the enormous outpouring of kindness and volunteerism across this Nation, but it is one we clearly need to see again. Let us once again channel the strength we found in the aftermath of 9/11 and begin a new chapter in rebuilding America.

TOGETHER AS A NATION THROUGH NATURAL DISASTERS OR ECONOMIC HARDSHIP

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

Mr. HOLT. Mr. Speaker, as Hurricane Irene roared through the East, central New Jersey braced for the winds. Our towns and homes were battered by the winds and experienced even more damage from the water. Our thoughts and our efforts are with those people injured and harmed, and our heartfelt sympathy goes to those who lost loved ones, including the family of Michael Kenwood, a rescue worker who died on duty.

Today, water is now coming back to exact further vengeance with even greater floods in some areas in New Jersey. Many are helping, including FEMA—yes, a government agency. Whether it is a natural disaster, a terrorist attack or economic hardships, Americans pull together as a Nation. It is unwise for anyone to suggest that people are on their own to deal with a natural disaster or to find work.

LET'S BUILD A STRONGER AMERICA

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

Mrs. MALONEY. Mr. Speaker, our unemployed are hurting, and America's infrastructure is crumbling. It would seem morally indefensible and fiscally irresponsible not to take the opportunity to help solve one problem by addressing the other.

The latest data from the Bureau of Labor Statistics shows that 14 million Americans are looking for jobs while the total number of job openings is just over 3 million. So if every single job is miraculously filled overnight, there would still be 11 million unemployed Americans looking for work and needing jobs. At the same time, all across America, there is work that urgently needs to be done. Our bridges, our roads, our schools, and other infrastructure are structurally deficient.

The two most important responsibilities this Congress faces are keeping

Americans safe and helping to create jobs. This is our chance to do both. Let's choose to build a stronger America through making it in America and building it in America with American workers.

THE AMERICAN WAY

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

Mr. ENGEL. Mr. Speaker, the American people sent us here to work together and are tired of the partisan bickering and the finger-pointing. I think it's very important tonight, as we listen to the President talk about creating jobs, that we work together to work with him; and I hope my Republican friends on the other side of the aisle don't summarily reject what the President is saying just to play politics.

We need to create jobs in this country. Many years ago, Franklin Delano Roosevelt decided that, in order to get America back to work, he would create infrastructure jobs from the government. I think that is something that we should do, and I hope the President mentions it tonight. We have crumbling roads, crumbling bridges, and all kinds of things that could put America back to work.

Let's not have a repetition of what happened a month or so ago when Standard & Poor's downgraded the United States in terms of finances. Let's work together. Let's work with our President. Let's support him as he tries to create more jobs.

Less finger-pointing, more working together. That is the American way.

IT'S AS EASY AS ABC

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

Mrs. CHRISTENSEN. Tonight, our President will speak to us and all America and will call on Congress to put America back to work and our economy back on a stronger track to recovery. House and Senate Democrats have kept up a steady drumbeat for jobs since we convened in January.

As our Democratic leader says, it's as easy as ABC—make it in America; build our infrastructure; and focus on community recovery, which so many parts of our country desperately need right now after tornadoes, storms, floods and fires, with more storms to come.

I support our President's call to action and ask all of my colleagues to do the same, but I also hope that we in Congress can make sure the jobs package we pass is big enough to do the job. We are where we are now because we listened to the deficit hawks and agreed to a Recovery Act that was not big enough to bring us out of the recession.

Our constituents all over this country are hurting, and I really hope we can put aside partisanship and put them first. We can get an important two-for because job creation is also deficit reduction. When we make sure our fellow Americans can take care of their families, we will also be making sure America can begin to take care of its debt.

SOCIAL SECURITY IS NOT A PONZI SCHEME

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

Ms. FUDGE. Mr. Speaker, I spend a lot of time at home talking to my senior citizens. On one of my visits home, they gave to me a package of 25,000 signatures, asking if I would pledge to support Social Security. I want them to know that I am going to pledge to do that. I also want to say to them that, yes, we need to make some changes, but it is not a Ponzi scheme. I want for them to understand that those who get by keep food and shelter because of Social Security. It is not a Ponzi scheme.

Yes, we need to make some changes, but do you know what, Mr. Speaker? We just need to raise the cap. We don't need to say that it can't be fixed, that it's broken. We need to raise the cap. Again, I am going to say it is not a Ponzi scheme. It is something that hardworking Americans deserve when they have finally retired after working for 25 or 30 or 40 years. It is not a Ponzi scheme.

□ 1230

LET'S WORK TOGETHER AS AMERICANS

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Before I begin, Mr. Speaker, I cannot help but acknowledge that we are just days away from memorializing those lost on 9/11, and I am reminded of that time some 10 years ago and how this body drew together.

I don't know if our leadership has thought of it, but I think it would be more than appropriate if we went to the steps of the Capitol and sang again "God Bless America." I hope we can do that because we did that together.

Tonight, I hope we can be together as the President commands the attention of the American people. I hope we can be together to lift up the concept of Make It in America, rebuild America, put our small businesses and inventors and geniuses back to work. I hope we can come together with the FAA reauthorization so Houston, Texas, won't lose \$90 million in airport construction.

I hope that we can come together and recognize that when we do a supplemental to help our friends with the wildfires in Texas, my constituents,

others, and LLOYD DOGGETT's constituents and all in the northeast, that we are coming together to place jobs. Mr. Speaker, there is nothing more bipartisan than putting America back to work.

Thank you, Mr. President.

JOBS

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

Mr. CLAY. Mr. Speaker, I rise to ask our friends in the majority to put their country ahead of their party and join us by enacting the Make It in America jobs agenda.

Jobs is not a Democratic issue or a Republican issue. Putting America back to work is what we all should be fighting for. When working families hurt, America hurts, and what elevates them lifts up the entire Nation.

We must pass without delay a reauthorization of the vital highway and transit bill. We need to enact the Make It in America agenda to strengthen our manufacturing, technological, and industrial base.

We need to build up America's infrastructure by putting people to work, rebuilding our roads, bridges, railways, ports, schools and airports; and we need to speed disaster assistance to hard-hit communities without injecting partisan politics into the process.

The time for political games is over and the time for jobs is now.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 8, 2011.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 8, 2011 at 9:27 a.m.:

That the Senate agreed to without amendments H. Con. Res. 74.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

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

Ms. FOXX. Mr. Speaker, by direction of the Republican Conference, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 395

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

(1) COMMITTEE ON SMALL BUSINESS.—Mr. SCHILLING.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 2218, EMPOWERING PARENTS THROUGH QUALITY CHARTER SCHOOLS ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 1892, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2012

Ms. FOXX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 392 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 392

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2218) to amend the charter school program under the Elementary and Secondary Education Act of 1965. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

SEC. 2. (a) At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1892) to authorize appropriations for fiscal year 2012 for

intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this resolution and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Permanent Select Committee on Intelligence. After general debate the bill shall be considered for amendment under the five-minute rule.

(b) In lieu of the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of the Rules Committee Print dated August 31, 2011. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived.

(c) No amendment to the amendment in the nature of a substitute made in order as original text shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution and amendments en bloc described in subsection (f).

(d) Each amendment printed in part B of the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(e) All points of order against amendments printed in part B of the report of the Committee on Rules or amendments en bloc described in subsection (f) are waived.

(f) It shall be in order at any time for the chair of the Permanent Select Committee on Intelligence or his designee to offer amendments en bloc consisting of amendments printed in part B of the report of the Committee on Rules not earlier disposed of. Amendments en bloc offered pursuant to this subsection shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the chair and ranking minority member of the Permanent Select Committee on Intelligence or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

(g) At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. A motion to proceed with regard to a joint resolution of disapproval specified in

subsection (a)(1) of section 3101A of title 31, United States Code—(a) shall be in order only if offered by the Majority Leader or his designee; and (b) may be offered even following the sixth day specified in subsection (c)(3) of such section but not later than the legislative day of September 14, 2011.

□ 1240

The SPEAKER pro tempore. The gentlewoman from North Carolina is recognized for 1 hour.

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

GENERAL LEAVE

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

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

Ms. FOXX. House Resolution 392 provides for a structured rule providing for consideration of H.R. 2218, the Empowering Parents Through Quality Charter Schools Act, and H.R. 1892, the Fiscal Year 2012 Intelligence Authorization Act.

My colleagues on the House Education and the Workforce Committee and I have been working to reauthorize the Elementary and Secondary Education Act. H.R. 2218, Empowering Parents Through Quality Charter Schools, is just one of a series of bills the committee has considered this year.

During committee consideration, this legislation received strong bipartisan support, including that of the committee's ranking Democrat member, GEORGE MILLER. H.R. 2218 reauthorizes the charter school program and modernizes it by allowing the replication or expansion of high quality charter schools in addition to the creation of new charter schools.

The charter school program is important to ensure that parents and students have choice in education. With this bill, the House Education and the Workforce Committee has begun the bipartisan process of reauthorizing ESEA, and I urge my colleagues in the full House to support this rule in favor of the bill.

The rule also provides for consideration of H.R. 1892, the Intelligence Authorization Act for Fiscal Year 2012.

Mr. Speaker, the intelligence community plays a vital role in our national security and defense. The bill was reported out of committee by a voice vote, and the committee has worked with the Senate to develop a bipartisan, bicameral bill. Therefore, I urge my colleagues to support the bill.

Under this rule, the Rules Committee has made it in order to consider six Democrat amendments and three Republican amendments to the Intel-

ligence Authorization bill. We have also made in order five Democrat amendments, two bipartisan amendments, and one Republican amendment to the charter school bill.

I am pleased to work with my colleagues on the Rules Committee to report rules for floor debate and the consideration of legislation that promotes transparency and participation.

Mr. Speaker, I again urge my colleagues to vote in favor of this rule, and I reserve the balance of my time.

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

Mr. Speaker, today we will be discussing two good bills. Both bills under this rule are bipartisan bills. One will support students across this Nation, give parents better choices, improve the quality of our charter schools in our country; and so, too, we will improve and enhance the intelligence gathering of our Nation that keeps us safe under the authorization bill.

The Quality Charter Schools Act will improve our global economic standing by improving student access to quality and effective public charter schools.

I find, Mr. Speaker, sometimes it is necessary to help educate some of our colleagues on the definition of what charter schools are. Charter schools are established by school districts or other authorizers. They are public schools and have to accept all students equally. The concept of these schools is that they have site-based management. So, again, they are public schools with site-based management. That, in brief, is the definition of a charter school.

Now, that is not better or worse than a district running a school. It can be better; it can be worse. And as we look across the country, we see examples of good charter schools and bad charter schools. Just because something is a charter school certainly doesn't mean it is good.

What we've tried to do with this bill is improve the quality of the authorizing practices of the States and the districts as they go into: A, initially evaluating charter schools and making sure they serve at-risk students and show demonstrated success in closing the achievement gap; and, B, making sure that they follow through on what their charter contains.

A charter is a synonym for a contract. Effectively, these schools operate through contracts with public authorities, namely authorizers, States, State charter institutes, regions, and school districts, and they are able to operate under those contracts and fulfill their role as public schools.

What are charter schools not? And I sometimes hear from my colleagues, is this corporate control of our schools? Is this some for-profit thing? No, it is actually irrelevant to that discussion, the discussion of charter schools.

Sometimes for-profit companies are brought in as vendors to run schools. Now, this can happen with school districts just as surely as it can happen with charter schools. Some of the larger instances of this have been school

districts because, of course, charter schools are much more mom and pop. But that is a separate discussion about what vendors can and cannot be brought in to actually run public schools.

In the State of Colorado, as an example, we don't allow any for-profit institutions to hold a charter. Now, certainly we don't restrict charters to school districts, and they bring in a variety of vendors. I think every school district in the country uses private, for-profit textbook vendors as an example. But we would be against managing out of D.C. what vendors they bring in. In fact, charter schools and school districts have great discretion about what vendors they use.

But what this bill does is it effectively ups the ante on the accountability, the oversight, and also assisting with the growth of quality charter schools. Many charter schools across the country focus on particular areas of learning or emphasize particular aspects of curriculum. We have excellent art charter schools, college prep charter schools, Montessori charter schools, core knowledge, English language acquisition, outdoor learning, and education charter schools.

They can function more independently than a large district because they do have site-based management that allows for operational flexibility. They can have different school calendars, different school days, and different curriculums. This freedom allows the charters to function autonomously in areas that can benefit children's success in school.

And again, with experimentation, not everything you try is going to work. And, of course, for every example of a charter school that successfully serves at-risk kids, there are also counter-examples of charter schools that are doing as poorly, or more so, than some of the failing neighborhood schools that the children were in before.

I have direct experience founding and running several charter schools in Colorado that filled particular education niches. I founded and served as superintendent of New America School. When I saw that many school districts in my State were dropping funding for older students that were still learning English and there weren't the types of programs to keep new immigrants in high school through a diploma, I approached several school districts about approving a charter school for this population, for 16- to 21-year-old English language learners. We were granted several charters. New America School now operates in Colorado and New Mexico and has served thousands of English language learners, helping them achieve a high school diploma through meeting their real-life needs.

Again, we really worked backwards from where the customers were. Why weren't these students in school in the first place? Many of them had real-life obstacles. They had day jobs; so they needed a night school. Forty percent of

the young women had children; so they needed either on-site daycare or some sort of daycare voucher that we were able to help them supply.

And just as importantly, we made sure that every member of the staff, the teachers at the school, every single one of them, is passionate about helping new immigrants learn English; and that is what brought them to our school and actually improved the faculty morale because they were able to practice their passion rather than it being an afterthought as it was in some of the other conventional schools.

I also founded the Academy of Urban Learning, which is focused on educating homeless students in Denver.

Right here in Washington, D.C., we have seen the success of several excellent charter schools that have outperformed other public schools, including the KIPP schools.

So we have seen across this country, as a result of the charter school movement, great experimentation, some successes and some failures. It's time, 10 years on, to learn from our experiences with charter schools and replace the Federal authorizing act with one that can really up the ante, take the learning that has occurred over the last decade into account and improve both the quality of charter schools generally and the quantity of good charter schools across our country.

□ 1250

This bill would update the existing Federal initiatives. We provide critical investment in quality alternatives. The bill carves out 15 percent of the funding for facilities, capital, and credit enhancements, and the remaining 80 percent would go to start new charter schools. The bill would require States to provide 90 percent of their grants to charter school authorizers and operators. It also incorporates much of the language from a bill that Mr. PAULSEN of Minnesota and I introduced last session and this session, the All-STAR Act, which would add for the first time Federal law State-level funding for expansion of successful charter schools.

So, again, when we have examples of what works in public education, why not do more of it? Yes, we want to turn around failing schools. Yes, we need to improve upon what doesn't work. And yes, we need to hold charter schools that are not working fully accountable under the law. But when we have an example of something that works, we should support serving more kids. As a simple example, in my State and district, the Ricardo Flores Magon Academy in Westminster is a K-8 charter school that opened just 4 years ago. I'm glad, by the way, that one of the amendments made in order under this rule is an amendment from Mr. PAULSEN and I that would specify that schools that have 3 years of demonstrated success are eligible for expansion grants, because this school has only been around for 4 years. It has an extended year, extended day program.

It provides after-school tutoring, full-day kindergarten. Every student studies chess and tennis. The student population maps the kind of a traditional at-risk population, with 95 percent Latino, 86 percent English language learners, 93 percent free and reduced lunch. This means these are poor and working families. Yet, the Ricardo Flores Magon Academy has scored far above the State average, including our wealthy suburban districts like some of the other areas that I represent, in the past 3 years. They scored 95 to 100 percent proficient in math, between 77 and 97 percent proficient in reading and writing, and for third- and fifth-graders they've averaged 20 percent higher than the State averages. Other successful charter schools in Colorado, like the Denver School of Science and Technology, have also achieved positive outcomes with low-income students.

I'm sure we'll have the opportunity to talk about many of the amendments made in order under this bill. We did in the Rules Committee propose an open rule for these bills, and it would have been nice to have a more thorough discussion, which is why I'll be opposing this rule. But I am glad I did make in order several amendments, including one of mine.

Mr. Speaker, this rule also brings another very important bill to the floor, the Fiscal Year 2012 Intelligence Authorization Act. This bill continues the recent bipartisan tradition of passing authorization bills in order to reform and conduct oversight of our intelligence community. Every Member of this body believes strongly in keeping our country safe. When we're discussing the threats to our Nation and the war on terror, the front line of that war is our intelligence-gathering apparatus and our intelligence community. In this time of budget constraint we know we need to spend our money wisely. I've often argued that instead of wasting hundreds of billions of dollars invading countries preemptively, we should use our force selectively, including targeted collection of intelligence about where threats arise.

This bill makes a balanced compromise between budget realities and our national security need. This authorization did find savings in various aspects of the intelligence community. It proposes to curb post-personnel growth while protecting our capabilities. While it invests in select high-priority needs, it also achieves savings by handling contractors similar to the way the President handles pay for civilian employees.

Mr. Speaker, I'm glad that this body was able to come together with both of the committees of jurisdiction, Intelligence and Education and Workforce, around strong bipartisan compromise under these two bills. And while I wish we had the opportunity to further discuss additional recommendations for amendments on the floor, I am appreciative that in fact there will be a robust discussion with regard to the charter school bill under this rule.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I want to thank the gentleman from Colorado for his support of the bill and support of the concept of charter schools. I want to congratulate him on his involvement and say that I think this is a great example of bipartisan cooperation.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, it is my honor to yield 3 minutes to the gentleman from Massachusetts, a colleague of mine on the Rules Committee, Mr. MCGOVERN.

Mr. MCGOVERN. I thank the gentleman for yielding.

Mr. Speaker, I would like to talk just for a couple of minutes about a serious matter that relates to the Intelligence bill that we will later consider.

For the past decade, Colombia's intelligence agency, the Department of Administrative Security, or the DAS, has engaged in illegal activities. Created to investigate organized crime, insurgents, and drug traffickers, the DAS instead provided paramilitary death squads with the names of trade unionists to be murdered and carried out illegal surveillance on journalists, human rights defenders, political opposition leaders, and Supreme Court judges. American cash, equipment, and training to help shut down drug trafficking may have been used for spy operations, smear campaigns, and threats against civil society leaders in Colombia. Several U.S. agencies aided the DAS—the State Department, Pentagon, DEA, CIA, and DIA—even as scandal after scandal after scandal became publicly known. It was only in April, 2010, when U.S. Ambassador William Brownfield suspended U.S. aid to the DAS, diverting those resources to the Colombian National Police.

Yesterday, Congresswoman SCHA-KOWSKY and I sent a letter to the Secretaries of State and Defense, the U.S. Attorney General, and the CIA Director, asking them to provide Congress with a comprehensive report on all forms of U.S. aid to the DAS and to tell us what the DAS used the aid for. It's not too much to ask, Mr. Speaker. There has been a shocking lack of oversight over all the U.S. aid that poured into the DAS over the past decade. Getting to the bottom of this is what oversight is all about. Colombia appears to be doing its part. The Attorney General is carrying out an aggressive investigation and series of prosecutions. Six former high-ranking intelligence officials have confessed to crimes. More than a dozen other operatives are on trial, with more still under investigation. President Santos has promised to dismantle the DAS and replace it with a new intelligence agency. But in the meantime, the old structures still remain. Witnesses cooperating with the Attorney General find themselves and their families threatened, and human rights defenders even now are still under surveillance.

Mr. Speaker, I'm sure that U.S. intentions were good, but I also believe the DAS was generally up to no good. I

find it impossible to understand how the State Department and Embassy officials can say with certainty that absolutely no U.S. aid funding was ever used by the DAS for criminal purposes. Congress must insist on safeguards to ensure that no funding, equipment, training, or intelligence-sharing with any Colombian intelligence agency is used for illegal surveillance or criminal activities now and in the future.

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

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

Mr. MCGOVERN. The administration or Congress must prohibit any further funding for the DAS, including aid in the pipeline, until the Attorney General has completed all investigations and prosecutions, finds out who ordered these illegal activities, and President Santos has completely dismantled the current agency. I ask the committee chairman and ranking member to guarantee the Members of this House that no further aid will be provided to the DAS, and if that prohibition is not explicitly in this bill, that they will work with the Senate to include it in the final conference report.

[From the Los Angeles Times, Sept. 2, 2011.]

COLOMBIA'S SPREADING SCANDAL

The U.S. provided nearly \$6 billion as part of Plan Colombia, an anti-narcotics and counterinsurgency program. But did the money also pay for human rights abuses?

The United States has long considered Colombia its strongest ally in Latin America. Over the last eight years it has provided the Colombian government with nearly \$6 billion as part of Plan Colombia, an ambitious anti-narcotics and counterinsurgency program that has often been held up as a model of cooperation.

But recent reports in the Washington Post suggest that U.S. assistance intended to combat drugs and terrorism was diverted to Colombian intelligence officials, who used it instead to spy on judges, journalists, politicians and union leaders.

The Post also reported that the United States was aware of the spying, including illicit wiretapping. Whether that is true is unclear. State Department officials say no one at the U.S. Embassy in Bogota knew about the wiretaps. And President Juan Manuel Santos, who took office last year after the spying controversy erupted, has also denied that the United States had any role in the growing scandal.

That will do little to quell questions about U.S. involvement, given Plan Colombia's troubled past. A United Nations human rights investigator concluded last year that a large number of Colombian military units were involved in shooting innocent young men and falsely identifying them as rebels in an effort to boost body counts. The extrajudicial killings were alleged to have been carried out by army units that had been vetted by the U.S. State Department and cleared to receive U.S. funding.

And last year, then-U.S. Ambassador William Brownfield announced that all assistance to Colombia's Department of Administrative Security was being suspended indefinitely following disclosures in the Colombian media that indicated widespread spying abuses. Since then, Colombian authorities have arrested 28 officials, including former President Alvaro Uribe's chief of staff, in connection with the scandal.

Colombia's government has vowed to dismantle the intelligence agency, and the Santos administration and attorney general

have been courageous in investigating the scandal. Now it's up to the United States to move quickly to determine how much aid was provided to the agency and what it was used for. The U.S. must show the same resolve as Colombia has in ferreting out the truth.

CONGRESS OF THE UNITED STATES,
Washington, DC, September 7, 2011.

Hon. HILLARY RODHAM CLINTON,
Secretary of State, Department of State, Washington, DC.

Hon. LEON E. PANETTA,
Secretary of Defense, Department of Defense, Washington, DC.

ERIC H. HOLDER, JR.,
U.S. Attorney General, Department of Justice, Washington, DC.

General DAVID H. PETRAEUS,
Director, Central Intelligence Agency, Washington, DC.

DEAR SECRETARY CLINTON, SECRETARY PANETTA, ATTORNEY GENERAL HOLDER AND DIRECTOR PETRAEUS, We write to request a comprehensive accounting of U.S. assistance to the Colombian government's Department of Administrative Security (DAS) during the period of August 7, 2002 to August 7, 2010. Specifically, we request a full accounting of all funds, training, lethal and non-lethal equipment, intelligence- and information-sharing, technical assistance, facilities construction and any other aid provided to the DAS, its officials, its employees or any of its contractors during this period, whether in Colombia, the U.S., or at other facilities. We further request the information indicate any such aid or information provided to the National and International Observations Group of the DAS.

As you know, the Colombian Attorney General's Office is undertaking an aggressive investigation and series of prosecutions of illegal activities carried out by the DAS during these years. Six former high-ranking intelligence officials have confessed to crimes and more than a dozen other agency operatives are on trial, and several more are under investigation by the Attorney General or by a special legislative commission of the Colombian Congress.

These investigations have revealed a vast illegal network of surveillance of nearly all sectors of civil society, including human rights defenders, political party leaders, journalists and members of the Colombian Supreme Court engaged in investigations of elected officials with alleged ties to paramilitary groups or who engaged in corrupt practices. These illegal operations were also connected to threats received by many of the individuals under surveillance, and in some cases the DAS shared information with paramilitary and other violent actors that resulted in the assassinations of trade unionists and other rights defenders.

Recent articles in the Washington Post (8/21/11) assert that U.S. aid may be implicated in these abuses of power. We are concerned that former President Alvaro Uribe has made public statements claiming the reporters who wrote these articles are terrorist sympathizers (*simpatizantes del terrorismo*), going so far as to characterize one reporter as a terrorist ally (*ocultador del terrorismo*), language that increases the level of threat under which journalists work in Colombia. We strongly urge you to make clear to the former president that such statements are unacceptable and ask that he retract them.

We believe it is important to set the record straight in a clear and transparent manner by providing Congress with a comprehensive report on all forms of U.S. assistance to the DAS. We also believe it is important to provide Congress with this information in as

rapid a manner as possible, but assuredly prior to when Congress begins debate on the U.S.-Colombia Free Trade Agreement.

To the maximum extent possible, the information included in this comprehensive report should be provided in an unclassified format; if necessary, a classified annex should be made available for review by all Members of Congress. We further ask that you inquire and coordinate with your counterparts in other departments and agencies that might have been working with the DAS (e.g. Treasury/Internal Revenue Service) to ensure that the report is indeed comprehensive.

Thank you for your serious attention to this request. We look forward to your timely response and the receipt of this comprehensive report regarding all forms of U.S. support for the DAS over the past decade.

Sincerely,

JAMES P. MCGOVERN,
Member of Congress.

JANICE D. SCHAKOWSKY,
Member of Congress.

Ms. FOXX. Mr. Speaker, I yield such time as he may consume to the distinguished chairman of the Rules Committee, the gentleman from California (Mr. DREIER).

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

Mr. DREIER. I thank my friend for yielding.

Mr. Speaker, I would like to begin by congratulating my friend on his very strong and passionate commitment and let him know that I share our desire to ensure that human rights are recognized in Colombia and anyplace in the world. I worked with him in the past when he was a staff member working for Mr. Moakley on this issue in El Salvador. It is imperative that we resolve it and ensure that our tax dollars are not being used for any kind of nefarious purposes.

Mr. Speaker, having said that, I want to rise in strong support of this rule. I do it because it's been a long time since we've had the occurrence that we did yesterday in the House Rules Committee. We just came back, as we all know, from this 5-week district work period of August, and we had the first meeting in the Rules Committee.

□ 1300

In that meeting, we began with the chairman of the Education and Workforce Committee, Mr. KLINE, and the ranking member of that committee, Mr. MILLER; the chairman of the Permanent Select Committee on Intelligence, Mr. ROGERS, and the ranking member, Mr. RUPPERSBERGER, coming before the Rules Committee and offering bipartisan proposals on both charter schools for the Education Committee, obviously, and the authorization bill from the Intelligence Committee. In fact, I quipped at one point during the Rules Committee that maybe we should have a 5-week break between each Rules Committee meeting so that we can, in fact, come together in a bipartisan way and deal with these critically important issues.

I have to say, Mr. Speaker, it is a great day, especially as we prepare, in

just a little less than 7 hours, to hear from the President of the United States on an issue that Democrats and Republicans alike say needs to be addressed. We all know, from having been in our States over the past 5 weeks, that job creation and economic growth are the top priorities for the American people. We all represent constituents who are hurting. I have friends who have lost their homes, their businesses, their jobs, and we want to make sure that we get our economy back on track.

It's my hope that the example that we're going to have today as we begin consideration of the charter schools bill and then tomorrow as we deal with the intelligence bill—and obviously the bill that we're going to be considering today, because of the President's speech tonight, will have to carry on into next week, so we will obviously have this continued bipartisan spirit on the issue of charter schools next week. I believe, Mr. Speaker, that we're in a position where we can use these two as a model to address this issue of job creation and economic growth.

Now, there is recognition that there are a wide range of views on the issue of job creation and economic growth, and we were reminded by the Senate minority leader just today of the proverbial Einstein directive that the definition of insanity is doing the same thing over and over and over again and expecting a different outcome.

I think that many of us—most all Republicans and some Democrats—have come to the conclusion that this notion of dramatically increasing spending, which is what we went through with the stimulus bill and several other issues, is not, in fact, the panacea that we have. And, frankly, I don't believe that there is an absolute silver bullet, there is not an absolute panacea, but I do believe that we need to try to put into place an effort that will reduce the regulatory burden imposed on those who are seeking to create jobs in this country. That's one of the proposals that we have. And again, I hope that we can work with the President on that issue.

There has also been recognition that, since the Japanese have reduced their top rate on job creators, we in the United States of America have the highest tax rate on job creators—it's the corporate tax rate—of any country in the world. Now, I realize that obviously we know there are corporations that, through the tax structure that we have today, don't pay that 35 percent rate, but I think that we need to make sure that we close loopholes and reduce that top rate. And I'm not the only one who has spoken in support of that. Former President Bill Clinton has spoken in support of that idea. President Barack Obama has spoken in support of that idea.

And I know that, as I look at my friends on the other side of the aisle—at this moment I'm looking at one who

shares my view. I'm not going to name names, Mr. Speaker, but I'm looking at one who does share my view and another who might share my view as well on this issue. So there is a bipartisan consensus that if we can reduce that top rate on job creators, we have the potential to create jobs and also—and I know my friends on both sides of the aisle share this notion—generate an increase in the flow of revenues to the Federal Treasury, thereby dealing with this tremendous fiscal problem that we have.

We have our joint select committee that is going to be dealing with the issue of deficit reduction. And we know that economic growth would be the single best way to generate the revenues that we need to pay down the debt and deal with the overall fiscal challenges we have and have the resources necessary for the priorities that are out there.

Another issue, building on what was said by my friend from Worcester earlier, he mentioned the issue of Colombia. I happen to believe that if we look at the pending trade agreements that have been, unfortunately, languishing for 4 years, we need to make sure that we bring those forward. I am very encouraged by the fact that the President of the United States has indicated his willingness to do that. I also want to congratulate Speaker BOEHNER and Leader CANTOR for the letter that they sent to the President saying we want to find these areas of agreement, and the trade issue is one of them.

I don't speak for every single Republican, but I speak for most all Republicans who believe very, very strongly that the notion of opening up new markets around the world for job creation and economic growth here in the United States, creating union and non-union jobs is something that would take place if we were to pass the Korea, Colombia, and Panama agreements.

Mr. Speaker, there are many people who believe that somehow passing these agreements will open up a flood of foreign products coming into the United States, undermining the ability to create jobs here in the United States, when, in fact, the opposite will be the case because Korea, Colombia, and Panama today have, by and large, free access to the U.S. consumer market. That's a good thing. It's a good thing because it allows that single mother who is trying to make ends meet, going to Wal-Mart or Kmart or Target or wherever, to buy products that are affordable. That's a positive thing. That's a good thing for our economy.

What we need to do is we need to recognize that now we need to open up those markets so that while things come in from Korea, and Colombia especially, we need to do what we can to get into their markets. There are 40 million consumers in Colombia.

Manufacturing jobs will be created here. Caterpillar, John Deere, Whirlpool, other great manufacturing companies here in the United States would have access to those markets.

And on the Korea deal, Mr. Speaker, it will be the single largest bilateral free trade agreement in the history of the world, allowing us to have the ability to sell our automobiles and other products into the Korean market.

So this is an area where I believe that, again, recognizing that union and nonunion jobs will be created here in the United States, that this can be an area of bipartisan agreement, and I know that the President will clearly talk about the imperative of these in the address he's going to be giving right behind me early this evening.

What we're dealing with today, Mr. Speaker, is a very positive thing on the issue of charter schools, and I laud my friend from Colorado, who has done such a great job in starting charter schools and improving charter schools.

I also want to comment on the statement that was made in the Rules Committee yesterday by the former chairman and now the ranking member of the Education Committee, Mr. MILLER, who said that for many years he was a strong opponent of charter schools and now, for many years, he has been a strong proponent of charter schools, recognizing that we can go through a learning process here. And I quipped that one of our former colleagues said that ours is one business where you can never admit to having learned anything because, obviously, if you admit to having learned anything, you've flip-flopped.

The fact is we all are learning and we should be proud of the fact that we've learned. I congratulate—I probably will hurt my friend Mr. MILLER by praising him here, but I will say that the process that he has gone through on this issue of charter schools is something that I believe is a very, very good and positive thing. It's something that we all need to learn from, that experience that he had on the issue of charter schools, to be willing to listen to our colleagues on both sides of the aisle on a wide range of issues.

That is why I think that this rule, enjoying bipartisan support—we have allowed many more Democratic amendments than Republican amendment in the rule itself. We're going to have a free-flowing debate on this issue, and then of course the very important intelligence authorization bill. Then tonight, I hope we can have again these areas of agreement so that we can get our fellow Americans who have been losing their homes, their businesses, and their jobs back on track.

□ 1310

Mr. POLIS. I yield myself 30 seconds to respond.

Mr. Speaker, the gentleman from California laid down an excellent framework for the potential of the Joint Select Committee on Deficit Re-

duction to accomplish their mandate; namely, bringing down tax rates by eliminating loopholes in a way that effectively eliminates expenditures in the Tax Code. For whether something is a subsidy or a tax credit, it is very much an expenditure.

With that, Mr. Speaker, I yield 2½ minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I want to join with my colleague, first of all, to wish the President well and to work together in a bipartisan manner to put Americans back to work, put them to work now, and keep them working.

I am supportive of the Intelligence authorization bill for a number of reasons dealing with the issue of investing in new positions to select high priority needs as FBI surveillance, so increasing the personnel. I'm concerned about the cuts in personnel. The language is very appropriate. In these days, as we celebrate 9/11, I'm concerned about what is appropriate.

I'm also interested in moving forward on diversity. We should ensure that our intelligence community reflects the diversity of America, from African Americans to Asians, Latinos, Muslims, people speaking different languages, to be more effective to protect this country.

The DNI is going to conduct a review to determine the security implications of moving intelligence systems. I think that is important. I think it is important, as well, to collect information about drug trafficking. And I certainly think it's important to again, as I said, talk about the question of the work force.

I am concerned about the requests that I understand may be in the bill on information about Guantanamo Bay detainees, information that could undermine our security. And I am questioning the value of making the Director of the National Security Agency, a Senate conferee, to juxtapose that person in the midst of controversial politics.

But I am glad, and I thank Mr. POLIS for his leadership on charter schools. I'm proud to say that I've been to the Victory Charter School in Texas, in Houston, the Harmony Charter School, the KIPP Charter School, the Yes Charter School, and a school district, a public system that I am working with, and I love public schools, I am a product of public schools. The North Forest Independent School District, it's finding its way to embrace and coalesce with charter schools.

What is the call for that? It is the education of our children with the most important level of education ever, excellence. It is for our children to pass tests, but it is for our children to think and to create and to invent. And I think we can work with charter schools, in particular, who are focusing on science, technology, engineering, and math where there are young people who are actually doing medical center level research, cures by middle schoolers and high schoolers.

So I hope that we will deal with the Intelligence bill. I associate myself with the gentleman from Massachusetts. I'm concerned about the human rights violations in Colombia, the monies that may be going to the DAS, and the killing of trade unionists. It's all right to be a neighbor, but it is horrible to take intelligence funds and be part of the killing of trade unionists.

Ms. FOXX. I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2½ minutes to the whip, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman from Colorado. I also thank the gentleman from North Carolina as well.

Mr. Speaker, while I would prefer us to be addressing a reauthorization of No Child Left Behind, today's legislation reflects bipartisan support for innovation in public schools and improving educational opportunities for students who still lack access to a high-quality education.

I know this rule that we are dealing with deals with both bills. I am for the rule. I think it's a rule that provides for two pieces of legislation that enjoy bipartisan support.

The Chesapeake Public Charter School, a K-8 school located in my district, has developed a year-round school model which embeds the arts and environmental studies throughout its curriculum. This school hopes to, one day, expand its successful model through its existing charter with our local school system and would be able to do so with funding from this bill.

As we consider this bill today, it's unfortunate that after 9 months in session, however, we are still not bringing jobs bills to this floor. So today, and throughout the fall, Democrats will offer Make It in America amendments at every opportunity to highlight ways we can create jobs and strengthen our economy.

Today, Democrats are proposing two Make It in America amendments. I would say parenthetically that Mr. GARAMENDI had an excellent amendment. It wasn't made in order. He's going to ask that we get to it by the previous question.

Congressman LUJÁN's amendment, however, focuses on sharing best practices in instruction and professional development in the STEM subjects to develop a more competitive and highly skilled work force. America needs that.

And Congresswoman DAVIS' amendment reminds us that the primary objective of this bill is to use the innovation of charter schools to improve educational outcomes so all students can make it in America.

The jobs of the future require a high-quality elementary and secondary education, which lead to high-quality post-secondary education and training components. We need to make sure that we are preparing students for the diversity of jobs that awaits them, the jobs that will bring home good wages, the jobs that will improve our economy in the long term.

I believe charter schools can play a valuable role in that objective, which is why I urge my colleagues to support this legislation.

Mr. LEWIS of California. Will the gentleman yield?

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

Mr. LEWIS of California. I appreciate that. We've got a great charter school dealing with science and technology in Apple Valley, California.

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

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

Mr. LEWIS of California. It's a fabulous school, and that model is working with our local people creating opportunities for jobs, et cetera. I like your idea. I may very well join you in some of those amendments, but at least join you in supporting this bill.

Mr. HOYER. Reclaiming my time, when I speak about Make It in America, there is not a person on this floor, the most conservative, the most liberal, and everybody in between, who is not for our young people and all of our people making it in America. I'm hopeful that we can forge a bipartisan coalition to promote legislation which will promote making it in America.

Mr. LEWIS of California. Will the gentleman further yield?

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

Ms. FOXX. Mr. Speaker, I yield 30 seconds to the gentleman from California (Mr. LEWIS).

Mr. LEWIS of California. Presuming that, I mean, this is really a good idea. If we can get all the teachers unions in California to join us in this sponsoring of charter schools, then I'd really get excited about it.

Mr. POLIS. Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to make Mr. GARAMENDI of California's amendment in order.

I would like to yield 3 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Mr. Speaker, yesterday I proposed to the Rules Committee an amendment about making it in America, one more way we can build jobs here in this country by using our own tax money.

In the charter schools legislation there is some \$300 million a year authorized for the construction of charter schools, the enhancement, the improvement of those schools. Now, where will the material come from? Where will the heating and air conditioning systems be manufactured? Where will the lumber, the concrete, the other materials, the high-tech equipment come from? Will it be American-made, or will it be made over in China and imported into the United States?

It seems to me we're about to use \$300 million of our tax money, that is

the American taxpayers' money, to build some schools, or to improve some charter schools. All well and good. But why don't we create some jobs in addition to that? Why don't we put into this bill an amendment that simply says that the Secretary of Education, in prioritizing the grants, shall give higher priority to those proposals that would use American-made equipment, American-made jobs?

We can, and I thank my colleague from California, Mr. LEWIS, for agreeing that we ought to be making it America. This amendment was rejected for reasons unknown to me by the Rules Committee, perhaps known to them. And if Mr. DREIER were here, or maybe I should ask Ms. FOXX, why was this objected to? Why was it not made possible to put this amendment on the floor so that we can create American jobs?

I would note that we're 247 days into this session, and not one bill has been put forward by the Republican majority to advance jobs. Here's a little chance for us to do it.

□ 1320

Ms. FOXX. I yield myself such time as I may consume.

Mr. Speaker, I would only say to the gentleman from California that Republicans have passed many, many bills in this session that would help to create jobs in this country.

I did a little research this morning on what has happened with bills that have gone over to the Senate. A total of 28 bills have passed the House and the Senate and been sent to the President for his signature. Of those, only six were substantive bills. One of those was the 1099, one was the continuing resolution, one was DOD appropriations, a couple of bills were bills that came from here, one on lead for toys.

I think the gentleman from California needs to look to the other body to see what is happening to the bills that are passing out of the House that would create hundreds of thousands of jobs for Americans.

The problem is not in the House. The problem is in the Senate, that as one headline said and one Senator said, the Senate is moribund, and I believe that's where the problem lies. It is not with Republicans in the House.

With that, I reserve the balance of my time.

Mr. POLIS. I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Speaker, the urgent priority of this country, and it should be of this Congress, is to get Americans back to work. There is not a corner of this country that's not been severely afflicted by the unemployment crisis in this country.

Mr. GARAMENDI proposes that we take a simple idea and put it into this bill, and I think he's absolutely right.

Here's the idea. If we spend a significant amount of money, I think it's \$300 million, for the purpose of retrofitting and maybe building some schools around the country, let's give a preference to schools that use American-made products and American-made goods over those that do not. I think that's a very commonsense idea. So if a school is going to put in solar panels to become more energy efficient and they can either buy the solar panels from a company here in the United States or one in Asia, let's favor the school that buys the solar panels from the United States to create jobs here. This is a simple and good idea. It should be on the floor so that we could debate it.

Now, the dialogue I just heard was it's the Senate fault or it's this one's fault. With all due respect to all of our colleagues, Mr. Speaker, the days of whose fault it is are over. Long since over. And the time has long since passed for us to get to work passing commonsense legislation that puts the American people back to work. Mr. GARAMENDI has proposed just such a commonsense piece of legislation.

I would urge people to vote "no" on the previous question so we can consider Mr. GARAMENDI's amendment.

The SPEAKER pro tempore. The gentleman from Colorado has 6½ minutes remaining. The gentlewoman from North Carolina has 14½ minutes remaining.

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

Mr. POLIS. I would like to yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. I thank the gentleman for yielding.

I rise also to support the effort of my colleague Mr. GARAMENDI to require that materials made in America be used to construct and renovate the charter schools that we're talking about in this legislation.

We have a serious issue in this country, in case the Republicans haven't noticed, that we need to create as many jobs as we can. And anybody who has made a speech about job creation these days, talking about making it in America is a definite applause line. I would just like to recommend that. Making it in America is something that really has resonated with people all around this country.

Why would we take taxpayer dollars, when we could spend it on products that are made right here, including the building materials that we need to upgrade, to create more schools in our country, and buy products that are made overseas and support jobs that are outside of our country?

The issue in this bill of creating more schools is so important. In the United States, schools on average are 40 years old and actually in need of an estimated \$500 billion in repairs and upgrades.

I'm actually introducing a piece of legislation next week that would provide \$100 billion dollars to repair, renovate, modernize America's schools

and would create 400,000 construction and 250,000 maintenance jobs alone.

But in addition, what we should be doing is rejecting this previous question that's up before us so that we can make a good bill even better. This is a bipartisan effort. We've heard from the other side of the aisle that these are good ideas. Let's make it better. Vote "no" and let's add the Garamendi amendment.

Ms. FOXX. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time to close.

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

Mr. Speaker, the Intelligence Authorization Act is not perfect. There are some provisions that have already received a veto threat from the President that need to be amended. Thankfully, the chairman and the ranking member have worked together to submit a manager's amendment that would do just that.

It is vital that this manager's amendment pass because of two provisions in particular.

The first would make the Director of the National Security Agency a Senate-confirmed position. This would unnecessarily politicize one of our most critical intelligence needs. Traditionally, this position has already been indirectly subject to confirmation through the Senate's confirmation of military officers who have been promoted into the position. We can't afford to damage the management of the intelligence community in this manner.

The second provision would modify the reporting requirements regarding Guantanamo detainees. This would require the Director of National Intelligence to provide State Department cables to the Intelligence Committees. While effective oversight is an essential role of Congress, we also must not interfere with the ability of the State Department to conduct effective diplomatic negotiations. Therefore, I call on my colleagues to support the manager's amendment as well as the amended version of the underlying bill.

I also want to thank, with regard to the Charter School bill, Chairman KLINE and Ranking Member MILLER for their excellent work both on the bill as well as their manager's amendment that would improve the bill in a wide variety of ways, including prioritizing States that authorize charters to be their own School Food Authority so that they can serve healthy meals to their students, including transportation considerations to help ensure that kids have access, and that choice is made more meaningful by ensuring that families who don't have the ability to carpool or transport their kids to school also have choices within the public education system.

This truly bipartisan bill and manager's amendment really exemplifies what the House can do to support good public education and improve student outcome.

I agree with my colleague, Mr. HOYER, who said that this is a start. While many of us would rather see a full reauthorization of ESEA, this is a very promising start to what will hopefully be a very productive session with regard to education, one of the most important goals of this Congress as well as absolutely necessary to improve the economy in the long run.

Unfortunately, one of the amendments disallowed by the Republican majority under this rule is one that I proposed to help facilitate charter schools in obtaining Federal competitive grant funding by adding priority for States that allow charter schools to be LEAs, or Local Education Agencies. Effectively, my amendment would have reduced paperwork and overhead. If the school districts and charter schools agree, the charter schools themselves could effectively function as their own fiscal agent for Federal purposes and to compete for Federal grants.

What happens now, and it works in most cases 9 out of 10 times—unfortunately it's the cases where it doesn't work out that cause the difficulty—is charter schools have to go through their LEA, their authorizing institute, or their school district in order to apply for Federal grants.

What does this mean? It means there's another set of bureaucrat's eyes that have to see every proposal, another person that has to sign off. Sometimes this can lead to unnecessary delays. At worst, it can lead to missing deadlines if funding applications are submitted to districts and not turned around in enough time to meet Federal deadlines for grant funding.

So it would be nice to continue to work on this with the committee, and I think that many of us would like to see charter schools recognized as LEAs for purposes of Federal funding.

□ 1330

I am proud to say that, in my home State of Colorado, we were able to get this fixed in the last legislative session, and now charter schools are recognized as LEAs. In fact, about half of the States allow charter schools to be LEAs for Federal purposes.

A key goal of the bill is to ensure charter schools have equitable funding as well. Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to make in order an amendment by Mr. GARAMENDI of California, one which would give priority to eligible entities working with charter schools that plan to use materials made in America for the construction or renovation of school facilities. Once again, it would make that amendment in order and allow for a discussion and vote by the House on that amendment. Republicans blocked this germane amendment last night in the Rules Committee by a party-line vote.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment into the RECORD, along with ex-

traneous material immediately prior to the vote on the previous question.

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

There was no objection.

Mr. POLIS. Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question so we can help American workers and allow this House to deliberate on an amendment that deserves debate in this body.

I urge a "no" vote on the rule as well, having left off several amendments that would otherwise improve these bipartisan bills.

I yield back the balance of my time. The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 392 OFFERED BY
MR. POLIS OF COLORADO

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

SEC. 4. Notwithstanding any other provision of this resolution of this resolution, the amendment printed in section 5 shall be in order as though printed after the amendment numbered 8 in Part A of the report of the Committee on Rules if offered by Representative Garamendi of California or his designee. That amendment shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent.

SEC. 5. The amendment referred to in section 4 is as follows:

AMENDMENT TO H.R., AS REPORTED OFFERED
BY MR. GARAMENDI OF CALIFORNIA

Page 21, after line 24, insert the following:

"(3) PRIORITY.—In awarding grants under subsection (a), the Secretary shall give priority to eligible entities that demonstrate a plan to require charter schools receiving assistance under subsection (a) to use materials that are made in America for the construction and renovation of facilities."

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

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

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

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

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

Ms. FOXX. Mr. Speaker, I urge my colleagues to vote for the rule.

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

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 226, nays 176, not voting 29, as follows:

[Roll No. 693] YEAS—226

- Adams Blackburn Cantor
Aderholt Bono Mack Capito
Akin Boustany Carter
Alexander Brady (TX) Cassidy
Amash Brooks Chabot
Austria Broun (GA) Chaffetz
Bartlett Buchanan Coble
Barton (TX) Bucshon Coffman (CO)
Benishek Buerkle Cole
Berg Burton (IN) Conaway
Biggert Calvert Costa
Billbray Camp Cravaack
Bilirakis Campbell Crawford
Black Canseco Crenshaw

- Davis (KY) Johnson (IL)
Denham Johnson (OH)
Dent Johnson, Sam
DesJarlais Jones
Diaz-Balart Jordan
Dold Kelly
Dreier King (IA)
Duffy King (NY)
Duncan (SC) Kingston
Duncan (TN) Kinzinger (IL)
Ellmers Kline
Emerson Labrador
Farenthold Lamborn
Fincher Lance
Fitzpatrick Landry
Flake Lankford
Fleischmann Latham
Fleming LaTourette
Flores Latta
Forbes Lewis (CA)
Fortenberry LoBiondo
Foxy Long
Franks (AZ) Lucas
Frelinghuysen Luetkemeyer
Gallegly Lummis
Gardner Mack
Garrett Manzullo
Gerlach Marchant
Gibbs McCarthy (CA)
Gibson McCaul
Gingrey (GA) McClintock
Gohmert McCotter
Goodlatte McHenry
Gosar McKeon
Gowdy McKinley
Granger McMorris
Graves (GA) Rodgers
Graves (MO) Meehan
Griffin (AR) Mica
Griffith (VA) Miller (FL)
Grimm Miller (MI)
Guinta Mulvaney
Guthrie Murphy (PA)
Hall Myrick
Hanna Neugebauer
Harper Noem
Harris Nugent
Hartzler Nunes
Hastings (WA) Nunnelee
Hayworth Olson
Heck Palazzo
Hensarling Paulsen
Herger Pearce
Herrera Beutler Pence
Himes Petri
Huelskamp Pitts
Huizenga (MI) Platts
Hultgren Poe (TX)
Hunter Pompeo
Hurt Posey
Issa Price (GA)
Jenkins Quayle

NAYS—176

- Ackerman Conyers
Altmire Cooper
Andrews Costello
Baca Courtney
Baldwin Critz
Barrow Crowley
Bass (CA) Cuellar
Becerra Cummings
Berkley Davis (CA)
Berman Davis (IL)
Bishop (GA) DeFazio
Bishop (NY) DeGette
Blumenauer DeLauro
Boren Deutch
Boswell Dicks
Brady (PA) Dingell
Braley (IA) Doggett
Brown (FL) Donnelly (IN)
Butterfield Doyle
Capps Edwards
Capuano Ellison
Cardoza Engel
Carnahan Eshoo
Carney Farr
Carson (IN) Fattah
Castor (FL) Filner
Chandler Frank (MA)
Chu Fudge
Ciilline Garamendi
Clarke (MI) Gonzalez
Clarke (NY) Green, Al
Clever Grijalva
Clyburn Matsui
Cohen Hahn
Connolly (VA) Hanabusa

- Reed McDermott
Rehberg McGovern
Reichert McIntyre
Renaacci McNerney
Ribble Meeks
Rigell Michaud
Rivera Miller (NC)
Robby Miller, George
Roe (TN) Moore
Rogers (AL) Moran
Rogers (KY) Murphy (CT)
Rogers (MD) Nadler
Rohrabacher Napolitano
Rokita Olver
Rooney Owens
Ros-Lehtinen Pallone
Ross (FL) Pascrell
Royce Pastor (AZ)
Runyan Payne
Ryan (WI) Pelosi
Scalise Perlmutter
Schilling Peters
Schmidt Peterson
Schock Pingree (ME)
Schweikert Polis
Scott (SC)
Scott, Austin
Sensenbrenner Sessions
Shimkus Shuster
Simpson Smith (NE)
Smith (NJ) Smith (TX)
Southernland Stearns
Stivers
Stutzman
Sullivan Terry
Thompson (PA) Thornberry
Tiberi Tipton
Turner Upton
Walberg Walsh (IL)
Walden Webster
West
Westmoreland Whitfield
Wilson (SC) Wittman
Wolf Womack
Woodall Yoder
Young (IN) Young (IN)

- Price (NC) Shuler
Quigley Sires
Rahall Slaughter
Rangel Smith (WA)
Richardson Speier
Richmond Sutton
Ross (AR) Thompson (CA)
Rothman (NJ) Thompson (MS)
Roybal-Allard Tierney
Ruppersberger Tonko
Rush Towns
Ryan (OH) Tsongas
Sánchez, Linda Velázquez
T. Vislosky
Sanchez, Loretta Walz (MN)
Sarbanes Wasserman
Schakowsky Schultz
Schiff Waters
Schradler Schwartz
Scott (VA) Watt
Scott, David Waxman
Serrano Scott, David Welch
Sewell Wilson (FL)
Sherman Woolsey
Yarmuth

NOT VOTING—29

- Bachmann Green, Gene
Bachus Hinojosa
Barletta Hirono
Bass (NH) Holden
Bishop (UT) Honda
Bonner Hoyer
Burgess Johnson (GA)
Clay Lewis (GA)
Culberson Lungren, Daniel
Giffords E.

□ 1358

Mr. WALZ of Minnesota, Ms. ESHOO, Mr. DICKS, Ms. LORETTA SANCHEZ of California, Ms. HOCHUL, and Ms. SEWELL changed their vote from "yea" to "nay."

Mr. WOODALL changed his vote from "nay to "yea."

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

Stated against:

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 693, had I been present, I would have voted "nay."

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 237, noes 163, not voting 31, as follows:

[Roll No. 694]

AYES—237

- Adams Buchanan Cooper
Aderholt Bucshon Costa
Akin Buerkle Cravaack
Alexander Burgess Crawford
Amash Burton (IN) Crenshaw
Bachus Calvert Cuellar
Bartlett Camp Davis (CA)
Barton (TX) Campbell Davis (KY)
Benishek Canseco Dent
Berg Cantor DesJarlais
Biggert Castor (FL) Capito Diaz-Balart
Billbray Carney Dold
Bilirakis Carter Donnelly (IN)
Black Cassidy Dreier
Blackburn Chabot Duffy
Berg Bono Mack Chaffetz Duncan (SC)
Biggert Coble Chaffetz Duncan (TN)
Billbray Camp Cravaack
Bilirakis Campbell Crawford
Black Canseco Crenshaw

Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell

Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, George
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Herrera Beutler
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble

Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Long
Ros-Lehtinen
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Speier
Stearns
Stivers
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberti
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (IN)

Pallone
Pascarell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush

Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Sutton
Thompson (CA)

Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—31

Austria
Bachmann
Barletta
Bass (NH)
Bishop (UT)
Bonner
Culberson
E.
Denham
Giffords
Green, Gene
Griffin (AR)
Hirono
Holden
Honda
Hoyer
Lewis (GA)
Lungren, Daniel
E.
Lynch
Marino
McClintock
Miller, Gary

Neal
Paul
Reyes
Roskam
Smith (NJ)
Stark
Sullivan
Van Hollen
Young (AK)
Young (FL)

□ 1404

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. DENHAM. Mr. Speaker, on rollcall No. 694 I was inadvertently detained. Had I been present, I would have voted "aye".

Stated against:

Mr. GENE GREEN of Texas. Mr. Speaker, on rollcall Nos. 693 and 694, had I been present, I would have voted "no."

PERSONAL EXPLANATION

Mr. BASS of New Hampshire. Mr. Speaker, on rollcall votes 693 and 694, my votes were not recorded. Had I been recorded, I would have voted in the affirmative on both ordering the previous question and adoption of the rule providing for consideration of H.R. 2218, to amend the charter school program under the Elementary and Secondary Education Act; and for consideration of H.R. 1892, to authorize appropriations for FY 2012 for intelligence activities of the U.S. Government, the Community Management Account, and the CIA Retirement System.

EMPOWERING PARENTS THROUGH QUALITY CHARTER SCHOOLS ACT

Mr. KLINE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2218. The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 392 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2218.

□ 1405

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole

House on the state of the Union for the consideration of the bill (H.R. 2218) to amend the charter school program under the Elementary and Secondary Education Act of 1965, with Mr. WOMACK in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Minnesota (Mr. KLINE) and the gentleman from California (Mr. GEORGE MILLER) each will control 30 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. KLINE. Mr. Chairman, I rise today in support of H.R. 2218, and I yield myself such time as I may consume.

The Empowering Parents through Quality Charter Schools Act is a key component of our efforts to reform the Nation's education system and ensure more students have access to a quality learning experience. I join my colleagues on both sides of the aisle who have been strong proponents of charter schools for the breadth of opportunities they offer students and parents.

These innovative institutions empower parents to play a more active role in their child's education and offer students the priceless opportunity to escape underperforming schools. They also open doors for educators to experiment with the fresh teaching methods uniquely geared to meeting the needs of their individual students.

The stories of charter school success are impressive. Students who previously had little hope have been inspired by excellent teachers to reach new heights. The tales of groundbreaking programs and initiatives at local charter schools have motivated surrounding public schools to improve. Parents have witnessed children of all backgrounds transition from struggling to excelling as a result of their charter school education.

Unfortunately, there are not enough charter schools to meet demand and hundreds of thousands of students remain on wait lists each year.

□ 1410

The legislation we consider today takes important steps to encourage and support the establishment of more high-quality charter schools in communities across the United States.

The bipartisan Empowering Parents through Quality Charter Schools Act will consolidate funding under the Federal Charter School Program into the existing State grant program. This will allow State educational agencies, State charter school boards, and governors the freedom to award subgrants to support new charter schools as well as replicate or expand high-quality charter schools.

To ensure States are facilitating the growth and expansion of charter schools, this act will give funding priority to those that lift arbitrary caps on the number of charter schools permitted in the State. The legislation

NOES—163

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costello

Courtney
Critz
Crowley
Cummings
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchev
Hochul
Holt
Inslie
Israel

Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowe
Luján
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Miller (NC)
Moore
Moran
Nadler
Napolitano
Olver
Owens

also will provide priority to States that take additional steps to encourage charter school growth, such as allowing more than one State or local agency to authorize charter schools, or promoting charters as a solution to improve struggling public schools.

As we work to increase the presence of charter schools in the United States, we must also protect limited taxpayer funds and make sure every dollar is well spent. It has been said that charter schools are the epitome of performance-based education: In exchange for increased flexibility and autonomy, these schools are held accountable for results. The Empowering Parents through Quality Charter Schools Act will ensure charter schools continue to be held accountable by supporting an evaluation of schools' impact on students, families, and communities, while also encouraging shared best practices between charter and traditional public schools.

Charter schools are a valuable part of our efforts to improve the education available to our children. This legislation does not represent the whole solution. All of us recognize that additional measures must be enacted to support excellence and innovation in the American education system. However, this act takes an important step in the right direction.

I am very pleased that members of the Education and Workforce Committee have put their differences aside and worked through a very bipartisan process to develop an exceptional piece of legislation. I would like to thank Members and their staffs for these efforts. I urge my colleagues on both sides of the aisle to join with us in supporting this positive legislation.

I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself 5 minutes.

I rise today in support of the Empowering Parents through Quality Charter Schools Act, and I want to thank the chairman of the committee, Mr. KLINE, and the subcommittee chair, Mr. HUNTER, for all of their cooperation and support in working with the minority on this side of the aisle on this legislation. Both sides of the aisle have strong proponents of this legislation and of the charter school movement in this country.

This legislation, because of that cooperation, is the first bipartisan piece of reauthorization of the Elementary and Secondary Education Act. It passed the Education Committee with bipartisan support, and I'm hopeful that it will receive similar support from the full Congress.

This country is facing a severe education crisis. Our schools are simply not meeting the educational needs of our students, and it is a threat to our global competitiveness and to our economic security.

Charter schools began 20 years ago as a laboratory for innovation to help tackle the stagnant education system

at that time and to give options to parents who felt helpless. These schools have often become the myth busters of what is possible for a demographic of children that have all too often been written off. Currently, they serve about 4 percent of all public school students. In urban areas, that number is much higher. Charter schools are not a silver bullet and will not solve all of the education challenges, but they have become an important part of the education system. We need to update the law to reflect that reality.

The Empowering Parents through Quality Charter Schools Act encourages effective reforms that will help transform schools and communities.

First, this bill makes significant improvements to the existing Charter School Program and addresses issues that we have heard from education advocates across the country. It rightfully returns charter schools to their original purpose—public schools that identify and share innovative practices that lead to improvements in academic achievement for all public schools. It requires that charters be brought back into the traditional public school system as opposed to running in a parallel system. And it requires charters to actually serve all student populations and therefore provides more parents with real choices.

Second, this bill prioritizes accountability. It puts student achievement first, and it greatly increases the accountability of charter school authorizers and oversight by State education authorities.

Third, this bill addresses a recurring problem in charter schools, which is the lack of service to students with disabilities and English language learners. In this bill, we dramatically improve access for underserved populations. We require better recruitment and enrollment practices for underserved populations.

Lastly, this bill rightly focuses on our students and what they need to succeed. In many States, high-performing charter schools are a great option for some students. These schools are closing achievement gaps and shattering the low expectations that have stood in the way of student success.

Charter schools have been on the forefront of bold ideas and innovation in education. They have shown that, given the right tools, all students can achieve at high levels. We are learning from great charter schools about what works for students and what students need to be able to compete in the global economy. Replicating this success will help our students, our communities, and our economy.

With this legislation, we can help ensure that the positive reforms happening at some charter schools will happen at all charter schools, and we can help ensure that best practices are shared throughout that school district. But this legislation is only one piece of the education reform puzzle. Unfortunately, we are not taking up the whole

Elementary and Secondary Education Act, but just one part.

This country is in the midst of the most dynamic education reform atmosphere that I have seen in my tenure in Congress. The reauthorization of the Elementary and Secondary Education Act presents an opportunity to take hold of that momentum and bring our education system into the future.

The bill before us today is good, but we need to do much more. It will be a tremendous disservice for our children and our country if we do not provide relief for schools that are struggling under an outdated law. This relief should come in the form of a full, comprehensive reauthorization of ESEA. To do that, we must take on all of the real issues facing all our schools, not just charters. We need to address accountability, data, assessments, and college- and career ready standards and modernizing the teaching profession. We all have to hold true to the reason that the Federal Government has a role in education in the first place: to ensure equal opportunity for every student in this country to access a great education.

We know what it will take to fix our schools. It isn't a mystery. But accomplishing that goal isn't easy. It takes real political will to overcome ideology and to stay focused on what's best for kids.

I hope my colleagues will join me in supporting this legislation, and I hope that we can get to a much more comprehensive reauthorization of ESEA in the near future.

I reserve the balance of my time.

Mr. KLINE. Mr. Chairman, at this time, I am very pleased to yield 5 minutes to the gentleman from California (Mr. HUNTER), the chair of the K-12 Subcommittee.

Mr. HUNTER. I also want to extend my appreciation to Chairman KLINE for his leadership and tireless work toward improving the quality of education for America's children, as well as Ranking Member KILDEE, my colleague on the subcommittee and full committee, Ranking Member MILLER, as well as JARED POLIS from Colorado, who is not even on this full committee but was very supportive of this legislation.

Mr. Chairman, the Empowering Parents through Quality Charter Schools Act is a bill that will have a direct impact on our Nation's children. Expanding access to high-performing charter schools has the potential to make a world of difference for students across the Nation simply by adding a much needed layer of choice and competition that is good for the entire school system, not just charters.

Unlike traditional public schools, the charter school model is not limited by a one-size-fits-all approach. Instead, these institutions enjoy increased freedom from State and local rules and regulations in exchange for greater accountability.

Also, the flexibility afforded to charter schools allows teachers and school

administrators to adjust schedules and course work to better serve a wide range of students in their individual communities, including disadvantaged students. For example, a Louisiana charter school established in the wake of Hurricane Katrina enrolled many students who had fallen significantly behind other students their age after the disaster forced them to miss a full year of school. Despite these difficult circumstances, dedicated teachers tailored ground-breaking coursework to meet the needs of these students. Student achievement levels soared, and this charter school is now the third most successful high school in New Orleans.

Improved academic achievement in even the most troubled school districts is one reason why charter schools are in such high demand, with more than 400,000 students across the Nation on wait lists. Even so, many States have imposed arbitrary caps on the total number of charter schools permitted as well as the total number of students allowed to attend these schools. These provisions unnecessarily stifle parental choice and keep students trapped in low-performing schools.

Charter schools also have difficulty securing adequate funding. Current law awards funding for the establishment of new charter schools but does not support funds for replication, updates, or improvements. As a result, charter schools with a proven record of high student achievement may be unable to secure funding to replicate their educational model in a new community.

The Empowering Parents through Quality Charter Schools Act will help put an end to these barriers to charter school growth by streamlining and modernizing the Federal Charter Schools Program.

□ 1420

The law will facilitate the ability of States to access funding for the expansion and replication of the best charter schools through the simplification of the Federal grant program. Additionally, the legislation incentivizes charter school development by offering priority grant funding to States that remove arbitrary caps on charter school growth.

Charter schools provide an opportunity for students who might otherwise spend their formative years stuck in subpar classrooms. We cannot allow arbitrary measures or partisan differences to stand in the way of providing all children access to a high quality education. I strongly encourage my colleagues on both sides of the aisle to unite in support of a better future for the Nation's students and vote "yes" on the Empowering Parents Through Quality Charter Schools Act.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Mr. Chairman, I rise today to express my strong support for H.R. 2218, the Empowering Parents

through Quality Charter Schools Act. This bill strengthens our Nation's charter schools by making much needed improvements to current law, and I commend Chairman JOHN KLINE and Ranking Member GEORGE MILLER of the Education and Workforce Committee for their leadership on this issue.

As ranking member of the Subcommittee on Higher Education, I want to help K-12 schools to give us college-ready high school graduates and to send them to colleges or 4-year universities. That's why I support H.R. 2218.

In regard to accessibility, this bill helps to ensure that English language learners and students with disabilities have an opportunity to attend and excel in high quality charter schools. Under this proposal, charter school authorizers must ensure that charter schools comply with the Civil Rights Act, as well as Individuals With Disabilities Act and the Rehabilitation Act, and monitor the schools in recruiting, enrolling, and meeting the needs of students with disabilities and English language learners.

I am pleased that the manager's amendment to H.R. 2218 requires authorizers to ensure that charter schools solicit and consider input from parents and community members on the implementation and operation of charter schools.

This bill prioritizes high quality charter schools. By adding a new definition for high quality charter schools and providing priority consideration for States with high quality charter schools, this bill encourages States to set higher expectations for our Nation's charter schools.

This legislation improves charter authorizing. H.R. 2218 ensures that authorizers within the State monitor the performance of charter schools and require charter schools to conduct and publicly report financial audits.

The CHAIR. The time of the gentleman has expired.

Mr. GEORGE MILLER of California. I yield the gentleman an additional 30 seconds.

Mr. HINOJOSA. In my congressional district, the IDEA public high schools, a network of high quality public charter schools, have done a terrific job of preparing minorities, English language learners, and students with disabilities for college and careers. Currently, IDEA public schools operate 20 schools in 10 communities in the Rio Grande Valley.

This year, all the IDEA public schools were rated exemplary, the highest district rating issued by the Texas Education Agency; and our IDEA college preparatory school in Donna, Texas, has been recognized as one of the very best high schools in the Nation. In fact, 100 percent of IDEA public school graduates are enrolled in a community college or university.

I urge my colleagues on both sides of the aisle to support H.R. 2218.

I applaud Tom Torkelsen, JoAnn Gama, co-founders of the IDEA Public Schools, as well as the teachers, parents, staff, and community members for their outstanding track record and unwavering commitment to fulfill IDEA's mission of 'College For All Children.'

Our nation's public charter schools must strive to be high-performing and inclusive; have the highest standards of excellence, accountability, and transparency; and foster strong, healthy partnerships with traditional public schools that yield successful outcomes for all students.

Mr. KLINE. I yield 4 minutes to the gentleman from Tennessee, a member of the committee and the chairman of the Health Subcommittee, Dr. ROE.

Mr. ROE of Tennessee. Mr. Chairman, I rise in strong support of the Empowering Parents through Quality Charter Schools Act. It's heartening to see strong, bipartisan support for a bill that will do a lot of good for America's children.

A high quality education should be the birthright of every American child. As a society, we must ensure that they have the tools needed to chase their dreams and to succeed in an increasingly competitive global marketplace. A child growing up in Cocke County, Tennessee, today will some day compete for jobs with young people in China, India, and around the world. It's our duty to prepare our children and this great country for this reality.

Sadly, we're falling short in this responsibility. While many of our traditional public schools are outstanding, others leave students falling through the cracks. That's why an increasing number of parents are turning to charter schools to educate their children. But the supply has been unable to keep up with the demand. An estimated 420,000 students are on the waiting list to be admitted to charter schools. It's heartbreaking to know that the trajectory of these children's lives will be, in no small part, determined by a lottery. We can and must do better.

H.R. 2218 will help more students gain access to a quality education by facilitating the development of high performing charter schools. It reauthorizes the charter school program, which provides start-up grants to help charter schools open the doors, buy classroom materials, and teach new students. The bill also encourages States to support the development and expansion of charter schools, while ensuring an emphasis on quality and innovation.

The best educational system is one in which parents, teachers, and local school boards collaborate to set the agenda, not Washington, DC. This bill puts more power in the hands of those who know our children best and their needs best.

Charter schools are not a silver bullet, but they offer a way out for students who otherwise would be trapped in a failing school. Every charter school that is supported through this program is one more choice a parent will have to ensure their children's future success.

I thank my colleagues for their bipartisan support, and I urge my colleagues to vote "yes."

Mr. GEORGE MILLER of California. I yield 3 minutes to the gentlewoman from California (Ms. WOOLSEY), a member of the committee.

Ms. WOOLSEY. Mr. Chairman, I rise to speak on H.R. 2218, the Empowering Parents through Quality Charter Schools Act.

During my first visit to a charter school years ago, when charter schools were first on the horizon, I was so impressed. I was impressed with the small class sizes. I was impressed with the level of parental involvement and the individualized learning programs. In fact, when I left the school, I was actually teary; I mean, I was overcome because I wanted every single child in the United States of America to have this same rich educational experience.

All charter schools aren't quite that successful and all public schools aren't failing, but charter schools were created to develop best practices and innovative learning methods, and, if they were successful, those methods could be brought back and used in all public schools. While some charter schools have found new ways to promote academic achievement, other public schools have yet to benefit from this investment.

This bill will return charter schools to their original mission by helping improve the public school system and ensuring that charters no longer operate in isolation without strict accountability.

For many years, I've been concerned that charter schools, using taxpayer dollars, would function at the expense of public schools instead of complementing them. For instance, without reform, the most talented and motivated students could simply go to the charter schools, while public schools would be left with the most challenging situations, especially students with disabilities, English language learners, and students who come from broken homes and are having a hard time just keeping up in general. And that was totally contrary to the intent of the charter schools movement; it would weaken, rather than strengthen, our public school system.

So to address this problem, this bill stood up and, in a very bipartisan way, our committee put together a bill that we have here on the House floor that requires charter schools to adopt practices that promote inclusion, that allow for increased enrollment of students with disabilities and limited English skills, and provides an information sharing system regarding systems programs.

There are many other necessary reforms included in H.R. 2218, and they'll all ensure charter schools fill their original purpose. With these reforms, charter schools will play the constructive role in our education system that they were designed to play.

Mr. KLINE. Mr. Chairman, I am pleased to yield 3 minutes to the gen-

tleman from Michigan, the chair of the Workforce Protection Subcommittee, Mr. WALBERG.

□ 1430

Mr. WALBERG. I thank the chair and committee leadership for bringing this bill forward, H.R. 2218, for which I urge my colleagues' support.

In the Northwest Ordinance, the same language in that ordinance, as well as what was then put into many of our State constitutions, says this: "Religion, morality, and knowledge being necessary to good governments and the happiness of mankind, schools and the means of education, shall forever be encouraged."

I believe this bill, H.R. 2218, does just that. It's a simple bill. It promotes a charter school program that accomplishes three goals. Those being, one, to provide parents greater options for their children's education; two, consolidating education programs and reducing the authorization level; and, three, supporting the development of high-quality charter schools. That's what we're about in education. That's what we ought to be concerned with.

This bill accomplishes our goal of modernizing and streamlining the program by consolidating the current programs to one program and one authorization line. The result in savings still affords the taxpayer, the parent, and the educator with even more opportunity for growth of proven charter school models and new innovative charter schools.

The bill ensures that charter schools and charter school authorizers reach out to parents to serve students who can benefit from these schools. The legislation supports quality initiatives in the authorizing world without putting any new mandates on the schools.

The legislation has broad support, including a community that includes the U.S. Chamber of Commerce, Business Roundtable, National Alliance of Public Charter Schools, Texas Charter School Association, Chiefs for Change, the National Association of State Directors of Special Education, just to name a few.

Charter schools were created in Michigan, my State, 15 years ago. And since that time nothing but proven educational success has taken place, with children in tough school districts before now receiving education that is promoting success for them and their future prosperity in an education opportunity that expands in the real-world experience.

For that reason and many others, I urge the support of H.R. 2218 as a proposal that does exactly what our Northwest Ordinance says. It encourages schools and the means of education for quality, students, and future people that will work in our system.

Mr. GEORGE MILLER of California. I yield 2 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.

In the earliest days of our Republic, our prosperity came from our abundant natural resources. Then in later days, our prosperity came from the fact that we were bordered by two vast oceans to our east and west which gave us an isolated domestic market.

In the days after the Second World War, our prosperity was grounded in the fact that we were the sole remaining industrial power untouched by the Second World War, relatively speaking.

All of those advantages relatively speaking are gone; and the way we're going to be prosperous today and in the future is by having the best educated, best motivated workforce anywhere in the world. We're not going to have that best educated and best motivated workforce without a high-quality education for every child in America.

I see this bill as a step in that direction by enriching and making more accountable the charter school movement in our country.

Make no mistake about it: all charter schools are not perfect. Many charter schools, frankly, are very troubled. But the charter school movement has been a positive step forward for our country. This bill adds accountability to that movement and adds new resources that I think are welcome.

I would echo the words of Ranking Member MILLER and note that 90 percent of children in America's schools are in public schools. And the principal legislative action we have on those public schools is the Elementary and Secondary Education Act. I know that the chairman of the committee has worked very diligently to prepare the committee for the work we could do on that. And I'm hopeful that we can have the same kind of cooperative effort for the ESEA reauthorization as we have for this charter school bill.

There is much more to do, but today is a good first step. I urge a "yes" vote.

Mr. KLINE. I yield 3 minutes to the gentleman from Indiana, Dr. BUCSHON.

Mr. BUCSHON. Thank you, Chairman KLINE.

Mr. Chairman, first let me thank Representative HUNTER, Chairman KLINE, Ranking Member MILLER, and others for their hard work and leadership on this legislation.

I rise today as a cosponsor of H.R. 2218, the Empowering Parents through Quality Charter Schools Act. Where American education was once a world leader, over the past few decades we are losing our advantage. The Empowering Parents through Quality Charter Schools Act will facilitate the development and replication of high-performing charter schools that will help America regain its stature as a leader in educating its citizens.

Charter schools are created through a contract with local education providers that allow flexibility and innovation in educating our children while maintaining the same requirements and accountability of traditional public schools. Charter schools are able to

bring innovation and special programming into the curriculum that is uniquely tailored to the needs of their specific student population. This not only allows choice for parents whose children may be better suited for this kind of flexibility, but also can inspire progress in traditional schools by raising the bar and creating greater transparency.

By increasing funding opportunities for the replication of successful charter schools and facilities assistance, H.R. 2218 encourages States to invest in charter schools.

Further, H.R. 2218 supports the evaluation of the impact of charter schools on their students, faculty, parents, and communities to ensure that high-quality education is available for every child and parents can choose the correct venue for their child's education.

In my district in Evansville, Indiana, Signature School was ranked the top high school in the Midwest and the number three charter school in the country by *The Washington Post*. These rankings were based on data that indicate how well a school prepares its students for college based on Advanced Placement tests or International Baccalaureate completions. Signature School is an example of a high-performing charter school that this legislation aims to replicate.

Replicating schools like Signature School that have a proven history for effectively preparing our children for college is not only in the best interest of students and parents but also in the best interest of the economy. By increasing the number of students that are college ready, we build a more educated generation, more prepared to take on the complex jobs in health care, engineering, science and technology and others that future industries will demand.

With an unemployment rate near 9 percent, educating our students is critical. By increasing our students' access to high-quality charter schools, H.R. 2218 will prepare our children for the high-tech jobs of the future. This is essential if we are to maintain our competitiveness in a global economy.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentleman from Colorado (Mr. POLIS), the intellectual architect of all of this.

Mr. POLIS. I thank the gentleman from California and the gentleman from Minnesota.

There is a lot of good in public education today. When we look across our country, just as we see examples of what doesn't work—drop-out factory schools where kids are falling further and further behind each year, schools that are unsafe learning environments for their kids—just as we have that, we also have examples of what works, what works with our most at-risk populations in this country showing that every student in this country can learn and can achieve, given the right opportunity and the right school environment.

Now, charter schools aren't the silver bullet or the solution, but they are a tool in the arsenal of school districts in the States to address the learning needs of all students.

Nationally, there's over 5,000 charter schools representing just over 5 percent of all public schools in the country. Many of those charter schools couldn't have gotten off the ground without the Federal start-up grant that this bill reauthorizes. Importantly, again because we have examples that this works, this bill, for the first times, allows States to use the money to expand and replicate learning models that work.

I point to one in Colorado, the Ricardo Flores Magon Academy. Ninety-three percent free and reduced lunch, 86 percent English language learners, and yet they scored far above the State average in the past 3 years, 95 to 100 percent proficient in math and about 20 percent higher than the State average score—the State average score that includes wealthy suburban districts as well.

□ 1440

Yes, these students can learn, and schools like Ricardo Flores Magon Academy will now under this new authorization have access to expansion and replication money.

So, when models work—whether that's a model like KIPP nationally, which has successfully served some of our most at-risk communities, or whether it's grassroots efforts across our country—they will be able to access resources to serve more students and grow or to open up additional branches of the same school. National, State, and local research consistently shows that, yes, not all charter schools work. Some underperform other public schools. Some perform at the same level, and some do better.

What we do with this bill is we provide for best practices nationally. We've learned a lot in the last 10 years with regard to charter schools. We now have some best practices in this bill, like removing caps on the number of charter schools in districts. Through the manager's amendment, we ensure that charter schools can participate in food services as well as in transportation services in districts. I want to point out the importance of the transportation because, to make choice meaningful, to add the emphasis to choice, you have to have transportation options to get the most at-risk kids to school; otherwise choice is simply an empty promise.

By focusing Federal investments, as H.R. 2218 does, it ensures that we maximize the impact of our limited Federal resources on improving student achievement and reducing the learning gap across the country. To succeed as a Nation, we need to do a better job with our human capital in preparing the next generation of Americans for the next generation of jobs, and this bill will be an important tool in that arsenal.

I strongly support this bill.

Mr. KLINE. Mr. Chairman, may I inquire as to the time remaining on both sides?

The CHAIR. The gentleman from Minnesota has remaining 16 minutes. The gentleman from California has remaining 15 minutes.

Mr. KLINE. It is my understanding that the gentleman from California has several more speakers.

Mr. GEORGE MILLER of California. They're here in spirit. They're not here in person, unfortunately.

Mr. KLINE. I am prepared to reserve and let you call on speakers.

Mr. GEORGE MILLER of California. I thank the gentleman. I have one or two other speakers. We've put out a call to them, but they've not responded. I'll see if we can maybe fit them in on the manager's amendment if they want to speak because I'll be very brief on the manager's amendment on this side.

So let me just close by again thanking everyone on the committee for their support. I certainly want to thank the staff on both sides of the aisle but particularly the staff on this side of the aisle, and the members of our committee, for helping me with this legislation. I want to recognize Jamie Fasteau, Ruth Friedman, Kara Marchione, Laura Schifter, Daniel Brown, Megan O'Reilly, and Adam Schaefer for all of their contributions to this successful bipartisan effort.

Finally, I would just like to say, as many speakers have said, all charter schools aren't perfect; this isn't a silver bullet. What we hope to be able to do is to really continue to grow the entrepreneurial spirit of young people across the board looking at our education system, thinking how it can be done better, what are the best practices, what are the indicators of successful schools, of successful learning environments, of successful teaching environments for teachers, for students, and focusing on the academic achievement and the benefits to the students. And then to be able to share those models across the charter school spectrum, across the traditional public school spectrum so that all of us can learn and benefit from that, and most importantly so we can create those environments where America's children will have the opportunity to have access to a first-class education that will serve them the rest of their lives.

I believe that that effort is facilitated by the charter school movement. I believe that this legislation is a substantial improvement on the original authorization for charter schools to participate in this area, and I look forward to the passage of this legislation.

With that, I've danced as long as I can. I yield back the balance of my time.

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

Mr. Chairman, I want to add my thanks to those of Ranking Member MILLER's to the staffs on both sides, to

the members of the committee on both sides, and to our colleagues not on the committee, like Mr. POLIS, for their input and help on this legislation.

All of us were elected to Congress with the promise to enact laws that will make this country a better place for our children and our grandchildren. This starts with ensuring that every child has access to a quality education.

For many students and their parents, charter schools are a beacon of hope and, in some cases, the only beacon of hope. They symbolize opportunity, choice, and educational excellence, and it is past time to ensure more families and communities across the United States have access to these groundbreaking institutions.

By approving the Empowering Parents through Quality Charter Schools Act today, we can help put more students on the path to a successful future. I urge my colleagues to put differences aside and to join together in supporting this legislation for the sake of those students trapped in underperforming schools across America.

I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 2218

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Empowering Parents through Quality Charter Schools Act”.

SEC. 2. REFERENCES.

Except as otherwise specifically provided, whenever in this Act a section or other provision is amended or repealed, such amendment or repeal shall be considered to be made to that section or other provision of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

SEC. 3. PURPOSE.

Section 5201 (20 U.S.C. 7221) is amended to read as follows:

“SEC. 5201. PURPOSE.

“It is the purpose of this subpart to—

“(1) provide financial assistance for the planning, program design, and initial implementation of charter schools;

“(2) expand the number of high-quality charter schools available to students across the Nation;

“(3) evaluate the impact of such schools on student achievement, families, and communities, and share best practices between charter schools and other public schools;

“(4) encourage States to provide support to charter schools for facilities financing in an amount more nearly commensurate to the amount the States have typically provided for traditional public schools;

“(5) improve student services to increase opportunities for students with disabilities, English language learners, and other traditionally underserved students to attend charter schools and meet challenging State academic achievement standards; and

“(6) support efforts to strengthen the charter school authorizing process to improve performance management, including transparency, monitoring, and evaluation of such schools.”.

SEC. 4. PROGRAM AUTHORIZED.

Section 5202 (20 U.S.C. 7221a) is amended to read as follows:

“SEC. 5202. PROGRAM AUTHORIZED.

“(a) *IN GENERAL.*—This subpart authorizes the Secretary to carry out a charter school program that supports charter schools that serve elementary school and secondary school students by—

“(1) supporting the startup, replication, and expansion of charter schools;

“(2) assisting charter schools in accessing credit to acquire and renovate facilities for school use; and

“(3) carrying out national activities to support—

“(A) charter school development;

“(B) the dissemination of best practices of charter schools for all schools; and

“(C) the evaluation of the impact of the program on schools participating in the program.

“(b) *FUNDING ALLOTMENT.*—From the amount made available under section 5211 for a fiscal year, the Secretary shall—

“(1) reserve 15 percent to support charter school facilities assistance under section 5204;

“(2) reserve not more than 5 percent to carry out national activities under section 5205; and

“(3) use the remaining amount after the Secretary reserves funds under paragraphs (1) and (2) to carry out section 5203.

“(c) *PRIOR GRANTS AND SUBGRANTS.*—The recipient of a grant or subgrant under this subpart, as such subpart was in effect on the day before the date of enactment of the Empowering Parents through Quality Charter Schools Act, shall continue to receive funds in accordance with the terms and conditions of such grant or subgrant.”.

SEC. 5. GRANTS TO SUPPORT HIGH-QUALITY CHARTER SCHOOLS.

Section 5203 (20 U.S.C. 7221b) is amended to read as follows:

“SEC. 5203. GRANTS TO SUPPORT HIGH-QUALITY CHARTER SCHOOLS.

“(a) *IN GENERAL.*—From the amount reserved under section 5202(b)(3), the Secretary shall award grants to State entities having applications approved pursuant to subsection (f) to enable such entities to—

“(1) award subgrants to eligible applicants for—

“(A) opening new charter schools;

“(B) opening replicable, high-quality charter school models; or

“(C) expanding high-quality charter schools; and

“(2) provide technical assistance to eligible applicants and authorized public chartering agencies in carrying out the activities described in paragraph (1) and work with authorized public chartering agencies in the State to improve authorizing quality.

“(b) *STATE USES OF FUNDS.*—

“(1) *IN GENERAL.*—A State entity receiving a grant under this section shall—

“(A) use 90 percent of the grant funds to award subgrants to eligible applicants, in accordance with the quality charter school program described in the entity’s application approved pursuant to subsection (f), for the purposes described in subparagraphs (A) through (C) of subsection (a)(1); and

“(B) reserve 10 percent of such funds to carry out the activities described in subsection (a)(2), of which not more than 30 percent may be used for administrative costs which may include technical assistance.

“(2) *CONTRACTS AND GRANTS.*—A State entity may use a grant received under this section to carry out the activities described in subparagraphs (A) and (B) of paragraph (1) directly or through grants, contracts, or cooperative agreements.

“(c) *PROGRAM PERIODS; PEER REVIEW; DIVERSITY OF PROJECTS.*—

“(1) *PROGRAM PERIODS.*—

“(A) *GRANTS.*—A grant awarded by the Secretary to a State entity under this section shall be for a period of not more than 5 years.

“(B) *SUBGRANTS.*—A subgrant awarded by a State entity under this section shall be for a period of not more than 5 years, of which an eligible applicant may use not more than 18 months for planning and program design.

“(2) *PEER REVIEW.*—The Secretary, and each State entity receiving a grant under this section, shall use a peer review process to review applications for assistance under this section.

“(3) *DIVERSITY OF PROJECTS.*—Each State entity receiving a grant under this section shall award subgrants under this section in a manner that, to the extent possible, ensures that such subgrants—

“(A) are distributed throughout different areas, including urban, suburban, and rural areas; and

“(B) will assist charter schools representing a variety of educational approaches.

“(d) *LIMITATIONS.*—

“(1) *GRANTS.*—A State entity may not receive more than 1 grant under this section for a 5-year period.

“(2) *SUBGRANTS.*—An eligible applicant may not receive more than 1 subgrant under this section per charter school for a 5-year period.

“(e) *APPLICATIONS.*—A State entity desiring to receive a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include the following:

“(1) *DESCRIPTION OF PROGRAM.*—A description of the entity’s objectives in running a quality charter school program under this section and how the objectives of the program will be carried out, including a description—

“(A) of how the entity—

“(i) will support both new charter school startup and the expansion and replication of high-quality charter school models;

“(ii) will inform eligible charter schools, developers, and authorized public chartering agencies of the availability of funds under the program;

“(iii) will work with eligible applicants to ensure that the applicants access all Federal funds that they are eligible to receive, and help the charter schools supported by the applicants and the students attending the charter schools—

“(I) participate in the Federal programs in which the schools and students are eligible to participate; and

“(II) receive the commensurate share of Federal funds the schools and students are eligible to receive under such programs;

“(iv) in the case in which the entity is not a State educational agency—

“(I) will work with the State educational agency and the charter schools in the State to maximize charter school participation in Federal and State programs for charter schools; and

“(II) will work with the State educational agency to adequately operate the entity’s program under this section, where applicable;

“(v) will ensure eligible applicants that receive a subgrant under the entity’s program are prepared to continue to operate the charter schools receiving the subgrant funds once the funds have expired;

“(vi) will support charter schools in local educational agencies with large numbers of schools that must comply with the requirements of section 1116(b);

“(vii) will work with charter schools to promote inclusion of all students and support all students once they are enrolled to promote retention;

“(viii) will work with charter schools on recruitment practices, including efforts to engage groups that may otherwise have limited opportunities to participate in charter schools;

“(ix) will share best and promising practices between charter schools and other public schools;

“(x) will ensure the charter schools they support can meet the educational needs of their students, including students with disabilities and English language learners; and

“(xi) will support efforts to increase quality initiatives, including meeting the quality authorizing elements described in paragraph (2)(E);

“(B) of the extent to which the entity—
“(i) is able to meet and carry out the priorities listed in subsection (f)(2); and

“(ii) is working to develop or strengthen a cohesive statewide system to support the opening of new charter schools and replicable, high-quality charter school models, and expanding high-quality charter schools;

“(C) how the entity will carry out the subgrant competition, including—

“(i) a description of the application each eligible applicant desiring to receive a subgrant will submit, including—

“(I) a description of the roles and responsibilities of eligible applicants, partner organizations, and management organizations, including the administrative and contractual roles and responsibilities; and

“(II) a description of the quality controls agreed to between the eligible applicant and the authorized public chartering agency involved, such as a contract or performance agreement, and how a school’s performance on the State’s academic accountability system will be a primary factor for renewal; and

“(ii) a description of how the entity will review applications; and

“(D) in the case of an entity that partners with an outside organization to carry out the entity’s quality charter school program, in whole or in part, of the roles and responsibilities of this partner.

“(2) ASSURANCES.—Assurances, including a description of how the assurances will be met, that—

“(A) each charter school receiving funds under the entity’s program will have a high degree of autonomy over budget and operations;

“(B) the entity will support charter schools in meeting the educational needs of their students as described in paragraph 1(A)(x);

“(C) the entity will ensure that the authorized public chartering agency of any charter school that receives funds under the entity’s program—
“(i) ensures that the charter school is meeting the obligations under this Act, part B of the Individuals with Disabilities Education Act, title VI of the Civil Rights Act of 1964, and section 504 of the Rehabilitation Act of 1973; and

“(ii) adequately monitors and helps the schools in recruiting, enrolling, and meeting the needs of all students, including students with disabilities and English language learners;

“(D) the entity will provide adequate technical assistance to eligible applicants to—

“(i) meet the objectives described in clauses (vii) and (viii) of paragraph 1(A) and paragraph 2(B); and

“(ii) enroll traditionally underserved students, including students with disabilities and English language learners, to promote an inclusive education environment;

“(E) the entity will promote quality authorizing, such as through providing technical assistance, to support all authorized public chartering agencies in the State to improve the monitoring of their charter schools, including by—

“(i) using annual performance data, which may include graduation rates and student growth data, as appropriate, to measure the progress of their schools toward becoming high-quality charter schools; and

“(ii) reviewing the schools’ independent, annual audits of financial statements conducted in accordance with generally accepted accounting principles, and ensuring any such audits are publically reported; and

“(F) the entity will work to ensure that charter schools are included with the traditional public school system in decision-making about the public school system in the State.

“(3) REQUESTS FOR WAIVERS.—A request and justification for waivers of any Federal statutory or regulatory provisions that the entity believes are necessary for the successful operation of the charter schools that will receive funds under the entity’s program under this section, and a description of any State or local rules, generally applicable to public schools, that will be waived, or otherwise not apply to such schools.

“(f) SELECTION CRITERIA; PRIORITY.—

“(1) SELECTION CRITERIA.—The Secretary shall award grants to State entities under this section on the basis of the quality of the applications submitted under subsection (e), after taking into consideration—

“(A) the degree of flexibility afforded by the State’s public charter school law and how the entity will work to maximize the flexibility provided to charter schools under the law;

“(B) the ambitiousness of the entity’s objectives for the quality charter school program carried out under this section;

“(C) the quality of the strategy for assessing achievement of those objectives;

“(D) the likelihood that the eligible applicants receiving subgrants under the program will meet those objectives and improve educational results for students;

“(E) the proposed number of new charter schools to be opened, and the number of high-quality charter schools to be replicated or expanded under the program;

“(F) the entity’s plan to—

“(i) adequately monitor the eligible applicants receiving subgrants under the entity’s program; and

“(ii) work with the authorized public chartering agencies involved to avoid duplication of work for the charter schools and authorized public chartering agencies;

“(G) the entity’s plan to provide adequate technical assistance, as described in the entity’s application under subsection (e), for the eligible applicants receiving subgrants under the entity’s program under this section; and

“(H) the entity’s plan to support quality authorizing efforts in the State, consistent with the objectives described in subparagraph (B).

“(2) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to State entities to the extent that they meet the following criteria:

“(A) In the case in which a State entity is located in a State that allows an entity other than the State educational agency to be an authorized public chartering agency or a State in which only a local educational agency may be an authorized public chartering agency, the State has an appeals process for the denial of an application for a charter school.

“(B) The State entity is located in a State that does not impose any limitation on the number or percentage of charter schools that may exist or the number or percentage of students that may attend charter schools in the State.

“(C) The State entity is located in a State that ensures equitable financing, as compared to traditional public schools, for charter schools and students in a prompt manner.

“(D) The State entity supports full-, blended-, or hybrid-online charter school models.

“(E) The State entity is located in a State that uses charter schools and best practices from charter schools to help improve struggling schools and local educational agencies.

“(F) The State entity partners with an organization that has a demonstrated record of success in developing management organizations to support the development of charter schools in the State.

“(G) The State entity demonstrates quality policies and practices to support and monitor charter schools through factors, including—

“(i) the proportion of high-quality charter schools in the State; and

“(ii) the proportion of charter schools enrolling, at a rate similar to traditional public

schools, traditionally underserved students, including students with disabilities and English language learners.

“(g) LOCAL USES OF FUNDS.—An eligible applicant receiving a subgrant under this section shall use such funds to open new charter schools or replicable, high-quality charter school models, or expand existing high-quality charter schools.

“(h) REPORTING REQUIREMENTS.—Each State entity receiving a grant under this section shall submit to the Secretary, at the end of the third year of the 5-year grant period and at the end of such grant period, a report on—

“(1) the number of students served and, if applicable, how many new students were served during each year of the grant period;

“(2) the number of subgrants awarded under this section to carry out each of the following—

“(A) the opening of new charter schools;

“(B) the opening of replicable, high-quality charter school models; and

“(C) the expansion of high-quality charter schools;

“(3) the progress the entity made toward meeting the priorities described in subsection (f)(2), as applicable;

“(4) how the entity met the objectives of the quality charter school program described in the entity’s application under subsection (e);

“(5) how the entity complied with, and ensured that eligible applicants complied with, the assurances described in the entity’s application; and

“(6) how the entity worked with authorized public chartering agencies, including how the agencies worked with the management company or leadership of the schools in which the subgrants were awarded.

“(i) STATE ENTITY DEFINED.—For purposes of this section, the term ‘State entity’ means—

“(1) a State educational agency;

“(2) a State charter school board; or

“(3) a Governor of a State.”

SEC. 6. FACILITIES FINANCING ASSISTANCE.

Section 5204 (20 U.S.C. 7221c) is amended to read as follows:

“SEC. 5204. FACILITIES FINANCING ASSISTANCE.

“(a) GRANTS TO ELIGIBLE ENTITIES.—

“(1) IN GENERAL.—From the amount reserved under section 5202(b)(1), the Secretary shall award not less than 3 grants to eligible entities that have applications approved under subsection (d) to demonstrate innovative methods of assisting charter schools to address the cost of acquiring, constructing, and renovating facilities by enhancing the availability of loans or bond financing.

“(2) ELIGIBLE ENTITY DEFINED.—For purposes of this section, the term ‘eligible entity’ means—

“(A) a public entity, such as a State or local governmental entity;

“(B) a private nonprofit entity; or

“(C) a consortium of entities described in subparagraphs (A) and (B).

“(b) GRANTEE SELECTION.—

“(1) EVALUATION OF APPLICATION.—The Secretary shall evaluate each application submitted under subsection (d), and shall determine whether the application is sufficient to merit approval.

“(2) DISTRIBUTION OF GRANTS.—The Secretary shall award at least one grant to an eligible entity described in subsection (a)(2)(A), at least one grant to an eligible entity described in subsection (a)(2)(B), and at least one grant to an eligible entity described in subsection (a)(2)(C), if applications are submitted that permit the Secretary to do so without approving an application that is not of sufficient quality to merit approval.

“(c) GRANT CHARACTERISTICS.—Grants under subsection (a) shall be of a sufficient size, scope, and quality so as to ensure an effective demonstration of an innovative means of enhancing credit for the financing of charter school acquisition, construction, or renovation.

“(d) APPLICATIONS.—

“(1) IN GENERAL.—To receive a grant under subsection (a), an eligible entity shall submit to the Secretary an application in such form as the Secretary may reasonably require.

“(2) CONTENTS.—An application submitted under paragraph (1) shall contain—

“(A) a statement identifying the activities proposed to be undertaken with funds received under subsection (a), including how the eligible entity will determine which charter schools will receive assistance, and how much and what types of assistance charter schools will receive;

“(B) a description of the involvement of charter schools in the application’s development and the design of the proposed activities;

“(C) a description of the eligible entity’s expertise in capital market financing;

“(D) a description of how the proposed activities will leverage the maximum amount of private-sector financing capital relative to the amount of government funding used and otherwise enhance credit available to charter schools, including how the entity will offer a combination of rates and terms more favorable than the rates and terms that a charter school could receive without assistance from the entity under this section;

“(E) a description of how the eligible entity possesses sufficient expertise in education to evaluate the likelihood of success of a charter school program for which facilities financing is sought; and

“(F) in the case of an application submitted by a State governmental entity, a description of the actions that the entity has taken, or will take, to ensure that charter schools within the State receive the funding the charter schools need to have adequate facilities.

“(e) CHARTER SCHOOL OBJECTIVES.—An eligible entity receiving a grant under this section shall use the funds deposited in the reserve account established under subsection (f) to assist one or more charter schools to access private sector capital to accomplish one or both of the following objectives:

“(1) The acquisition (by purchase, lease, donation, or otherwise) of an interest (including an interest held by a third party for the benefit of a charter school) in improved or unimproved real property that is necessary to commence or continue the operation of a charter school.

“(2) The construction of new facilities, including predevelopment costs, or the renovation, repair, or alteration of existing facilities, necessary to commence or continue the operation of a charter school.

“(f) RESERVE ACCOUNT.—

“(1) USE OF FUNDS.—To assist charter schools to accomplish the objectives described in subsection (e), an eligible entity receiving a grant under subsection (a) shall, in accordance with State and local law, directly or indirectly, alone or in collaboration with others, deposit the funds received under subsection (a) (other than funds used for administrative costs in accordance with subsection (g)) in a reserve account established and maintained by the eligible entity for this purpose. Amounts deposited in such account shall be used by the eligible entity for one or more of the following purposes:

“(A) Guaranteeing, insuring, and reinsuring bonds, notes, evidences of debt, loans, and interests therein, the proceeds of which are used for an objective described in subsection (e).

“(B) Guaranteeing and insuring leases of personal and real property for an objective described in subsection (e).

“(C) Facilitating financing by identifying potential lending sources, encouraging private lending, and other similar activities that directly promote lending to, or for the benefit of, charter schools.

“(D) Facilitating the issuance of bonds by charter schools, or by other public entities for the benefit of charter schools, by providing technical, administrative, and other appropriate assistance (including the recruitment of bond

counsel, underwriters, and potential investors and the consolidation of multiple charter school projects within a single bond issue).

“(2) INVESTMENT.—Funds received under this section and deposited in the reserve account established under paragraph (1) shall be invested in obligations issued or guaranteed by the United States or a State, or in other similarly low-risk securities.

“(3) REINVESTMENT OF EARNINGS.—Any earnings on funds received under subsection (a) shall be deposited in the reserve account established under paragraph (1) and used in accordance with such subsection.

“(g) LIMITATION ON ADMINISTRATIVE COSTS.—An eligible entity may use not more than 2.5 percent of the funds received under subsection (a) for the administrative costs of carrying out its responsibilities under this section (excluding subsection (k)).

“(h) AUDITS AND REPORTS.—

“(1) FINANCIAL RECORD MAINTENANCE AND AUDIT.—The financial records of each eligible entity receiving a grant under subsection (a) shall be maintained in accordance with generally accepted accounting principles and shall be subject to an annual audit by an independent public accountant.

“(2) REPORTS.—

“(A) GRANTEE ANNUAL REPORTS.—Each eligible entity receiving a grant under subsection (a) annually shall submit to the Secretary a report of its operations and activities under this section.

“(B) CONTENTS.—Each annual report submitted under subparagraph (A) shall include—

“(i) a copy of the most recent financial statements, and any accompanying opinion on such statements, prepared by the independent public accountant reviewing the financial records of the eligible entity;

“(ii) a copy of any report made on an audit of the financial records of the eligible entity that was conducted under paragraph (1) during the reporting period;

“(iii) an evaluation by the eligible entity of the effectiveness of its use of the Federal funds provided under subsection (a) in leveraging private funds;

“(iv) a listing and description of the charter schools served during the reporting period, including the amount of funds used by each school, the type of project facilitated by the grant, and the type of assistance provided to the charter schools;

“(v) a description of the activities carried out by the eligible entity to assist charter schools in meeting the objectives set forth in subsection (e); and

“(vi) a description of the characteristics of lenders and other financial institutions participating in the activities undertaken by the eligible entity under this section (excluding subsection (k)) during the reporting period.

“(C) SECRETARIAL REPORT.—The Secretary shall review the reports submitted under subparagraph (A) and shall provide a comprehensive annual report to Congress on the activities conducted under this section (excluding subsection (k)).

“(i) NO FULL FAITH AND CREDIT FOR GRANTEE OBLIGATION.—No financial obligation of an eligible entity entered into pursuant to this section (such as an obligation under a guarantee, bond, note, evidence of debt, or loan) shall be an obligation of, or guaranteed in any respect by, the United States. The full faith and credit of the United States is not pledged to the payment of funds which may be required to be paid under any obligation made by an eligible entity pursuant to any provision of this section.

“(j) RECOVERY OF FUNDS.—

“(1) IN GENERAL.—The Secretary, in accordance with chapter 37 of title 31, United States Code, shall collect—

“(A) all of the funds in a reserve account established by an eligible entity under subsection (f)(1) if the Secretary determines, not earlier

than 2 years after the date on which the eligible entity first received funds under this section (excluding subsection (k)), that the eligible entity has failed to make substantial progress in carrying out the purposes described in subsection (f)(1); or

“(B) all or a portion of the funds in a reserve account established by an eligible entity under subsection (f)(1) if the Secretary determines that the eligible entity has permanently ceased to use all or a portion of the funds in such account to accomplish any purpose described in subsection (f)(1).

“(2) EXERCISE OF AUTHORITY.—The Secretary shall not exercise the authority provided in paragraph (1) to collect from any eligible entity any funds that are being properly used to achieve one or more of the purposes described in subsection (f)(1).

“(3) PROCEDURES.—The provisions of sections 451, 452, and 458 of the General Education Provisions Act shall apply to the recovery of funds under paragraph (1).

“(4) CONSTRUCTION.—This subsection shall not be construed to impair or affect the authority of the Secretary to recover funds under part D of the General Education Provisions Act.

“(k) PER-PUPIL FACILITIES AID PROGRAM.—

“(1) DEFINITION OF PER-PUPIL FACILITIES AID PROGRAM.—In this subsection, the term ‘per-pupil facilities aid program’ means a program in which a State makes payments, on a per-pupil basis, to charter schools to provide the schools with financing—

“(A) that is dedicated solely for funding charter school facilities; or

“(B) a portion of which is dedicated for funding charter school facilities.

“(2) GRANTS.—

“(A) IN GENERAL.—From the amount reserved under section 5202(b)(1) remaining after the Secretary makes grants under subsection (a), the Secretary shall make grants, on a competitive basis, to States to pay for the Federal share of the cost of establishing or enhancing, and administering per-pupil facilities aid programs.

“(B) PERIOD.—The Secretary shall award grants under this subsection for periods of not more than 5 years.

“(C) FEDERAL SHARE.—The Federal share of the cost described in subparagraph (A) for a per-pupil facilities aid program shall be not more than—

“(i) 90 percent of the cost, for the first fiscal year for which the program receives assistance under this subsection;

“(ii) 80 percent in the second such year;

“(iii) 60 percent in the third such year;

“(iv) 40 percent in the fourth such year; and

“(v) 20 percent in the fifth such year.

“(D) STATE SHARE.—A State receiving a grant under this subsection may partner with 1 or more organizations to provide up to 50 percent of the State share of the cost of establishing or enhancing, and administering the per-pupil facilities aid program.

“(E) MULTIPLE GRANTS.—A State may receive more than 1 grant under this subsection, so long as the amount of such funds provided to charter schools increases with each successive grant.

“(3) USE OF FUNDS.—

“(A) IN GENERAL.—A State that receives a grant under this subsection shall use the funds made available through the grant to establish or enhance, and administer, a per-pupil facilities aid program for charter schools in the State of the applicant.

“(B) EVALUATIONS; TECHNICAL ASSISTANCE; DISSEMINATION.—From the amount made available to a State through a grant under this subsection for a fiscal year, the State may reserve not more than 5 percent to carry out evaluations, to provide technical assistance, and to disseminate information.

“(C) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this subsection shall be used to supplement, and not supplant, State, and local public funds expended to provide per

pupil facilities aid programs, operations financing programs, or other programs, for charter schools.

“(4) REQUIREMENTS.—

“(A) VOLUNTARY PARTICIPATION.—No State may be required to participate in a program carried out under this subsection.

“(B) STATE LAW.—

“(i) IN GENERAL.—To be eligible to receive a grant under this subsection, a State shall establish or enhance, and administer, a per-pupil facilities aid program for charter schools in the State, that—

“(I) is specified in State law; and

“(II) provides annual financing, on a per-pupil basis, for charter school facilities.

“(ii) SPECIAL RULE.—A State that is required under State law to provide its charter schools with access to adequate facility space may be eligible to receive a grant under this subsection if the State agrees to use the funds to develop a per-pupil facilities aid program consistent with the requirements of this subsection.

“(5) APPLICATIONS.—To be eligible to receive a grant under this subsection, a State shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.”.

SEC. 7. NATIONAL ACTIVITIES.

Section 5205 (20 U.S.C. 7221d) is amended to read as follows:

“SEC. 5205. NATIONAL ACTIVITIES.

“(a) IN GENERAL.—From the amount reserved under section 5202(b)(2), the Secretary shall—

“(1) use not less than 50 percent of such funds to award grants in accordance with subsection (b); and

“(2) use the remainder of such funds to—

“(A) disseminate technical assistance to State entities in awarding subgrants under section 5203;

“(B) disseminate best practices; and

“(C) evaluate the impact of the charter school program, including the impact on student achievement, carried out under this subpart.

“(b) GRANTS.—

“(1) IN GENERAL.—The Secretary shall make grants, on a competitive basis, to eligible applicants for the purpose of carrying out the activities described in section 5202(a)(1), subparagraphs (A) through (C) of section 5203(a)(1), and section 5203(g).

“(2) TERMS AND CONDITIONS.—Except as otherwise provided in this subsection, grants awarded under this subsection shall have the same terms and conditions as grants awarded to State entities under section 5203.

“(3) ELIGIBLE APPLICANT DEFINED.—For purposes of this subsection, the term ‘eligible applicant’ means an eligible applicant that desires to open a charter school in—

“(A) a State that did not apply for a grant under section 5203;

“(B) a State that did not receive a grant under section 5203; or

“(C) a State that received a grant under section 5203 and is in the 4th or 5th year of the grant period for such grant.

“(c) CONTRACTS AND GRANTS.—The Secretary may carry out any of the activities described in this section directly or through grants, contracts, or cooperative agreements.”.

SEC. 8. RECORDS TRANSFER.

Section 5208 (20 U.S.C. 7221g) is amended—

(1) by inserting “as quickly as possible and” before “to the extent practicable”; and

(2) by striking “section 602” and inserting “section 602(14)”.

SEC. 9. DEFINITIONS.

Section 5210 (20 U.S.C. 7221i) is amended—

(1) in paragraph (1)—

(A) by striking “and” at the end of subparagraph (K);

(B) by striking the period at the end of subparagraph (L) and inserting “; and”; and

(C) by adding at the end, the following:

“(M) may serve prekindergarten or post secondary students.”;

(2) in paragraph (3)(B), by striking “under section 5203(d)(3)”;

and

(3) by inserting at the end the following:

“(5) EXPANSION OF A HIGH-QUALITY CHARTER SCHOOL.—The term ‘expansion of a high-quality charter school’ means a high-quality charter school that either significantly increases its enrollment or adds one or more grades to its school.

“(6) HIGH-QUALITY CHARTER SCHOOL.—The term ‘high-quality charter school’ means a charter school that—

“(A) shows evidence of strong academic results, which may include strong academic growth as determined by a State;

“(B) has no significant issues in the areas of student safety, financial management, or statutory or regulatory compliance;

“(C) has demonstrated success in significantly increasing student academic achievement and attainment for all students served by charter schools; and

“(D) has demonstrated success in increasing student academic achievement for the subgroups of students described in section 1111(b)(2)(C)(v)(II).

“(7) REPLICABLE, HIGH-QUALITY CHARTER SCHOOL MODEL.—The term ‘replicable, high-quality charter school model’ means a high-quality charter school that will open a new campus under an existing charter.”.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

Section 5211 (20 U.S.C. 7221j) is amended to read as follows:

“SEC. 5211. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this subpart \$300,000,000 for fiscal year 2012 and each of the 5 succeeding fiscal years.”.

SEC. 11. CONFORMING AMENDMENTS.

(a) REPEAL.—Subpart 2 of part B of title V (20 U.S.C. 7223 et seq.) is repealed.

(b) TABLE OF CONTENTS.—The table of contents in section 2 is amended—

(1) by striking the item relating to section 5203 and inserting the following:

“Sec. 5203. Grants to support high-quality charter schools.”;

(2) by striking the item relating to section 5204 and inserting the following:

“Sec. 5204. Facilities Financing Assistance.”; and

(3) by striking subpart 2 of part B of title V.

The CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in part A of House Report 112–200. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. KLINE

The CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 112–200.

Mr. KLINE. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, beginning on line 6, strike “English language learners” and insert “limited English proficient students”.

Page 5, line 19, insert “or subpart 2” after “this subpart”.

Page 7, line 16, insert “GRANT NUMBER AND AMOUNT;” after “REVIEW;”.

Page 7, line 17, insert “; WAIVERS” after “PROJECTS”.

Page 8, after line 6, insert the following:

“(3) GRANT NUMBER AND AMOUNT.—The Secretary shall ensure that the number of grants awarded under this section and the award amounts will allow for a sufficient number of new grants to be awarded under this section for each succeeding fiscal year.”.

Page 8, line 7, redesignate paragraph (3) as paragraph (4).

Page 8, after line 15, insert the following:

“(5) WAIVERS.—The Secretary may waive any statutory or regulatory requirement over which the Secretary exercises administrative authority except any such requirement relating to the elements of a charter school described in section 5210(1), if—

“(A) the waiver is requested in an approved application under this section; and

“(B) the Secretary determines that granting such a waiver will promote the purpose of this subpart.”.

Page 11, line 16, strike “English language learners” and insert “limited English proficient students”.

Page 12, line 5, strike “expanding” and insert “the expansion of”.

Page 12, line 7, insert “of” before “how”.

Page 12, line 17, strike “and”.

Page 13, after line 2, insert the following:

“(III) a description of how the eligible applicant will solicit and consider input from parents and other members of the community on the implementation and operation of each charter school receiving funds under the entity’s program; and”

Page 13, line 4, strike “and”.

Page 13, line 9, strike the period and insert “; and”.

Page 13, after line 9, insert the following:

“(E) of how the entity will help the charter schools receiving funds under the entity’s program consider the transportation needs of the schools’ students; and

“(F) of how the entity will support diverse charter school models, including models that serve rural communities.”.

Page 13, line 22, strike “the charter school” and insert “each charter school”.

Page 14, line 1, strike “and”.

Page 14, line 2, insert before the semicolon, “, the Age Discrimination Act of 1975, and title IX of the Education Amendments of 1972”.

Page 14, beginning on line 3, strike “the schools” and insert “each charter school”.

Page 14, beginning on line 6, strike “English language learners” and insert “limited English proficient students”.

Page 14, line 7, insert “and” after the semicolon.

Page 14, after line 7, insert the following:

“(iii) ensures that each charter school solicits and considers input from parents and other members of the community on the implementation and operation of the school.”.

Page 14, line 15, strike “English language learners” and insert “limited English proficient students”.

Page 14, beginning on line 22, amend clause (i) to read as follows:

“(i) assessing annual performance data of the schools, including, as appropriate, graduation rates and student growth; and”.

Page 15, line 8, strike “and”.

Page 15, line 12, strike the period at the end and insert “; and”.

Page 15, after line 12, insert the following:

“(G) the entity will ensure that each charter school in the State make publicly available, consistent with the dissemination requirements of the annual State report card,

the information parents need to make informed decisions about the educational options available to their children, including information on the educational program, student support services, and annual performance and enrollment data for the groups of students described in section 1111(b)(2)(C)(v)(II)."

Page 16, line 17, insert "proposed" before "number".

Page 17, line 7, strike "and".

Page 17, line 10, strike the period at the end and insert "; and".

Page 17, insert after line 10, the following: "(I) the entity's plan to solicit and consider input from parents and other members of the community on the implementation and operation of the charter schools in the State."

Page 18, beginning on line 7, strike subparagraph (D).

Page 18, line 9, redesignate subparagraph (E) as subparagraph (D).

Page 18, line 13, redesignate subparagraph (F) as subparagraph (E).

Page 18, line 18, redesignate subparagraph (G) as subparagraph (F).

Page 18, line 20, strike the comma after "factors".

Page 19, line 2, strike "English language learners" and insert "limited English proficient students".

Page 19, after line 2, insert the following:

"(G) The State entity supports charter schools that support at-risk students through activities such as dropout prevention or dropout recovery.

"(H) The State entity authorizes all charter schools in the State to serve as school food authorities."

Page 19, line 12, insert "by each subgrant awarded under this section" after "number of students served".

Page 19, line 14, strike "grant" and insert "subgrant".

Page 20, line 10, strike "in which the subgrants were awarded" and insert "that received subgrants under this section".

Page 20, line 23, strike "not less than 3 grants to eligible entities that have" and insert "grants to eligible entities that have the highest-quality".

Page 20, line 24, after "subsection (d)" insert ", after considering the diversity of such applications,"

Page 21, beginning on line 11, amend subsection (b) to read as follows:

"(b) GRANTEE SELECTION.—The Secretary shall evaluate each application submitted under subsection (d), and shall determine whether the application is sufficient to merit approval."

Page 26, beginning on line 2, strike "subsection" and insert "paragraph".

Page 32, line 23, strike "To" and insert "Except as provided in clause (ii), to".

Page 33, line 7, strike "A" and insert "Notwithstanding clause (i), a".

Page 33, line 10, insert ", but which does not have a per-pupil facilities aid program for charter schools specified in State law," after "space".

Page 34, line 7, insert ", and eligible entities and States receiving grants under section 5204" before the semicolon.

Page 36, line 8, strike "inserting" and insert "adding".

Page 37, line 4, strike "subgroups" and insert "groups".

The CHAIR. Pursuant to House Resolution 392, the gentleman from Minnesota (Mr. KLINE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. KLINE. Mr. Chairman, I rise in support of the manager's amendment offered by myself and Mr. MILLER.

In all our goals for an improved education system, one stands above the rest: ensuring students have access to a quality education. My colleagues and I firmly believe supporting the growth of high-performing charter schools will help us reach that goal.

Charter schools epitomize choice and flexibility in education, and represent an efficient way school districts can transform an underperforming traditional public school into a dynamic learning institution. Thanks to the additional autonomy afforded to these institutions, charter schools have become renowned for their ability to effectively meet the needs of the unique student population.

A great case study of adaptability of charters is Locke High School, located in the tough South Central area of Los Angeles. Students in this area face a multitude of challenges—from gang violence to poverty to troubled homes. Locke High School had some of the lowest test scores and highest dropout rates in the country. Only roughly 5 percent of its students went on to 4-year colleges and universities.

In 2007, the LA Unified School District agreed to transform Locke High School into a public charter school. Charter school officials instituted broad changes to the school, such as improved facilities, new teachers, parental volunteer hours, uniforms, and strict disciplinary measures. As a result, attendance rates have increased to 90 percent—a real success story.

Stories of charter schools that inspire success in students no matter the circumstance exist beyond Locke High School. These institutions have benefited children and communities in cities across the United States. Unfortunately, charter schools are not growing as they should. This act will facilitate the development of high-performing charter schools by consolidating Federal funding streams, incentivizing States to support the development and expansion of these institutions, and evaluating the benefits these schools offer to students and their families.

However, as my colleagues and I continued to work together on this legislation, we realized even more could be done to help charter schools assist a variety of students, including those most at risk. The accomplishments of a charter school like Locke High School should be encouraged and supported. That's why we have developed language in the manager's amendment that would offer incentives to States that use charter schools to reach out to special populations, such as at-risk students.

Additionally, Members on both sides of the aisle decided steps must be taken to help Federal Charter School Program grants remain on a sustainable path. The manager's amendment directs the Secretary of Education to undertake proper planning efforts to ensure sufficient new grants can be awarded annually to the best applicants.

As we work to ensure all students have access to a quality education, this act is a step in the right direction. Mr. Chairman, the manager's amendment makes commonsense adjustments to improve the underlying legislation, and I urge my colleagues to lend their support.

I reserve the balance of my time.

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Mr. GEORGE MILLER of California. Mr. Chairman, I claim time in opposition, although I am not in opposition to the manager's amendment.

The CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. GEORGE MILLER of California. I will be brief here because I want to yield to the gentleman from Colorado, but I want to point out that the manager's amendment again was a lot of hard work by the staff to put together the various ideas from the members of the committee on both sides of the aisle, but I think they have done a spectacular job, and the chairman and myself both support this legislation.

I am very supportive of the efforts in the manager's amendment to make sure that parent and community input is a priority in the implementation of the charter school improvement and the operation of those charter schools. We require that, as you consider the beginning of a charter school, you take into consideration, and the State entities take into consideration, the input of parents and the community. I think this is very important.

We know that there are many, many parents that want to be involved in creating charter schools, sustaining a charter school, thinking about what they want to do with the schools in their neighborhood. I think this is an important component that I hope to see in the reauthorization of the ESEA, that more consideration is given to community and to parents about how we turn schools around so that they have some skin in the game, they have some interest in the game, and they have a stake in the outcome of that.

The manager's amendment also requires that each charter school in the State make publicly available information on the educational program, the student support services, teachers, and annual performance enrollment data for all students by the subgroups, and it strengthens the application process that includes application and description of how schools will consider the transportation needs of their students, and also on how the schools and entities will support diverse charter school models, including those serving rural areas.

With that, I would like to yield to the gentleman from Colorado to talk about the replication of high-quality charters.

Mr. POLIS. I thank the gentleman.

Mr. Chairman, again, this process really demonstrates strong bipartisan leadership and a commitment to our

Nation's children from both Chairman KLINE and Ranking Member MILLER, as well as all the members of the committee and their staff. And I express not only my deep appreciation but, I am sure, the deep appreciation of the many millions of children that this bill will help provide additional opportunities for to them both.

This manager's amendment makes a good bill even better, including allowing priority for States that allow charters to have autonomous school food services. It's critical charter schools are allowed to have independent food services. Many lack cafeteria space in some facilities, and this amendment will prioritize States that allow for that. We all know how important nutrition is for success. Transportation to and from charter schools is also critical.

The bill also allows for the expansion, for the very first time, a replication of successful charter school models, again deferring to States in that regard. Previously, these monies were only eligible for the establishment of innovative new charter schools, a worthy goal and one that is preserved under this bill as well. But we are now 10 years later down the road. We know a little bit about what works and what doesn't work.

Based on that, the bill in the manager's amendment, A, upped the ante on the best practices for the States in terms of being good authorizers, and, B, allowed some of the funds to be used to expand and replicate proven success, as well as preserving some for the continued innovation, which is also necessary to drive our education system forward.

This manager's amendment also supports dropout prevention and recovery and rural needs. Figuring out how charter schools can fit in the context of rural and smaller school districts has also been an important learning curve over the last 10 years. This bill and the manager's amendment incorporate some of the very best thinking in that regard in terms of making sure that States have plans to ensure that charter schools can also benefit rural areas.

This bipartisan amendment exemplifies the great work of the committee leadership overall in the bill and truly does improve upon the base bill. I am very proud to be strongly supportive of the manager's amendment as well as the underlying bill.

Mr. GEORGE MILLER of California. I yield back the balance of my time.

Mr. KLINE. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. KLINE).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MRS. DAVIS OF CALIFORNIA

The CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 112-200.

Mrs. DAVIS of California. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 17, redesignate paragraph (1) as paragraph (2), and insert the following:

"(1) improve the United States education system and educational opportunities for all Americans by supporting innovation in public education in public school settings that prepare students to compete and contribute to the global economy;"

Page 3, line 20, redesignate paragraph (2) as paragraph (3).

Page 3, line 22, redesignate paragraph (3) as paragraph (4).

Page 4, line 1, redesignate paragraph (4) as paragraph (5).

Page 4, line 5, redesignate paragraph (5) as paragraph (6).

Page 4, line 10, redesignate paragraph (6) as paragraph (7).

The CHAIR. Pursuant to House Resolution 392, the gentlewoman from California (Mrs. DAVIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. DAVIS of California. Mr. Chairman, this amendment simply stresses the need to constantly seek ways to improve and find innovative ways to teach our students in the public education system.

Given the state of the economy, we need to encourage economic and job growth from every angle. We need to do whatever is possible to compete in the global economy. The best way to stay on the cutting edge is to build a workforce that can compete against the best and the brightest in the world. We need schools to find new and innovative ways to teach our students, particularly in the key subjects of math, science, and engineering.

One example of an innovative school is the High Tech High charter school in San Diego, which has the goal of bringing highly skilled employees into the workforce.

With the support of technology companies such as Qualcomm and Microsoft, High Tech High has taken innovation in its curriculum to a new level. Since 2003, the result has been that 100 percent of High Tech High's graduates have gone on to attend college at such universities as NYU, MIT, and Yale.

High Tech High has successfully found innovative ways to teach innovation. And what does innovation in education mean? It means teachers and principals who find ways to inspire and get students excited to learn. It can mean teaching students and children how to think, how to work together, how to think across disciplines, and, most importantly, how to act on their knowledge. It will take innovation to meet these goals to consistently improve instruction in the classroom.

Steve Jobs, as we know, led Apple to become one of the largest and most successful technology companies in history. His visions led to such products as the iPod, the Mac computer, and, recently, the iPad.

Mr. Jobs once said Apple's success is not just about how much money it in-

vests in research and development; it's about the people and creative vision. "It's about the people you have, how you're led, and how much you get it," Mr. Jobs told Fortune magazine in 1998.

"People," Mr. Chairman, "people" is the key word. With better and more innovative schools, we will have more creative people entering our workforce.

Unfortunately, the World Economic Forum just announced that the United States dropped to fifth place in the world's most competitive economies behind nations such as Switzerland and Singapore. Well, Mr. Chairman, that's the wrong direction and we need to turn it around.

If America is going to reach its potential, we need schools that cultivate entrepreneurs and visionaries. We need more companies such as Apple that can compete globally.

Please join me in stressing the need to support innovation, beginning with our approach to education. I applaud the efforts of our bipartisan team here that's worked so hard on this underlying bill and the amendments.

Mr. Chairman, I yield back the balance of my time.

Mr. KLINE. Mr. Chairman, I claim time in opposition to the amendment, although I do not intend to oppose it.

The CHAIR. Without objection, the gentleman from Minnesota is recognized for 5 minutes.

There was no objection.

Mr. KLINE. Thank you, Mr. Chairman.

This amendment is entirely consistent with the underlying purpose of the charter school movement. It improves the bill. I support the amendment.

Mr. GEORGE MILLER of California. Will the gentleman yield?

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

Mr. GEORGE MILLER of California. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of this legislation.

I think one of the intents of this bill and, hopefully, in our reforms of the Elementary and Secondary Education Act is to keep our eye on global competition and understand that we must prepare today's students for tomorrow's global economy and the global competition that that suggests.

I strongly support and have had long conversations with the gentlewoman on this amendment and agree to it.

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

The CHAIR. The question is on the amendment offered by the gentleman from California (Mrs. DAVIS).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. PAULSEN

The CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 112-200.

Mr. PAULSEN. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 22, after “period” insert “, unless the eligible applicant demonstrates to the State entity not less than 3 years of improved educational results in the areas described in subparagraphs (A) and (D) of section 5210(6) for students enrolled in such charter school”.

The CHAIR. Pursuant to House Resolution 392, the gentleman from Minnesota (Mr. PAULSEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

□ 1500

Mr. PAULSEN. Mr. Chairman, I rise today in support of the underlying bill, H.R. 2218, the Empowering Parents through Charter Schools Act, and to offer this amendment that will give America’s students more opportunities to succeed.

My amendment will make it easier for successful charter schools to replicate and expand in a timely manner because by giving these schools the ability to receive an expansion grant after 3 years rather than the current 5 years, they will be able to grow and offer quality education to even more students and provide expanded choices to parents in a shorter period of time.

So this amendment will also strengthen the bill by continuing to break down barriers to help quality charter schools grow to meet their staggering demand.

Currently, Mr. Chairman, an estimated 420,000 students across the country are being kept on waiting lists to attend the charter school of their choice. We should be giving these students more opportunities to attend and learn and be successful.

My home State of Minnesota has seen tremendous success because we have been a pioneer in expanding educational options and choice. In 1991, we were the first State to pass a charter school law, and we now have 149 registered charter schools with over 35,000 students attending them. Today, over 40 States and the District of Columbia have established charter school laws of their own.

I support the underlying bill which was crafted bipartisanly. It encourages States to support the development of charter schools. It streamlines funds to reduce administrative burdens and improve funding opportunities for the replication of successful charter schools and facilities assistance. It also supports an evaluation of the school’s impact on students, families, and communities while encouraging best practices sharing between charters and traditional public schools.

There is no doubt that charter schools are a prime example that innovative education methods are constantly at work, and this bill will give our schools the ability to do even more for our children.

We all know that these charter schools consistently rank as top per-

formers among the U.S. Department of Education’s Blue Ribbon Schools, and multiple national rankings of the Best High Schools in America. It is no surprise that public support and demand for these charter schools is steadily increasing.

So, Mr. Chairman, the legislation recognizes the opportunity to enhance the empowerment of parents and should go forward, allowing them to play an active role in their child’s education. This amendment will give the most successful schools the ability to grow and offer even more quality education options to more parents and students.

I want to thank Chairman KLINE for his leadership, the ranking member from California for his leadership, and I also want to thank Representative POLIS for cosponsoring this amendment and for his leadership and his true advocacy, his steadfast advocacy for expansion of school choice and opportunities across the country.

I reserve the balance of my time.

Mr. POLIS. I claim time in opposition, although I am not opposed to the amendment.

The CHAIR. Without objection, the gentleman from Colorado is recognized for 5 minutes.

There was no objection.

Mr. POLIS. Mr. Chairman, I am proud to bring forward this bipartisan bill. Let me express why it is important. To delay the expansion of a successful charter school for 5 years and prevent States from having the flexibility to deploy these resources after 3 proven years only consigns more kids to failure and lack of opportunity. It is an important amendment because it provides flexibility for States and charter schools to expand what works. And 1 year could be an aberration, 2 years of proven success can be lucky, but 3 years of success is hard to dispute.

When a school has 3 years of proven success, to make it wait 5 full years before it’s eligible to expand with Federal money only consigns all of those students who would have been served to otherwise reside on the waiting list and are forced to attend schools that provide less educational opportunity. We are only young once in life, and that’s why with regard to education and improving the quality of our public schools, we all feel the fierce urgency of now.

When a charter school starts out, it is not possible to predict whether it will be successful or not, and that’s the purpose of the innovation grants. Without this amendment, charter schools that have proven success could be forced to wait 5 years before being able to replicate and expand, a wait that our Nation can’t afford and, most of all, those kids on the waiting list can’t afford.

This revision is especially needed for charter schools that don’t use the grants for planning, which is another year before the charter school starts, so it could be 1 year or 3 or 4 years. But

if they don’t use the year for a planning year, it is actually a full 5-year wait before the school would have access to expansion and replication resources without this amendment. So I am particularly glad of Mr. PAULSEN’s effort to bring this forward.

The national activity section of the bill already reflects this. In fact, the national activity section provides funding after 3 years of demonstrated success, but that’s only 2.5 percent of the total funds of the bill. Most of the funds under this bill are pushed to the States and allowed for the dual purpose of innovation and expansion and replication. And essentially what this bill remedies, it reflects the national activities language in saying that the States have the discretion, they are actually allowed to require 5 years of demonstrated success. I wouldn’t encourage them to do that, but they have the flexibility to do it with 3 years of demonstrated success to ensure that proven educational opportunities for kids can reach more kids sooner under this amendment which is why I am proud to lend it my support.

I yield back the balance of my time.

Mr. PAULSEN. Mr. Chairman, I ask for adoption of this bipartisan amendment and the underlying bill, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. PAULSEN).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. LUJÁN

The CHAIR. It is now in order to consider amendment No. 4 printed in part A of House Report 112-200.

Mr. LUJÁN. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 11, line 12, insert before the semicolon “, including, where appropriate, instruction and professional development in science, math, technology, and engineering education”.

The CHAIR. Pursuant to House Resolution 392, the gentleman from New Mexico (Mr. LUJÁN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. LUJÁN. Mr. Chairman, the United States has the best research facilities and educational facilities in the world, and we continue to be a leader in developing cutting-edge technology in fields spanning from renewable energy to medicine. But our Nation’s competitiveness depends upon our ability to educate our students and equip them with the skills they need to succeed in the jobs of the future.

The President, congressional leadership, and business have all agreed that our Nation must do better in order to compete and excel globally in science, technology, engineering and math, or STEM fields. My amendment today simply says that entities include in their application a description of how

the school's program would share best practices between charter schools and other public schools, including best practices in instruction and professional development in STEM education. This amendment supports the identification of best practices and encourages opportunities for teacher training and mentoring in STEM.

According to the National Center for Education Statistics, U.S. high school seniors recently tested below the international average for 21 countries in mathematics and science. This is simply not acceptable. We must make a commitment to restore science and innovation as keys to a new American economy. We must ensure that America's students are trained to be innovators, critical thinkers, problems solvers, and prepared to become part of the work force for the 21st century.

I urge my colleagues to support my amendment.

Mr. GEORGE MILLER of California. Will the gentleman yield?

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

Mr. GEORGE MILLER of California. I thank the gentleman for yielding, thank him for offering the amendment, and I rise in strong support of this amendment.

Mr. LUJÁN. Mr. Chairman, I yield back the balance of my time.

Mr. KLINE. Mr. Chairman, I claim time in opposition to the amendment, but I do not intend to oppose it.

The CHAIR. Without objection, the gentleman from Minnesota is recognized for 5 minutes.

There was no objection.

Mr. KLINE. This amendment simply emphasizes the importance of STEM education. It is widely recognized in the business community, the education community and throughout America that there is a growing gap that we need to fill in STEM education. By underscoring the importance of STEM education, this is helpful to the bill. I encourage my colleagues to support the amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. LUJÁN).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. POLIS

The CHAIR. It is now in order to consider amendment No. 5 printed in part A of House Report 112-200.

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 17, beginning on line 14, strike subparagraph (A), and insert the following:

“(A) In the case of a State entity located in a State that allows an entity other than a local educational agency to be an authorized public chartering agency, the State has a quality authorized public chartering agency that is an entity other than a local educational agency.”.

The CHAIR. Pursuant to House Resolution 392, the gentleman from Colo-

rado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, again, one of the best practices that I think we have learned over the last 10 years is the importance of having alternative authorizing agencies. In fact, 32 States have created alternative authorizing agencies, including my home State of Colorado which has a charter school institute. In other States it takes the form of vesting mayors, university board of regents, or State boards of education as alternative authorizers.

□ 1510

Doing so ensures that bold ideas for charter schools brought forth by parents and grassroots community members are more likely to get a fair shot at being considered if there is an alternative authorizer, instead of what's already in the bill, which also should be present, which is an appeals process. An appeals process automatically kind of sets up a kind of adversarial relationship. We have that as well in Colorado. When I served on the State Board of Education, we heard appeals processes. So if a district turned down a charter school, it was appealed to the State Board. We could then overrule that district and force them to grant it. But it set up a very adversarial relationship.

What has proven to work better in 32 States that have it is having an alternative authorizer in addition to an appeals process so that districts that simply don't want to be in the charter authorizing business or that refuse to grant any charter schools or don't have an application process for them can simply allow another entity to provide the quality oversight that's needed for a charter school in the district.

One of the great evolutions of the last 10 years has been the responsibility of charter school authorizers. It's not simply a charter school that needs to reform. It's the authorizer, the public entity, that needs to hold that charter school responsible for the performance of its students. In my State of Colorado, our charter school institute approved 22 charter schools serving 10,000 students in the 6 years that we've had it. That's 22 out of about 120 charter schools that exist in the State. The State University of New York and the University of Indiana in Michigan have also approved some of those States' most successful charter schools.

Local school boards look at things in a different way sometimes. They appropriately consider their district's own financial situation when voting on charter schools. But that focus sometimes interferes with their consideration of the greater good and local control. Quiet, quality, viable public school choices for parents and students that address the diverse learning needs of their district. Unreasonable denials by school districts can be appealed in

States. And that's already one of the provisions of this. But from my own experience on the State Board of Education, I know that the appeals process is really less desirable for a number of reasons. First of all, it's only reactive and only addresses the merits of whether a particular school board denial was valid or not. It's not proactive in terms of developing innovative learning models and supporting the quality, development, and authorizing practice of charter schools. Two, appeals can address school district delays in approving charter schools. There's also a way of kind of killing by delay—burying under paperwork, unreasonable request after unreasonable request from the school district to the founders of the charter school that ultimately lead to the abandonment of the idea.

Appeals are often limited in scope and criteria. And appeals are also a drain on State resources, State Board of Education members' time, Department of Education staff time, State attorney generals' time. So while they have their role, it really should be a last resort and shouldn't be prioritized as the best practice. That's why I'm proposing to add a priority for multiple charter authorizers. Again, States will be able to determine the best form that that should take.

I should also point out this is very important for rural areas and small districts. It is very, very difficult if not impossible for a small district or rural school district to be a quality authorizer. In many cases, they recognize that, and would rather not be. In fact, in Colorado, most of the districts that have welcomed the State authorizer and said for the local applicants to apply to them instead of their district are districts that know that they can't engage in a meaningful approval or oversight process. By having a State-wide entity you allow some scale to the very important business of being an authorizer—a scale that small and rural districts lack. We can empower community members in those districts with the power of school choice and charters by ensuring that there is a multiple authorizer.

This amendment is supported by the National Alliance for Public Charter Schools as well as—and very important, a newer entity at the national level—the National Association for Charter School Authorizers, which is actually composed of districts and State authorizing agencies, both of whom have endorsed this amendment.

Again, it simply establishes this as a priority for funding, ensuring that this best practice that we've come to learn over the last decade can better be reflected and that hopefully States that haven't yet had the chance to look at a way to create an alternative authorizing agency will be able to learn from the States that have under this, and do so, to ensure that charter schools get a fair hearing, prevent the adversarial outcomes that too frequently come from the appeals process, and ensure

that choice is given meaning in rural school districts and small school districts.

I urge support of my amendment, and I yield back the balance of my time.

Mr. KLINE. Mr. Chairman, I claim time in opposition, although I do not intend to oppose the amendment.

The CHAIR. Without objection, the gentleman from Minnesota is recognized for 5 minutes.

There was no objection.

Mr. KLINE. Thank you, Mr. Chairman.

The gentleman from Colorado has very succinctly, clearly, and I would even say eloquently explained the problem in the authorizing business in charter schools and offered a very, very good solution. This is a good amendment. It improves the bill. I support it.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MS. MOORE

The CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 112-200.

Ms. MOORE. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 20, line 13, insert “or” after the semicolon.

Page 20, line 14, strike “; or” and insert a period.

Page 20, line 15, strike paragraph (3).

The CHAIR. Pursuant to House Resolution 392, the gentlewoman from Wisconsin (Ms. MOORE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Wisconsin.

Ms. MOORE. Thank you, Mr. Chairman.

I encourage my colleagues to support my amendment to H.R. 2218, which would strike a provision that allows Governors to apply and receive direct grants from the Federal Government and preempts State education agencies from their oversight and operational responsibilities. Let me say before I defend this amendment that I think that H.R. 2218 makes very critical changes to the charter school program that are long overdue, and it moves in the right direction in terms of being more inclusive of students, including groups that have typically had limited access to charters such as students with disabilities and English language learners. I believe that my amendment will secure and protect these improvements and expansions of charter school programs.

I really question the wisdom of putting Governors' offices in the business of overseeing charter programs and implementing these extremely complex programs. We do know that Governors' offices do not have the infrastructure, expertise, or staff to do the job—a job which includes close monitoring of schools, holding authorities account-

able, and much more. These are intricate programs with multiple moving parts that require time and labor-intensive administration.

I do believe that in my own State of Wisconsin, for example, we have constitutionally elected superintendents of public instruction. And it should remain within their purview to oversee and administer this program. Certainly, we all want Governors to be involved. But I think that my amendment makes it really clear that the ultimate responsibility should stay with those State public instruction agencies.

I reserve the balance of my time.

Mr. KLINE. Mr. Chairman, I claim time in opposition to the amendment.

The CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. KLINE. All across the country we've seen Governors and other State and local officials stand up in support of important education reform efforts that put the interest of children first. The underlying legislation before us today expands the number of State entities that may compete for charter school funding, allowing Governors to act on their support for charter schools. It addresses a real concern that has arisen in States that do not have a State education agency which supports charter schools.

Today, there are more than 420,000 students on charter school wait lists. And we've all seen the recent documentaries, “Waiting for Superman” and “The Lottery.” These chronicle low-income students trapped in failing schools, desperate for better education opportunities. Instead of helping States meet this truly incredible demand for more high quality charter schools, unfortunately, this amendment would actually stifle charter school growth by limiting a Governor's ability to support these institutions.

At the core of this bill is our desire to see more quality charter schools available for more students. More choice, more opportunity. Less “Waiting for Superman.” And so I oppose this amendment because it works in opposition to what the underlying bill is trying to do and what we're trying to do—and that's give the States more opportunities to create and replicate more quality charter schools.

□ 1520

Mr. GEORGE MILLER of California. Will the gentleman yield?

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

Mr. GEORGE MILLER of California. I know Ms. MOORE has reserved her time so she can respond to this, but I just want to say I think we tried to work this out in this legislation in the fashion that if a Governor makes application, he must do this in conjunction with the SEA. And the idea that the Governor would do this on his own, or whatever, we forced that working together simply because, as you point out, most Governors' offices would not

have the internal capacity to carry out the responsibilities under the grant. But to deny the Governor the opportunity seems to me doesn't make sense when it's required that the SEA be involved.

I will just say I know why you're offering the amendment, and I am obviously reluctant to oppose it, but I think we have addressed this concern in the legislation.

I thank the gentleman for yielding.

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

Ms. MOORE. I want to thank the gentlemen for responding, even though they are opposed.

Let me say that I am old enough to have gone through several gubernatorial races; and Governors run for office based on crime prevention and crime control, economic development, lowering taxes, environmental protection, and even welfare reform. And so the public in many States have elected to elect separate constitutional officers that deal solely with educational opportunity. And by not adopting this amendment, we are literally cutting off the legs of the statewide constitutional officers to do the only duty for which they are elected, and that is for educational purposes, and transferring those duties to a Governor whose agenda may have nothing to do with education at all.

With respect to the notion that the Governor has to work with the statewide superintendent of public instruction, under current law right now, superintendents do work with the Governor. And so I am sad that this is being opposed by both the majority and the minority on this committee because I do think that, rather than expanding opportunities for these 420,000 charter school students, it is going to really put them all under the purview of some ideology of some Governor, Democrat, Republican, independent, whatever. They are going to be subsumed by ideology instead of under the purview of a publicly elected State public instruction superintendent.

I yield back the balance of my time.

Mr. KLINE. Mr. Chairman, again, I rise in opposition to this amendment. I believe that the underlying legislation, as Ranking Member MILLER alluded to, has language in it that strongly encourages, at the very least, Governors to work with their SEAs. But I would underscore the point that States are different. Some States are set up with different relationships between the different elected officers. They're not all elected the same way they are maybe in Wisconsin or something. Our underlying purpose here is to expand access to quality charter schools, and I believe this amendment gets in the way of that.

So I oppose the amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Ms. MOORE).

The amendment was rejected.

AMENDMENT NO. 7 OFFERED BY MR. HOLT

The CHAIR. It is now in order to consider amendment No. 7 printed in part A of House Report 112-200.

Mr. HOLT. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 33, after line 19, insert the following: “(6) PRIORITY.—In awarding grants under this subsection, the Secretary is encouraged to give priority to States that encourage green school building practices and certification.”.

The CHAIR. Pursuant to House Resolution 392, the gentleman from New Jersey (Mr. HOLT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. HOLT. I thank Chairman KLINE, Ranking Member MILLER, and their staffs for their work to produce this reauthorization bill that makes a good deal of progress from the existing law. I share many of the concerns of our colleagues who want to see even more improvement in the accountability, equity and transparency of charter schools as we continue to move the bill forward.

I have a simple amendment today in this bill that reauthorizes the Charter School Program. My amendment encourages the Secretary of Education to award a priority for green school building practices to ensure that any Federal investment in charter school facilities would improve the energy efficiency and environmental advantages of those schools.

Energy bills are the second highest operating expenditure for schools after personnel costs. So we must do all we can to help schools implement green building practices and reduce their energy costs. My amendment will help ensure that schools spend educational resources on educating students rather than heating and cooling inefficient buildings.

According to the Environmental Protection Agency, 30 percent of energy consumed in buildings is used unnecessarily or inefficiently. By using green building techniques to eliminate areas where energy is used unwisely and is wasted, a school's operating costs can be reduced significantly. A dollar wasted on inefficient heating is lost forever. A dollar invested in a child will pay dividends forever.

The U.S. Green Building Council supports this amendment and in a letter to me they wrote: “On average, green schools save \$100,000 per year—enough to hire two new teachers, buy 200 new computers, or purchase 5,000 new textbooks.” They go on to note that green schools don't cost more, but in fact can be built at or below regional cost and operated within existing facilities' budgets and save money.

Now, I'm disappointed that the bill we are considering today reauthorizes only charter school programs. We should be considering full reauthorization of the Elementary and Secondary Education Act. We should be considering a public school construction bill. Assisting local school districts with school construction and modernization would help rebuild and upgrade local schools and create jobs.

But I do want to see this amendment included in the bill. It will help schools all across America. It will save energy; it will create jobs; it will improve education.

I urge its passage.

Mr. GEORGE MILLER of California. Will the gentleman yield?

Mr. HOLT. Mr. Chairman, may I inquire of the time remaining, please.

The CHAIR. The gentleman from New Jersey has 2 minutes remaining.

Mr. HOLT. I yield 30 seconds to the gentleman from California.

Mr. GEORGE MILLER of California. I rise in support of this amendment. I think it is very important for all the reasons the gentleman from New Jersey cited.

In terms of the savings, we are seeing more and more schools taking economic liabilities, if you will, such as parking lots and vacant land around the school, turning them into economic assets, and saving the kind of money—it has been recorded now for a number of years the money that is actually saved in these design practices in the schools that free up those resources for other educational purposes.

I want to thank the gentleman for offering the amendment.

Mr. HOLT. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. I think the gentleman from New Jersey has, as he put it, good language that should not only be included in this bill, but I think in other relevant construction bills as well.

Very simply, it encourages the Secretary to give priority to States that encourage green building practices and certification. Again, that could be as simple as a State making sure that those options are available. Other States have tax credits or other methods of incentivizing green school development.

When we are talking about our national energy policy, we are talking about how frustrated our constituents are with gas prices; we're talking about our national security as a Nation and our energy security. I think that for this Congress to ensure that in every bill, large and small, we encourage—again, without any mandate to school districts, without any requirement, but encourage the Secretary to give priority to States that have at least some system for encouraging green school building development, I think this is a good thing to start right here in a small way, in a bill that certainly won't on its own turn around the energy future of our country, but on its

own does have the potential to help drive scale of green technology without compromising educational outcomes.

Again, I think this is an appropriate addition to the bill and will hopefully lead to improvements of energy efficiency in charter schools across the country.

I thank the gentleman for yielding.

□ 1530

Mr. KLINE. Mr. Chairman, I claim time in opposition to this amendment.

The CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. KLINE. The underlying bill maintains and strengthens Federal support to assist charter schools in accessing credit for facilities construction, as it has in the past and will in this, but it doesn't get into the details of school construction. It doesn't take another step towards getting the Federal Government involved in school construction.

I understand there's a great excitement in some areas about putting green in any construction, or in anything for that matter. If it's green, apparently it's better.

This amendment, I'm afraid, will actually weaken efforts at the State level to fund school construction. It will dramatically increase the cost of building elementary and secondary charter schools. Where there's already limited funds available, some States, school districts, and charter schools will be forced to use union workers to construct public charter schools and to comply with this need for green schools.

Instead of imposing new burdens on charter schools, we should support State and local efforts to raise student academic achievement, stay out of the school construction business. This amendment is not an appropriate role for the Federal Government. I urge opposition to the amendment.

I reserve the balance of my time.

Mr. HOLT. Mr. Chairman, I think the chairman of the committee reads too much into this amendment. It says, in awarding grants, the Secretary is encouraged to give priority to States that encourage green building practices and certification. In other words, if it certifiably will save energy and thereby save the school district money, it should be encouraged. What in the world could be wrong with that?

I would urge my chair to reconsider after he has read this amendment and support us in the passage of this amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. KLINE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT NO. 8 OFFERED BY MR. KING OF IOWA

The CHAIR. It is now in order to consider amendment No. 8 printed in part A of House Report 112-200.

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 36, line 22, insert "and" after the semicolon.

Page 37, line 2, strike "; and" and insert a period.

Page 37, beginning on line 3, strike subparagraph (D).

The CHAIR. Pursuant to House Resolution 392, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Thank you, Mr. Chairman. The gentleman from Iowa is happy to be recognized.

Addressing this issue, in particular it's this: that the intent of this bill is a good intent, and I support it, providing an extra incentive for high quality charter schools. It rewards those high quality charter schools with an opportunity to receive grants that are rewards for that excellence that's there, and I certainly support the initiative and the philosophy behind that.

It also identifies high quality charter schools as those that have achieved strong academic results, student safety, financial management, statutory and regulatory compliance, and has demonstrated significantly increasing student academic achievement for all students. And I emphasize "all students."

But when I read the bill, then it says, also has demonstrated success in increasing student academic achievement for the subgroups of students described in, and that's where a lot of people stop reading the bill. But when you go back and look at the reference, it sets it up so that it requires not just that the schools be open and available to students that meet these categories, four categories, Mr. Chairman—economic disadvantaged students, students from major racial and ethnic groups, students with disabilities, and students with limited English proficiency—but, in fact, the language of the bill requires that all four categories must be met in order to qualify for these grants.

I know there's misinformation out there, but this language has been something we have drilled through now for days.

What my amendment does is strike that requirement that they meet all four categories. They will have to show academic achievement for all students, and that's what I hope to achieve with this amendment. We go back to all students, which automatically includes the redundant list that is, I think, unnecessarily in the bill. And the result will be, if the King amendment doesn't

go on, then we'll have high quality charter schools that will have to meet four standards, those four standards of minorities and disabilities, economically disadvantaged, and limited English proficiencies.

For example, an inner city school that might have all African American students with no limited English proficiencies might qualify on the other three categories but be disqualified because they must meet all four. That's the purpose of my amendment. I urge its adoption.

I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. GEORGE MILLER of California. Mr. Chairman, I rise in opposition to the amendment offered by Mr. KING of Iowa.

We should be very clear about this amendment, what it would do and why it would be incredibly detrimental to our students, our schools, and to our country.

In this bill, we require the performance of poor and minority students and students with disabilities to be considered when measuring the success of charter schools. That's as we chose to do when we passed No Child Left Behind, not a perfect education act by any means. But a very important component was the disaggregation of the data so that the parents of each and every one of those children, so the community leaders representing each and every one of those children would know how those children were doing.

We used to have the day when we asked how these students are doing, how this school is doing and all we got were the averages, and everybody said, oh, it's better. The fact of the matter is this is to assure that we understand how those children who have access to these schools, how, in fact, they're individually doing.

These are Title I public schools. They happen to be charter schools. And the point of that is to make sure that poor and minority children, English learners, students with disabilities have the full access to an appropriate education. And to go back to a time when we start to hide those results or we don't hold schools accountable for that is to rip away the fabric of accountability that parents and communities and taxpayers are asking for from those schools.

The idea that you would be held accountable for English learners if you had no English learners in your school is simply hokum. It just isn't what the law says.

This would be an absolute disservice to parents, to the students, and to our communities. It takes us back to the time prior to No Child Left Behind when schools would participate in hiding their failures and champion what they were trying to present to the community as their successes, and that's

why we have the charter school movement. That's why we have accountability now that we never had before. That's why this amendment is opposed by so many people who are involved in the promotion of the educational opportunities for these populations: the National Alliance for Public Charter Schools, the Center for American Progress, the Children's Defense Fund, and many others on the list that I would ask to be put into the RECORD. The National Council of La Raza, the National Disability Rights Network.

LIST OF GROUPS AGAINST KING AMENDMENT

The National Alliance for Public Charter Schools; 50CAN; Center for American Progress; Children's Defense Fund; Democrats for Education Reform; Education Equality Project; KIPP; Massachusetts Charter Public School Association; National Council of LaRaza; National Disability Rights Network; NewSchools Venture Fund; Council for Exceptional Children; National Center for Learning Disabilities; Easter Seals Leadership Conference on Civil Rights.

NATIONAL ALLIANCE FOR PUBLIC CHARTER SCHOOLS,

Washington, DC, September 8, 2011.

DEAR MEMBERS OF CONGRESS: On behalf of nearly 2 million children attending more than 5,000 public charter schools across the country, we applaud you on your successful efforts to bring H.R. 2218, Empowering Parents through Quality Charter Schools Act, to the House Floor for a vote. This legislation will improve the core federal charter school programs that are imperative in helping charter schools overcome state and local inequities as they work to provide more families with high-quality public school options.

We urge you to reject the amendment offered by Representative Steve King (R-IA). Rep. King's amendment would strike a key provision that defines a high-quality charter school as one that is showing achievement gains for students from historically disadvantaged groups, including low-income and minority students, students with disabilities, and students who are non-native English speakers. As you well know, demonstrating student achievement for all children is imperative for a successful accountability system and one that we fully support.

Thank you for your consideration of this important matter.

Sincerely,

The National Alliance for Public Charter Schools, 50CAN, Center for American Progress, Children's Defense Fund, Democrats for Education Reform, Education Equality Project, KIPP, Massachusetts Charter Public School Association, National Council of LaRaza, National Disability Rights Network, NewSchools Venture Fund, Texas Charter School Association, Wyoming Association of Public Charter Schools.

COUNCIL FOR EXCEPTIONAL CHILDREN,

Arlington, VA, September 7, 2011.

Re: Oppose Amendment #9 to H.R. 2218: Empowering Parents through Quality Charter Schools Act

DEAR MEMBER OF CONGRESS: On behalf of the Council for Exceptional Children (CEC), whose members serve over 10 million children and youth with disabilities and/or gifts and talents as teachers, administrators, parents, and researchers, I urge you to vote against amendment #9 to H.R. 2218, the Empowering Parents through Quality Charter Schools Act offered by Congressman King (IA). This misguided amendment would

weaken protections for students with disabilities in charter schools, and severely undermine the bill, which CEC supported and which passed out of the Education and the Workforce Committee on a bi-partisan vote.

CEC and its members have long been concerned by reports that demonstrate both a lack of access for students with disabilities to charter schools and a lack of oversight to ensure that students with disabilities in charter schools are appropriately served and receive all of their rights under the Individuals with Disabilities Education Act (IDEA). Several provisions within H.R. 2218 support increased access, service and accountability, thereby addressing many of the existing issues for students with disabilities in charter schools. Key to addressing these issues, however, is a provision within H.R. 2218 which defines a High Quality Charter School as one that has demonstrated success in increasing academic achievement for all students, and specifically students with disabilities. Congressman King's amendment would remove this important requirement and lower the standard. Specifically, it would strike language that requires charter schools to have a record of success in working with student subgroups (i.e. students with disabilities, students from low-income backgrounds, English language learners) to receive federal dollars. Striking this important language would weaken protections added in direct response to reports of inequities in charter schools. If included, CEC would no longer support this legislation.

Provisions for students with disabilities in H.R. 2218 have bi-partisan support and represent a step forward for education policy in our nation by acknowledging that charter schools must include and appropriately serve students with disabilities. CEC supports the passage of H.R. 2218, as it passed out of the Education and the Workforce Committee, and, therefore, urges you to vote against Amendment #9 by Congressman King (IA). This misguided amendment will only weaken this bill and allow inequities for students with disabilities to continue.

Please do not hesitate to contact me with any questions.

Sincerely,

DEBORAH A. ZIEGLER,
Associate Executive
Director, Policy and
Advocacy Services,
Council for Exceptional
Children.

NATIONAL CENTER FOR
LEARNING DISABILITIES

Washington, DC, September 8, 2011.

DEAR REPRESENTATIVE: The National Center for Learning Disabilities urges you to oppose the King amendment to H.R. 2218, the Empowering Parents through Quality Charter Schools Act. This amendment would roll back an important and much needed provision focused on the achievement of students with disabilities and other at-risk populations.

H.R. 2218 makes a number of improvements in how charter schools will enroll, serve, and be held accountable for the achievement of all students, including students with disabilities. Unfortunately, the King amendment would reverse one of these significant improvements by striking the focus on achievement of students with disabilities, English language learners, and other at-risk populations from the definition of a high quality charter school. Rather than embracing the bill's emphasis on improving educational experiences for all students, the amendment alters this critical improvement made to ensure high quality charter schools are focusing on every enrolled student, including those with disabilities and other at-risk populations.

This bill and its focus on all students represents a critical first step to improving the quality of instruction and educational experiences provided in charter schools. Chairman Kline and Ranking Member Miller deserve credit for crafting a bipartisan bill that will help both charter schools and the students with disabilities which they serve. The King amendment reverses this course and we urge you to oppose the amendment.

Sincerely,

JAMES H. WENDORF,
Executive Director.

NATIONAL DISABILITY
RIGHTS NETWORK,

Washington, DC, September 8, 2011.

DEAR REPRESENTATIVES: On behalf of protection and advocacy agencies that represent students with disabilities and their families, we thank you for your work to bring the "Empowering Parents through Quality Charter Schools Act" (H.R. 2218) to a floor vote. The National Disability Rights Network (NDRN) is the national membership association for the 57 Protection & Advocacy (P&A) agencies that advocate on behalf of persons with disabilities in every state, the District of Columbia, and U.S. territories. For over 30 years, the P&A agencies have been mandated by Congress to protect and enhance the civil rights of individuals with disabilities of any age and in any setting. A central part of the work of the P&As has been to advocate for opportunities for students with disabilities to receive a quality education with their peers.

NDRN believes that H.R. 2218 improves for students with disabilities the current charter school program, but we urge you to reject the amendment offered by Representative King (R-IA). The amendment strikes a critical provision included in the definition of a high-quality charter school. A successful accountability system is imperative to ensure that charter schools are meeting the needs of students with disabilities, and the amendment will remove the provision that requires high quality charter schools to demonstrate their success in increasing student academic achievement for underserved groups of students, including students with disabilities.

Thank you for considering our views. If you have any questions, please do not hesitate to contact Cindy Smith, Public Policy Counsel at cindy.smith@ndrn.org or 202-408-9514 ext 101.

Sincerely,

CURT DECKER, J.D.,
Executive Director.

EASTER SEALS,

OFFICE OF PUBLIC AFFAIRS,
Washington, DC, September 8, 2011.

DEAR REPRESENTATIVE: Today, you will have the opportunity to vote on H.R. 2218, Empowering Parents through Quality Charter Schools Act. Easter Seals urges you to vote in favor of this legislation that seeks to improve the federal charter school program and make charter schools more available to students with disabilities.

We urge you to oppose the amendment offered by Representative Steve King (R-IA) to H.R. 2218. Our experience is that students who have their academic progress measured and reported get taught. Mr. King's amendment strips away key policies within the Elementary and Secondary Education Act that require the disaggregation of data of student progress by student subgroup. Currently students with disabilities are a subgroup for which disaggregated data is required. Easter Seals strongly believes that such data is essential for students with disabilities to have opportunities to achieve academic success.

For nearly 100 years, Easter Seals has been advocating for public policies that allow

children and adults with disabilities to live, learn, work and play in their communities. Thank you for considering our views.

Sincerely,

KATY BEH NEAS,
Senior Vice President, Government Relations.

With that, I would like to yield 1 minute to the gentleman from Minnesota (Mr. KLINE), the chairman of the committee.

Mr. KLINE. I thank the gentleman for yielding.

I reluctantly rise in opposition to the gentleman from Iowa's amendment. That's an unusual place for me to be on the floor of this House, but I believe that the gentleman from California has correctly outlined the problem.

One of the strengths of an otherwise pretty seriously flawed law in No Child Left Behind was the disaggregation of data. It was allowing parents and, in this case, authorizers and Governors and school boards to look in and make sure that there was no element in a school body that was being left behind. It is important, since we're trying to replicate high quality schools, that that information be available. I'm afraid the gentleman from Iowa's amendment would, in fact, end up masking that information and depriving those who need to make decisions of the kind of information they need in order to make sure that we're replicating high quality charter schools.

□ 1540

Mr. GEORGE MILLER of California. I yield the balance of my time to the gentleman from Virginia (Mr. SCOTT).

The CHAIR. The gentleman is recognized for 1½ minutes.

Mr. SCOTT of Virginia. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Iowa.

The purpose of No Child Left Behind was to ensure that all children are provided a quality education regardless of race, ethnicity, income, language, status, or disability. Although the original legislation was not perfect and needs improvement, it has helped shed light on achievement gaps facing certain groups of children who are in fact being left behind by the current system. We are aware of this deficiency in its enormity because we collect data by subgroups, and we can begin to fix the problem through educational reform.

Now, this bill we're debating today is limited to charter schools. H.R. 2218 includes a definition of high quality charter schools as a school that has demonstrated success in increasing student achievement for subgroup students described in ESEA, namely economically disadvantaged students, students of racial and ethnic minorities, students with disabilities, and students with limited English proficiency.

Unfortunately, this amendment would strip away the efforts to identify the students who are not performing and will cover up the fact that some groups of students are in fact being left behind. Any school that is leaving groups of students behind should not be

considered high quality. I think we really ought to be collecting this data for all of the schools, not just those trying to achieve high quality, but we need to hold all schools accountable for the success of all students. This amendment goes in the opposite direction, and therefore ought to be defeated.

Mr. KING of Iowa. I yield myself such time as I may consume.

First, I appreciate the tone and the tenor of this debate, and I'm completely convinced that all parties involved here want to accomplish the same thing, and that is to provide an opportunity for all young people in America to achieve to the extent of their ability. That's the purpose of this legislation that's before us, high quality charter schools, and it's the intent of Mr. MILLER and Mr. SCOTT and Mr. KLINE and everyone else that likely will vote for this bill. It's also my intent.

I strongly want to see people reach the highest level of their achievement. We need to be in the business in this Congress and aware of it on a daily basis of seeking to increase the average annual productivity of our people. We can do that one at a time, every three-hundred-and-six millionth of us. Every one of us that increases our productivity on a daily basis helps the whole.

Every class, every generation of people that improves their productivity is good for all of us. It takes the load off of the higher earners to have the income coming on the lower earners, for example. It brings that balance about. I want that. I think that's the intent of this bill.

When the gentleman from California says it's not what the law says, that I have somehow misunderstood this, I will tell you that I think it has been misrepresented by some analysts behind the scenes—not on this floor—and I will just read this into the record in short version. I will compress it and then I will give you the quote.

High-quality charter schools means a charter school that, A, shows strong academic results; B, that has no significant issues in the areas of student safety, financial management, statutory, regulatory compliance; C, has demonstrated success in significantly increasing student and academic achievement and attainment for all students served by charter schools. I want that. We want that.

But D says, has demonstrated success in increasing student academic achievement for subgroups of students described, and they are this: economically disadvantaged students. Now, that's fine. Most kids are going to be economically disadvantaged. Some students from racial and ethnic groups, that may not be the case. North Dakota or Montana, for example, might have to go a long way to find someone who meets that category.

Students with disabilities? Perhaps, but not always. Are we going to ask them to go out and recruit students

with disabilities in order to qualify as a high school, and a high-academic achieving school, high-quality charter school?

And the fourth one is students with limited proficiency. That doesn't exist in every region in America where there is a need for a charter school.

This sets up a requirement that all four categories be met. If we wanted reporting, as the chairman of the committee has suggested, I would say then let's ask for a report rather than write this all in as a requirement that can't be met because there only can be two results of this. Either we're going to follow the law, if it becomes law, in which case many, many schools will be disenfranchised, will not be able to become high-quality charter schools, or we're going to ignore the law. I don't like either of those results.

I want to follow in here with the intent of this legislation. That's why I've offered this amendment. I would urge its adoption.

I yield back the balance of my time. The CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. KING of Iowa. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

Mr. KLINE. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to. Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CHAFFETZ) having assumed the chair,

Mr. WOMACK, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2218) to amend the charter school program under the Elementary and Secondary Education Act of 1965, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

The practice of reserving seats prior to the joint meeting by placard will

not be allowed. Members may reserve their seats only by physical presence following the security sweep of the Chamber.

Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:35 p.m. for the purpose of receiving in joint session the President of the United States.

Accordingly (at 3 o'clock and 47 minutes p.m.), the House stood in recess until approximately 6:35 p.m.

□ 1843

JOINT SESSION OF CONGRESS PURSUANT TO HOUSE CONCURRENT RESOLUTION 74 TO RECEIVE A MESSAGE FROM THE PRESIDENT

The recess having expired, the House was called to order by the Speaker at 6 o'clock and 43 minutes p.m.

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

The SPEAKER. The joint session will come to order.

The Chair appoints as members of the committee on the part of the House to escort the President of the United States into the Chamber:

The gentleman from Virginia (Mr. CANTOR);

The gentleman from California (Mr. MCCARTHY);

The gentleman from Texas (Mr. HENSARLING);

The gentleman from Texas (Mr. SESSIONS);

The gentleman from Georgia (Mr. PRICE);

The gentlewoman from Washington (Mrs. MCMORRIS RODGERS);

The gentleman from Texas (Mr. CARTER);

The gentlewoman from California (Ms. PELOSI);

The gentleman from Maryland (Mr. HOYER);

The gentleman from South Carolina (Mr. CLYBURN);

The gentleman from Connecticut (Mr. LARSON);

The gentleman from California (Mr. BECERRA);

The gentleman from Maryland (Mr. VAN HOLLEN); and

The gentlewoman from New York (Ms. HOCHUL).

The VICE PRESIDENT. The President of the Senate, at the direction of that body, appoints the following Senators as members of the committee on the part of the Senate to escort the President of the United States into the House Chamber:

The Senator from Nevada (Mr. REID);

The Senator from Illinois (Mr. DURBIN);

The Senator from New York (Mr. SCHUMER);

The Senator from Washington (Mrs. MURRAY);

The Senator from Michigan (Ms. STABENOW);

The Senator from Alaska (Mr. BEGICH);

The Senator from Kentucky (Mr. MCCONNELL);

The Senator from Arizona (Mr. KYL);

The Senator from Tennessee (Mr. ALEXANDER);

The Senator from Wyoming (Mr. BARRASSO);

The Senator from South Dakota (Mr. THUNE); and

The Senator from Texas (Mr. CORNYN).

The Deputy Sergeant at Arms announced the Dean of the Diplomatic Corps, His Excellency Roble Olhaye, Ambassador from the Republic of Djibouti.

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

The Deputy Sergeant at Arms announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 7 o'clock and 5 minutes p.m., the Sergeant at Arms, the Honorable Wilson Livingood, announced the President of the United States.

The President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk.

(Applause, the Members rising.)

The SPEAKER. Members of the Congress, I have the high privilege and the distinct honor of presenting to you the President of the United States.

(Applause, the Members rising.)

The PRESIDENT. Mr. Speaker, Mr. Vice President, Members of Congress, and fellow Americans:

Tonight we meet at an urgent time for our country. We continue to face an economic crisis that has left millions of our neighbors jobless, and a political crisis that has made things worse.

This past week, reporters have been asking, What will this speech mean for the President? What will it mean for Congress? How will it affect their polls, and the next election?

But the millions of Americans who are watching right now don't care about politics. They have real-life concerns. Many have spent months looking for work. Others are doing their best just to scrape by—giving up nights out with the family to save on gas or make the mortgage, postponing retirement to send a kid to college.

These men and women grew up with faith in an America where hard work and responsibility paid off. They believed in a country where everyone gets a fair shake and does their fair share—where if you stepped up, did your job, and were loyal to your com-

pany, that loyalty would be rewarded with a decent salary and good benefits; maybe a raise once in a while. If you did the right thing, you could make it, anybody could make it in America.

But for decades now, Americans have watched that compact erode. They have seen the deck too often stacked against them. And they know that Washington has not always put their interests first.

The people of this country work hard to meet their responsibilities. The question tonight is whether we'll meet ours. The question is whether, in the face of an ongoing national crisis, we can stop the political circus and actually do something to help the economy; whether we can restore some of the fairness and security that has defined this Nation since our beginning.

Those of us here tonight can't solve all of our Nation's woes. Ultimately, our recovery will be driven not by Washington, but by our businesses and our workers. But we can help. We can make a difference. There are steps we can take right now to improve people's lives.

I am sending this Congress a plan that you should pass right away. It's called the American Jobs Act. There should be nothing controversial about this piece of legislation. Everything in here is the kind of proposal that's been supported by both Democrats and Republicans—including many who sit here tonight. And everything in this bill will be paid for. Everything.

The purpose of the American Jobs Act is simple: to put more people back to work and more money in the pockets of those who are working. It will create more jobs for construction workers, more jobs for teachers, more jobs for veterans, and more jobs for the long-term unemployed. It will provide a tax break for companies who hire new workers, and it will cut payroll taxes in half for every working American and every small business. It will provide a jolt to an economy that has stalled, and give companies confidence that if they invest and hire, there will be customers for their products and services. You should pass this jobs plan right away.

Everyone here knows that small businesses are where most new jobs begin. And you know that while corporate profits have come roaring back, smaller companies haven't. So for everyone who speaks so passionately about making life easier for "job creators," this plan's for you.

Pass this jobs bill, and starting tomorrow, small businesses will get a tax cut if they hire new workers or if they raise workers' wages. Pass this jobs bill, and all small business owners will also see their payroll taxes cut in half next year. If you have 50 employees making an average salary, that's an \$80,000 tax cut. And all businesses will be able to continue writing off the investments they make in 2012.

It's not just Democrats who have supported this kind of proposal. Fifty

House Republicans have proposed the same payroll tax cut that's in this plan. You should pass it right away.

Pass this jobs bill, and we can put people to work rebuilding America. Everyone here knows that we have badly decaying roads and bridges all over this country. Our highways are clogged with traffic. Our skies are the most congested in the world. It's an outrage.

Building a world-class transportation system is part of what made us an economic superpower. And now we're going to sit back and watch China build newer airports and faster railroads? At a time when millions of unemployed construction workers could build them right here in America?

There are private construction companies all across America just waiting to get to work. There's a bridge that needs repair between Ohio and Kentucky that's on one of the busiest trucking routes in North America. There's a public transit project in Houston that will help clear up one of the worst areas of traffic in the country. And there are schools throughout this country that desperately need renovating. How can we expect our kids to do their best in places that are literally falling apart? This is America. Every child deserves a great school—and we can give it to them, if we act now.

The American Jobs Act will repair and modernize at least 35,000 schools. It will put people to work right now fixing roofs and windows; installing science labs and high-speed Internet in classrooms all across this country. It will rehabilitate homes and businesses in communities hit hardest by foreclosures. It will jump-start thousands of transportation projects all across the country. And to make sure the money is properly spent, we're building on reforms we've already put in place. No more earmarks. No more boondoggles. No more bridges to nowhere. We're cutting the red tape that prevents some of these projects from getting started as quickly as possible. And we'll set up an independent fund to attract private dollars and issue loans based on two criteria: how badly a construction project is needed and how much good it will do for the economy.

This idea came from a bill written by a Texas Republican and a Massachusetts Democrat. The idea for a big boost in construction is supported by America's largest business organization and America's largest labor organization. It's the kind of proposal that's been supported in the past by Democrats and Republicans alike. You should pass it right away.

Pass this jobs bill, and thousands of teachers in every State will go back to work. These are the men and women charged with preparing our children for a world where the competition has never been tougher. But while they're adding teachers in places like South Korea, we're laying them off in droves. It's unfair to our kids. It undermines their future and ours. And it has to

stop. Pass this bill, and put our teachers back in the classroom where they belong.

Pass this jobs bill, and companies will get extra tax credits if they hire America's veterans. We ask these men and women to leave their careers, leave their families, and risk their lives to fight for our country. The last thing they should have to do is fight for a job when they come home.

Pass this bill, and hundreds of thousands of disadvantaged young people will have the hope and the dignity of a summer job next year; and their parents, low-income Americans who desperately want to work, will have more ladders out of poverty.

Pass this jobs bill, and companies will get a \$4,000 tax credit if they hire anyone who has spent more than 6 months looking for a job.

We have to do more to help the long-term unemployed in their search for work. This jobs plan builds on a program in Georgia that several Republican leaders have highlighted, where people who collect unemployment insurance participate in temporary work as a way of building their skills while they look for a permanent job. The plan also extends unemployment insurance for another year. If the millions of unemployed Americans stopped getting this insurance and stopped using that money for basic necessities, it would be a devastating blow to this economy. Democrats and Republicans in this Chamber have supported unemployment insurance plenty of times in the past. At this time of prolonged hardship, you should pass it again—right away.

Pass this jobs bill, and the typical working family will get a \$1,500 tax cut next year; \$1,500 that would have been taken out of your paycheck will go right into your pocket. This expands on the tax cut that Democrats and Republicans already passed for this year. If we allow that tax cut to expire—if we refuse to act—middle class families will get hit with a tax increase at the worst possible time. We can't let that happen. I know that some of you have sworn oaths to never raise any taxes on anyone for as long as you live. Now is not the time to carve out an exception and raise middle class taxes, which is why you should pass this bill right away.

This is the American Jobs Act. It will lead to new jobs for construction workers, for teachers, for veterans, for first responders, young people, and the long-term unemployed. It will provide tax credits to companies that hire new workers, tax relief for small business owners, and tax cuts for the middle class. And here is the other thing I want the American people to know: The American Jobs Act will not add to the deficit. It will be paid for, and here's how:

The agreement we passed in July will cut government spending by about \$1 trillion over the next 10 years. It also charges this Congress to come up with

an additional \$1.5 trillion in savings by Christmas. Tonight, I am asking you to increase that amount so that it covers the full cost of the American Jobs Act; and a week from Monday, I'll be releasing a more ambitious deficit plan, a plan that will not only cover the cost of this jobs bill but stabilize our debt in the long run.

This approach is basically the one I've been advocating for months. In addition to the trillion dollars of spending cuts I've already signed into law, it is a balanced plan that would reduce the deficit by making additional spending cuts, by making modest adjustments to health care programs like Medicare and Medicaid, and by reforming our Tax Code in a way that asks the wealthiest Americans and biggest corporations to pay their fair share. What's more, the spending cuts wouldn't happen so abruptly that they'd be a drag on our economy or prevent us from helping small businesses and middle class families get back on their feet right away.

Now, I realize there are some in our party who don't think we should make any changes at all to Medicare and Medicaid, and I understand their concerns, but here is the truth: millions of Americans rely on Medicare in their retirement, and millions more will do so in the future. They pay for this benefit during their working years. They earn it. But with an aging population and rising health care costs, we are spending too fast to sustain the program; and if we don't gradually reform the system while protecting current beneficiaries, it won't be there when future retirees need it. We have to reform Medicare to strengthen it.

I'm also well aware that there are many Republicans who don't believe we should raise taxes on those who are most fortunate and who can best afford it, but here is what every American knows: While most people in this country struggle to make ends meet, a few of the most affluent citizens and most profitable corporations enjoy tax breaks and loopholes that nobody else gets. Right now, Warren Buffett pays a lower tax rate than his secretary—an outrage he has asked us to fix. We need a Tax Code where everyone gets a fair shake and where everybody pays their fair share—and by the way, I believe the vast majority of wealthy Americans and CEOs are willing to do just that if it helps the economy grow and gets our fiscal house in order.

I'll also offer ideas to reform a corporate Tax Code that stands as a monument to special interest influence in Washington. By eliminating pages of loopholes and deductions, we can lower one of the highest corporate tax rates in the world. Our Tax Code should not give an advantage to companies that can afford the best-connected lobbyists. It should give an advantage to companies that invest and create jobs right here in the United States of America.

So we can reduce this deficit, pay down our debt, and pay for this jobs

plan in the process, but in order to do this, we have to decide what our priorities are. We have to ask ourselves, What's the best way to grow the economy and create jobs?

Should we keep tax loopholes for oil companies or should we use that money to give small business owners a tax credit when they hire new workers? Because we can't afford to do both.

Should we keep tax breaks for millionaires and billionaires or should we put teachers back to work so our kids can graduate, ready for college and good jobs? Right now, we can't afford to do both.

This isn't political grandstanding. This isn't class warfare. This is simple math. These are real choices. These are real choices that we've got to make, and I'm pretty sure I know what most Americans would choose—it's not even close—and it's time for us to do what's right for our future.

The American Jobs Act answers the urgent need to create jobs right away, but we can't stop there. As I've argued since I ran for this office, we have to look beyond the immediate crisis and start building an economy that lasts into the future—an economy that creates good, middle class jobs that pay well and offer security. We now live in a world where technology has made it possible for companies to take their business anywhere. If we want them to start here and stay here and hire here, we have to be able to out-build and out-educate and out-innovate every other country on Earth.

This task of making America more competitive for the long haul, that's a job for all of us—for government and for private companies, for States and for local communities, and for every American citizen. All of us will have to up our game. All of us will have to change the way we do business.

My administration can and will take some steps to improve our competitiveness on our own. For example, if you're a small business owner who has a contract with the Federal Government, we're going to make sure you get paid a lot faster than you do right now. We're also planning to cut away the red tape that prevents too many rapidly growing start-up companies from raising capital and going public. And to help responsible homeowners, we're going to work with Federal housing agencies to help more people refinance their mortgages at interest rates that are now near 4 percent. I know you guys must be for this because that's a step that can put more than \$2,000 a year in a family's pocket and give a lift to an economy still burdened by the drop in housing prices.

So some things we can do on our own. Other steps will require congressional action. Today, you passed reform that will speed up the outdated patent process so that entrepreneurs can turn a new idea into a new business as quickly as possible. That's the kind of action we need. Now it's time to clear the way for a series of trade agreements that

would make it easier for American companies to sell their products in Panama, Colombia and South Korea while also helping the workers whose jobs have been affected by global competition.

If Americans can buy Kias and Hyundais, I want to see folks in South Korea driving Fords and Chevys and Chryslers. I want to see more products sold around the world stamped with three proud words: "Made in America." That's what we need to get done.

And on all of our efforts to strengthen competitiveness, we need to look for ways to work side by side with America's businesses. That's why I've brought together a jobs council of leaders from different industries who are developing a wide range of new ideas to help companies grow and create jobs.

Already, we've mobilized business leaders to train 10,000 American engineers a year by providing company internships and training. Other businesses are covering tuition for workers who learn new skills at community colleges, and we're going to make sure the next generation of manufacturing takes root, not in China or in Europe, but right here in the United States of America. If we provide the right incentives, the right support and if we make sure that our trading partners play by the rules, we can be the ones to build everything from fuel-efficient cars to advanced biofuels to semiconductors that we sell all around the world. That's how America can be number one again, and that's how America will be number one again.

Now, I realize that some of you have a different theory on how to grow the economy. Some of you sincerely believe that the only solution to our economic challenges is to simply cut most government spending and eliminate most government regulations.

I agree that we can't afford wasteful spending, and I'll work with you, with Congress, to root it out; and I agree that there are some rules and regulations that do put an unnecessary burden on businesses at a time when they can least afford it. That's why I ordered a review of all government regulations. So far, we've identified over 500 reforms which will save billions of dollars over the next few years. We should have no more regulation than the health, safety and security of the American people require. Every rule should meet that commonsense test.

But what we can't do—what I will not do—is let this economic crisis be used as an excuse to wipe out the basic protections that Americans have counted on for decades. I reject the idea that we need to ask people to choose between their jobs and their safety. I reject the argument that says, for the economy to grow, we have to roll back protections that ban hidden fees by credit card companies or rules that keep our kids from being exposed to mercury or laws that prevent the health insurance industry from short-changing patients. I reject the idea

that we have to strip away collective bargaining rights to compete in a global economy.

We shouldn't be in a race to the bottom where we try to offer the cheapest labor and the worst pollution standards. America should be in a race to the top, and I believe we can win that race.

In fact, this larger notion that the only thing we can do to restore prosperity is just dismantle government, refund everyone's money, let everyone write their own rules, and tell everyone they're on their own—that's not who we are. That's not the story of America.

Yes, we are rugged individuals. Yes, we are strong and self-reliant. And it has been the drive and initiative of our workers and entrepreneurs that has made this economy the engine and envy of the world. But there has always been another thread running throughout our history—a belief that we are all connected and that there are some things we can only do together as a Nation.

We all remember Abraham Lincoln as the leader who saved our Union—the founder of the Republican Party—but in the middle of a Civil War, he was also a leader who looked to the future—a Republican President who mobilized government to build the Transcontinental Railroad, launch the National Academy of Sciences, set up the first land grant colleges; and leaders of both parties have followed the example he set.

Ask yourselves: Where would we be right now if the people who sat here before us decided not to build our highways, not to build our bridges, our dams, our airports? What would this country be like if we had chosen not to spend money on public high schools or research universities or community colleges? Millions of returning heroes, including my grandfather, had the opportunity to go to school because of the GI Bill. Where would we be if they hadn't had that chance?

How many jobs would it have cost us if past Congresses decided not to support the basic research that led to the Internet and the computer chip? What kind of country would this be if this Chamber had voted down Social Security or Medicare just because it violated some rigid idea about what government could or could not do? How many Americans would have suffered as a result?

No single individual built America on their own. We built it together. We have been and always will be one Nation under God, indivisible, with liberty and justice for all—a Nation with responsibilities to ourselves and with responsibilities to one another.

Members of Congress, it is time for us to meet our responsibilities.

Every proposal I've laid out tonight is the kind that has been supported by Democrats and Republicans in the past. Every proposal I've laid out tonight will be paid for, and every pro-

posal is designed to meet the urgent needs of our people and our communities.

Now, I know there has been a lot of skepticism about whether the politics of the moment will allow us to pass this jobs plan or any jobs plan. Already, we're seeing the same old press releases and tweets flying back and forth. Already, the media has proclaimed that it's impossible to bridge our differences, and maybe some of you have decided that those differences are so great that we can only resolve them at the ballot box.

But know this: the next election is 14 months away. And the people who sent us here—the people who hired us to work for them—they don't have the luxury of waiting 14 months. Some of them are living week to week, paycheck to paycheck, even day to day. They need help, and they need it now.

I don't pretend that this plan will solve all our problems. It should not be, nor will it be, the last plan of action we propose. What's guided us from the start of this crisis hasn't been the search for a silver bullet. It's been a commitment to stay at it, to be persistent, to keep trying every new idea that works and listen to every good proposal, no matter which party comes up with it.

Regardless of the arguments we've had in the past, regardless of the arguments we will have in the future, this plan is the right thing to do right now. You should pass it. And I intend to take that message to every corner of this country. And I ask every American who agrees to lift your voice. Tell the people who are gathered here tonight that you want action now. Tell Washington that doing nothing is not an option. Remind us that if we act as one Nation and one people, we have it within our power to meet this challenge.

President Kennedy once said, "Our problems are manmade. Therefore, they can be solved by man. And man can be as big as he wants."

These are difficult years for our country. But we are Americans. We are tougher than the times we live in, and we are bigger than our politics have been. So let's meet the moment. Let's get to work. And let's show the world once again why the United States of America remains the greatest Nation on Earth.

Thank you very much. God bless you, and God bless the United States of America.

(Applause, the Members rising.)

At 7 o'clock and 43 minutes p.m., the President of the United States, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Deputy Sergeant at Arms escorted the invited guests from the Chamber in the following order:

The members of the President's Cabinet; the Dean of the Diplomatic Corps.

The SPEAKER. The Chair declares the joint session of the two Houses now dissolved.

Accordingly, at 7 o'clock and 46 minutes p.m., the joint session of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

MESSAGE OF THE PRESIDENT REFERRED TO THE COMMITTEE OF THE WHOLE HOUSE ON THE STATE OF THE UNION

Mr. CHAFFETZ. Mr. Speaker, I move that the message of the President be referred to the Committee of the Whole House on the state of the Union and ordered printed.

The motion was agreed to.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CULBERSON (at the request of Mr. CANTOR) for today on account of personal reasons.

Mr. MARINO (at the request of Mr. CANTOR) for today and the balance of the week on account of severe flooding in his district.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 7 o'clock and 47 minutes p.m.), the House adjourned until tomorrow, Friday, September 9, 2011, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

2976. A letter from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule — Requirements for Bicycles (RIN: 3041-AC95) received June 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2977. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Criteria for Use of Computers in Safety Systems of Nuclear Power Plants [Regulatory Guide 1.152] received July 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2978. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-106, "Closing of a Portion of the Public Alley in Square 5148, S.O. 10-01784, Act of 2011"; to the Committee on Oversight and Government Reform.

2979. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-102, "Brewery Manufacturer's Tasting Permit Amendment Act of 2011"; to the Committee on Oversight and Government Reform.

2980. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-107, "Arthur Capper/Carrrollsborg Public Improvements Revenue Bonds Temporary Amendment Act of 2011"; to the Committee on Oversight and Government Reform.

2981. A letter from the Chairman, Council of the District of Columbia, transmitting

Transmittal of D.C. ACT 19-108, "Heights on Georgia Avenue Development Extension Temporary Act of 2011"; to the Committee on Oversight and Government Reform.

2982. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-109, "KIPP DC — Shaw Campus Property Tax Exemptions Temporary Act of 2011"; to the Committee on Oversight and Government Reform.

2983. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-110, "Campaign Finance Reporting Temporary Amendment Act of 2011"; to the Committee on Oversight and Government Reform.

2984. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-111, "District Department of Transportation Capital Project Review and Reconciliation Temporary Act of 2011"; to the Committee on Oversight and Government Reform.

2985. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-119, "Heat Wave Safety Temporary Amendment Act of 2011"; to the Committee on Oversight and Government Reform.

2986. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-100, "Southeast Federal Center/Yards Non-Discriminatory Grocery Store Act of 2011"; to the Committee on Oversight and Government Reform.

2987. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-152, "Healthy Schools Amendment Act of 2011"; to the Committee on Oversight and Government Reform.

2988. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-99, "Athletic Concussion Protection Act of 2011"; to the Committee on Oversight and Government Reform.

2989. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-151, "Distributed Generation Amendment Act of 2011"; to the Committee on Oversight and Government Reform.

2990. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-101, "Closing of Streets and Alleys in and adjacent to Squares 4533, 4534, and 4535, S.O. 09-10850, Act of 2011"; to the Committee on Oversight and Government Reform.

2991. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-105, "Closing of a Portion of Bryant Street, N.E., and a Portion of 22nd Street, N.E., S.O. 06-1262, Act of 2011"; to the Committee on Oversight and Government Reform.

2992. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-103, "Closing of a Public Alley in Square 514, S.O. 09-9099, Act of 2011"; to the Committee on Oversight and Government Reform.

2993. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-104, "Closing of a Public Alley in Square 451, S.O. 11-03672, Act of 2011"; to the Committee on Oversight and Government Reform.

2994. A letter from the Deputy General Counsel, National Aeronautics and Space Administration, transmitting the Administration's "Major" final rule — Boards and Committees (RIN: 2700-AD50) received August 1, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science, Space, and Technology.

2995. A letter from the Deputy Chief Counsel, Regulations and Security Standards, Department of Homeland Security, transmitting the Department's "Major" final rule — Air Cargo Screening [Docket No.: TSA-2009-0018; Amendment Nos. 1515-2, 1520-9, 1522-1, 1540-11, 1544-10, 1546-6, 1548-6, 1549-1] (RIN: 1652-AA64) received August 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Homeland Security.

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:

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 2552. A bill to amend title 18, United States Code, to change the state of mind requirement for certain identity theft offenses, and for other purposes (Rept. 112-202). 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. GRIMM (for himself, Mr. BISHOP of New York, Mr. KING of New York, Mr. MEEKS, and Mr. RANGEL):

H.R. 2865. A bill to establish the 9/11 Memorial Cross located at the National 9/11 Memorial Museum in New York as a national monument, and for other purposes; to the Committee on Natural Resources.

By Mr. MANZULLO (for himself, Mr. RYAN of Ohio, Mr. BISHOP of New York, Mr. CRITZ, Mr. CROWLEY, Mr. HOLT, Mr. JACKSON of Illinois, Mr. KING of New York, Mr. LIPINSKI, Mrs. MALONEY, Mr. MICHAUD, and Mr. ISRAEL):

H.R. 2866. A bill to amend the Internal Revenue Code of 1986 to provide a tax incentive for the installation and maintenance of mechanical insulation property; to the Committee on Ways and Means.

By Mr. WOLF (for himself, Ms. ROSELEHTINEN, and Mr. BERMAN):

H.R. 2867. A bill to reauthorize the International Religious Freedom Act of 1998, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DOLD:

H.R. 2868. A bill to amend the Internal Revenue Code of 1986 to provide payroll tax relief to encourage the hiring of unemployed individuals, and for other purposes; to the Committee on Ways and Means.

By Ms. FUDGE:

H.R. 2869. A bill to authorize the Secretary of Education to make grants to local educational agencies for the construction, renovation, or repair of athletics facilities; to the Committee on Education and the Workforce.

By Mr. SENSENBRENNER (for himself, Ms. WASSERMAN SCHULTZ, Mr. LANCE, Mr. DANIEL E. LUNGREN of California, and Mr. POE of Texas):

H.R. 2870. A bill to reauthorize certain programs established by the Adam Walsh Child Protection and Safety Act of 2006; to the Committee on the Judiciary.

By Ms. SPEIER:

H.R. 2871. A bill to amend title 49, United States Code, to direct the Secretary of Transportation to establish integrity verification requirements for pipeline facilities, and for other purposes; to the Committee on Transportation and Infrastructure, 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 Ms. VELÁZQUEZ:

H.R. 2872. A bill to amend the Small Business Investment Act of 1958 to improve the New Markets Venture Capital Program, and for other purposes; to the Committee on Small Business.

By Ms. VELÁZQUEZ:

H.R. 2873. A bill to amend the Internal Revenue Code of 1986 to provide a credit to employers for the retention of certain individuals hired before 2013; to the Committee on Ways and Means.

By Mr. HULTGREN:

H.R. 2874. A bill to authorize the Secretary of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration, to award grants on a competitive basis to public and private entities to provide qualified sexual risk avoidance education to youth and their parents; to the Committee on Energy and Commerce.

By Mr. HASTINGS of Florida:

H. Con. Res. 75. Concurrent resolution expressing the sense of Congress that Libya's frozen assets be utilized to pay for NATO's military campaign; to the Committee on Foreign Affairs.

By Mr. MACK:

H. Con. Res. 76. Concurrent resolution expressing the sense of Congress that Secretary of the Treasury Timothy Geithner no longer holds the confidence of Congress or of the people of the United States; to the Committee on Financial Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALSH of Illinois:

H. Res. 394. A resolution supporting Israel's right to annex Judea and Samaria in the event that the Palestinian Authority continues to press for unilateral recognition of Palestinian statehood at the United Nations; to the Committee on Foreign Affairs.

By Ms. FOXX:

H. Res. 395. A resolution electing a certain Member to a certain standing committee of the House of Representatives; considered and agreed to, considered and agreed to.

By Mr. MANZULLO (for himself and Mr. RYAN of Ohio):

H. Res. 396. A resolution encouraging energy efficient and environment-friendly building and facility programs to incorporate the use of mechanical insulation as part of their standards and ratings system; to the Committee on Energy and Commerce.

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. GRIMM:

H.R. 2865.
Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2

By Mr. MANZULLO:

H.R. 2866.
Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated

in Article I, Section 8 and Clause I of the United States Constitution.

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. WOLF:

H.R. 2867.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. DOLD:

H.R. 2868.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 1, which provides Congress the power to lay and collect taxes. This legislation provides for a temporary payroll tax reduction.

By Ms. FUDGE:

H.R. 2869.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. SENSENBRENNER:

H.R. 2870.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I
By Ms. SPEIER:
H.R. 2871.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8: Congress shall have the power to regulate commerce among the states, and provide for the general welfare.

By Ms. VELÁZQUEZ:

H.R. 2872.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3
The Congress shall have Power *** To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. VELÁZQUEZ:

H.R. 2873.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1
The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. HULTGREN:

H.R. 2874.
Congress has the power to enact this legislation pursuant to the following:
Clause 3 of Section 8, Article 1 of the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 121: Mr. LUETKEMEYER.
H.R. 399: Mr. HANNA.
H.R. 420: Mrs. CAPITO and Mr. SCHOCK.
H.R. 458: Ms. WOOLSEY.
H.R. 539: Mr. HOLT.
H.R. 615: Mrs. ELLMERS.
H.R. 640: Mr. NEAL.
H.R. 642: Mr. SULLIVAN.
H.R. 665: Mr. YODER.
H.R. 687: Mr. LOEBBACH.
H.R. 692: Mr. ROYCE.
H.R. 721: Mr. CARTER.
H.R. 735: Mr. SAM JOHNSON of Texas, Mrs. BLACK, and Mr. SCOTT of South Carolina.
H.R. 750: Mr. HUELSKAMP, Mr. MARCHANT, Mr. FINCHER, Mr. AUSTRIA, Mr. DUNCAN of South Carolina, Mr. WOODALL, Ms. JENKINS, Mr. MILLER of Florida, Mr. GRAVES of Georgia, Mr. LUETKEMEYER, and Mr. SAM JOHNSON of Texas.
H.R. 765: Mr. PERLMUTTER.
H.R. 860: Mrs. BLACKBURN, Ms. KAPTUR, Mr. MEEHAN, Ms. SCHAKOWSKY, Mrs. MCCARTHY of New York, Mr. GERLACH, Mr. DOYLE, Mr. PRICE of Georgia, Mr. RENACCI, Mr. PLATTS, Mr. BENISHEK, Mr. HOLT, Ms. ZOE LOFGREN of California, Mr. KINZINGER of Illinois, and Mr. BACA.
H.R. 878: Mr. SESSIONS.
H.R. 881: Mr. CALVERT.
H.R. 891: Mr. PETERSON, Mr. HIGGINS, Mrs. MALONEY, Mr. TERRY, Mr. CAPUANO, and Mr. RENACCI.
H.R. 909: Mr. PENCE.
H.R. 912: Mr. DOYLE.
H.R. 925: Mr. CONYERS.
H.R. 965: Ms. ZOE LOFGREN of California.
H.R. 973: Mr. PALAZZO.
H.R. 992: Mrs. NAPOLITANO.
H.R. 1025: Mr. CRAWFORD.
H.R. 1111: Mr. HARRIS.
H.R. 1117: Mr. MICHAUD.
H.R. 1134: Mr. WOODALL.
H.R. 1138: Ms. LEE.
H.R. 1154: Mr. LUJÁN and Mr. HULTGREN.
H.R. 1159: Mr. PLATTS.
H.R. 1161: Mr. REYES, Mr. JONES, Mr. TONKO, and Ms. JENKINS.
H.R. 1167: Mrs. MYRICK, Mr. FINCHER, Mr. DUNCAN of South Carolina, Mr. BROOKS, Mr. WOMACK, Ms. JENKINS, Mr. MARCHANT, Mr. SAM JOHNSON of Texas, and Mr. GRAVES of Georgia.
H.R. 1172: Mr. BURTON of Indiana.
H.R. 1182: Mr. MARCHANT, Mr. DUNCAN of South Carolina, Mr. WOMACK, and Mr. GRAVES of Georgia.
H.R. 1186: Mr. PLATTS.
H.R. 1195: Mr. PETERSON, Mr. ACKERMAN, and Mr. GOODLATTE.
H.R. 1206: Mr. RAHALL.
H.R. 1208: Mr. BLUMENAUER.
H.R. 1219: Ms. LINDA T. SÁNCHEZ of California, Mr. ACKERMAN, Mr. CICILLINE, Mr. PETERSON, and Ms. BASS of California.
H.R. 1240: Mr. HOLT.
H.R. 1244: Mr. GENE GREEN of Texas and Mr. AKIN.
H.R. 1279: Ms. HERRERA BEUTLER.
H.R. 1288: Mr. LANGEVIN.
H.R. 1328: Ms. WOOLSEY.
H.R. 1331: Mr. HASTINGS of Washington.
H.R. 1340: Mr. LONG.
H.R. 1351: Mr. RUPPERSBERGER, Mr. WATT, Mr. WAXMAN, Mr. BECERRA, Mr. BARROW, and Mr. MATHESON.
H.R. 1370: Mrs. ROBY.
H.R. 1464: Mr. WELCH, Mr. MCCOTTER, Mr. CUMMINGS, Ms. BERKLEY, Mr. CONNOLLY of Virginia, Mr. GARRETT, and Mrs. ROBY.
H.R. 1465: Ms. WOOLSEY.
H.R. 1515: Mr. HOLT.
H.R. 1558: Mrs. EMERSON, Mr. FRANKS of Arizona, and Mr. GRAVES of Georgia.
H.R. 1591: Mr. DENT.
H.R. 1684: Mrs. NAPOLITANO.
H.R. 1697: Mr. ALEXANDER, Mr. OWENS, Mrs. HARTZLER, and Mr. CASSIDY.

- H.R. 1700: Mr. DENHAM.
H.R. 1738: Mr. JACKSON of Illinois, Mr. BLUMENAUER, and Mr. POE of Texas.
H.R. 1754: Ms. SPEIER.
H.R. 1755: Mr. DUNCAN of South Carolina, Mr. SCALISE, and Mr. LONG.
H.R. 1756: Mr. FRANK of Massachusetts and Mr. NEAL.
H.R. 1780: Mr. BLUMENAUER.
H.R. 1781: Ms. HANABUSA and Mrs. NAPOLITANO.
H.R. 1834: Mr. FITZPATRICK.
H.R. 1955: Mr. BRADY of Pennsylvania.
H.R. 1971: Mr. PETERSON and Mr. HINCHEY.
H.R. 1980: Mr. BRADY of Pennsylvania, Mr. ROHRBACHER, and Mr. MEEHAN.
H.R. 1987: Mr. SCHIFF.
H.R. 2012: Mr. CARDOZA.
H.R. 2042: Mr. FALCOMA, Mr. REICHERT, and Mr. MEEKS.
H.R. 2051: Mr. GERLACH.
H.R. 2069: Mr. GIBSON.
H.R. 2085: Mr. CICILLINE and Ms. BALDWIN.
H.R. 2097: Mr. BARTLETT and Mr. BARROW.
H.R. 2130: Mr. ELLISON.
H.R. 2144: Mr. GRIJALVA.
H.R. 2188: Mr. HALL.
H.R. 2190: Mr. RANGEL and Ms. WOOLSEY.
H.R. 2206: Mr. MCCOTTER.
H.R. 2207: Mr. HASTINGS of Florida, Ms. MATSUI, Mr. ISRAEL, Ms. EDWARDS, and Mr. CARNAHAN.
H.R. 2248: Mr. ELLISON.
H.R. 2249: Mr. RAHALL.
H.R. 2250: Mr. GOSAR, Mr. SMITH of Nebraska, Mr. POMPEO, and Mr. ROSKAM.
H.R. 2271: Mr. WITTMAN.
H.R. 2304: Mr. DUNCAN of Tennessee.
H.R. 2316: Mr. TOWNS.
H.R. 2328: Mr. KUCINICH, Ms. SCHAKOWSKY, and Ms. ZOE LOFGREN of California.
H.R. 2357: Mr. KLINE.
H.R. 2362: Mr. MORAN.
H.R. 2387: Mrs. MALONEY.
H.R. 2429: Mr. POE of Texas.
H.R. 2444: Mr. RANGEL.
H.R. 2497: Mr. WALSH of Illinois, Mr. LUETKEMEYER, and Mr. ROSKAM.
H.R. 2499: Ms. ZOE LOFGREN of California.
H.R. 2514: Mr. POMPEO, Ms. JENKINS, Mr. GOSAR, Mr. WALSH of Illinois, Mr. SAM JOHNSON of Texas, Mr. GRAVES of Georgia, Mr. LUETKEMEYER, and Mr. FLORES.
H.R. 2528: Mr. GRIFFIN of Arkansas.
H.R. 2529: Mr. GUTHRIE.
H.R. 2541: Mrs. EMERSON, Ms. SEWELL, and Mr. RIBBLE.
H.R. 2547: Mr. MARKEY and Ms. WOOLSEY.
H.R. 2559: Mr. LOEBSACK.
H.R. 2594: Mr. RIBBLE.
H.R. 2595: Mr. TONKO, Mr. GONZALEZ, Mr. YARMUTH, Mr. SESSIONS, Mr. HINOJOSA, Mr. RYAN of Ohio, Mr. KUCINICH, Mr. RENACCI, Ms. WOOLSEY, Mr. HOLT, Mr. PETERSON, and Mr. FRANK of Massachusetts.
H.R. 2632: Mr. SMITH of Texas.
H.R. 2674: Mr. PETERSON, Ms. CASTOR of Florida, and Mr. LATOURETTE.
H.R. 2681: Mr. MCKINLEY, Mr. POSEY, Mr. DIAZ-BALART, and Mr. GOSAR.
H.R. 2689: Ms. SPEIER, Ms. NORTON, and Mr. GRIJALVA.
H.R. 2695: Mr. GALLEGLY.
H.R. 2696: Mr. GALLEGLY.
H.R. 2698: Mr. SMITH of Washington.
H.R. 2699: Mr. RIVERA, Mr. CHABOT, and Mr. BURTON of Indiana.
H.R. 2712: Mr. POSEY.
H.R. 2763: Ms. SCHAKOWSKY, Mr. RANGEL, and Mr. GRIJALVA.
H.R. 2772: Mr. LOBIONDO.
H.R. 2796: Mr. BURGESS, Mr. WALSH of Illinois, Ms. ROS-LEHTINEN, Mr. CRENSHAW, Mr. RIVERA, Mr. SOUTHERLAND, Mr. STEARNS, Mr. WEBSTER, Mrs. ADAMS, Mr. SCHOCK, and Mr. BOUSTANY.
H.R. 2823: Mr. MCDERMOTT.
H.R. 2828: Mr. HOLT.
H.R. 2834: Mr. COFFMAN of Colorado, Mr. COLE, and Mr. HUIZENGA of Michigan.
H.R. 2835: Ms. KAPTUR, Mr. GEORGE MILLER of California, and Ms. SUTTON.
H.R. 2836: Mr. GONZALEZ, Ms. JACKSON LEE of Texas, Ms. KAPTUR, Mr. MCGOVERN, Mr. GEORGE MILLER of California, Mr. DOYLE, and Ms. SUTTON.
H.R. 2837: Mr. GONZALEZ, Ms. JACKSON LEE of Texas, Ms. KAPTUR, Mr. MCGOVERN, Mr. GEORGE MILLER of California, Mr. DOYLE, and Ms. SUTTON.
H.R. 2852: Mr. POE of Texas.
H.R. 2853: Mr. YOUNG of Indiana and Ms. WOOLSEY.
H.R. 2856: Ms. HAYWORTH and Mr. HANNA.
H.J. Res. 28: Mr. RYAN of Ohio, Mr. GUTIERREZ, Mr. SERRANO, Mr. STARK, Ms. WATERS, and Ms. NORTON.
H.J. Res. 77: Mrs. BIGGERT, Mr. SOUTHERLAND, Mr. FRANKS of Arizona, Mr. MILLER of Florida, Mr. DESJARLAIS, Mr. SCHILLING, and Mr. GARY G. MILLER of California.
H. Con. Res. 72: Mrs. NAPOLITANO, Ms. SLAUGHTER, Mr. ELLISON, Mr. KILDEE, Mrs. MALONEY, Mr. SERRANO, and Mr. DEFAZIO.
H. Res. 25: Mr. GRAVES of Georgia and Mr. ROYCE.
H. Res. 111: Mr. MURPHY of Connecticut, Ms. WOOLSEY, Mr. LUJÁN, and Mrs. LUMMIS.
H. Res. 134: Mr. HEINRICH.
H. Res. 137: Mr. RAHALL and Mr. BARROW.
H. Res. 177: Mr. TIBERI.
H. Res. 239: Mr. GRIFFIN of Arkansas.
H. Res. 262: Ms. ROYBAL-ALLARD.
H. Res. 295: Mr. MCCAUL and Mr. GRIFFIN of Arkansas.
H. Res. 306: Mr. HEINRICH.
H. Res. 374: Mr. SMITH of Washington.