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No. 147

## House of Representatives

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

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
October 4, 2011.

I hereby appoint the Honorable MICHAEL G. FITZPATRICK 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.

### IN HONOR OF ROGER KENNEDY

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

Mr. BLUMENAUER. Mr. Speaker, I note with sorrow the passing of Roger Kennedy last Friday. Roger had a long and storied career that exemplified notions of public service. He was, indeed, a renaissance man.

It's hard to think of anything that Roger had not done in his lifetime, with the possible exception of hold elective office. He was Director of the National Park Service, Director of the

Smithsonian's National Museum of American History, vice president of finance for the Ford Foundation. He was special assistant to three Cabinet Secretaries, a lawyer, a journalist, and somehow found time to write 10 books. Actually, he had run unsuccessfully for Congress against fellow Minnesotan Gene McCarthy over 60 years ago. How might history have been different if he had won.

You found out about Roger's exploits in bits and pieces. When you were engaged in conversation, he would reach back into the past to illustrate points with very tangible, concrete, easy-to-understand examples, often with himself having been in the middle of it.

My legislative director, Janine Benner, and I became acquainted with Roger as we were dealing with policies to prevent, cope, and recover from natural disasters. One of Roger's books was titled "Wildfire and Americans: How to Save Lives, Property, and Your Tax Dollars." His kind words mentioning us by name in the acknowledgement was a high point of both of our careers. He was a valued participant in sessions we would have before and after Hurricane Katrina. He was a keen student of the built environment, dealing with unintended consequences of policy, whether putting Los Alamos nuclear laboratory facilities in the middle of an area that had been repeatedly burned by wildfires or digging into the history of the early South, slavery and land use, the Jeffersonian model. He provided information and insights that were unique, profound, and provocative. Even after his retirement, he continued to be a scholar, an advocate, a friend, and a mentor—especially a mentor.

I have read the articles that were about Roger in The New York Times, The Washington Post, but none captured better than a note from our legislative director, Janine Benner, who wrote, "Roger was a big thinker, un-

derstanding the way things in the world fit together. I loved just listening to him talk. It made me feel like at least there were a few people who understand how the world really should be. I always kept my notes from the conversations in hopes that they would make me smarter. He was devoted to public service, even in 'retirement.' He was always thinking about ways to make the world a better place. While he was very focused on the past, writing books about history, he was a master at using that knowledge to inform himself and others about the future. Preventing devastating damage from wildfires and his exploration of the flame zone was a great example."

Mr. Speaker, we often talk about someone's passing as an opportunity to celebrate their life. It's hard to imagine a better life to be celebrated, more productive, with greater joy and insight, than the life Roger Kennedy lived.

Today people in government seem incapable of dealing with big issues, matters of consequence in a thoughtful and cooperative fashion. Well, there's no better role model for any of us to meet the challenge in all our opportunities and responsibilities than Roger Kennedy. On behalf of our legislative director, Janine Benner, and the people in our office who were privileged to know and work with Roger, we extend our sympathies to his wife, Frances, and Roger's circle of family and friends. We are all going forward strengthened by Roger's friendship, scholarship, and example.

### AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, this Friday will be the 10th anniversary of our troops being committed to Afghanistan. This commitment by the previous

□ 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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administration and Congress was justified because bin Laden and al Qaeda were responsible for 9/11. But now bin Laden is dead; al Qaeda is disbursed all around the world.

Beside me is a poster of an honor guard carrying a flag-draped coffin off a plane at Dover Air Force Base. To accompany the photo, I will read into the RECORD an editorial from Bob Schieffer titled "The Real Cost of War":

[I was in an airport lounge the other day when I saw a woman across the way. Why I kept staring, I don't know. Maybe it was just that she seemed so sad. And then I understood. And I looked away, hoping she had not seen me stare. Because in her lap was an American flag, neatly folded into a triangle and placed in a clear plastic case, a flag folded the way it always is when it is given to a soldier's family as the soldier's coffin is lowered into the grave.

I figured her to be a soldier's mother, and I couldn't help but wonder what memories that flag evoked as she held it there. Did it remind her of the first time she had seen her child in the delivery room, or was it the memory of seeing him go off to school that first day, or when he brought home the prize from the science fair, or maybe made the touchdown, or gave her the first Valentine when he wrote out, "Mommy, I love you."

I keep thinking about all the talk in Washington about the high cost of defense and how we have to cut the Pentagon budget before it bankrupts the country. But as I watched that woman, budgets seemed to be such a small part of all of it. No, the real cost of war is not what we pay in dollars and cents. The real cost is what we take from a mother who is left with just a memory and a neatly folded flag in a clear plastic case.]

This was over a year ago, and I want to thank Bob Schieffer. I don't think it can be said better than what he said that day, which I just read into the RECORD.

Why this Congress continues to complain about budgets and cuts and deficits and debts, and our young men and women are walking the roads of Afghanistan, getting their legs blown off and getting killed, and we sit here in Congress and don't bring it up as an issue.

I want to thank my friends on both sides of the aisle and the Republicans on this side of the aisle who are trying to say to Mr. Obama, No, don't leave them there until 2014. Karzai is a crook. He is a corrupt leader. You are spending \$10 billion a month in Afghanistan, and you can't even audit the books in Afghanistan. And kids are dying. Yet right here in America, we are cutting programs for children to get a pint of milk in school; and we are saying to a senior citizen, No sandwich at the senior citizens center because we can't afford it. But, Mr. Karzai, we will send you \$10 billion.

Mr. Speaker, it's borrowed money. It's not even Uncle Sam's money. It's probably Uncle Chang's money. But more importantly than the money is what Bob Schieffer said: It's the pain of war. And this Congress needs to come together and say to Mr. Obama, Let's bring them home this year, next year, but not wait until 2014, 2015.

Mr. Speaker, I will close, as I always do on the floor of the House, please,

God, bless our men and women in uniform. Please, God, bless the families of our men and women in uniform. Please, God, in your loving arms, hold the families who have given a child dying for freedom in Afghanistan and Iraq. I ask God to bless the House and the Senate that we will do what is right in the eyes of God for its people. I ask God to give wisdom, strength, and courage to President Obama, that he will do what is right in the eyes of God's people. And I will say three times, God please, God please, God please continue to bless America.

□ 1010

#### COLOMBIAN WORKERS CONSTANTLY THREATENED AND AT RISK

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

Mr. MCGOVERN. Mr. Speaker, I was in Colombia at the end of August with a delegation organized by the Washington Office on Latin America.

In Medellin, we met with the National Labor School, or ENS, to discuss the current labor situation in Colombia. Their reports on threatened and murdered unionists are internationally recognized; and because of this, ENS faces constant threats and efforts to discredit them.

While not at the levels of the early 2000s, violence against Colombia's workers continues. It is persistent and frequent. It is a reality that cannot be denied, and it is meant to silence people. At least 40 trade unionists have been murdered since President Santos took office last year.

One benchmark in the Colombia Labor Action Plan is for the attorney general's office to meet with ENS and determine how to address the more than 2,900 cases of murdered unionists, of which 90 percent remain in impunity. The first meeting happened in May, but there's been no second meeting. In Bogota, I met with Deputy Attorney General Juan Carlos Forero. I asked him when the next meeting would happen, and he said "imminently." Five weeks later, still no meeting.

Last week, Human Rights Watch sent a study to Colombian Attorney General Viviane Morales. It says "virtually no progress" has been made in getting convictions for killings of labor activists that have occurred in just the past 4½ years. So virtually no progress on recent murders of labor activists, and little progress on past cases.

Mr. Speaker, I met with port workers, campesinos, workers on palm oil plantations, and petroleum and factory workers. Their reality is filled with risk, threats, and even death. They are not valued as human beings, Colombian citizens, or productive members of society. In Cartagena, port workers went on strike in March. Their working con-

ditions are inhumane, and they are forced to work under various subcontracting schemes. These contracts deny them basic benefits and keep them in constant uncertainty about whether they will be working next week or even the next day. They just want the right to negotiate their contracts directly with their employers, the port associations.

The port workers ended their strike after just a few days because the Santos government promised to facilitate talks between the workers and the port associations. But nothing happened. Nothing changed. In fact, some things are worse. As part of the LAP, the most common subcontracting scheme, the so-called "cooperatives," was abolished, except nothing was done to facilitate direct contracting between workers and their employers. So a new scheme has popped up called "simplified joint stock companies," or SAS. Good-bye cooperatives, hello SAS. Meet the new boss; worse than the old boss.

The government has done little to help, unfortunately. When I asked Vice President Garzon about the port workers, he promised to meet again with their union leader. Mr. Speaker, it's not the workers he needs to meet with and convince to negotiate. It's the presidents of the port associations.

Oil workers from Meta showed me photographs and documents describing poor living and working conditions, unfair contracts, and how the Canadian Venezuelan oil company, Pacific Rubiales, acts like a sovereign government on Colombian soil, destroying public roads, firing workers for organizing, and calling in security forces to tear gas striking workers. I'm sure it's not the whole picture, but once again striking workers returned to work because the government promised to open talks with the company. Again, all the workers are asking for is the right to negotiate directly with the company about their contracts and their living and working conditions, and once again the Colombian Government let the workers down.

In September, the strike was renewed, more explosive on all sides than the last one, because nothing had changed since July. Bruno Moro, the U.N. delegate in Colombia, called on everyone to come to the table and resolve the crisis, describing the conflict as the result of no one creating conditions for dialogue. The workers have again returned to work because of agreements by the government to open talks with the company. This time, I hope the government keeps its word.

Mr. Speaker, nothing I saw in Colombia indicated things have changed for the better on the ground for Colombia's workers. Before we take up the FTA, we must demand concrete improvements in labor rights and security for Colombia's workers. Whatever we're doing now isn't working, it isn't making a difference, and it simply isn't enough.

[From Associated Press, Oct. 2, 2011]

STUDY: COLOMBIA ANTI-UNION VIOLENCE

UNDETERRED

(By Frank Bajak)

BOGOTA, COLOMBIA.—A new study challenges claims from the administration of President Barack Obama that Colombia is making important strides in bringing to justice killers of labor activists and so deserves U.S. congressional approval of a long-stalled free trade pact.

The Human Rights Watch study found “virtually no progress” in getting convictions for killings that have occurred in the past 4½ years.

It counted just six convictions obtained by a special prosecutions unit from 195 slayings between January 2007 and May 2011, with nearly nine in 10 of the unit’s cases from that period in preliminary stages with no suspect formally identified.

Democrats in the U.S. Congress have long resisted bringing the Colombia trade pact to a vote, citing what they said is insufficient success in halting such killings.

The White House disagrees, and says Colombia has made significant progress in addressing anti-unionist violence.

It is pushing for congressional approval as early as this week of the Colombia agreement along with pacts with South Korea and Panama, something the Republicans endorse and that they say will increase U.S. exports by \$13 billion a year and support tens of thousands of jobs.

U.S. Trade Representative Ron Kirk recently said the trade agreements are “an integral part of the President’s plan to create jobs here at home.”

But in Colombia, the world’s most lethal country for labor organizing, the killings haven’t stopped. At least 38 trade unionists have been slain since President Juan Manuel Santos took office in August 2010, says Colombia’s National Labor School.

“A major reason for this ongoing violence has been the chronic lack of accountability for cases of anti-union violence,” Human Rights Watch said in a letter sent Thursday to Colombian Chief Prosecutor Viviane Morales that details the study’s findings.

Convictions have been obtained for less than 10 percent of the 2,886 trade unionists killed since 1986, and the rights group said it found “severe shortcomings” in the work of a special unit of Morales’ office established five years ago to solve the slayings. The letter says the unit has demonstrated “a routine failure to adequately investigate the motive” in labor killings as well as to “bring to justice all responsible parties.”

A chief finding: The 74 convictions achieved over the past year owe largely to plea bargains with members of illegal far-right militias who confessed to killings in exchange for leniency.

They did so under the so-called Justice and Peace law that gave paramilitary fighters reduced prison sentences of up to eight years in exchange for laying down their arms and confessing to crimes. That law expired at the end of 2006, the year the free trade pact was signed.

Only in a handful of cases did prosecutors pursue evidence that the paramilitaries who confessed acted on the orders of politicians, employers or others, Human Rights Watch says.

Prosecutors “made virtually no progress in prosecuting people who order, pay, instigate or collude with paramilitaries in attacking trade unionists,” the letter states. “What is at stake is the justice system’s ability to act as an effective deterrent to anti-union violence.”

Of the more than 275 convictions handed down through May, 80 percent were against

former members of the United Self-Defense Forces of Colombia, or AUC. The head of international affairs in the chief prosecutor’s office, Francisco Echeverri, told the AP that it has put 513 people in prison.

In nearly half of 50 recent convictions reviewed by Human Rights Watch, the judges cited “evidence pointing to the involvement of members of the security forces or intelligence services, politicians, landowners, bosses or coworkers.” Yet in only one of those cases was such an individual convicted.

In the case of a gym teacher and union activist killed in the northwestern town of San Rafael in 2002, one of the paramilitaries who confessed to the crime said it was committed at the request of the mayor, according to the judge’s decision.

The man who was mayor at the time and was re-elected in 2008, Edgar Eladio Giraldo, is not being formally investigated and has not been questioned about the killing, said Hernando Castaneda, chief of the special unit.

“I have no knowledge of that and did not know that I was involved in that,” Giraldo told The Associated Press by telephone when asked about the killing of Julio Ernesto Ceballos.

A spokeswoman for Chief Prosecutor Morales said Sunday that her boss had not yet seen the Human Rights Watch letter.

Dan Kovalik of the United Steel Workers said the study’s findings and the continued killings “prove what labor is telling the White House: The labor rights situation in Colombia is not improving, and passage of the FTA is not appropriate.”

A memo soon to be released by the AFL-CIO deems Colombia noncompliant with the “Labor Action Plan” Santos and Obama agreed to in April as a condition for White House approval of the free trade pact.

In the memo, shown to the AP, the labor federation finds neither “economic, political, or moral justification for rewarding Colombia with a free trade agreement.”

Deputy Assistant U.S. Trade Representative Nkenge Harmon said Friday when presented with the study’s findings that Colombia’s record prosecuting “perpetrators of violence” against labor activists “has improved significantly,” though she added that Colombian officials acknowledge more needs to be done.

Harmon also stressed that additional Colombian resources are being dedicated to the issue and that the U.S. government “is working intensively with them through training and support.”

Human Rights Watch acknowledged that annual trade unionists killings are only a quarter of what they were a decade ago. And it applauded some measures taken by Chief Prosecutor Morales, including her announcement that an additional 100 police investigators would be assigned to the special investigative unit.

But HRW regional director Jose Miguel Vivanco said “the challenge (Morales) is facing remains huge.”

A U.S. congressman who has met with various Colombian presidents on human rights issues, Jim McGovern, a Democrat from Massachusetts, doesn’t think enough has been done to reverse what he called a “dismal” record.

Said McGovern: “My worry is that if you approve the FTA at this particular point you remove all the pressure off the powers that be in Colombia to actually make a sincere, honest and concerted attempt to improve the situation.”

#### A STATEMENT OF CONSCIENCE

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

Mr. WOLF. My conscience has compelled me to come to the floor today to voice concerns I have with the influence Grover Norquist, the president of Americans for Tax Reform, has on the political process in Washington. My issue is not with ATR’s goal of keeping taxes low. Like Ronald Reagan said, and I believe, “The problem is not that the people are taxed too little; the problem is that government spends too much.”

I want to be perfectly clear: I do not support raising taxes on the American people. My concern is with the other individuals, groups and causes with whom Mr. Norquist is associated that have nothing to do with keeping taxes low.

Among them:

One, Mr. Norquist’s relationship with Jack Abramoff. Mr. Abramoff essentially laundered money through ATR and Mr. Norquist knew it.

Two, his association and representation of terrorist financier and vocal Hamas supporter Abdurahman Alamoudi. He also is associated with terrorist financier Sami al-Arian, who pled guilty in 2006 to conspiring to provide services to Palestinian Islamic jihad.

Three, Mr. Norquist’s lobbying on behalf of Fannie Mae.

Fourth, Mr. Norquist’s representation of the Internet gambling industry.

Fifth, Mr. Norquist’s advocacy of moving Guantanamo Bay detainees to the United States, including 9/11 mastermind Khalid Sheikh Mohammed.

Simply put, I believe Mr. Norquist is connected with or has profited from a number of unsavory people and groups out of the mainstream. I also believe that Mr. Norquist has used the ATR “pledge” as leverage to advance other issues that many Americans would find inappropriate and, when taken as a whole, should give people pause.

I raise these concerns today in the context of dealing with the future of our country. America is in trouble. Unemployment is over 9 percent. Housing values continue to decline. Retirement accounts are threatened. The American people are worried. Yet Washington is tragically shackled in ideological gridlock. Some are dead set against any change to entitlement programs, while others insist that any discussion of tax policy is off the table.

We are at a point today that the tsunami of debt in America demands that every piece of the budget be scrutinized, and that means more than just cutting waste, fraud and abuse and discretionary programs. The real runaway spending is occurring in our out-of-control entitlement costs and the hundreds of billions in annual tax earmarks in our Tax Code. Until we reach an agreement that addresses those two drivers of our deficit and debt, we cannot right our fiscal ship of state. Everything must be on the table, and I believe how the “pledge” is interpreted and enforced by Mr. Norquist is a roadblock to realistically reforming our Tax Code.

When Senator TOM COBURN recently called for eliminating the special interest ethanol tax subsidy, who led the opposition? Mr. Norquist. Have we already forgotten the battle over earmarks from last year? Unlike an earmark included in an annual appropriations bill, tax earmarks are far worse because, once enacted, they typically exist in perpetuity. Have we really reached a point where one person's demand for ideological purity is paralyzing Congress to the point that even a discussion of tax reform is viewed as breaking a no-tax pledge?

I understand that some may not agree with what I say. I know many are not aware of Mr. Norquist's associations. But my conscience compels me to speak out today. Reasonable people can differ on the merits of pledges—and I respect those differences—but the issue is with the interpreter and the enforcer of a pledge. William Wilberforce, the British parliamentarian and abolitionist, famously told his colleagues: "Having heard all of this, you may choose to look the other way, but you can never again say you did not know."

I urge my colleagues to read my full statement in the RECORD, which will also be posted on my Web page, going into greater detail on the issues I have raised.

#### A STATEMENT OF CONSCIENCE

Mr. Speaker, every day, brave men and women in our armed forces and their families are sacrificing for our country—many making the ultimate sacrifice. Despite the danger, they rise to the occasion. At this time of political and economic crisis, will the Congress and the president match their courage? Will we rise to the occasion?

Every member of Congress and the president know the dire economic situation facing our country. A debt load well over \$14.5 trillion. Annual deficits over \$1 trillion.

A separate but some believe even more important challenge is addressing the over \$62 trillion in unfunded obligations and liabilities on the books for entitlements including Social Security, Medicare and Medicaid.

We always say we want to leave our country better than we found it and to give our children and grandchildren hope for the future. But if we do not change course, the debt burden will crush future generations. Every penny of the federal budget will go to interest on the debt and entitlement spending by 2028. Every penny. That means no money for our national defense. No money for homeland security. No money to fix our nation's crumbling infrastructure. No money for cancer research.

The uncertainty about our nation's economic future is undermining employer and consumer confidence, preventing the recovery we so desperately need to get Americans back to work.

According to the most recent jobs data, the economy failed to add a single net job during August 2011. Not one. The nation's unemployment rate continues to hover above 9 percent.

We hear from our constituents every day that they are worried about their jobs. They are worried about the value of their houses. They are worried about their investments and retirement plans.

Furthermore, we face these challenges not in a vacuum, but in an increasingly competitive and dangerous world filled with those who would stand to benefit from an America in decline. Among our biggest "bankers" are China—which is spying on us, where human rights are an afterthought, and Catholic bishops, Protestant ministers and Tibetan monks are jailed for practicing their faith—and oil-exporting countries such as Saudi Arabia, which funded the radical madrasahs on the Afghan-Pakistan border resulting in the rise of the Taliban and al Qaeda.

At a time when strong leadership is needed to address this fiscal crisis, it is unfortunate that President Obama has continually failed to lead by example. He even walked away from the recommendations of his own fiscal commission.

And just last month, on September 16, the Washington Post reported that President Obama is once again walking away from any serious effort to address the deficit and debt by removing any discussion of Social Security from the debt negotiations. Once again, the president is not only failing to lead, but obstructing the process to find a bipartisan agreement on deficit reduction.

The president and some on the other side of the aisle say that this debt crisis is because Americans are undertaxed. In fact, the president just proposed paying for another round of temporary stimulus spending by permanently limiting charitable tax deductions. He knows that even members of his own party would never support this. I don't support this either.

Like President Reagan said, and I believe, "The problem is not that people are taxed too little, the problem is that government spends too much." There is no question that the real problem is overspending, especially on runaway entitlement costs and through hundreds of billions of so-called tax expenditures.

It is no secret that our inefficient and burdensome tax code is undermining consumer and business confidence further weakening our fragile economic recovery. Comprehensive tax reform is needed now more than ever to rid our tax code of earmarks and loopholes that promote crony capitalism and let Washington pick winners and losers.

Yet we sit here today shackled in ideological gridlock. Some insist that any discussion of tax policy is off the table. Others reject any change in entitlement programs.

On the Democrat side, MoveOn.org and other liberal interests tie the hands of Democrat members, threatening them should they break ranks on any deficit reduction plan that touches social programs.

On the Republican side, Grover Norquist holds up the Americans for Tax Reform's Taxpayer Protection Pledge to block even the mention of putting tax reform on the table for discussion as part of a deficit reduction agreement.

For over five years I have pushed bipartisan legislation to set up an independent commission to develop a comprehensive deficit reduction package that would require an up-or-down vote by the Congress. I have said that the enormity of the crisis we face demands that everything must be on the table for discussion—all entitlement spending, all domestic discretionary spending, and tax policy; not tax increases, but reforms to make the tax code simpler and fairer and free from special interest earmarks.

I have supported every serious effort to resolve this crisis: the Bowles-Simpson recommendations, the "Gang of Six" effort, and the "Cut, Cap and Balance" bill—including the Balanced Budget Amendment. None of these solutions were perfect, but they all took the steps necessary to rebuild and protect our economy.

Powerful special interests continue to hold this institution hostage and undermine every good faith effort to change course.

#### POLITICAL PLEDGES

Some may ask: what's the big deal in signing a pledge by a special interest group to articulate a candidate's position on a political issue?

Pledges are not new to politics, but conservatives have long recognized their danger. In 1774 during an address to the electors of Bristol, the father of conservatism, Edmund Burke, refused to bind himself to a pledge during the campaign and renounced their "coercive authority."

Burke said that an elected representative's "unbiased opinion, his mature judgment, his enlightened conscience, he ought not to sacrifice to you, to any man, or to any set of men living. . . . They are a trust from Providence, for the abuse of which he is deeply answerable. Your representative owes you, not his industry only, but his judgment; and he betrays, instead of serving you, if he sacrifices it to your opinion."

More recently, preeminent American conservative academic Russell Kirk identified the principal qualities of a conservative leader. Kirk urged conservatives to follow Burke's example and to be prudent. According to Kirk, "to be 'prudent' means to be judicious, cautious, sagacious. Plato, and later Burke, instruct us that in the statesman, prudence is the first of the virtues. A prudent statesman is one who looks before he leaps; who takes long views; who knows that politics is the art of the possible."

Conservatives of all people should not be locked into any ideological position. We are bearers of a conservative tradition. Conservatism is not an ideology; it's not doctrine or dogma. It is a way of seeing life. It draws on the wisdom of the past to view events of the present. We all stand on the shoulders of the great people who have gone before us. That is why G. K. Chesterton described our experiment as "democracy of the dead" because we care about the foundation laid by our forefathers.

Burke's wisdom was succinctly summarized by Governor Jeb Bush, who told the Washington Post's Michael Gerson in July, "I never raised taxes. I'm pro-life. But I don't recall signing any of those pledges. You don't hide your beliefs. You persuade people. You win or lose. And if you win, you are not beholden to anyone or anything other than your own beliefs."

I don't sign or support political pledges. Reasonable people can disagree about the philosophical merits of signing pledges—and I respect those differences. But even for those who do, I think everyone can recognize that the real danger of pledges lies with the ideologues who claim ownership of the interpretation and enforcement of the pledge.

Since 1986, Grover Norquist has asked every candidate for office to sign the "Taxpayer Protection Pledge." He is the owner of the pledge, which he says binds the signer in

perpetuity to oppose any and all tax increases, as determined solely by Norquist. He even locks the pledges in a safe. He has become the self-anointed protector and if anyone dares challenge him, be prepared for retribution.

Jason Horowitz, in a July 12 Washington Post article reported: "The sacred texts from which Grover Norquist draws his political power are hidden in a secret fireproof safe."

He quotes Norquist: "I keep the originals in a vault, in case D.C. burns down. When someone takes the pledge, you don't want it tampered with; you don't want it destroyed."

In his own words in the October 2011 edition of *The American Spectator*, Norquist says, "Take the Pledge, win the primary. Take the Pledge, win the general. Break the Pledge, lose the next election."

Columnist Robert Samuelson, in a July 10 Washington Post piece pointed out, "just in case you hadn't noticed, no one has elected Grover Norquist to anything. Still, he looms as a major obstacle to Congress reaching a deficit-reduction agreement. . . ."

Samuelson continued: "[B]ut what's revealing about Norquist's passionate advocacy is that it virtually ignores the main causes of bigger government: Social Security and Medicare."

I agree that entitlement spending is the 800-pound gorilla in the room. The hundreds of billions in annual tax earmarks in our tax code also must be dealt with. Until we reach an agreement that addresses these two drivers of our deficits and debt, we cannot right our fiscal ship of state.

We are at a point today that the tsunami of debt in America demands that every slice of the budget be scrutinized. As I said before, everything must be on the table.

Have we really reached a point where one person's demand for ideological purity is paralyzing Congress to the point that even a discussion of tax reform is viewed as breaking a no-tax pledge?

It is curious that Norquist is president of Americans for Tax Reform, yet his purist pledge has no mention of working to reform the tax code to make it simpler and fairer to average American taxpayers.

#### ATTACKS ON CONGRESS

We recently witnessed Norquist's zealotry in action as he worked to stop Senator TOM COBURN's call for eliminating the ethanol tax subsidy. Senator COBURN signed Norquist's pledge, but he dared to call for a change in the tax code to eliminate spending through the tax code.

In signing the pledge, a candidate promises to: "one, oppose any and all efforts to increase the marginal income tax rates for individuals and/or businesses; and two, oppose any net reduction or elimination of deductions and credits, unless matched dollar for dollar by further reducing tax rates."

In Mr. Norquist's way of thinking, for Senator Coburn to pursue a change in the tax code to cut a tax earmark, he was breaking the pledge. Norquist accused this honorable member of Congress of lying his way into office.

In his recent report, *Back to Black*, Senator Coburn identified nearly \$1 trillion in annual spending through the types of tax earmarks that Grover Norquist defends. Many of these earmarks are designed to benefit special interests. NASCAR, dog and horse tracks, tackle box makers, railroads, mohair producers,

hedge fund managers, ethanol producers, automakers, and video game developers—all receive tax breaks which subsidize their businesses.

A September 10, 2011, New York Times article reported, "the federal government gave \$123 billion in tax incentives to corporations in 2010, according to the Joint Committee on Taxation." The article highlighted one example of unnecessary and wasteful tax earmarks, stating that tax "breaks for the video game industry—whose domestic sales of \$15 billion a year now exceed those of the music business—are a vivid example of a tax system that defies common sense."

But, according to Mr. Norquist's pledge, anyone who opposes the myriad of tax subsidies that allowed General Electric to avoid paying taxes last year would violate "the pledge." The average American family last year paid more in taxes than GE, which has aggressively offshored thousands of jobs to China and has been actively transferring American technology to the Chinese government, according to an August 23, 2011, article in *The Washington Post* by Howard Schneider.

Have we already forgotten the battle over earmarks from last year? Unlike an earmark included in an annual appropriations bill, these "tax earmarks" are far worse because once enacted they exist in perpetuity. Tax earmarks last for multiple spending cycles—piling up as special interest lobbies succeed in getting more special treatment for their clients. At the end of the day, whether a spending earmark or a tax earmark, the federal government is picking winners and losers, and the losers are hard-working Americans who are looking to us to reduce their tax rates.

I stand with Senator COBURN. I don't want to increase marginal tax rates on hard-working Americans; I want to lower them by ridding the tax code of the loopholes and special interest earmarks. If we can reform the code in that way, we can lower marginal tax rates.

I would submit that Mr. Norquist has every interest in protecting these special interest tax earmarks because that is how he earns his living. A review of his lobbying disclosure forms demonstrate how many special interest issues he lobbies on and how little they have to do with reforming the tax code to lower tax rates on all Americans.

I would also submit that Mr. Norquist's pledge—which candidates sign to indicate their opposition to tax increases—has morphed into a powerful mechanism for Mr. Norquist to ensure that favored tax earmarks to select industries remain untouched, thus preventing comprehensive tax reform.

I believe it is fair to ask: just who is Grover Norquist and how has he amassed such perceived political power inside Washington?

Numerous federal investigations, reports, and public documents point to Grover Norquist using his network of organizations—Americans for Tax Reform (ATR), his former and now defunct lobbying firm Janus-Merritt Strategies, and the Islamic Free Market Institute—in questionable ways, raising money in business activities with people who have been in serious criminal trouble.

A survey of Mr. Norquist's associates reveals that some of his closest business partners and clients have been convicted of crimes and have served time in prison or are currently serving, including Jack Abramoff,

David Safavian, and Dickie Scruggs, as well as convicted terrorist supporters Abdurahman Alamoudi and Sami Al-Arian.

More recently, according to news reports, Mr. Norquist has been an outspoken advocate for moving Guantanamo Bay detainees to the United States, including 9/11 mastermind Khaled Sheik Mohammed to New York City. He also interjected himself into the debate about the proposed "Ground Zero Mosque" last summer.

I want to be clear: I raise these issues not just because Mr. Norquist's associates may be unsavory people. There are many lobbyists in Washington who represent clients of all stripes and backgrounds. But my concern arises when the appearances of impropriety are raised over and over again with a person who has such influence over public policy. That, I believe, should give any fair-minded person pause.

#### ABRAMOFF SCANDAL

Norquist's role in the Jack Abramoff scandal has been well documented by federal investigators, including the Senate Committee on Indian Affairs' 2006 report, *Gimme Five—Investigation of Tribal Lobbying Matters*. Investigators found that Messrs. Norquist and Abramoff developed a secretive relationship under which Mr. Abramoff directed the Choctaw tribe to make payments to Americans for Tax Reform, which, in turn, transferred the money to Ralph Reed's advocacy firm—after taking a "management fee," which averaged \$25,000 per transaction, for agreeing to serve as Abramoff's conduit, according to the committee's report.

According to the same Senate report, "Abramoff said that keeping the arrangement with Norquist and ATR a secret was important. After all, Abramoff wrote '[w]e do not want opponents to think we are trying to buy the tax payer [sic] movement.'"

Again, according to the Senate report, "On May 20, 1999, Norquist had asked Abramoff, 'What is the status of the Choctaw stuff. I have a \$75K hole in my budget from last year. Ouch [sic].' Thus in the fall of 1999, Abramoff reminded himself to 'call Ralph [Reed] re Grover doing pass through.' When Abramoff suggested the Choctaw start using ATR as a conduit, the Tribe agreed."

In February 2000, according to the Senate report, Mr. Abramoff contacted Mr. Reed in advance of a series of \$300,000 payments to ATR to warn him that, "I need to give Grover something for helping, so the first transfer will be a bit lighter."

The degree to which Mr. Norquist was financially benefiting by laundering Mr. Abramoff's money was detailed in the Senate report:

"On February 17, 2000 Abramoff advised Reed that 'ATR will be sending a second \$300K today.' This money, too, came from the Choctaw. Norquist kept another \$25,000 from the second transfer, which apparently surprised Abramoff.

"On March 2, 2000, Abramoff told [Choctaw liaison] Rogers that he needed 'more money asap' for Reed, and requested 'a check for \$300K for Americans for Tax Reform asap.'

"Abramoff's executive assistant Susan Ralston asked him, 'Once ATR gets their check, should the entire \$300k be sent to the Alabama Christian Coalition again?'

"Abramoff replied, 'Yes, but last time they sent \$275K, so I want to make sure that before we send it to ATR I speak with Grover to confirm.'"

Weekly Standard editor Matthew Continetti wrote in his book, *The K Street Gang*, that “between 1995 and 2002 the Mississippi Choctaw donated about \$1.5 million to Americans for Tax Reform.” Mr. Abramoff also instructed his other clients to make regular donations to ATR, according to Continetti’s book. However, the cumulative amount is unknown because Mr. Norquist refuses to identify ATR’s clients, Continetti states.

According to Continetti, during the same period, Mr. Norquist was intimately involved with the questionable activities surrounding other Abramoff clients, including the Marianas Islands, which is prominently featured in the documentary *Casino Jack*. As one participant in Mr. Norquist’s Wednesday Group meetings—a weekly gathering of Mr. Norquist’s invited guests—noted, following Mr. Norquist’s collaboration with Mr. Abramoff, “All of a sudden the Marianas shows up as one of [ATR’s] number-one priority issues,” Continetti writes.

“[The Norquist-Abramoff strategy] was about co-opting conservative journalists and intellectuals,” wrote Continetti. “As outlined in his retrospective memo, Abramoff knew from the start that a good lobbyist not only targeted lawmakers, he also targeted opinion makers. So representatives were dispatched to Norquist’s Wednesday Meetings to preach the gospel . . . . When [Abramoff’s clients] visited the United States, Abramoff would not only make sure to shepherd them to Grover Norquist’s Wednesday Meetings. He also billed them thousands of dollars for ‘discussions’ with Norquist. He billed the Marianas for the airfare to send staff members of Americans for Tax Reform to Saipan. From *National Journal*: ‘According to sources familiar with ATR finances, the group sent Marianas officials a bill for \$10,000 at least once in the mid-1990s for attendance at Norquist’s tax policy dinners.’ It paid to be a friend of Jack Abramoff.”

#### IGNORING SUBPOENAS

It is also noteworthy that Mr. Norquist and Americans for Tax Reform repeatedly refused to comply with the congressional subpoenas for additional information regarding their role in the Abramoff affair, according to an April 21, 2005, article in *Roll Call*.

Additionally, Mr. Norquist refused to comply with an earlier congressional subpoena according to a 1998 Senate Governmental Affairs report, which found Americans for Tax Reform in violation of its tax-exempt status.

Given Norquist’s questionable role in the Abramoff scandal, his refusal to comply with congressional subpoenas is all the more troubling.

#### TERRORIST CONNECTIONS

Not only was Mr. Norquist entangled with the criminal dealings of Jack Abramoff, but documentation shows that he has deep ties to supporters of Hamas and other terrorist organizations that are sworn enemies of the United States and our ally Israel.

According to Senate lobbying disclosure records of his now defunct lobbying firm, Janus-Merritt Strategies, around the years 2000 and 2001 Mr. Norquist’s firm represented Abdurahman Alamoudi, who was convicted two years later for his role in a terrorist plot and who is presently serving a 23-year sentence in federal prison.

Court documents and a October 15, 2004, Department of Justice press release reveal that Alamoudi, the president of the American

Muslim Council, was arrested at Dulles Airport in September 2003 upon returning to the U.S. after participating in a Libyan plot to assassinate the Saudi Crown Prince Abdullah. “Alamoudi participated in recruiting participants for this plot by introducing the Libyans to two Saudi dissidents in London and facilitating the transfer of hundreds of thousands of dollars of cash from the Libyans to those dissidents to finance the plot,” the release said.

According to the DOJ press release, Alamoudi, a naturalized citizen, pled guilty to three federal offenses: One count of violating the International Emergency Powers Act; One count of false statements made in his application for naturalization; A tax offense involving a long-term scheme to conceal from the IRS his financial transactions with Libya and his foreign bank accounts and to omit material information from the tax returns filed by his charities.

It is important to point out that Alamoudi’s ties to terrorist groups were no secret prior to his arrest.

Alamoudi spoke at an October 2000 rally in front of the White House in support of Hamas and Hezbollah during the period he was represented by Norquist’s firm, according to Senate lobbying disclosure records. The “Rally Against Israeli Aggression” was sponsored by Norquist’s Islamic Free Market Institute, according to a September 2000 “Islamic Institute Friday Brief.” The Islamic Free Market Institute was created by Grover Norquist and operated out of his Americans for Tax Reform office in Washington, thanks to sizable start-up contributions from Alamoudi, according to a March 11, 2003, article in the *St. Petersburg Times* by Mary Jacoby.

I have seen video from the rally, where Alamoudi roared from the stage:

“I have been labeled by the media in New York to be a supporter of Hamas, anybody supports Hamas here?”

[Crowd cheers, “Yes!”]

“ . . . Hear that, Bill Clinton, we are all supporters of Hamas, Allahu Akbar.”

“I wish they added that I am also a supporter of Hezbollah. Anybody supports Hezbollah here?”

[Crowd cheers, “Yes!”]

A few months after the Lafayette Park rally, Alamoudi was photographed in Beirut at a conference attended by representatives of the terror groups Hamas, Islamic Jihad, Hezbollah and al-Qaida, also according to the March 2003 *St. Petersburg Times* article.

In addition to Alamoudi’s outspoken support for Hamas and Hezbollah, he expressed private support for the 1994 terrorist attack against a synagogue in Buenos Aires, Argentina, which killed 85 people and injured hundreds, according to a December 17, 2003, article in *The American Spectator* by Shawn Macomber, who reported: “In a wiretapped conversation made public in the recent criminal complaint, he (Alamoudi) praises a 1994 bombing in Buenos Aires. ‘The Jewish Community Center. It is a worthy operation,’ Alamoudi tells an unidentified man, in Arabic. ‘I think that the attacks that are being executed by bin Laden and other Islamic groups are wrong, especially hitting the civilian targets. Many African Muslims have died and not a single American has died. I prefer to hit a Zionist target in America or Europe . . . I prefer honestly like what happened in Argentina.’”

According to a June 11, 2003, *Wall Street Journal* article by reporters Tom Hamburger

and Glenn Simpson, around 1999 Alamoudi sent his deputy at the American Muslim Council, Khaled Saffuri, to work directly for Mr. Norquist to establish the Islamic Free Market Institute—one of the groups that sponsored the October 2000 rally in Lafayette Park. The institute, chaired by Norquist and led by Saffuri, operated out of the Americans for Tax Reform offices here in Washington, according to the March 2003 article in the *St. Petersburg Times*.

The Senate Indian Affairs Committee report revealed that Saffuri was closely tied to Mr. Norquist and the Abramoff scandal and received money from Abramoff and a front group, the American International Center (AIC), to partner with Abramoff’s firm Greenberg Traurig on his “Malaysian-related interests and issues.”

Mr. Norquist also associated with terror financier Sami Al-Arian, according to Mary Jacoby’s reporting in March 2003, in the *St. Petersburg Times*. Al-Arian pled guilty in 2006 “to a charge of conspiring to provide services to the Palestinian Islamic Jihad (PIJ), a specially designated terrorist organization, in violation of U.S. law,” and is under house arrests, according to a Department of Justice press release. The Palestinian Islamic Jihad’s “paramilitary wing—the al-Quds Brigades—has conducted numerous attacks, including large-scale suicide bombings,” according to the National Counterterrorism Center,

Who is Sami al-Arian? An October 2003 federal affidavit noted that Al-Arian had longstanding connections to associates of al Qaeda. According to the affidavit, “Sheik Rahman (the ‘Blind Sheik’) visited Al-Arian at his residence in Tampa and spoke at his mosque.” Rahman is currently serving a life sentence in U.S. prison for his role in the 1993 World Trade Center attack and additional terror plots. The federal affidavit also disclosed Al-Arian’s ties with Alamoudi.

Al-Arian’s relationship with Mr. Norquist appears to have spanned several years. Prior to his arrest in February 2003, Sami Al-Arian visited Norquist’s office in Washington for a meeting, also reported in the June 11, 2003, article in the *Wall Street Journal*. According to Continetti, Mr. Al-Arian also “cc’d Norquist on an e-mail he sent to the *Wall Street Journal* protesting an editorial that had pointed out his terrorist connections.”

Mr. Norquist himself served as a key facilitator between Al-Arian, Alamoudi and the White House, according to Mary Jacoby’s reporting in March 2003 in *The St. Petersburg Times*. She reported that “In June 2001, Al-Arian was among the members of the American Muslim Council invited to the White House complex. . . . The next month, the National Coalition to Protect Political Freedom—a civil liberties group headed by Al-Arian—gave Norquist an award for his work to abolish the use of secret intelligence evidence in terrorism cases.”

#### OPPOSING THE PATRIOT ACT

Mr. Norquist also has been an outspoken supporter of Al-Arian’s effort to end the use of classified evidence in terror trials. In fact, Norquist was scheduled to lead a delegation to the White House on September 11, 2001, that included a convicted felon and some who would later be identified by federal law enforcement as suspected terrorist financiers.

According to a Arab American Institute 2002 report, “Healing the Nation,” “[o]n the day of

the terrorist attacks, Arab American and Muslim American leaders were already in Washington, D.C. for a previously scheduled meeting with President Bush to discuss the use of 'secret evidence' in certain immigration proceedings and racial profiling of Arab Americans at the nation's airports and security checkpoints."

I have seen the list of attendees for the scheduled meeting. Among those listed:

Madhi Bray, a convicted felon who was found guilty of drug and fraud charges in the 1980s. Bray appeared cheering on stage with Alamoudi at the October 2000 rally in Lafayette Park as Alamoudi declared his support for Hamas and Hezbollah.

Omar Ahmed, co-founder of the Council on American Islamic Relations (CAIR). According to an April 18, 2011, Politico article by Josh Gerstein, "Federal prosecutors . . . have introduced evidence in court of Ahmad's attendance at a 1993 meeting in Philadelphia that the FBI contends was a gathering of Hamas supporters seeking to undermine the Middle East peace process. Prosecutors [in the Holy Land Foundation case] have also presented documents that appear to show CAIR as part of a network of Muslim Brotherhood organizations in the U.S."

The list provided to the White House by Norquist's Islamic Institute included representatives from each of Norquist's organizations, including a Janus-Meritt lobbyist. At the top of the list: Grover Norquist, representing Americans for Tax Reform.

According to a June 11, 2003, Wall Street Journal article by reporters Tom Hamburger and Glenn Simpson, "Mr. Norquist helped secure a promise from presidential candidate Bush to moderate federal policy on investigating suspected illegal immigrants. In a nationally televised debate on Oct. 11, 2000, Mr. Bush said: 'Arab-Americans are racially profiled in what's called secret evidence . . . We've got to do something about that.' Since the Sept. 11 attacks, the White House has abandoned that promise, as the Justice Department has aggressively pursued prosecutions of Muslims allegedly supporting terrorism."

Mr. Norquist has also led efforts over the last decade to weaken and repeal the PATRIOT Act, working closely with liberal groups such as the American Civil Liberties Union, according to a February 20, 2008, profile on Norquist in the Washington Examiner, "A former lobbyist with the American Civil Liberties Union said privately that Norquist won her over when they joined forces to oppose the Bush administration's Patriot Act and warrantless wiretapping. 'I was initially skeptical,' she said, 'but I knew there was common ground on this issue and that we would be most powerful if we united.'"

#### GUANTANAMO BAY DETAINEES

More recently, Mr. Norquist has become an outspoken advocate for moving Guantanamo Bay detainees to the United States. According to a November 16, 2009, Huffington Post article by Sam Stein, Norquist led a public campaign to undermine Republican-led efforts to block the Obama Administration's transfer of 9/11 mastermind Khaled Sheik Mohammed to New York City and other terrorist detainees to Thompson Prison in Illinois, the first time terrorists would be held indefinitely inside the United States.

The article reported that Mr. Norquist wrote that, "moving suspected terrorists to the

Thomson, Illinois prison facility, 'makes good sense.' Taxpayers, [Norquist wrote], have already invested \$145 million in the facility, which has been 'little used.' The scare-mongering about these issues should stop,' [Norquist wrote], noting that there is 'absolutely no reason to fear that prisoners will escape or be released into their communities.'

Why is Mr. Norquist, head of Americans for Tax Reform, advocating for one of President Obama's top campaign promises? His efforts fly in the face of near-unanimous congressional opposition to providing al Qaeda terrorists with civilian trials in U.S. courts.

#### GROUND ZERO MOSQUE

Mr. Norquist also interjected himself into the debate about the proposed "Ground Zero Mosque" last summer, calling legitimate concerns about the location a "Monica Lewinsky ploy" by Republicans, according to an August 18, 2010, report by Michael Scherer on Time magazine's Web site. Mr. Norquist further trivialized the concerns saying that Republicans were, "distracted by shiny things."

Mr. Norquist even used Americans for Tax Reform to circulate a petition in support of the "Ground Zero Mosque." Patrick Gleason, director of state affairs for Americans for Tax Reform, wrote an August 17, 2010, letter to state affiliates urging them to share the petition with their coalition.

Why would Americans for Tax Reform circulate a petition in support of the "Ground Zero Mosque?" For the families of those who lost loved ones on 9/11 or during operations in the War on Terror, concerns about the "Ground Zero Mosque" were neither a ploy nor a distraction, as Norquist described it.

#### FANNIE MAE

Some also may not be aware of Mr. Norquist's lobbying for Fannie Mae. Lobbying disclosure records indicate that Norquist's lobbying firm, Janus-Meritt Strategies, also lobbied for the massive government sponsored enterprise that required a large federal bailout.

According to a May 18, 2011, report by Erick Erickson on the conservative Web site, Red State, "in 2000, Janus Meritt received \$120,000 in lobbying fees from Fannie Mae. Mr. Norquist, along with [David] Safavian, was listed as one of the main lobbyists on the Fannie Mae account. In disclosure records, Janus-Meritt says its lobbying activities related to a 'Home ownership tax.' It appears this lobbying work was designed to protect the homeownership tax credit, which [Fannie Mae executive] Franklin Raines described as key to 'increase homeownership in urban and rural areas.' As many conservatives believe, this credit, which Mr. Norquist and Safavian apparently defended, was a major contributing factor in the housing bubble and mortgage crisis."

#### INTERNET GAMBLING AND CASINOS

Mr. Norquist also has a long history of lobbying to spread Internet gambling. According to public lobbying disclosure reports, Norquist's clients at Janus-Meritt included a variety of gambling organizations, including the Interactive Gaming Council, organized to oppose the Republican-led effort to pass the Internet Gambling Prohibition Act. It is also worth noting that the Interactive Gaming Council was made up of online poker companies, including Full Tilt Poker, which was shut down by the FBI in April and is described by the Justice Department as a "massive Ponzi scheme."

As recently as January 2011, Senate lobby disclosure forms show that Mr. Norquist continues to lobby on expanding Internet poker issues in his capacity as president of Americans for Tax Reform. Why would Mr. Norquist and ATR have an interest in lobbying to overturn the Unlawful Internet Gambling Enforcement Act?

The Washington Times reported on September 21, 2011, that "critics of expanded gambling worry that legalizing online poker will increase gambling addiction and its fallout, such as divorces, bankruptcies and suicides. 'People may not understand how highly addictive it is, when you're alone in your home,' said Jerry Prosapio, co-founder of Gambling Exposed and a self-confessed gambling addict who quit 28 years ago. 'Online gambling is just another way you're going to create more addiction and then you're going to see more crime. It's just no good for America.'"

Mr. Norquist also took money from other gambling interests, like the Venetian Casino Resort, according to a March 31, 2006, article by Michael Kranish in the Boston Globe.

I think it is fair to ask: whose bidding is Grover Norquist doing? Why would Americans for Tax Reform take such a longstanding interest in proliferating gambling in the United States?

#### TRIAL LAWYERS

That same 2006 Boston Globe article reported that, "interviews and copies of Norquist's donor lists, obtained by the Globe, show that contributors include an array of special interests ranging from tobacco companies to Indian tribes to a Las Vegas casino. The biggest surprise is Norquist's largest individual donor: Richard 'Dickie' Scroggs, a Democratic Mississippi trial lawyer, who contributed \$4.3 million. Scroggs had received a \$1 billion fee in the landmark tobacco case against the same tobacco companies that were also Norquist's donors."

The Globe reported that, "Scroggs, like the tobacco companies and some other leading donors, was interested in more than lifting the burdens of the taxpayer. He said he had his own agenda: He wanted Norquist to work to defeat a congressional proposal that he feared would confiscate most of his \$1 billion legal fee in the tobacco case." In 2008, Scroggs pled guilty to trying to bribe a judge and was sentenced to five years in prison.

Why would Mr. Norquist, a self-proclaimed conservative leader, take so much money to represent a major Democrat party donor and advocate for trial lawyers? Mr. Scroggs himself provided one answer, describing Mr. Norquist in the Globe article, "There is an expression, if you need a thief, take him from the gallows."

#### INSULTING FORMER PRESIDENTS

My colleagues may also be surprised at the tenor and arrogance of Mr. Norquist's public attacks on fellow Republican leaders. In an October 2011 piece he authored in the American Spectator, Norquist personally insults two former Republican presidents and a former Republican majority leader and presidential candidate.

Writing about former President George H.W. Bush's decision to break the tax pledge during his term, Norquist lashed out at Bush saying, "Now, no person's life is a complete waste. Some serve as bad examples."

Former President George H.W. Bush is an honorable man who dedicated his life to public service as a congressman, ambassador, director of the Central Intelligence Agency, and

vice president before being elected president. As president he oversaw the end of the Cold War and led the successful liberation of Kuwait. He is also an American hero who enlisted in the U.S. Navy after Pearl Harbor and nearly lost his life after being shot down by the Japanese.

While acknowledging former President George W. Bush's adherence to the pledge, Norquist still makes an indecorous allusion about the president, writing, "He may invade countries he cannot pronounce or find on a map, but he will not raise taxes."

Former President George W. Bush also is an honorable man who served two successful terms as governor of Texas before twice being elected president. He rallied our nation following 9/11 attacks and led sweeping efforts to secure our homeland and disrupt al Qaeda, preventing further terrorist attacks on U.S. soil during his term.

Norquist also boasts of sinking Bob Dole's 1988 presidential campaign, gloating, "Delaware governor Pete du Pont explained that all the other [Republican primary] candidates had signed the pledge and challenged Dole to do so also, offering the pledge to Dole, who visibly recoiled, as if a vampire being tossed a cross. Dole subsequently lost New Hampshire."

Former Senator Dole, too, is an honorable man who served his country as a senator and Republican presidential candidate. Dole also is an American hero who fought in World War II and suffered serious injury from Axis gunfire, leaving his arm paralyzed.

#### MOVING FORWARD

I believe many people were unaware of these troubling connections that I have spoken about. I was surprised when this information came to my attention. I also understand that some may not agree with what I have said in this speech.

But as William Wilberforce, the British parliamentarian and abolitionist, famously told his colleagues, "Having heard all of this, you may choose to look the other way, but you can never say again that you did not know."

I can no longer be silent. I believe the evidence is clear that Grover Norquist is connected with a number of unsavory people and groups out of the mainstream. I also believe he has exploited "the pledge" to the point of being elevated at times by the media as a spokesman for the Republican Party.

How can we ever hope to move our country forward and solve our debt problem if we are paralyzed by a pledge and threats of political retribution for breaking it by someone whose dealings in Washington over several decades have raised serious questions of impropriety? No one should be able to singularly hold Congress hostage with veto power over candidates for public office; above all someone with such troubling associations.

As former Senator Alan Simpson, who chaired the Bowles-Simpson deficit reduction commission, said in an August 7, 2011, interview with Newsweek "What can [Norquist] do to you? He's not gonna murder you. He won't burn your house. The only thing he can do is defeat you for reelection. If your reelection means more than doing something for the United States of America and getting out of this [debt] hole, then you shouldn't be in Congress."

Barbara Shelly, editorial writer for the Kansas City Star, wrote on July 11, 2011: "Wash-

ington, we know, is a planet unto itself. But here in the heartland, it's surreal to watch an unelected guy with a broken ethical compass bring the capital to a standstill and thwart the spirit of compromise that the majority of Americans say they want. Who elected Grover Norquist? He did, that's who. And Washington's political class has not the shame, nor the spine, to send him packing."

As I observe the hardened ideological positions gripping Washington that threaten our nation's future, my conscience has compelled me to share these concerns and provide this information for all to consider.

The American people want us to resolve this debt crisis and they have every right to expect us to follow through. Congress and the president must reach a solution that will bring confidence to the country. This place is dysfunctional and the American people see it. They want action.

I believe we must: (A) reaffirm ourselves to free America of the incredible debt burden that saddles the coming generations; and (B) break loose of not only Mr. Norquist, but any other special interest holding us hostage.

We also need to be honest with the American people and explain that we cannot just solve our nation's financial crisis by cutting waste, fraud and abuse within discretionary accounts. The real runaway spending is occurring in our out-of-control entitlement costs and the hundreds of billions in annual tax earmarks in our tax code. Until we reach an agreement that addresses these two drivers of our deficit and debt, we cannot right our fiscal ship of state.

Some are speculating that our country has gone too far to recover. I emphatically reject that notion. Americans have a spirit and sense of civic duty which was implanted in us from the beginning of this republic. It was this sense that Tocqueville most noticed. He called it the great republican virtue of America—ordinary citizens willing to do the hard work of citizenship, helping their neighbors, sacrificing for the common good, and building a better future for our kids. That's been the hallmark of America.

Have we lost this? I don't think so. We may be tempted to veer off course at times, but America is the same nation filled with the same dedicated, patriotic, God-loving, God-fearing people who carved this nation out a wilderness, and have made it an extraordinary beacon of hope and light in the world like none before it.

The problem in the country is not with the people. The problem in the country is Washington. The system is broken because we have fallen prey to ideologues that have put us in a straight jacket and threaten our futures. I believe we can and will break free because the seriousness of the times demands it.

I am one who believes America's greatest days are still ahead. All we have to do is recover that sense of virtue and duty, and be bold and brave enough to stand up and speak the truth and be true to our conscience.

#### AN ANNIVERSARY NOT TO CELEBRATE

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

Ms. WOOLSEY. Mr. Speaker, this week marks an anniversary we must acknowledge, but that we certainly cannot celebrate. This Friday, we will have spent 10 years at war in Afghanistan. We will have spent a decade fighting a war that the American people no longer support. The sobering 10th anniversary is the time for reflection—reflection on how our world has changed in the last 10 years.

□ 1020

This war has consumed an unjustifiable amount of our financial treasure, led to an unprecedented burden on our servicemembers, and changed forever how an entire generation of young people views the world.

This anniversary is the time to reflect on the choices we've made and their impact on the world. Ten years later, we are still building war machines that have the potential to cause devastating harm to innocent people around the world. Ten years later, many of our Nation's best and brightest are coming home with scars, both physical and mental, that they and their families will live with forevermore.

The numbers are against us. After a decade at war, we still have 90,000 soldiers fighting in Afghanistan. More than 1,800 Americans have died. Our Nation has spent \$460 billion on an unwinnable war, and tens of thousands of innocent Afghans and Iraqis have been killed. It is well past the time for us to end this.

In remembering the last 10 years, we must think of the future. My five grandchildren are now part of a generation that has grown up without knowing what it's like to live in a country at peace. Over the past 10 years, we've led our world down a path towards war rather than fighting for peace, rather than fighting for a smarter security plan.

The American people and the global community see the error in our policy, and we are facing increasing scrutiny from our international partners. In fact, not one other government agrees with the U.S.' use of drones. In fact, our European allies have never supported the U.S. drone strikes in Pakistan, Yemen, and Somalia. Instead of heeding their calls, we are expanding the use of this deadly force, creating automatic drones that have the potential to cause unchecked devastation.

I have spoken from this spot 407 times, as you all know because you've heard me so many times, in support of SMART Security—an approach for an end to the war. And I am not alone. I've been joined by colleagues on both sides of the aisle and have been supported by Americans across the country to call for an end of our war and the return of our troops. That's exactly what my SMART Security plan is about—making military force a last resort and, instead, directing our energy and our resources toward diplomacy, democracy promotion, development



aid, and other more powerful, peaceful ways of engaging with the rest of the world.

Mr. Speaker, I hope all of my colleagues will take note of Friday's anniversary and realize that now is the time to turn the tide on our policies in Afghanistan. We need to end this war. We need to do it now. We need to promote peace through democracy. We need to promote peace through diplomacy and development. We must bring our troops home.

#### THE EDA ELIMINATION ACT

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

Mr. POMPEO. Mr. Speaker, since coming to Congress 9 years ago, I have sadly relearned that the government in Washington D.C. only grows and grows and grows. When Democrats and many Republicans, too, come to the floor of the House and talk about spending cuts, they are often talking simply about slowing the rate of growth of government. There is seldom, if ever, any real discussion about cutting the size of the Federal Government or about eliminating an entire program or agency. But today, with \$14.8 trillion in debt, we can't continue to simply slow the rate of growth. We've got to cut it, and we've got to get rid of some things.

As a first step this week, I will proffer a bill that will eliminate the Economic Development Agency. It's part of the Department of Commerce and was established in 1965 as an element of President Johnson's Great Society. For over 45 years, the EDA has spent billions on local projects, not national projects, trying to pick winners and losers amongst various projects by region, industry, and community. Much like a stimulus bill or earmarks, the EDA provides loans and grants to pet projects of the administration in power.

In 2008, the EDA spent \$2 million on the Harry Reid Research and Technology Park at the University of Nevada, Las Vegas. Just last year, it spent \$25 million on the Global Climate Mitigation Incentive Fund. This year, the agency will spend almost \$300 million of taxpayer dollars. Now, this might not sound like a lot of money sometimes here in Washington, D.C., but in Newton, in Independence, in Wichita, and in Goddard, Kansas, that's still a lot of money.

I want to take just a minute to talk about the EDA. Most folks in Congress and most folks back in Kansas will have never heard of it. I had not before I entered Congress. It provides these grants and loans to projects it selects all over the country. At its very core, the EDA is nothing more than a giant wealth redistribution machine. It takes money from people in one place and at one time and redistributes it all across the country for inherently local projects.

For example, it gave \$2 million to the "culinary amphitheater," wine tasting

room, and gift shop in Washington State. It gave \$350,000 to renovate a theater in Colorado. In 2011, it gave \$1.4 million to build infrastructure development so that a steel plant of \$1.6 billion could be built in Minnesota. Like the vast majority of projects, that steel plant would have been built without Federal taxpayer dollars. It was a \$1.6 billion project helped by the Federal Government to the tune of only \$1.4 million.

Our even bigger problem, however, is with EDA. It's duplicative. It's just one of at least 80 Federal economic development agencies. HUD and Ag and HHS all have economic development grants as well.

Second, it's ineffective. It typically provides a very small part of any given project. The GAO reports that most of its financing did not have any significant effect on the success of projects and produced, at best, inconclusive results and, in some cases, may even detract from a more flexible workforce.

Third, this is an incredibly wasteful agency. It was identified by GAO as one of the agencies that ought to go away. Indeed, a recent inspector general audit of 10 projects totaling \$45 million showed that 29 percent of the grant money had been wasted due to various violations of EDA grant requirements. Four of the 10 projects EDA funded in that group were never completed.

Finally and perhaps more importantly, this is not the role of the Federal Government. As the Cato Institute has written, the Federal Government has no business trying to direct economic activity through politicized subsidy vehicles like the EDA. We've seen that with bad outcomes, like with Solyndra, only too recently.

Every great journey starts with a single step. This is a small agency, but it's time for the first time in decades that we eliminate an entire program, an entire agency, so that it cannot continue to grow and grow and grow as part of our Federal Government. I would ask my colleagues to support the EDA Elimination Act.

#### POVERTY

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

Ms. LEE of California. Mr. Speaker, as one of the founding members of the congressional Out of Poverty Caucus, I rise today in my ongoing effort to sound the alarm on poverty.

As you may know, the census released data showing that 46.2 million Americans lived in poverty in 2010. The data also revealed that the poverty rate for whites was 9.9 percent in 2010. Worse, the poverty rate for African Americans was 27.4 percent. For Latinos, the poverty rate was 26.6 percent. For Asian Pacific Americans, the poverty rate was 12.1 percent.

These statistics come on the somber anniversary of the 10 years of the war

in Afghanistan, which was a blank check that should not have been written and that, of course, I could not support. In many ways, this war has significantly contributed to these staggering statistics, which we know are not just numbers but are human lives. We must create jobs. We have to create a way to maintain our social safety net.

So today I am here to ask my colleagues to join 47 Members of Congress and me in a letter to the Joint Select Committee on Deficit Reduction, asking them to protect vital programs that comprise our social safety net, including but not limited to Medicaid, Medicare, and Social Security, as well as the programs that provide the economic security and opportunity to millions of Americans.

□ 1030

None of us envy the work of those members on this Joint Select Committee on Deficit Reduction, as they will have to make tough choices that affect the lives of millions of Americans.

However, we should all recognize that for the last 25 years, when we have come to deficit reduction agreements, these agreements have, for the most part, protected low-income programs. We absolutely cannot balance the budget on the backs of the most vulnerable, those people facing or living in poverty. This is really a moral obligation that we cannot ignore.

These programs assist the over-46 million Americans living in poverty in 2010—men, women, children, young and old alike from all backgrounds—in obtaining or maintaining their access to basic, mind you, and I am just talking about basic human needs, including food, shelter and health care. These vital safety net programs both support and create consumers, which results in increased demand and job creation. This, of course, reduces our deficit by enabling people to participate in this economy.

And not only that, many of these programs do provide pathways out of poverty and opportunities for all. More and more Americans are struggling to find work and struggling to make ends meet. And until we create jobs, and we have a way, a pathway where people clearly can be provided these opportunities, we have a real moral obligation to protect these programs. Anything short of this is really un-American.

In times like these, it's unconscionable to consider cutting programs that help those most in need like our Nation's seniors and our Nation's children. Asking the Joint Select Committee for Deficit Reduction to protect these vital human programs is, though, not enough. We have to do more. The most effective anti-poverty program is an effective jobs program.

So while I ask my colleagues to join me on the letter to the Joint Select Committee, I am also here to ask Speaker BOEHNER to move the American Jobs Act as soon as possible to

begin to create jobs and put Americans to work. Americans want to work and they need to work; and yet the House leadership is really focused, as an example, on the dismantling of environmental regulations. This is not a jobs program that puts Americans to work. It's a cynical, opportunistic move in order to attack the environment.

So we have to have as our priority efforts to create jobs that give Americans economic security and that grow our economy. Our economy will not recover quickly from this Great Recession and, of course, Great Depression in many communities of color, including the African American community and for those living in poverty, unless we really do provide a pathway out of poverty.

We need to target these programs in areas that need it the most. Many of these areas are communities of color, where the poverty rates are three times higher than the poverty rate for whites. The unemployment rates are also higher in communities of color: 16.7 percent of African Americans are unemployed, 11.3 percent of Latinos. And these are just the reported statistics. It's clear that we must address these disparities as we work to create jobs and opportunities for all.

So I am asking Members to join us in this deficit reduction letter and urge the Speaker and leadership of this House to move the American Jobs Act as the first step in jump-starting this economy and putting Americans back to work.

Hon. PATTY MURRAY,  
*U.S. Senate,*  
*Washington, DC.*

Hon. MAX BAUCUS,  
*U.S. Senate,*  
*Washington, DC.*

Hon. JOHN KERRY,  
*U.S. Senate,*  
*Washington, DC.*

Hon. JAMES CLYBURN,  
*U.S. House of Representatives,*  
*Washington, DC.*

Hon. XAVIER BECERRA,  
*U.S. House of Representatives,*  
*Washington, DC.*

Hon. CHRIS VAN HOLLEN,  
*U.S. House of Representatives,*  
*Washington, DC.*

Hon. JEB HENSARLING,  
*U.S. House of Representatives,*  
*Washington, DC.*

Hon. DAVE CAMP,  
*U.S. House of Representatives,*  
*Washington, DC.*

Hon. FRED UPTON,  
*U.S. House of Representatives,*  
*Washington, DC.*

Hon. JON KYL,  
*U.S. Senate,*  
*Washington, DC.*

Hon. PAT TOOMEY,  
*U.S. Senate,*  
*Washington, DC.*

Hon. ROB PORTMAN,  
*U.S. Senate,*  
*Washington, DC.*

Hon. ROB PORTMAN,  
*U.S. Senate,*  
*Washington, DC.*

DEAR MEMBERS OF THE JOINT SELECT COMMITTEE ON DEFICIT REDUCTION: We are writing to request that you protect vital programs that comprise our social safety net, including but not limited to Medicaid, Medicare, and Social Security, as well as the programs

that provide economic security and opportunity to millions of Americans.

Vital safety net services and programs support those people hit the hardest by the Great Recession. These services help people and families maintain housing or find shelter, keep food on the table, assist in access to health care, and support those looking for employment, including the long-term unemployed. Examples of federal programs that provide such services include programs which assist disabled veterans to find an accessible home, ensure seniors receive food to eat, help people access our health care system, connect people seeking jobs with employment, give shelter to homeless families, and ensure that children get meals in school.

It is imperative that we protect vital safety net programs and programs that provide economic security and opportunity to millions of Americans, including those facing or living in poverty. The Census Bureau released data on September 13, 2011, revealing that 15 percent of Americans—46.2 million people across this country—lived in poverty in 2010. This is the largest number of Americans living in poverty since the Census started collecting this data 52 years ago. For our nation's children under 18, 22 percent lived in poverty in 2010. That is 16.4 million children who do not know where their next meal is coming from, where they might be sleeping that night, and who are anxious overall about their well being and that of their parents.

According to the recent Census data release on poverty, the poverty numbers would have been worse had it not been for key federal programs like unemployment insurance, food stamps, and Medicaid (Census Bureau slide 25 located at [http://www.census.gov/newsroom/releases/pdf/2010\\_Report.pdf](http://www.census.gov/newsroom/releases/pdf/2010_Report.pdf)).

For the last 25 years when we have come to deficit reduction agreements, these agreements have protected low-income programs. Beyond that, we have a moral and an economic obligation to care for our nation's most vulnerable, those facing or living in poverty. We respectfully implore that as you work through ways that our nation can reduce the deficit that you sustain our nation's safety net programs that assist people in obtaining or maintaining their access to basic human needs including food, shelter, and health care, and that provide ladders to opportunity for struggling families. These programs both support and create consumers, which result in increased demand and job creation. In the end, this reduces our deficit by enabling people to participate in our economy.

Again, we respectfully implore that as you work through ways that our nation can reduce the deficit that you sustain the vital human needs programs found across the federal government and accomplish deficit-reduction in a way that does not exacerbate poverty or inequality.

#### FREE TRADE AND JOBS

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

Mr. DOLD. Mr. Speaker, just last week I had the opportunity to host a manufacturing roundtable to hear firsthand from job creators in the 10th District of Illinois. These business leaders spoke about the challenges that they are facing and how decisions made right here in Washington, D.C. impact their ability to create jobs and put Illinois back to work.

The entrepreneurs I met with expressed their concern with the uncer-

tainty in the marketplace and spoke about the difficulties they face when competing in a global marketplace. From trade to excessive regulations, it is clear that much work needs to be done right here in Washington, D.C.

Despite the problems that our country and businesses face, I am optimistic about the future. Just yesterday, the President sent long-anticipated trade agreements to Congress for approval.

We heard the President talk about his Jobs Act; and while there may be some disagreement about the Jobs Act, certainly I think that there are areas where we can agree, and I think that we ought to move those aspects forward. Certainly when we talk about the trade agreements, I would argue that's one of the areas that has broad bipartisan support, and we should move it forward for the American public.

We have 650 manufacturers in Illinois' 10th Congressional District representing 80,000 jobs. Fifty thousand of those jobs rely upon exports, and I would argue that our ability to open and expand markets will create that demand.

Seventy-three percent of the world's purchasing power is outside of the United States. Ninety-five percent of the consumers are outside of the United States' borders. We want to make sure that we have an agreement, an arrangement where we can knock down these barriers where we can allow the American worker to compete on a level playing field.

If we are able to do that, the American worker will win. We know that for every billion dollars that we increase in trade, we create 6,250 jobs right here at home.

We know that it would add, just with South Korea alone, would add \$10 billion to our GDP. This is a step, certainly, in the right direction.

In Illinois, manufacturing accounts for 93 percent of our exports, and these exports support 25 percent of the manufacturing jobs in our State, a State that's lost 750,000 manufacturing jobs over the last decade.

Small businesses are also a big part of those exports. By ratifying the pending trade agreements, we are empowering manufacturers, small business owners, and entrepreneurs. This is exactly the type of bipartisan action we need to be taking in these tough economic times.

While there is much more work that needs to be done, we should be encouraged by the movement on the trade agreements and use this as a stepping stone to continue working together and finding common ground. When we come together for the American public, we can create an economic certainty that allows small business owners all across the land to be able to forecast, have some more certainty, invest in their business and create jobs.

There are 29 million small businesses in our Nation. If we can create an environment here in Washington, D.C.

where half of those businesses can create one job, think about where we would be then.

I ask my colleagues on both sides of the aisle to come together to pass these pending trade agreements. Put the American worker first, and let's get America back to work.

#### FINANCIAL CRISIS AND MORAL CRISIS

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

Mr. RANGEL. This morning I was pleased to see that the Conference of Catholic Bishops has organized in order to influence Washington as it relates to the question of same-sex marriage and abortion. I think that we all agree that these are moral issues and under our country's freedom of speech, the churches, the synagogues, the temples, have a right and, indeed, in their case, an obligation to speak out on the actions of Congress that they disapprove of morally.

I hope that this is a signal to other religious institutions that what this country is going through is not only a financial crisis, but a moral crisis. And perhaps the other religions might broaden their agenda to talk about what I truly believe is a priority and concern of every religion, and that is a deep-seated moral obligation to take care of the vulnerable in our society. Whether it's the lesser of our brothers and sisters, whether it's the sick and the aged, there's something about Social Security, Medicare and Medicaid, about having a home and a job that to me has something that involves a moral obligation.

□ 1040

When a great country like the United States, a beacon for people to come to from all over the world in order to be successful, finds itself with so much of our national wealth being concentrated in the hands of so few people, never before has this happened in history, where we find more and more children and adults going into poverty in historic numbers.

We find the shrinking of our middle class, where all of our dreams and aspirations are planned, born, and conceived in the United States of America; where we have so many brave American men and women fighting causes in foreign countries that their parents don't understand and they come home with emotional and physical disabilities; that we can never thank them for their courage; and when we see young people on Wall Street and the Wall Streets around this country protesting, and they're being ridiculed because they have no leaders, they have no single cause, they never knew each other, they're not organized. But neither is America's pain and concern organized.

People are mad as hell. They really think that they've been let down. They worked so hard to achieve what they

had achieved in this great country; and the greatest thing about America is not what you've achieved, in my opinion, it is having the hope that you can make it in America.

So that's why it is so painful to see how this middle class that was more recently, if you look at history, formed in this country, where people thought having a car and a home and a job, sending your kids to college for an education, being secure in your retirement, and knowing that one day health care would be available for everybody—are these just political issues? No. I think they're moral issues. And that's why when I went down to meet with the protesters, I had hoped that more of our spiritual leaders would be there to give guidance, to give encouragement, to give direction so that we can say that this is a civilized society and people can't just break the law and scream; but they can demand attention, and that's what they are doing.

So it seems to me that we in the Congress are getting involved too politically and ignoring the pain and the suffering that's taking place in this country today. When we can find one of the parties saying that they will not entertain a bill that's being proposed to us in order to put America back to work, when they say that their primary goal is to get rid of Obama, when they say that no jobs bill is going to be accepted except what they pick and choose, when they refuse to bring to the floor of this House something that we can discuss to give hope back to the people, I think that's not just a political question. I think it's a moral question as well.

God—yes, God—bless America.

#### HONORING PRIVATE FIRST CLASS BRETT EVERETT WOOD

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

Mr. BUCSHON. Mr. Speaker, I rise today to honor U.S. Army Private First Class Brett Everett Wood. PFC Wood, a 19-year-old of Spencer, Indiana, lost his life in combat on September 9 in Kandahar, Afghanistan, during an insurgent attack on his unit with an improvised explosive device.

PFC Wood was assigned to the 1st Battalion, 5th Infantry Regiment of the 1st Stryker Brigade Combat Team, 25th Infantry Division, Wainwright, Alaska.

Indiana lost a great citizen who enlisted with his brother, Nikk, during the summer of 2010. His sacrifice and valor in defense of the freedoms we hold dear should be commended, and I would like to offer my most heartfelt condolences to PFC Wood's family and friends. From a grateful Nation, he will be missed but not forgotten.

#### TRIBUTE TO THE HONORABLE OLIVER W. WANGER

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

Mr. COSTA. Mr. Speaker, I rise this morning to honor and pay tribute to the outstanding service and dedication of the Honorable Judge Oliver W. Wanger on the occasion of his retirement last week from the United States District Court for the Eastern District of California.

For the past 20 years, Judge Wanger has served the people of California admirably and courageously, maintaining a commitment to the justice and fairness of the law. Moreover, he is extremely knowledgeable and always attempted to balance the scales of justice when hearing cases in general, and specifically cases dealing with California's water and environmental issues.

During his tenure, District Court Judge Wanger has developed a mastery of complex Federal and State water and endangered species laws, putting forth many substantial rulings of several hundreds of pages in length that required painstaking attention to detail. Some of the most noteworthy in recent years were his findings with respect to operations of the Central Valley project and the State water project that convey water supplies throughout California, including the San Joaquin Valley and southern California for urban use and for agricultural use.

Were it not for Judge Wanger's attention to the letter of the law, farmers, farmer workers, and farm communities in the valley would have continued to suffer from job losses and uncertainty during the most recent drought period, while Federal agencies and this administration clung to flawed science and regulations that were destructive.

Judge Wanger has worked tirelessly on these issues, often putting in 75 to 80 hours a week. His retirement now leaves only two active judges in the already understaffed district court, which extends from the Oregon border to the Tehachapi Mountains south of Bakersfield. In a letter to Chief Judge Anthony Ishii regarding his coming retirement, Judge Wanger expressed grave concerns over the immense and unbearable workload that his departure will create. Let me read from his letter:

The impacts on these judges is best understood by my last 5 years: 161 jury trials to verdict; 5,465 courtroom hours; 3,554 terminal and civil cases; with an individual caseload approaching 1,200 cases in a 5-year period.

Judge Wanger also went on to say: Now who will handle these cases? Despite our pleas to and Congress' express recognition of the need, the continued refusal to create new desperately needed judgeships for the Eastern District of California has created a hardship for the Federal court. It has been more than 31 years since a new district judge position was created in Fresno, a division with over 2.5 million people. The

continued erosion of the Eastern District Court's ability to provide the public with a timely and effective Federal judicial service is a burden on our Nation, and the litigants should not suffer.

What Judge Wanger pointed out is it's not only a disservice to the men and women who serve the court, but the individuals throughout the region and the businesses whose cases are delayed years in some cases. This surely was not what our Founding Fathers had in mind for our country when they ensured that all Americans have a right to a speedy trial. As we know, justice delayed can oftentimes be justice denied.

Although the problem is not unique to the Eastern District of California, it is where the problem is most pronounced with by far the Nation's largest caseload per judge. Legislation has been introduced in the House and the Senate to create additional judgeships in district courts where the need is greatest. Unfortunately, it has not been acted on. It is past time for the Congress to act on these bills to ensure that all branches of government are, in fact, working for the American people.

In closing, I want to publicly thank Judge Oliver Wanger for his service to our Nation.

UNITED STATES DISTRICT COURT,  
EASTERN DISTRICT OF CALIFORNIA,  
Fresno, California, August 31, 2011.

Re Retirement from Judicial Service.

Hon. ANTHONY W. ISHII,  
Chief Judge, U.S. District Court, Eastern District of California, Fresno, CA.

DEAR JUDGE ISHII: It is with great regret that I will retire as a District Judge effective October 1, 2011, under the provisions of 28 U.S.C. §371(a) having attained the age and met §371(c)'s requirements to receive the annuity and benefits prescribed by law.

I served more than 20 years—the last five as a senior judge—and my intent was lifetime service. Obligations to my family now transcend my ability to continue in the judiciary. Necessity compels re-entry to the private sector.

I recognize that my departure will leave only two active judges in our already understaffed EDCA judiciary. My foremost concerns are for my fellow judges who labor under such formidable and unmanageable workloads and the public who need our court.

The impact on these judges is best understood by my latest five year case statistics: 161 jury trials to verdict (32 per year); 5,465 courtroom hours (1,093 per year); and 3,554 terminated criminal and civil cases (711 per year); with an individual caseload approximating 1,200 cases. Included are many complex water and environmental lawsuits affecting endangered species and California's water supply.

Who will now handle these cases?

Despite our pleas to and Congress' express recognition of the need, the continued refusal to create new desperately needed judgeships for BDCA has created a hardship for all who depend on the Federal court. It has been more than 31 years since a new district judge position has been created in Fresno, a division with over 2.5 million people. The continued erosion of BDCA's ability to provide the public with timely and effective federal judicial service is a burden our nation and litigants should not suffer.

My best wishes for the future and thanks to you and all our judges and loyal court staff members who do such outstanding work.

Sincerely,

OLIVER W. WANGER,  
United States District Judge.

#### FOSTERING JOB GROWTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. AUSTIN SCOTT) for 5 minutes.

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, Americans are hurting, and there's nothing more important right now for every Member of Congress than fostering job growth for the American people. House Republicans have been focused on this since day one. We passed more than a dozen pro-jobs bills that are currently awaiting a vote in the Senate. Additionally, we also passed a budget this year, something the Senate hasn't done in 888 days—888 days, Mr. Speaker.

America must lead the world out of this global recession. And I, for one, believe that if we can just get a couple of things right in Washington, we'll see our economy turn around and therefore the world economy turn around.

□ 1050

In the House, we believe in helping small businesses, we believe in free trade, and we believe in shrinking bureaucracy. Measures supporting these causes have already passed the House—with bipartisan support, I might add, Mr. Speaker—only to stall in the Democratic-controlled Senate.

Mr. Speaker, House Democrats and Republicans have found common ground on many measures to build more confidence for job creators. We invite the Senate to join our efforts. Mr. Speaker, Americans can't wait. It's time for the Senate to join the House in taking action to help restore our economy.

#### STOP MILITARY RAPE

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

Ms. SPEIER. Mr. Speaker, today I rise, once again, to talk about the epidemic of rape in the military. This is the ninth time that I have stood on the floor of this House to speak about the unspeakable. Each of these military members have served proudly for their country. Each of them has been raped, and each has been revictimized by a system of justice that protects perpetrators and punishes victims. I will continue to share these stories until something changes. Survivors can email me at [stopmilitaryrape@mail.house.gov](mailto:stopmilitaryrape@mail.house.gov) if they would like to speak out.

Today, I want to tell you about Sergeant Rebekah Havrilla. She served in the Army from 2004 to 2008. Her job was as an explosive ordnance disposal tech-

nician. In other words, she was responsible for disposing of IEDs before they went off. So she took on one of the toughest jobs in the military. Yet during basic training, she heard her commanders repeatedly equate being female with being weak or incompetent. They used words to describe women that cannot be repeated on this floor.

Commanders required Sergeant Havrilla and her colleagues to attend classes regarding prevention of sexual assault and harassment once a year. Commanders made a mockery of these classes. As the instructor would describe prohibited conduct, one or more of the soldiers would begin engaging in that conduct. One soldier went as far as to strip completely naked and get on the table during a break in the middle of class. His punishment was to serve as Equal Opportunity representative and lead the next sexual assault harassment training. "Disgusting" is too benign a word to describe this conduct.

Sergeant Havrilla deployed to Afghanistan in 2006. Her supervisor sexually harassed her. He began to slap her bottom whenever he passed by. He belittled and mocked her. On one occasion, he told her exactly what he wanted to do to her in graphic detail. Nothing was done in response.

It was another colleague, one from the canine unit, that raped her. He even photographed the rape, and some of the pictures ended up on a pornographic Web site. Imagine a system of justice in such shambles that an assailant would actually take pictures of the crime and put them on the Internet. Sergeant Havrilla reported her rape under the military's restricted reporting policy.

In February of 2009, she reported for 4 weeks of active duty training. While there, she ran into her rapist and went into shock. She immediately sought the assistance of the military chaplain. The chaplain told her that it must have been God's will for her to be raped and recommended that she attend church more frequently. God's will? This is the support system for victims of rape and sexual assault in the military? Sergeant Havrilla now suffers from posttraumatic stress disorder and chronic depression.

In describing her decision to speak out, she said this: "Leadership needs to be held accountable and women need to be able to work without the fear of being assaulted by their own colleagues. This is one of the hardest things I've ever done, and I want to thank the other women who have stepped forward as well. It's never easy to put yourself out there."

Sergeant Havrilla is right. It's time for leadership to be held accountable—leadership in the Pentagon, leadership at the White House, and leadership here in Congress.

#### HOSPITALS ARE ABOUT JOBS

The SPEAKER pro tempore. The Chair recognizes the gentleman from

Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today I rise to recognize the many hospital professionals that serve every day to keep our communities leading strong, healthy lives. Having spent 28 years as a therapist, rehabilitation services manager, and a licensed nursing home administrator, I know firsthand the many challenges this industry continues to face.

Medicare and Medical Assistance payments are just a few of the many variables beyond a hospital's control—Medicare that only pays 80 to 90 cents for every dollar of cost in delivering care and Medical Assistance that only pays 40 to 60 cents for every dollar of cost in delivering care.

As Congress continues to work on issues impacting this industry, it is important to recognize the critical role our hospitals play in not only providing access to cost-effective care, but also economic growth.

In my home State of Pennsylvania, more than 584,000 individuals depend on hospitals for their jobs through direct and indirect employment. The economic contributions made by Pennsylvania's hospitals to local communities continue to increase, rising to \$98.9 billion in 2010, and that's up from \$89.8 billion during 2008.

When 268,000 hospital employees spend money on products and services, it translates to nearly 317,000 additional hospital service-related jobs and more than \$13 billion in employee compensation. More than \$27.2 billion in total labor income is generated directly and indirectly by Pennsylvania hospitals. In 55 of the 67 Pennsylvania counties, hospitals remain among the top five employers, providing family-sustaining jobs and solid benefits. Every additional dollar in employee compensation in the hospital sector results in 92 cents of wages to other Pennsylvania industries.

At a time marked by so much uncertainty, lawmakers need to ensure that hospitals remain viable assets in our communities, where they can provide jobs, support other businesses, and continue offering these critical services. Hospitals are about access to quality care and jobs.

#### 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 58 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

Pastor Jerry Creel, Brush Arbor Baptist Church, Orlando, Florida, offered the following prayer:

O Lord God, I thank You that we can take a moment to acknowledge that there is one that is greater than all the governments and power of man.

Thou art worthy to receive glory, honor, and power.

Lord, as You guide the course of all creation and the events of mankind throughout history, may we willingly be in submission to Your mighty hand. Fill us with love, joy, peace, long-suffering, gentleness, goodness, faith, meekness, and temperance.

Lord, raise up leaders here that You can show Yourself strong in the behalf of them whose heart is perfect toward You.

Give us Your wisdom to solve our problems. Give us Your power to overcome our enemies. Give us Your compassion to meet people's needs.

In the name of my Lord and Saviour, Jesus Christ, who gives me freedom from the bondage of sin, liberty to stand for what is right, and the reason to live.

#### 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 Ohio (Ms. FUDGE) come forward and lead the House in the Pledge of Allegiance.

Ms. FUDGE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

#### BURDENSOME REGULATIONS STIFLE JOB CREATION

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

Ms. JENKINS. Mr. Speaker, to spur job creation in this country, we must remove burdensome regulations stifling our job creators. The EPA's Maximum Achievable Control Technology, or MACT rule, is set to crush our cement manufacturers.

Eastern Kansas has three cement manufacturers who employ thousands. I recently toured plants at Monarch Cement in Humboldt, Ashgrove Cement

in Chanute, and LaFarge Cement in Fredonia, and heard a similar story from all three. They have the revenue stream and the desire to hire more Kansans, but the cost of complying with government regulations, like the cement MACT, restrict their ability to do so.

The EPA shouldn't be implementing regulations that do more economic damage than they achieve in environmental good. I hope the EPA will take this opportunity to reform their rules and be part of the solution rather than the problem. Let's end overregulation and get Americans back to work.

#### JOB CRISIS IN AMERICA

(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 rise today to address the job crisis in our Nation.

While we operate in a divided Congress, Americans are struggling. Millions are unemployed, underemployed, and without the skills to be employed. More than 1.4 million Americans have been out of work for more than 99 weeks. These Americans want jobs. Most Americans don't understand the delay. Many can't afford to wait. So why haven't we passed a jobs bill?

President Obama introduced his jobs plan with many of the provisions previously supported by both Republicans and Democrats. What is stopping this Congress from passing a jobs bill?

I want every unemployed American to know that some of us really are working to get a jobs bill passed. We feel your pain, we know your struggle. We must act now.

#### GOVERNOR BEVERLY PERDUE PROPOSES SUSPENSION OF CONGRESSIONAL ELECTIONS

(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, the Raleigh News & Observer reported seriously that last Tuesday at a Rotary club meeting in Cary, North Carolina, Governor Beverly Perdue stated: "I think we ought to suspend, perhaps, elections for Congress for 2 years and just tell them we won't hold it against them, whatever decisions they made, to just let them help this country recover."

Any governor, especially our great neighbor of the 10th largest State in the country, should be unwavering for citizens to have their votes counted. Elections are vital for accessibility and accountability. Governor Perdue fails to understand that House Republicans have put job creation, economic growth, and limited spending at the center of the congressional agenda. Since January, House Republicans have led efforts to help our economy

recover by passing legislation to promote small businesses to create jobs. Even as a joke, Congress should not be a special class separated from the citizens. The House has passed 90 bills this year, and the Senate has only passed 20.

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

#### SMALL BUSINESSES FIGHTING TO GROW

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

Ms. HAHN. Mr. Speaker, last week I held meetings in my district with over 50 businesses; not to talk to them, but to listen to them. I wanted to hear from small businesses themselves—what is standing in your way and what do you need to succeed. And I heard that even in the sluggish economy, these small businesses are finding opportunities. They want to hire and grow. Difficult times cannot repress the ingenuity and determination of the American small businessperson.

What they do need is access to capital to seize these opportunities. They need small business loans that don't take a small mountain of paperwork to apply for. They need us to pass the American Jobs Act to give them the tools they need to innovate and grow.

Congress bent over backwards to bail out Wall Street billionaires. Where's the help for the ordinary men and women working on Main Street? Congress needs to get our priorities straight. We should be fighting for small businesses that are the backbone of our economy and the foundation of our American Dream.

□ 1210

#### HONORING THE LIFE OF MARINE CAPTAIN THOMAS HEITMANN

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

Mr. KINZINGER of Illinois. Mr. Speaker, I rise today to speak in honor of Captain Thomas Heitmann, a marine from Mendota, Illinois, who faithfully served our country. He was killed on September 19, 2011, at the age of 27, in a helicopter crash at Camp Pendleton, California.

Captain Heitmann was one of six children. His parents sent their son to Holy Cross School, and he graduated in 2002 from St. Bede Academy in Peru. He is remembered throughout the community as a truly outstanding person. He was known by his family, friends, former coaches, and teammates as "the all-American boy," "the star athlete," "a kind, supportive and good friend," and a "gentleman to all."

Captain Heitmann was brought up with a strong set of core values. He worked hard and understood the impor-

tance of his family and his friends, and he truly cherished the time that he spent with them. Captain Heitmann's passion was to fly. One of his former coaches said: "It was a dream come true for him to fly for the Marines and be a pilot." I understand that dream.

Captain Heitmann is a true patriot and displayed the love for his country that separates the people of our great Nation from any other in the world. Our men and women in the military, like Captain Heitmann, work tirelessly to protect our country. Their sacrifice is the reason for our liberty. While he will be sorely missed, it's because of his commitment and that of people like him that we can stand before you in a Chamber like this today.

God bless Captain Heitmann's service, and God bless his family.

#### A DECADE IN AFGHANISTAN

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

Mr. QUIGLEY. Mr. Speaker, we have been in Afghanistan for 10 years.

Two years ago, on the eighth anniversary of our invasion of Afghanistan, I stood in this same spot and asked: Have our 8 years, 791 American deaths, and billions of U.S. dollars spent in Afghanistan made America safer? My conclusion, sadly, was no.

Two years later, I am left asking the same questions and reaching the same conclusions: al-Qaeda is still not primarily in Afghanistan, but in Pakistan, Yemen, Africa and elsewhere. We still cannot afford a vast ground war and rebuilding effort abroad. We should be fighting a smaller, smarter war that goes after terrorists instead of building nations. It's time to get out of Afghanistan before another year passes and we are back here saying the same thing all over again.

#### PENNSYLVANIA HOSPITALS

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

Mr. PITTS. Mr. Speaker, I would like to welcome members of the Hospital and Health System Association of Pennsylvania to Washington today.

Hospitals are an essential piece of Pennsylvania's economy. Annually, the total economic benefit for our State is \$2.7 billion a year.

More than 16,000 Pennsylvanians are employed by hospitals, and they are paid an average salary of more than \$52,000 a year. In my home district, Lancaster General Hospital is now the largest employer. Doctors, nurses, and other hospital workers are contributing to our economy and saving lives. They're working hard to come up with new ways to save lives, new methods to improve our health, and ways to reduce the cost of care.

Working in a hospital is not easy. Doctors, nurses, and administrators

help individuals and families who are hurting and who are struggling with illness and disease. And they work long hours performing difficult tasks.

We thank our hospital professionals for their service; and as chairman of the Energy and Commerce Health Subcommittee, I will always listen to their voice as Congress works to improve our health care system.

#### AMERICAN JOBS ACT

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

Mr. BACA. Mr. Speaker, the "party of no" is at it again. Republicans have been in the majority for 273 days, and they still have no plans to create new jobs. Now the Republicans are saying "no" to the American Job Act, with the majority leader calling this bill "dead."

But what are the Republicans really saying no to? They're saying no to helping small businesses grow and hire. They're saying no to keeping teachers in the classroom. They're saying no to keeping firefighters, first responders and cops on the job. They're saying no to building our crumbling roads, bridges and schools. They're saying no to cutting taxes for hardworking American families.

The American Job Act is a bipartisan approach with ideas that have been supported by both Democrats and Republicans. We must stop this political game. The American people are suffering, and they need our help now. Let's all say yes to putting Americans back to work and pass this bipartisan agenda.

#### MIDDLE EAST PEACE

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

Mr. GARDNER. Over this past week, I was reminded that while my Jewish friends and colleagues were celebrating Rosh Hashanah, the Jewish new year, members of the United Nations were considering a motion that would further jeopardize chances for Middle East peace. I'm very concerned, Mr. Speaker, that the willingness of the U.N. to consider Palestinian statehood, despite United States calls to halt such an action, will embolden Israel's enemies.

This must stop now. We must send a message to the United Nations that their continued support for anti-Semitic and anti-Israel resolutions is unacceptable to the United States. As members of our House leadership, Republican and Democrat, recently said in a New York Daily News op-ed: "Congress will not sit idly by." Nor will I sit idly by. We simply cannot and will not allow Israel, a beacon of hope in a volatile area of the world, to be ignored and cast aside by the U.N.

Lasting peace will only succeed if the Israelis and the Palestinians themselves come to the table for direct negotiations. Peace is not easy, as we

have seen. But it will not be achieved by unilateral decisions made by an international body that does not represent the interests of our friend and our ally Israel.

#### DETROIT JOBS TRUST FUND

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

Mr. CLARKE of Michigan. The Detroit Jobs Trust Fund will create jobs for Detroiters. And we definitely need it. Metro Detroit has lost more jobs over the last 10 years than any other metropolitan area in the country.

But as the fighting spirit of the Detroit Tigers and Detroit Lions demonstrates, we've got to fight to help this country compete and win any battle for jobs around the world. So my message is this: if you want to create more manufacturing jobs here in the U.S., then invest in Detroit.

#### SHUTTLE PLACEMENT NEXT TO STRIP CLUB

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

Mr. POE of Texas. Mr. Speaker, NASA plans to send the shuttle Enterprise to New York City, a place that has no connection with NASA. In their sales pitch for the shuttle, the Intrepid Museum painted an extravagant picture of the orbiter prominently displayed in a beautiful facility on the Hudson River.

Now, in a misleading bait-and-switch move, they want to move this piece of space history next to a bagel joint, a car wash and a strip club to supposedly beautify the area. The shuttle should not be used as part of an urban renewal project.

The only place this shuttle should be heading to is Houston's "Space City, U.S.A.," the historical place for all space exploration. The first word on the Moon was "Houston", not "New York City." And placing the shuttle in New York City is like putting the Statue of Liberty in Omaha, Nebraska. NASA and the Smithsonian should reconsider putting the shuttle in New York.

And that's just the way it is.

#### AVIATION SAFETY RULE

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

Mr. HIGGINS. I come before the House today, Mr. Speaker, to call for the immediate implementation of the pending aviation safety rule on preventing pilot fatigue.

In February of 2009, Continental Connection Flight 3407 crashed in my community of western New York. The investigation of the crash brought to light serious deficiencies in Federal

aviation safety standards, including our rules to prevent pilot fatigue. In response, Congress unanimously passed legislation to reform these rules. Yet despite broad congressional support, implementation of the pilot fatigue rule is more than 2 months overdue. Yesterday, 102 of my colleagues and I sent a letter to the administration urging the quick implementation of these reforms.

Mr. Speaker, the old policies still in place do not adequately prevent fatigue or sufficiently protect the traveling public. We must implement the overdue pilot fatigue rule. While we delay, the traveling public continues to take to the skies bearing unnecessary risks.

□ 1220

#### NATIONAL FEDERATION OF THE BLIND

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

Mr. STEARNS. Good afternoon, Mr. Speaker.

Although the disabled have made significant progress in achieving the American Dream today, they still face unfairness in the workplace under a provision that allows employers to pay workers with disabilities less than the Federal minimum wage.

Protections for disabled workers were excluded in the Fair Labor Standards Act in the mistaken belief that they would not be as productive as other workers. That is why I offered the Fair Wages for Workers with Disabilities Act, along with my good colleague, Congressman BISHOP of New York. This legislation would phase out the provision in the Fair Labor Standards Act that allows subminimum wage for disabled workers.

It is deplorable and wrong in America that these not-for-profit centers would hire people with disabilities, including the visually impaired, and pay them less than \$1 an hour. Workers with disabilities contribute to our economy and to our society, and they deserve equal pay for equal work.

#### PASS THE AMERICAN JOBS ACT

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

Mr. AL GREEN of Texas. Mr. Speaker, it's time for this House to act on the American Jobs Act. It not only makes good sense, it makes dollars and cents for businesses. Businesses that hire persons who have been looking for work for more than 6 months will get a \$4,000 tax credit. If that person happens to be a veteran, it becomes \$5,600. If that veteran happens to have a disability that is service connected, it becomes \$9,600.

It's time to act on the American Jobs Act. It makes good sense. It also makes good dollars and cents for business.

#### URGING SENATE ACTION ON A BUDGET

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

Mr. KELLY. "I cannot believe you guys put yourselves behind the eight ball." Well, that's what my football coaches used to say whenever our team botched a play or missed an opportunity to win a game.

As we mark 888 days since the Senate has passed a budget, I'd like to say to our friends over in the Senate: I can't believe you folks have put the American people behind the eight ball.

Without a long-term budget, you can't run a business, you can't run family finances, and you sure as heck can't run a government. Passing a budget is one of the most basic legislative responsibilities Congress has, and the Senate leadership has not only punted on this, they've taken a knee.

Leadership isn't about sitting on the sidelines, it's about having the courage to run the play. My colleagues in the House and I are calling on Senator REID to run the play. Pass a budget. Pass the pro-growth bills we've already gotten through the House and help get America out from behind the eight ball.

The American people have waited 888 days to see a budget come out of the Senate. And while the Senate is taking its good old time, the American people are taking it on the chin. With constant threats of shutdowns and slowdowns over continuing resolutions, we've had enough.

Mr. REID, please do your job. Pass a budget.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BASS of New Hampshire). The Chair will remind Members to direct their remarks to the Chair.

#### AMERICAN JOBS ACT

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

Mr. BUTTERFIELD. Mr. Speaker, it is very disappointing to me that the gentleman from South Carolina (Mr. WILSON) a few moments ago took North Carolina Governor Perdue's words completely out of context. Every day, Governor Perdue of North Carolina is urging this Congress to work in a bipartisan manner to create jobs by passing the American Jobs Act.

We need, Mr. Speaker, to help create jobs. We need to help job creators by offering new tax cuts that incent the hiring of workers and cut payroll taxes. The tax cuts in President Obama's American Jobs Act will save a business with 50 employees roughly \$50,000 per year and give employees an additional \$1,500 per year each in take-home pay. This is real money. It equates to real job growth in the near term.

But the American Jobs Act is more than just tax cuts. Investments in education and infrastructure will increase long-term growth.

I urge this body to take up the whole American Jobs Act—not cherry-pick its parts—without delay so that the small businesses of America can continue to grow and hire, leading us into prosperity.

#### FREE TRADE AGREEMENTS

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

Mr. YODER. Mr. Speaker, it's time to put America back to work again, and that's why I rise today to lend my voice in support of the three pending free trade agreements that the President has submitted to Congress.

At a time when 13.9 million Americans are looking for employment, these commonsense, bipartisan bills are the types of pro-job legislation upon which this Congress should be focused.

It's estimated that these agreements could create hundreds of thousands of jobs in the United States and increase American exports by tens of billions of dollars a year. This means real jobs in the Third District of Kansas and throughout my home State, where exports are a major component of our economy, accounting for almost \$10 billion in economic activity and supporting 30,000 jobs.

Mr. Speaker, Americans are tired of partisanship and they're looking for solutions to our economic challenges. Today, let's come together, pass these trade agreements, and let's get Kansas and all of America working again.

#### AMERICAN JOBS ACT

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

Mr. YARMUTH. Mr. Speaker, the American Jobs Act has been presented to the American people, but in this House it doesn't sound like it's going to get much of a hearing. Republican leadership has called it dead and has called it a partisan piece of legislation.

Well, I've got some evidence that shows that it's not really that partisan. As a matter of fact, we sent out a survey to over 4,000 Louisvillians asking them for their opinion on all provisions of the American Jobs Act. The percentage of support was astounding. Almost 80 percent want to spend \$50 billion to improve our infrastructure; 76 percent want to cut payroll taxes for every worker, 77 percent to cut the payroll tax for businesses, 73 percent allowing businesses to write off 100 percent of new investments, a Republican proposal; 79 percent want to provide a tax credit for hiring American veterans.

No, the only thing that's partisan about the American Jobs Act is the Republicans' attitude about it. And it is time to pass this act to create a new

future for the American people and a better American economy.

#### AMERICAN JOBS ACT

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

Mr. CONNOLLY of Virginia. Mr. Speaker, how many different jobs could be created if America just had more snakes? venom specialists? animal control? mongoose peddler? I only ask because, in the face of stagnating job growth, Republican leadership in the House Oversight Subcommittee actually recommended relaxing restrictions on exotic snake sales to create jobs. Apparently, in the face of ongoing unemployment, the one job Republicans feel confident they can create is snake oil salesman.

In contrast, President Obama's jobs proposal takes a page out of a former Republican playbook, most notably that of Dwight D. Eisenhower, supporting policies that put Americans back to work. It includes infrastructure investments to build and repair schools, roadways, bridges, creating construction jobs. The President's proposal cuts business taxes to incentivize hiring in the private sector, and it cuts payroll taxes for every current worker to spur economic demand. These bipartisan policies have been successful in the past.

The American people need real jobs, Mr. Speaker, not snake charmers, and I ask that my colleagues support real proposals like the American Jobs Act.

#### LABOR-HHS EDUCATION APPROPRIATIONS CONCERNS

(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, I rise to express my deep concern over the Labor-HHS Education appropriations draft posted last week by the majority. Not only did this action circumvent the procedures of the House and disregard the input of committee members, but the bill is misguided and dangerous for our Nation's families and economy.

The draft eliminates the cost-effective Title X family planning program, blocks funds for evidence-based sex education programs to instead spend them on programs proven ineffective and discriminatory, and, again, threatens to shut down the government over Planned Parenthood.

This plan harms our health care workforce by slashing the job-creating National Health Service Corps program by 55 percent and making steep reductions to the Community Health Center program. And it wipes out the successful Senior Corps and AmeriCorps programs that not only provide jobs, but also critical low-cost services to our families and seniors.

The list goes on, but the theme is the same we've seen all year: The majority is more interested in putting ideology over common sense and partisanship over people's needs.

#### PASS THE AMERICAN JOBS ACT

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

Ms. EDWARDS. Mr. Speaker, the other side has been in the majority for 39 weeks and they still haven't passed a single piece of legislation to create jobs or help small businesses. And now they reject out-of-hand, commonsense ideas in the American Jobs Act that would help small business owners who really are the economic engine responsible for creating 70 percent of the jobs in this country.

Last week, I visited with small business owners like Susan Bishop, the owner of Jaha Hair Studio. She has been in business 16 years, has eight employees, and she has found it impossible to get a \$30,000 credit extension to meet payroll from a bank that she has done business with for 16 years. She wants to expand her business, to hire others, to train others, and she can't do it, but she could with the American Jobs Act.

Constituents Abeba and Lene Tsegaye, owners of Kefa Cafe, told me that they would actually hire someone if they could get the tax credits available in the American Jobs Act.

So why aren't we doing it, doing it for the owners of Kefa Cafe and other small businesses throughout my congressional district? These are real job creators. It's time for this to be our top priority.

Pass the American Jobs Act. Get America back to work. It's time for the majority to act.

□ 1230

#### PENDING FREE TRADE AGREEMENTS

(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, I rise to speak for the three bilateral trade agreements which the President submitted to the Congress yesterday. I applaud the administration on the negotiated revisions to these agreements, which will improve market access in Korea, tax transparency in Panama, and labor rights in Colombia. Through their hard work, our trade negotiators, led by Ambassador Kirk, have made real and significant improvements to these agreements. Their passage is long overdue.

While political negotiations over previously uncontroversial Trade Adjustment Assistance programs have dragged on here in Washington, American businesses have been losing market share in these three countries. For



example, in the first month after the European Union-South Korea free trade agreement went into effect in July, EU exports to South Korea increased 36 percent over the year before. Meanwhile, U.S. market share has been steadily declining, from 21 percent 10 years ago to 9 percent today. Colombia has implemented trade accords with its neighbors and with Canada and will soon implement an agreement with the European Union, but U.S. exporters still face an average of 9 percent in tariffs. These treaty agreements need to be passed to create jobs.

#### AMERICAN JOBS

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

Ms. HANABUSA. Mr. Speaker, we speak of jobs, both sides of the aisle speak of jobs. And we wonder, why is it that jobs are not being created? It is because the public has no confidence in any of us. So let's start to look seriously at the jobs bill that we have before us, and that is the President's American Jobs Act. And let's look at specifics within that. We speak generically, but let's see how it really affects people, and let's look at how it affects the one group of people that we all say we want to help: the veterans.

When I was home, we went to the opening for the U.S.VETS. It was to implement the President's plan that we will end veteran homelessness by the year 2015. But we also know an integral part of that is the jobs. Look at what his act produces: Returning Heroes tax credits of up to \$5,600 if you hire an unemployed vet; a Wounded Warriors tax credit of up to \$9,600 if you hire a disabled veteran. Isn't it time for us to just stop all of this and start to focus on what we need to do to create the jobs for the people who need it?

#### PROVIDING FOR CONSIDERATION OF H.R. 2681, CEMENT SECTOR REGULATORY RELIEF ACT OF 2011; AND PROVIDING FOR CONSIDERATION OF H.R. 2250, EPA REGULATORY RELIEF ACT OF 2011

Mr. NUGENT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 419 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 419

*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. 2681) to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for cement manufacturing facilities, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall

not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. 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 Energy and Commerce 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 received for printing in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII in a daily issue dated October 4, 2011, or earlier and except pro forma amendments for the purpose of debate. Each amendment so received may be offered only by the Member who caused it to be printed or a designee and shall be considered as read if printed. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. 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. 2250) to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for industrial, commercial, and institutional boilers, process heaters, and incinerators, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. 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 Energy and Commerce 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 received for printing in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII in a daily issue dated October 4, 2011, or earlier and except pro forma amendments for the purpose of debate. Each amendment so received may be offered only by the Member who caused it to be printed or a designee and shall be considered as read if printed. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a

substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Florida (Mr. NUGENT) is recognized for 1 hour.

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

#### GENERAL LEAVE

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

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

There was no objection.

Mr. NUGENT. I rise today in support of House Resolution 419. The rule provides for consideration of two separate but related bills: H.R. 2250, the EPA Regulatory Relief Act of 2011; and H.R. 2681, the Cement Sector Regulatory Relief Act of 2011.

I'm proud to sponsor this rule, which provides for a modified open amendment process with a preprinting requirement. This modified open rule means that any Member, Republican or Democrat, with any germane amendment that complies with the other rules of the House will have the opportunity to debate that issue. It's another example of the Republican majority's continued commitment to openness and transparency.

Mr. Speaker, since coming to this body back in January, my priority has been to create an environment where American workers can prosper. In my home district, unemployment hovers around 13 percent. I don't doubt this sad statistic is part of the reason why Vice President BIDEN is in my district today, talking up the President's so-called American Jobs Act. Unfortunately for thousands of people looking for work in Florida's Fifth Congressional District, they can't afford for the President and Vice President to just keep talking about it. They need action, not promises. They need to actually break down the barriers that are preventing job creators and employers from creating new jobs.

Every week when I go home, I meet with small business owners to get their input on what they need to start hiring again. They always tell me the same three things: We need demand from customers; loans aren't as easy to come by as they were prior to the recession; and they have no idea what to expect from Washington, as it relates to regulation and taxes. Washington can't directly control the first two things but can absolutely take care of the third.

□ 1240

When we had a balanced budget amendment rally in Dade City, one of the small business owners stood up and said, what we need is certainty from the Federal Government. We need certainty what our taxes are going to be and what regulations are going to be. He talked about the fact that regulations change on a moment's notice based upon whims of the government. He used to plan 3 to 5 years out in regards to what their business plan was going to do, what their hiring process was going to be. Today, they're lucky if they can plan 90 days based upon the uncertainty. And so long as two-thirds of Americans in this country think that we're on the wrong track, they're going to stay hunkered down, waiting for signs that things are improving.

The American people need to believe that we're putting this economy back on track, back towards growth and prosperity, and you do that through leadership. There are currently 219 regulations under consideration. Each of those regulations separately will cost us \$100 million. That's \$21.9 billion in increased regulations on businesses today that are already crushed because they can't compete. What's more, there are 4,226 new regulations in the hopper. With that many regulations costing that much money hanging over their heads, how on Earth can we expect small businesses to actually create jobs?

Today in the House, we have the ability to address some of these executive rules, all promulgated by the EPA. Those rules, collectively known as Boiler MACT and Cement MACT, put thousands of jobs in my district in jeopardy. For the life of me, I can't understand how the Vice President can stand up in front of the citizens of Land O' Lakes, Florida, talking about job creation with a straight face when the Obama administration is actively pursuing regulations like Boiler MACT and Cement MACT.

In my district alone, the Cement MACT rule could cost up to 200 cement manufacturing jobs, not adding into the total of jobs that are going to be lost on the associated industries that move it, sell it, and use it. Additionally, numerous groups and industries have made it clear that Boiler MACT regulations will cost them hundreds of millions of dollars and will put many of their employees in the unemployment line. And yet our President ignores these regulations and keeps talking about doubling down with a second stimulus, following the failed first stimulus package. Well, here we are today, doing something to actually save jobs, not just talking about it.

One of the very first actions I took as a Member of Congress was to invite the EPA to come to my office and explain to me their finalized rules in respect to the Portland cement manufacturing that goes on in my district. They said to me, We understand it's not without challenge to the industry. I may not

have been here long, but I know Washington doublespeak when I hear, Well, it's not without additional challenges to that industry.

It's not just the Cement MACT rule that's "not without challenge," Mr. Speaker. My colleague, Mr. HASTINGS, wrote a letter to the EPA about 2 months ago, and I commend him for this letter. In it, he says, "The Boiler MACT rule alone could impose tens of billions of dollars in capital costs at thousands of facilities across the country." My colleague from Florida asked the EPA to consider a more flexible approach that "could prevent severe job losses and billions of dollars in unnecessary regulatory costs."

In Florida alone, Boiler MACT will affect at least 43 boilers, requiring \$530 million in retrofits. I just heard from the Florida sugar industry, who estimates Boiler MACT for their compliance alone will cost \$350 million and cost untold jobs. I've heard from the pulp and paper workers, who may need to lay off 87,000 workers if the Boiler MACT regulations go into place. I've heard from timber producers in my district that have recently been hurt because U.S. plywood producers have had to close because of lack of demand, and now they're fearful they may have to deal with the double whammy that Boiler MACT is going to do in regards to putting businesses out of work and close them down. It could crush one of the last outlets for their timber products.

Representative HASTINGS, in his letter to the EPA, said this: "I believe that regulations can be crafted in a balanced way that sustains both the environment and jobs." I believe these bills, H.R. 2250 and H.R. 2681, meet that balance and makes that balancing possible.

These bills don't completely eliminate clean air emissions regulations for boilers, incinerators, or cement kilns, but what they do is require the agency to create regulations that actually take achievable science into account. They give the affected industry time to comply. In sum, they make the EPA think about the American workforce, Mr. Speaker; and in an environment where job creation is key, I don't see how we can't support that.

With that, I encourage my colleagues to vote "yes" on the rule, and I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I thank my friend, colleague, and fellow Floridian for yielding the time, and I yield myself such time as I may consume.

I rise today in opposition to the rule for H.R. 2250. In my considered opinion, both these bills are yet another effort by the Republican leadership to demonize the Environmental Protection Agency while doing nothing to create jobs for the millions of Americans who are unemployed.

My colleague Mr. NUGENT, my friend, cited the letter, the authors of same being Walter Minnick, ROBERT ADER-

HOLT, G.K. BUTTERFIELD, and JOHN SHIMKUS. I signed that letter. I was not the author of same. I do not deny any of its particulars, specifically the fact that there should be flexible approaches to address the diversity of boiler operation, sectors and fuels that could prevent severe job loss.

I would remind my friend that the measure that we were speaking of is under a stay and, therefore, the implementation of the provision will continue, I believe, to allow for the needed flexibility.

And I think you referred, and I refer again, to the portion of the joint bipartisan letter:

"As EPA turns to developing a final Boiler MACT rule"—mind you, they had not, and this was as of August of last year—"we hope you will carefully consider sustainable approaches that protect the environment and public health while fostering economic recovery and jobs within the bounds of the law."

That is precisely what I signed on to and stand by, and I don't believe that it is inconsistent with anything that my friend pointed out nor did he suggest that it would be inconsistent.

But I did also hear my friend talk about Washington doublespeak, and I distinctly heard him refer to what has now kind of perpetuated itself inside this beltway, and that is the statement that was made earlier by the distinguished Speaker of the House of Representatives that "at this moment the executive branch has 219 rules in the works that will cost our economy at least \$100 million. That means under the current Washington agenda, our economy is poised to take a hit from government of at least \$100 million."

I would ask my colleague to not follow on that pattern; otherwise, you get caught in the Washington Beltway doublespeak. The better proof allows an analysis that was done by The Washington Post, and I'm not a follower necessarily of The Washington Post Fact Checker, but so far I've not heard anyone reference them.

□ 1250

They do give people Pinocchios for when something is not the truth. It's either one Pinocchio, two or three. As it turns out, what the Washington Post said following the Speaker's comments that you have used here today, my dear friend, is that Mr. BOEHNER left the distinct impression that 219 new regulations were hanging like a sword of Damocles over the U.S. economy; but it turns out the number of potential regulations is inflated as well as the potential impact. Overall, his statement contains significant factual errors, and they give it three Pinocchios. I would urge that you not try to earn these Pinocchios that they're talking about, and let's try to get the facts straight.

Just last week, we were having this very same discussion about a bill that made it easier for power plants to emit

harmful mercury and other toxic pollutants into the air. Today, we're talking about letting industrial boilers and cement kilns do the same thing. Last week, I asked, Why is it that certain ones can follow the standards and that others can't? I still am puzzled by that. I also asked last night how it is if we don't know what the rules are going to look like that we would be smiting down, if there is such a word, the rule.

Mr. Speaker, we are judged by what we do and not by what we say. What my friends on the other side of the aisle continue to do is to call up bills that are shortsighted and undermine our ability to maintain the public health and cleanliness of our air and water. Bills like these that destroy regulations protecting the air we breathe and the water we drink have the same consequences regardless of intent. Republicans cannot close their eyes to these effects and plead good intentions.

I assure you these effects are severe. Mercury is a powerful neurotoxin that does, in fact, hinder brain development in infants and children. Other toxic metals getting a pass under these bills are arsenic, chromium and lead, which are known to cause cancer and birth defects.

Despite these facts, my friends on the other side cling to their anti-regulatory dogma with fanatical fervor. I had a friend last night say to me that some people have a conscience and brain and that others just think about dollar signs. I feel that my colleagues who have brains—I believe they have consciences—seem to place the dollar signs ahead of many of the practical matters that would benefit society.

This anti-government rhetoric has gone so far as to lead my colleagues on the other side astray of the protocols laid out by Majority Leader CANTOR. In the third protocol laid out in his Legislative Protocols for the 112th Congress, Leader CANTOR writes:

“Any bill or joint resolution authorizing discretionary appropriations shall specify the actual amount of funds being authorized. Authorizations shall not utilize terms such as ‘such sums as may be necessary’ or similar language that fails to specify the actual amount of funding being authorized.”

Yet neither of these bills specifies how much money is authorized for the implementation of the bill, leaving the cost a mystery. Furthermore, ambiguous language in these bills will create legal uncertainty and ensure litigation. Since these bills don't specify how much they cost, neither bill contains an offset for the cost. These bills also defy Leader CANTOR's fourth protocol that we know around here as CutGo. There will be a real cost for the EPA to take on another lengthy rule creation process, but my friends on the other side have chosen to ignore this contradiction.

Mr. Speaker, these bills are not just bureaucratic infighting. They will have real and measurable effects. According to EPA's analysis, H.R. 2250 would re-

sult in a significant number of premature deaths, in a significant number of additional heart attacks, and in considerable numbers—more than 100,000—of additional asthma attacks that otherwise could have been avoided.

Likewise, H.R. 2681 would cause tens of thousands of adverse health effects, including the premature deaths that are suspected and the heart attacks and additional asthma attacks that otherwise could have been avoided.

The reason I didn't use EPA's numbers is I don't think EPA or anybody else has the prerogative to make a decision about how many people are going to die at a certain time. That said, it does not mean, however, that one person is not going to die, and it does not mean that one person is not going to have asthma. My position is one death that could be avoided is too many, and one asthma attack, if you've been around children who have them, is too many if they could be avoided.

In light of these estimates, these bills appear to be nothing more than another attempt to purge any government intervention related to keeping our air clean and environment safe.

Consider that these regulations the Republicans say are destroying jobs have not even gone into effect. The Boiler MACT rules dealing with industrial boilers, as I, along with my colleagues, wrote to EPA, are currently in an administrative state while the EPA reviews industry-provided data. That's why we sent the letter during that period of time—to ask them to please consider the diversity, as I continue to do, of boilermakers in this country.

We don't even know what those rules are going to look like; yet the Republican gut reaction is to oppose them. Or consider that the cement rules have been finalized for a year already. Most cement plants are already in compliance, and those plants that aren't are working with the EPA to get in compliance.

Mr. Speaker, based on what I've seen by the Republican-led Congress, it is clear to me that they have no intention of using their power to create jobs. I heard my colleague, my friend, say that the President's administration is not about the business with the so-called, he said, American Jobs Act. I don't know whether it would create a single job or not. We wouldn't know it until it passed, and it isn't going to be passed here in the House of Representatives because the agenda that you've laid out is an agenda that's going to attack the EPA as if they are some horror show here in this country and not an agenda, as you heard in the one minutes this morning and as you've heard from the Democratic leadership repeatedly, to bring up the Jobs Act, to put it on the floor, to let it be debated under an open rule, and to do what's necessary for us to create jobs.

The history of the Clean Air Act shows that its benefits—longer lives, healthier kids, greater workforce pro-

ductivity, and ecosystem protections—outweigh the costs by more than 30 to 1. I continue to remind my friends that the Clean Air Act was implemented under the Richard Nixon administration, and it has been in existence for 40 years. This country has experienced ups and downs during that period of time insofar as its economy is concerned, and said regulations haven't caused all of the economy to collapse.

Otherwise, during the period when Speaker Gingrich and President Clinton and those of us who were here balanced the budget, we wouldn't have been able to do it if the Clean Air Act were all that bad as you all are pointing out in your continuous attack against the EPA. In the time since the act was passed, air pollution has been reduced by more than 60 percent while the gross domestic product of the United States grew by more than 200 percent.

□ 1300

Furthermore, an EPA economic analysis found no indication that any cement plant would close due to the cement rules. At most, the analysis at this point indicated that 10 underutilized plants would go idle temporarily while waiting for economic conditions to improve.

However, if we can get the economy back on track and restore the demand for cement, then those plants will not have to go idle. We need to focus on creating customers and restoring demand. I heard that from my colleague saying that's what he hears from businesspersons, I hear that same thing, that they need demand and that they need customers. We need to make it easier for them to do that and not easier for the suppliers to pollute.

You know what's a great way to create more demand for concrete? Invest in infrastructure projects that use concrete for roads and bridges, the very same proposals called for in the President's Jobs Act.

If Republicans are so concerned with the concrete plants shutting down, you should work toward helping these businesses sell more concrete. Making it easier for them to pollute does not provide underutilized plants with new customers.

In the midst of an economy still suffering the effects of the greatest recession in a generation, the only answer my friends on the other side seem to have is to dismantle any government regulation intended to protect our Nation's public health and environment. This, Mr. Speaker, is economic extremism.

I reserve the balance of my time.

Mr. NUGENT. Mr. Speaker, I love listening to my friend from Florida (Mr. HASTINGS).

We talk about what the EPA and what this rule and underlying legislation will do. What they fail to point out is that any Member, Democrat or Republican, as it relates to any issue that this rule and the underlying legislation will address, has the ability, has

the ability to submit an amendment, an amendment process that allows us, if the bill is flawed, in our estimation, to submit an amendment, bring it up for the House, have a debate on it, and let's talk about it.

There are ways to fix legislation, not just kill it. There are ways that we can do things as it relates to, you know, business. When we talk about the ability for these companies, I will tell you that I got a different flavor on it. Not from the EPA—of course they have their own take on what's going to work and isn't going to work—but I have heard from, actually, manufacturers that it will cost jobs. It will be to their advantage, if they want, to actually load up their stuff, put it on a truck and take it to Mexico where there are no air quality standards at all, none, and we'll breathe that air forever.

My good friend brought up about CutGo, and I really need to talk about that. First of all, H.R. 2681 and 2250 fully comply with the rules of the House, including CutGo.

The CBO cost estimates clearly state that neither of these bills affect direct spending. While it may actually force the EPA to revisit the rule, they have the staff to do it. It's not like it's a new mandate to them. It's not a new program. It meets within the majority leader's legislative protocols, including discretionary CutGo.

These bills do not authorize any new appropriations, which is one of the tests for discretionary CutGo. These bills do not create any new program or office. That's an additional test on discretionary CutGo. And rulemaking is a basic, basic function of federal agencies and particularly the EPA; so they certainly have the staff available to do it without additional costs. That's part of what their job is.

Mr. Speaker, I would like to yield 5 minutes to my friend, the gentleman from Georgia (Mr. WOODALL).

Mr. WOODALL. I thank my friend from Florida for yielding me the time.

Mr. Speaker, I hope you will challenge the American people to watch this debate that happens over the next hour, because I am down here as a freshman to tell you this is exactly what is supposed to be happening in the U.S. House of Representatives. This is what is supposed to be happening in the people's House.

I hold in my hand a committee report, the committee report from H.R. 2250. It was introduced by a freshman, a freshman from the southwestern corner of Virginia who introduced it, Mr. Speaker, because he's worried about jobs in his district.

You are not going to find—and I challenge you to find, a single Member who'd come to the floor to say my freshman colleague introduced this bill because he has any motivation other than the best interests of the men and women and families that live in his district.

Now, understand that: He introduced this bill that we are going to discuss, if

this rule passes, because he is concerned about the men, women, children, the families in his district. That's why this legislation was introduced.

He introduced this legislation over the summer, June 21. On September 8 the subcommittee that deals with this legislation had a hearing. On September 8 they had a hearing, and on September 13, a week later, reported out this bill through the regular subcommittee process. We go on, Mr. Speaker, September 20, the full committee had hearings, markups on this bill, met in open markup session, and on September 21, reported out this bill, printed this committee report online for all of America to read.

And today, if the rule proposed by my friend from Florida passes, we are going to allow any Member of this House, any Member, Republican and Democrat alike, to offer any changes that they propose, any changes. All they have to do, we gave notice of that a week ago today, all they have to do is preprint their amendment in the CONGRESSIONAL RECORD, submit it by the close of business tonight so that all Members will have a chance to read it and consider it thoughtfully. Mr. Speaker, that is how this House is supposed to run: regular order, regular process, hearings, markups, and allowing any Member to have their say.

Now, nevertheless, this rule is being challenged and urged for its defeat because folks don't like the underlying idea. That's a real frustration for me, Mr. Speaker, because I grew up in a Nation where we disagree about things from time to time and that's okay.

And what we do is we disagree about them, and then we bring them to the House floor for a vote so that America gets to decide. I am the voice for 921,000 people in Georgia, and I can only speak for them when I have a vote on the House floor. This rule provides that any amendment offered by any Member of this body gets to have the voice of my 921,000 constituents heard. This is the way it's supposed to be run.

I came, Mr. Speaker, from a press conference earlier with about half the freshman class urging the Senate to take up legislation, job-creating legislation that is just sitting there in the Senate and the Senate won't take it up. Why? Because perhaps folks don't like the ideas in their entirety. Mr. Speaker, I recommend they amend them, that they adopt our process of amending bills in a way that the people's voice gets to be heard.

We don't have to agree on everything, but we have to talk about it. We have to move that legislation forward, and we have to get the American people's work done. It's not optional, Mr. Speaker. If you didn't want to get the American people's work done you shouldn't have signed up for the job. And come next November you have a chance to go back home. But if you want to get the people's work done, this is the right process to do it.

Mr. Speaker, all jobs are not created equal. I challenge anyone to come to

the floor of the House and tell me that jobs are not going to be destroyed, manufacturing jobs, good-paying manufacturing jobs, destroyed by the implementation of this rule.

Now we are going to create some other jobs. All the moving companies who move folks out of their house in my district when their homes get foreclosed on because they lost their jobs, those jobs are going to be created. We are going to create some jobs with these rules, but not the kinds of jobs that I know we want, we collectively want.

This bill has a lot of common ground in it, Mr. Speaker, and we have an opportunity in this process to find that common ground. You know, folks tell this as the tale of Republicans out to get the EPA. Nobody loves clean air more than I do. Nobody loves clean water more than I do, and I would argue no one participates in the outdoors more than I do.

□ 1310

But the EPA asked, Mr. Speaker, that they have more time to finalize this. They said, We don't have time to get it right. Can we have more time? And you know what? The Court got involved and said, no, you cannot; no more time for you. Why, Mr. Speaker? Because the Congress said no.

Today the Congress has an opportunity to say yes, Mr. Speaker. I rise in full support of the rule and the underlying legislation.

Mr. HASTINGS of Florida. Mr. Speaker, I guess it's my prerogative to assist in correcting a couple of measures. I kind of wish my good friend—and he is and he's going to be a real asset to our institution as an institutionalist, and I'm referring to my friend, Mr. WOODALL from Georgia. He and I enjoy quite a tete-a-tete in the Rules Committee. It's just that when he puts forward his proposition, I wish he had that same fervor with all of the closed rules we have had in the House up to this time. One-half of all of the rules we've promulgated until today have been under closed rules. This one is a modified open rule. And, yes, you're correct, Members can come down and they can go forward if yesterday they knew today that they had to meet by the close of business the amendment process.

Mr. WOODALL. Will the gentleman yield?

Mr. HASTINGS of Florida. I would be happy to yield to the gentleman from Georgia (Mr. WOODALL).

Mr. WOODALL. I thank the gentleman for yielding.

Of course, the Rules Committee sent out a Dear Colleague a week ago alerting them that they had until tonight. And I say to my friend, I think you're absolutely right about the need for even more openness in this House. Of course, we only had one open rule in the last Congress.

Mr. HASTINGS of Florida. Absolutely.

Mr. WOODALL. As a part of this freshman class, we're making progress. I look forward to working with you to make even more progress. And I hope, since we can agree this one is done right, that we can come together, vote in favor of this, and then look forward to our next challenge.

I thank my friend for yielding.

Mr. HASTINGS of Florida. Reclaiming my time, I can't agree that this one is done right, but it's a modified open rule. It's not an open rule, and you know that as well as do I.

But more important, I want to refer to my good friend from Florida as well when he said that CutGo is not applicable in this particular situation. I disagree. And I think what needs to be understood by my colleague, Mr. NUGENT, is we don't make these rules here in the House. The protocols have been established early on, and we don't say what CBO needs to do. I think all of us are in agreement that CBO is a non-partisan requirement, a group that estimates for us what would be the net cost of legislation.

In this particular measure that we are considering, H.R. 2681, CBO estimates that implementing H.R. 2681 would have a net cost of a million dollars over the next 5 years. The cost of this legislation falls within budget function 300, natural resources and environment.

Now then, I repeat the protocols enunciated and promulgated by the majority leader, Mr. CANTOR: any bill or joint resolution which authorizes the appropriation of funds for any new agency, office, program activity, or benefit shall also include language offsetting the full value of such authorization through a reduction in the authorization of current ongoing spending.

Now, that just is not happening here. And CutGo, although applicable, is being waived, I guess.

At this time, I'm very pleased to yield 3 minutes to the distinguished gentleman from Oregon, my good friend and classmate, Mr. BLUMENAUER.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy in permitting me to speak on this. And I must say, I could not agree more with the gentleman from Florida. If we were really concerned about creating job opportunities and strengthening the cement industry, we would be moving forward with legislation to rebuild and renew America, to deal with crumbling roads, inadequate transit systems, unsafe bridges, water and sewage systems, and treatment plants that need investment.

Sadly, what we have seen since the new majority assumed office is that, in fact, they have been involved with a series of initiatives that are actually cutting back on that initiative, that are reducing resources for infrastructure at exactly the time when America needs them the most.

Now, I'm sorry, but this bill continues an agenda that we heard articu-

lated a great deal last week, that is, not willing to take the 21-year delay from the amendments to the Clean Air Act and move forward to have something in effect by 2013. They want to delay, to start over in many of these cases.

Now remember, in 1990 we amended the Clean Air Act to require these regulations to be completed by the year 2000. But a combination of the Republican takeover of Congress and foot dragging by the Bush administration meant that we weren't ready. When they came up with something out of the Bush EPA, it was inadequate and the courts threw it out. Well, we're back trying to deal with this responsibility.

Now, concern was raised about who cares about people in their districts. Well, I would be prepared to argue that anybody ought to look at the research that's available. Look at the tens of thousands of lives that will be impacted: 6,600 lives every year will be saved by the boiler rule; 2,500 lives a year by the cement rule. Per year. This affects people in every district; massive health care savings across America from people who won't be subjected to those conditions. If you care about people that you represent, you ought to factor in these health considerations.

Now, this legislation requires EPA to toss out work that it has already done and replace it with the least burdensome standard, including the work practice standard which is only a requirement to keep the equipment in working order and regularly tuned up. If we had adopted that initiative, that philosophy 20 years ago, tens of thousands of people would have died.

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

Mr. HASTINGS of Florida. I yield the gentleman an additional 1 minute.

Mr. BLUMENAUER. But we didn't. We moved forward. And, in fact, the record shows, despite arguments like we've heard today, there were tens of thousands of jobs created complying with the Clean Air Act requirements.

But what would they do here? You know, as my good friend from Florida pointed out, there are many in the industry who are already complying. They've seen the handwriting on the wall. They want to be good citizens, or there is pressure locally to clean up their act. This bill would reward the people who are dragging their feet and have the dirtiest plants and equipment, and penalize the people who are being responsible environmental stewards.

You know, my friends on the other side of the aisle oftentimes adopt rhetoric that the 17,000 men and women who work in EPA are the enemy of the American people, are the enemy of the economy. Well, I suggest they ought to get acquainted with some of their constituents who work for the EPA.

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

Mr. HASTINGS of Florida. I yield the gentleman an additional 30 seconds.

Mr. BLUMENAUER. And work to make sure that they have the resources to do their jobs right, and to stop making them political footballs.

I've had my disagreements over the years with EPA, but I respect the men and women who work there. I understand the pressures they're under, and Congress is not helping them do their job any better. And this would be a dramatic step backward. Mercifully, it won't go any place in the Senate, and the President would veto it anyway. But, we should understand what is going on.

Mr. NUGENT. Mr. Speaker, I would just like to remind my colleagues that this does not violate CutGo. Clearly on its face, as he said, making my point, this does not authorize any new spending, not a penny.

With that, I yield 3 minutes to the gentleman from Illinois (Mr. SHIMKUS). (Mr. SHIMKUS asked and was given permission to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, I'm pleased to come down here to thank the Rules Committee for the modified open rule and a chance for us to go through this bill bit by bit, amendment by amendment, to address concerns that my friends on the other side of the aisle might have about this.

□ 1320

I am following my good friend from Oregon, and I appreciate his passion. But I come to the floor to talk about the jobs. And the EPA, whom I've also rallied against numerous times, produced the Cross-State Air Pollution Rule in July. The result of that is two power plants in Illinois are closing. One is 369 megawatts, and the other one is 302 megawatts. That means 671 megawatts of basal power is going to be offline. If you understand the law of supply and demand—less supply plus similar demand or higher demand equals higher costs—then it's very easy to project higher energy costs for everybody across this country because of that rule.

Secondly, the job losses. In the first plant, 14 management and 39 union-represented employees will lose their jobs. That's at plant number one. At plant number two, eight management and 29 union-represented employees will lose their jobs.

We do this and we come down and we have these debates on the role of the EPA so that we can have the debate about jobs in this economy. This is not the time—in fact, I have asked the President, the best thing he could do for his own reelection and for the country is stop doing things. Put a hold on new rules and new regulations and let the economy recover. Let's put people back to work. Let's make these power plants that are employing these folks still have jobs. Let's make sure the tax base in these small rural communities that these power plants pay taxes to still have that property tax revenue going.

Boiler MACT is another example of what we did last week, and these effects on job losses are real. This announcement was done today. Boiler MACT will affect a lot of municipal power plants who have a contractual obligation with their citizens saying we will locally produce power. And so they are breaking contract with their citizens. The Cement MACT is another example of when we talk about jobs and infrastructure. The result of these cement plants closing is that we will import cement.

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

Mr. NUGENT. I yield the gentleman 30 additional seconds.

Mr. SHIMKUS. I would just ask my friends, does that make sense that we are now going to import cement at higher cost from countries who aren't complying with these rules and regulations? I think not. This debate is about jobs and the economy. Now is not the time to ratchet down these rules so we make it more difficult to create jobs, keep jobs, and grow this economy.

Mr. HASTINGS of Florida. Mr. Speaker, I would just remind my friend that when plants like he referenced are closed, it doesn't mean that the demand is not still there. And what happens is it means that new plants are being built. And guess what happens when you build new plants? You use steel, you use cement, and you have jobs. So I'm not certain that analogy that he put forward holds in that case.

I would tell my friend from Florida to know that I have no further speakers at this time and I am prepared to close.

Mr. NUGENT. I thank my friend from Florida for that.

Mr. Speaker, the last Member that spoke talked about closing coal-fired electric plants. It is amazing that the President just last month put in abeyance an EPA rule as it related to just that issue. He put in abeyance that rule because he said that it was going to cost jobs at a time when we could least afford closing plants and cutting jobs. The President gets it, and I applaud him for doing just that.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. NUGENT and I are from Florida. The largest supplier of energy—electricity, specifically—in Florida is a company known to him and me as Florida Power and Light. Mr. NUGENT probably does not remember that I ran for the Public Service Commission in the State of Florida to deal with regulatory matters and to address the ongoing concerns. And much of what we talked about at that time, in addition to two lawsuits that I had filed in my community, was about coal-fired electric generating plants.

Florida Power and Light, being an extremely responsible energy producer, has taken upon itself to eliminate much of their coal-fired activity. And

in spite of all these regulations and their alleged uncertainty and everything having to do with it, they now are using gas-fired facilities and working on trying to reduce emissions, period, and have no problems. The largest electricity producer in this country is Exelon, which has no power. They come from Mr. SHIMKUS', the gentleman that just spoke, territory in Illinois. That's where they're based, and they have no concerns with complying with these regulatory matters.

Now, one thing I heard about cement being imported, the reason for that is the low demand. And if my Governor and some of these other Governors would get off the dime and go about the business, and if this Congress was to go about the business of implementing the infrastructure provisions that are offered in the Jobs Act of the President, then we would use more cement, and we wouldn't have to get any from anywhere as we have not in the past when the economy has that kind of demand.

For people who believe in the Republican anti-government, "the EPA is the evildoer of the world" doctrine found in many of these bills—and I might add we will see more of this according to the majority leader—we are going to demonize EPA, those 17,000 employees. I found it ironic that someone commented a minute ago that they have enough staff in order to be able to do it, while at the same time every time we look to cut some agency, we are cutting EPA, and many people in the Republican Party have used as their mantra the elimination of the EPA.

So I don't know that they could offer any kind of regulation on the Clean Air Act or anything else. But I offer to them these suggestions: If you don't like regulation, don't drive on roads; don't fly; don't go to national parks; don't worry about listeria in cantaloupe and lettuce; don't worry about mercury, chrome, cadmium, and other toxins that pollute the air and cause our children to have asthma. Just don't do that. Don't have any regulations. Just go about your business. And we would then find ourselves in mass confusion with people with premature deaths that are unnecessary.

We can do this. We can have a conscience and a brain and we can make money in this country. We've done it in the past; we will do it in the future.

I urge my colleagues to vote "no" on this rule and on the underlying bill, and I yield back the balance of my time.

Mr. NUGENT. Mr. Speaker, once again I want to thank my colleague from Florida for his eloquent words.

It is about America getting back on track. It is about America worrying about regulations that are going to kill jobs. As I mentioned earlier, the President is even concerned that overregulation by the EPA would do just that, kill jobs when we can least afford it.

□ 1330

If you look at this act, what we're talking about doing is not eliminating

anything. It's about saying 15 months to get it together at the EPA, to look at it, and let's not kill jobs in America. It gives 5 years, then, for those businesses that I've met with that are more than willing to do their fair share to keep the air that we breathe and the water that we drink clean and pure.

I live in Florida. Mr. HASTINGS lives in Florida. We depend upon clean air and water in Florida just like many other States. So, Mr. Speaker, I support this rule and encourage my colleagues to support it as well.

Despite what President Obama and Vice President BIDEN would have you think—giving a bus tour and the Vice President's being in Land O' Lakes, Florida—speeches don't create jobs. For the President, it may be a joke to say shovel-ready jobs, you know, weren't as shovel ready as we thought with the first stimulus package, but the American people footed that bill, and it's no joke to them.

Mr. President and Mr. Vice President need to recognize the reality that H.R. 2250 and H.R. 2681 recognize that jobs are not created in a vacuum, that government creates an environment in which job creators operate. Regulations like Boiler MACT and Cement MACT do nothing to encourage industry to invest in America. Instead, they force employers to shut their doors, move jobs overseas or just across the border to Mexico. They force us to lose our manufacturing base and import cement from countries like China.

I'm proud to play a part in rolling back this type of regulation. I encourage my colleagues to join me in this effort by supporting H. Res. 419 and the underlying bills, H.R. 2250 and H.R. 2681.

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

The previous question was ordered.

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

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

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

The yeas and nays were ordered.

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

#### CONTINUING APPROPRIATIONS ACT, 2012

Mr. ROGERS of Kentucky. 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. 2608.

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

There was no objection.

Mr. ROGERS of Kentucky. Mr. Speaker, pursuant to the unanimous consent agreement of yesterday, I call

up the bill (H.R. 2608) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes, with a Senate amendment to the House amendment to the Senate amendment thereto, and have a motion at the desk.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendment to the House amendment to the Senate amendment.

The text of the Senate amendment to the House amendment to the Senate amendment is as follows:

Senate amendment to House amendment to Senate amendment:

In lieu of the matter proposed to be inserted by the House amendment to Senate amendment, insert the following:

That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2012, and for other purposes, namely:

SEC. 101. (a) Such amounts as may be necessary, at a rate for operations as provided in the applicable appropriations Acts for fiscal year 2011 and under the authority and conditions provided in such Acts, for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in this Act, that were conducted in fiscal year 2011, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Department of Defense Appropriations Act, 2011 (division A of Public Law 112-10).

(2) The Full-Year Continuing Appropriations Act, 2011 (division B of Public Law 112-10).

(b) The rate for operations provided by subsection (a) is hereby reduced by 1.503 percent.

SEC. 102. (a) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used for (1) the new production of items not funded for production in fiscal year 2011 or prior years; (2) the increase in production rates above those sustained with fiscal year 2011 funds; or (3) the initiation, resumption, or continuation of any project, activity, operation, or organization (defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element, and for any investment items defined as a P-1 line item in a budget activity within an appropriation account and an R-1 line item that includes a program element and subprogram element within an appropriation account) for which appropriations, funds, or other authority were not available during fiscal year 2011.

(b) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

SEC. 103. Appropriations made by section 101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 104. Except as otherwise provided in section 102, no appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2011.

SEC. 105. Appropriations made and authority granted pursuant to this Act shall cover all obli-

gations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this Act.

SEC. 106. Unless otherwise provided for in this Act or in the applicable appropriations Act for fiscal year 2012, appropriations and funds made available and authority granted pursuant to this Act shall be available until whichever of the following first occurs: (1) the enactment into law of an appropriation for any project or activity provided for in this Act; (2) the enactment into law of the applicable appropriations Act for fiscal year 2012 without any provision for such project or activity; or (3) November 18, 2011.

SEC. 107. Expenditures made pursuant to this Act shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 108. Appropriations made and funds made available by or authority granted pursuant to this Act may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing in this Act may be construed to waive any other provision of law governing the apportionment of funds.

SEC. 109. Notwithstanding any other provision of this Act, except section 106, for those programs that would otherwise have high initial rates of operation or complete distribution of appropriations at the beginning of fiscal year 2012 because of distributions of funding to States, foreign countries, grantees, or others, such high initial rates of operation or complete distribution shall not be made, and no grants shall be awarded for such programs funded by this Act that would impinge on final funding prerogatives.

SEC. 110. This Act shall be implemented so that only the most limited funding action of that permitted in the Act shall be taken in order to provide for continuation of projects and activities.

SEC. 111. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2011, and for activities under the Food and Nutrition Act of 2008, activities shall be continued at the rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act for fiscal year 2011, to be continued through the date specified in section 106(3).

(b) Notwithstanding section 106, obligations for mandatory payments due on or about the first day of any month that begins after October 2011 but not later than 30 days after the date specified in section 106(3) may continue to be made, and funds shall be available for such payments.

SEC. 112. Amounts made available under section 101 for civilian personnel compensation and benefits in each department and agency may be apportioned up to the rate for operations necessary to avoid furloughs within such department or agency, consistent with the applicable appropriations Act for fiscal year 2011, except that such authority provided under this section shall not be used until after the department or agency has taken all necessary actions to reduce or defer non-personnel-related administrative expenses.

SEC. 113. Funds appropriated by this Act may be obligated and expended notwithstanding section 10 of Public Law 91-672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

SEC. 114. (a) Except as provided in subsection (b), each amount incorporated by reference in this Act that was previously designated as being

for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amount shall be available only if the President subsequently so designates such amount and transmits such designation to the Congress. Section 101(b) of this Act shall not apply to any amount so designated.

(b) Subsection (a) shall not apply to amounts for "Department of Justice—Federal Bureau of Investigation—Salaries and Expenses".

SEC. 115. During the period covered by this Act, discretionary amounts appropriated for fiscal year 2012 that were provided in advance by appropriations Acts shall be available in the amounts provided in such Acts, reduced by the percentage in section 101(b).

SEC. 116. Notwithstanding section 101, amounts made available by this Act for "Department of Defense—Operation and Maintenance—Operation and Maintenance, Air Force" may be used by the Secretary of Defense for operations and activities of the Office of Security Cooperation in Iraq and security assistance teams, including life support, transportation and personal security, and facilities renovation and construction: Provided, That the authority made by this section shall continue in effect through the date specified in section 106(3) of this Act: Provided further, That section 9014 of division A of Public Law 112-10 shall not apply to funds appropriated by this Act.

SEC. 117. Notwithstanding section 101, funds made available in title IX of division A of Public Law 112-10 for "Overseas Contingency Operations" shall be available at a rate for operations not to exceed the rate permitted by H.R. 2219 (112th Congress) as passed by the House of Representatives on July 8, 2011.

SEC. 118. The authority provided by section 127b of title 10, United States Code, shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 119. The authority provided by section 1202 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2412), as extended by section 1204(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4623), shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 120. Notwithstanding section 101, amounts are provided for "Defense Nuclear Facilities Safety Board—Salaries and Expenses" at a rate for operations of \$29,130,000.

SEC. 121. Notwithstanding any other provision of this Act, except section 106, the District of Columbia may expend local funds under the heading "District of Columbia Funds" for such programs and activities under title IV of H.R. 2434 (112th Congress), as reported by the Committee on Appropriations of the House of Representatives, at the rate set forth under "District of Columbia Funds—Summary of Expenses" as included in the Fiscal Year 2012 Budget Request Act of 2011 (D.C. Act 19-92), as modified as of the date of the enactment of this Act.

SEC. 122. Notwithstanding section 101, amounts are provided for the necessary expenses of the Recovery Accountability and Transparency Board, to carry out its functions under title XV of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), at a rate for operations of \$28,350,000.

SEC. 123. (a) Section 9(m) of the Small Business Act (15 U.S.C. 638(m)) shall be applied by substituting the date specified in section 106(3) of this Act for "September 30, 2011".

(b) Notwithstanding section 9(n)(1)(A) of the Small Business Act (15 U.S.C. 638(n)(1)(A)), the

Small Business Technology Transfer Program shall continue in effect through the date specified in section 106(3) of this Act.

(c) Notwithstanding section 9(y)(6) of the Small Business Act (15 U.S.C. 638(y)(6)), the pilot program under section 9(y) of such Act shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 124. Section 8909a(d)(3)(A)(v) of title 5, United States Code, is amended by striking “September 30, 2011” and inserting the date specified in section 106(3) of this Act.

SEC. 125. (a) Notwithstanding section 101, amounts are provided for “Department of Homeland Security—Federal Emergency Management Agency—Disaster Relief” at a rate for operations of \$2,650,000,000: Provided, That the Secretary of Homeland Security shall provide a full accounting of disaster relief funding requirements for such account for fiscal year 2012 not later than 15 days after the date of the enactment of this Act, and for fiscal year 2013 in conjunction with the submission of the President’s budget request for fiscal year 2013.

(b) The accounting described in subsection (a) for each fiscal year shall include estimates of the following amounts:

(1) The unobligated balance of funds in such account that has been (or will be) carried over to such fiscal year from prior fiscal years.

(2) The unobligated balance of funds in such account that will be carried over from such fiscal year to the subsequent fiscal year.

(3) The amount of the rolling average of non-catastrophic disasters, and the specific data used to calculate such rolling average, for such fiscal year.

(4) The amount that will be obligated each month for catastrophic events, delineated by event and State, and the total remaining funding that will be required after such fiscal year for each such catastrophic event for each State.

(5) The amount of previously obligated funds that will be recovered each month of such fiscal year.

(6) The amount that will be required in such fiscal year for emergencies, as defined in section 102(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(1)).

(7) The amount that will be required in such fiscal year for major disasters, as defined in section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)).

(8) The amount that will be required in such fiscal year for fire management assistance grants, as defined in section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187).

SEC. 126. Any funds made available pursuant to section 101 for the Department of Homeland Security may be obligated at a rate for operations necessary to sustain essential security activities, such as: staffing levels of operational personnel; immigration enforcement and removal functions, including sustaining not less than necessary detention bed capacity; and United States Secret Service protective activities, including protective activities necessary to secure National Special Security Events. The Secretary of Homeland Security shall notify the Committees on Appropriations of the House of Representatives and the Senate on each use of the authority provided in this section.

SEC. 127. The authority provided by section 532 of Public Law 109–295 shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 128. The authority provided by section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 129. Section 550(b) of the Department of Homeland Security Appropriations Act, 2007 (6 U.S.C. 121 note) shall be applied by substituting the date specified in section 106(3) of this Act for “October 4, 2011”.

SEC. 130. Sections 1309(a) and 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a) and 4026) shall be applied by substituting the date specified in section 106(3) of this Act for “September 30, 2011”.

SEC. 131. Section 330 of the Department of the Interior and Related Agencies Appropriations Act, 2001 (42 U.S.C. 1701 note), concerning Service First authorities, shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 132. Notwithstanding section 101, section 1807 of Public Law 112–10 shall be applied by substituting “\$374,743,000” for “\$363,843,000” and “\$10,900,000” for “\$3,000,000”.

SEC. 133. The second proviso of section 1801(a)(3) of Public Law 112–10 is amended by striking “appropriation under this subparagraph” and inserting “appropriations made available by this Act”.

SEC. 134. Notwithstanding section 101, amounts are provided for “Federal Mine Safety and Health Review Commission—Salaries and Expenses” at a rate for operations of \$14,510,000.

SEC. 135. Sections 399AA(e), 399BB(g), and 399CC(f) of the Public Health Service Act (42 U.S.C. 280i(e), 280i–1(g), 280i–2(f)) shall be applied by substituting the date specified in section 106(3) of this Act for “September 30, 2011”.

SEC. 136. Notwithstanding section 101, section 2005 of division B of Public Law 112–10 shall be applied by substituting “\$0” for each dollar amount.

SEC. 137. The Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.) shall be applied by substituting the date specified in section 106(3) of this Act for “September 30, 2011” in section 7 of such Act.

SEC. 138. Section 209 of the International Religious Freedom Act of 1998 (22 U.S.C. 6436) shall be applied by substituting the date specified in section 106(3) of this Act for “September 30, 2011”.

SEC. 139. Commitments to guarantee loans incurred under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715e–3 and 1735c), shall not exceed a rate for operations of \$25,000,000,000: Provided, That total loan principal, any part of which is to be guaranteed, may be apportioned through the date specified in section 106(3) of this Act, at \$80,000,000 multiplied by the number of days covered in this Act.

SEC. 140. (a) RENEWAL OF IMPORT RESTRICTIONS UNDER BURMESE FREEDOM AND DEMOCRACY ACT OF 2003.—

(1) IN GENERAL.—Congress approves the renewal of the import restrictions contained in section 3(a)(1) and section 3A (b)(1) and (c)(1) of the Burmese Freedom and Democracy Act of 2003.

(2) RULE OF CONSTRUCTION.—This section shall be deemed to be a “renewal resolution” for purposes of section 9 of the Burmese Freedom and Democracy Act of 2003.

(b) EFFECTIVE DATE.—This section shall take effect on July 26, 2011.

(c) APPLICABILITY.—This section shall not be subject to any other provision of this Act.

This Act may be cited as the “Continuing Appropriations Act, 2012”.

#### MOTION TO CONCUR

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Rogers of Kentucky moves that the House concur in the Senate amendment to the House amendment to the Senate amendment to H.R. 2608.

The SPEAKER pro tempore. Pursuant to the order of the House of Monday, October 3, 2011, the motion shall be debatable for 1 hour, equally divided and controlled by the chair and rank-

ing minority member of the Committee on Appropriations.

The gentleman from Kentucky (Mr. ROGERS) and the gentleman from Washington (Mr. DICKS) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. ROGERS of Kentucky. I yield myself such time as I may consume.

Mr. Speaker, I rise today to bring to the floor the continuing appropriations resolutions to keep the Federal Government operating until November 18, 2011, and to continue support for disaster relief projects.

This version of the bill—which is virtually identical to the one the House voted on last week—funds the government at a rate of \$1.043 trillion and provides \$2.65 billion in fiscal year 2012 funding for the Federal Emergency Management Agency and other disaster aid programs. However, this bill no longer includes \$1 billion in emergency fiscal year 2011 funding for FEMA and the Corps of Engineers nor the offset for those funds. The Senate dropped these provisions after the White House and FEMA suddenly—and, I might add, mysteriously—announced that these funds were no longer necessary. While in the short term FEMA says it can get by without the additional emergency funding, it’s clear that the agency will soon need additional money to continue ongoing relief and recovery efforts from recent devastating natural disasters.

I’m disappointed, Mr. Speaker, that the agency has apparently been playing games with the numbers, and my committee is closely examining why FEMA’s estimates changed at the 11th hour. The committee also remains committed to providing the proper amount of emergency assistance that families and communities across the country rely upon.

Mr. Speaker, we have now entered into the new fiscal year, and we need to keep the doors of the government open to the American people who rely on its programs and its services. We simply must not leave our citizens in the lurch, particularly as thousands of American families and communities continue to rebuild following devastating natural disasters across the country.

Furthermore, our economy can’t handle the instability that comes from the threat of a government shutdown. This bill supports vital government operations but still saves the American taxpayers billions of dollars by maintaining the overall funding level agreed to in the recently enacted Budget Control Act. We are committed to reining in spending at every step, and this reduced funding rate will help our Nation return to more sound fiscal footing.

In addition, this legislation gives both the House and the Senate more time to finish our work on the fiscal year 2012 appropriations bills, legislation that will continue the trend of reducing Federal spending to more responsible and sustainable levels.



The House has made great progress on this year's appropriations bills, and I intend to wrap up this work as quickly as possible to provide for the economic and fiscal security of our Nation and the needs of the American public.

I urge my colleagues to support the bill, and I reserve the balance of my time.

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

Mr. Speaker, the CR before us runs through November 18. The CR continues funding at last year's level minus 1.053 percent to ensure that spending is limited to \$1.043 trillion, the amount agreed to in the Budget Control Act.

Democrats voted "no" previously for two reasons: We strongly oppose taking funding from the Advanced Technology Vehicle Manufacturing program. This is a program that has proven to be a success in creating jobs. The Department of Energy estimates the loan guarantees have created or maintained 39,000 jobs in California, Delaware, Illinois, Indiana, Kentucky, Ohio, Michigan, Missouri, and Tennessee. The pending applications will help create more jobs. The money received by the companies is paid back to the government with interest. We also strongly oppose the notion that efforts to help Americans rebuild their lives after floods, hurricanes, wildfires, and other natural disasters should be put on hold until Congress can agree on offsetting reductions in spending.

FY12 has begun, so there is no need for FY11 disaster relief funding in the CR. In earlier versions, House Republicans had insisted on offsetting FY11 disaster relief funding. The CR under consideration today no longer cuts funding for ATVM and does not require an offset.

I urge a "yes" vote, and I yield back the balance of my time.

Mr. ROGERS of Kentucky. I yield back the balance of my time.

Mr. PETERS. Mr. Speaker, I rise today to thank my Democratic colleagues for standing with me to protect a program that has created or saved over 41,000 auto jobs.

At one point during this debate, many thought that the Republicans would be successful in cutting \$1.5 billion from a program that literally moved production of the Ford Focus from Mexico to Michigan creating thousands of badly needed manufacturing jobs.

But we proved them wrong. We proved that a united Democratic Caucus can stand up and win when we're working to save jobs.

By uniting, we showed Speaker BOEHNER that Democrats in the House would not stand by and accept a plan to kill tens of thousands of jobs.

Today marks a victory for working Americans, but we must never let our guard down.

As long as Republicans continue to put Tea Party Special Interests and corporate outsourcers before American jobs, the fight will continue.

I hope that our friends on the other side of the aisle will take this opportunity to end their war on jobs and the American Middle Class but if they do not, we will unite and fight back once again.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the order of the House of Monday, October 3, 2011, the previous question is ordered.

The question is on the motion by the gentleman from Kentucky (Mr. ROGERS).

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

Mr. ROGERS of Kentucky. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 1 o'clock and 42 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1345

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BASS of New Hampshire) at 1 o'clock and 45 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order: the motion to concur with regard to H.R. 2608, and adoption of House Resolution 419.

The first electronic vote will be conducted as a 15-minute vote. The second vote in this series will be conducted as a 5-minute vote.

CONTINUING APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. The unfinished business is the question on adoption of the motion to concur in the Senate amendment to the House amendment to the Senate amendment to the bill (H.R. 2608) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill. The SPEAKER pro tempore. The question is on the motion to concur.

The vote was taken by electronic device, and there were—yeas 352, nays 66, not voting 15, as follows:

[Roll No. 745]

YEAS—352

Ackerman	Dreier	Long
Adams	Duffy	Lowey
Akin	Edwards	Lucas
Alexander	Ellmers	Luetkemeyer
Altmire	Emerson	Lujan
Amodei	Engel	Lungren, Daniel E.
Andrews	Eshoo	
Baca	Farenthold	Lynch
Bachus	Farr	Maloney
Baldwin	Fattah	Manzullo
Barletta	Filner	Marchant
Barrow	Fincher	Marino
Bartlett	Fitzpatrick	Markey
Bass (CA)	Fleischmann	Matheson
Bass (NH)	Flores	Matsui
Becerra	Forbes	McCarthy (CA)
Benishek	Fortenberry	McCarthy (NY)
Berg	Foxo	McCaul
Berkley	Frank (MA)	McCollum
Berman	Frelinghuysen	McCotter
Biggart	Fudge	McDermott
Blibray	Gallegly	McGovern
Bilirakis	Garamendi	McHenry
Bishop (GA)	Garrett	McIntyre
Bishop (NY)	Gerlach	McKeon
Bishop (UT)	Gibbs	McKinley
Black	Gibson	McMorris
Blackburn	Gonzalez	Rodgers
Blumenauer	Goodlatte	McNerney
Bonner	Gosar	Meehan
Bono Mack	Granger	Meeks
Boren	Graves (MO)	Mica
Boswell	Green, Al	Michaud
Boustany	Green, Gene	Miller (FL)
Brady (PA)	Griffin (AR)	Miller (MI)
Brady (TX)	Griffith (VA)	Miller (NC)
Bralley (IA)	Grijalva	Miller, Gary
Brown (FL)	Grimm	Miller, George
Buchanan	Guinta	Moore
Buchson	Guthrie	Moran
Buerkle	Gutierrez	Murphy (CT)
Butterfield	Hahn	Murphy (PA)
Calvert	Hall	Myrick
Camp	Hanabusa	Neal
Campbell	Hanna	Noem
Canseco	Harper	Nugent
Cantor	Hartzler	Nunes
Capito	Hastings (FL)	Nunnelee
Capps	Hastings (WA)	Olson
Cardoza	Hayworth	Olver
Carnahan	Heck	Owens
Carney	Heinrich	Palazzo
Carson (IN)	Hensarling	Pallone
Carter	Herger	Pascrell
Cassidy	Herrera Beutler	Pastor (AZ)
Castor (FL)	Higgins	Paulsen
Chabot	Himes	Payne
Chaffetz	Hinchesy	Pelosi
Chandler	Hirono	Perlmutter
Chu	Hochul	Peters
Ciulline	Holden	Peterson
Clarke (MI)	Holt	Petri
Clarke (NY)	Honda	Pitts
Clay	Hoyer	Platts
Cleaver	Hunter	Price (GA)
Coble	Hurt	Price (NC)
Cohen	Inslee	Quigley
Cole	Israel	Rahall
Conaway	Issa	Rangel
Connolly (VA)	Jackson (IL)	Rehberg
Cooper	Jackson Lee	Reichert
Costa	(TX)	Renacci
Courtney	Johnson (GA)	Reyes
Cravaack	Johnson (OH)	Ribble
Crawford	Johnson, Sam	Richardson
Crenshaw	Kaptur	Richmond
Critz	Keating	Rigell
Crowley	Kelly	Rivera
Cuellar	Kildee	Roby
Culberson	Kind	Roe (TN)
Cummings	King (NY)	Rogers (KY)
Davis (CA)	Kinzinger (IL)	Rogers (MI)
Davis (IL)	Kissell	Rohrabacher
Davis (KY)	Kline	Rokita
DeFazio	Lance	Rooney
DeGette	Langevin	Ros-Lehtinen
DeLauro	Lankford	Roskam
Denham	Larsen (WA)	Ross (AR)
Dent	Latham	Ross (FL)
Deutch	LaTourette	Rothman (NJ)
Diaz-Balart	Latta	Royal-Ballard
Dicks	Levin	Royce
Dingell	Lewis (CA)	Runyan
Doggett	Lipinski	Ruppersberger
Donnelly (IN)	LoBiondo	Rush
Doyle	Loeb sack	Ryan (WI)

Sánchez, Linda T.  
 Sanchez, Loretta  
 Sarbanes  
 Scalise  
 Schakowsky  
 Schiff  
 Schilling  
 Schmidt  
 Schock  
 Schrader  
 Schwartz  
 Scott (VA)  
 Scott, Austin  
 Scott, David  
 Sensenbrenner  
 Serrano  
 Sessions  
 Sewell  
 Sherman  
 Shimkus  
 Shuler  
 Shuster

Simpson  
 Sires  
 Smith (NE)  
 Smith (NJ)  
 Smith (TX)  
 Smith (WA)  
 Speier  
 Stark  
 Stivers  
 Sullivan  
 Sutton  
 Terry  
 Thompson (CA)  
 Thompson (MS)  
 Thompson (PA)  
 Thornberry  
 Tiberi  
 Tierney  
 Tonko  
 Towns  
 Tsongas  
 Turner (NY)  
 Turner (OH)

Upton  
 Velázquez  
 Visclosky  
 Walberg  
 Walden  
 Walz (MN)  
 Wasserman  
 Schultz  
 Waters  
 Watt  
 Waxman  
 Webster  
 Welch  
 West  
 Whitfield  
 Wittman  
 Wolf  
 Womack  
 Woodall  
 Yarmuth  
 Young (AK)  
 Young (FL)  
 Young (IN)

NAYS—66

Aderholt  
 Amash  
 Austria  
 Barton (TX)  
 Brooks  
 Broun (GA)  
 Burgess  
 Burton (IN)  
 Capuano  
 Clyburn  
 Coffman (CO)  
 Conyers  
 DesJarlais  
 Duncan (SC)  
 Duncan (TN)  
 Ellison  
 Flake  
 Fleming  
 Franks (AZ)  
 Gardner  
 Gingrey (GA)  
 Gohmert

Gowdy  
 Graves (GA)  
 Harris  
 Huelskamp  
 Huizenga (MI)  
 Hultgren  
 Jenkins  
 Johnson (IL)  
 Jones  
 Jordan  
 King (IA)  
 Kucinich  
 Labrador  
 Lamborn  
 Landry  
 Lee (CA)  
 Lewis (GA)  
 Lofgren, Zoe  
 Mack  
 McClintock  
 Mulvaney  
 Nadler

Napolitano  
 Neugebauer  
 Paul  
 Pearce  
 Pingree (ME)  
 Poe (TX)  
 Pompeo  
 Posey  
 Quayle  
 Reed  
 Ryan (OH)  
 Schweikert  
 Scott (SC)  
 Southerland  
 Stearns  
 Stutzman  
 Tipton  
 Walsh (IL)  
 Westmoreland  
 Wilson (SC)  
 Woolsey  
 Yoder

NOT VOTING—15

Bachmann  
 Costello  
 Dold  
 Giffords  
 Hinojosa

Johnson, E. B.  
 Kingston  
 Larson (CT)  
 Lummis  
 Pence

Polis  
 Rogers (AL)  
 Slaughter  
 Van Hollen  
 Wilson (FL)

□ 1409

Messrs. SCHWEIKERT, LEWIS of Georgia, COFFMAN of Colorado, FLAKE, POSEY, and JONES changed their vote from “yea” to “nay.”

Ms. CASTOR of Florida and Messrs. ACKERMAN and ROSKAM changed their vote from “nay” to “yea.”

So the motion to concur 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. DOLD. Mr. Speaker, on rollcall No. 745 I was unavoidably detained. Had I been present, I would have voted “yea.”

Mr. ROGERS of Alabama. Mr. Speaker, on rollcall No. 745 I was entering the House Chamber when the vote was closed. Had I been able to cast my vote it would have been a “yea” vote.

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 745, had I been present, I would have voted “yea.”

Ms. SLAUGHTER. Mr. Speaker, on rollcall No. 745, had I been present, I would have voted “yea.”

Mr. ADERHOLT. Mr. Speaker, earlier today during rollcall vote No. 745, the Motion to Concur in the Senate Amendment to H.R. 2608—Continuing Appropriations Act, 2012, I was inadvertently recorded as a “nay” when I intended to vote “yea.”

Mr. LARSON of Connecticut. Mr. Speaker, I was unfortunately unable to cast a vote on rollcall 745 on the afternoon of Tuesday, October 4, 2011. Had I been able to vote on H.R. 2608, I would have voted “yea” on its passage.

PROVIDING FOR CONSIDERATION OF H.R. 2681, CEMENT SECTOR REGULATORY RELIEF ACT OF 2011; AND PROVIDING FOR CONSIDERATION OF H.R. 2250, EPA REGULATORY RELIEF ACT OF 2011

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 419) providing for consideration of the bill (H.R. 2681) to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for cement manufacturing facilities, and for other purposes, and providing for consideration of the bill (H.R. 2250) to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for industrial, commercial, and institutional boilers, process heaters, and incinerators, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 257, nays 165, not voting 11, as follows:

[Roll No. 746]  
 YEAS—257

Adams  
 Aderholt  
 Akin  
 Alexander  
 Altmire  
 Amash  
 Amodei  
 Austria  
 Bachus  
 Barletta  
 Bartlett  
 Barton (TX)  
 Bass (NH)  
 Benishek  
 Berg  
 Biggert  
 Bilbray  
 Bilirakis  
 Bishop (GA)  
 Bishop (UT)  
 Black  
 Blackburn  
 Bonner  
 Bono Mack  
 Boren  
 Boustany  
 Brady (TX)  
 Brooks  
 Broun (GA)  
 Buchanan  
 Bucshon  
 Buerkle  
 Burgess  
 Burton (IN)  
 Calvert  
 Camp  
 Campbell  
 Canseco  
 Cantor  
 Capito  
 Carney  
 Carter  
 Cassidy

Chabot  
 Chaffetz  
 Coble  
 Coffman (CO)  
 Cole  
 Conaway  
 Costa  
 Cravaack  
 Crawford  
 Crenshaw  
 Critz  
 Culberson  
 Davis (KY)  
 Denham  
 Dent  
 DesJarlais  
 Diaz-Balart  
 Dold  
 Donnelly (IN)  
 Dreier  
 Duffy  
 Duncan (SC)  
 Duncan (TN)  
 Ellmers  
 Emerson  
 Farenthold  
 Fincher  
 Fitzpatrick  
 Flake  
 Fleischmann  
 Fleming  
 Flores  
 Forbes  
 Fortenberry  
 Foxx  
 Franks (AZ)  
 Frelinghuysen  
 Gallegly  
 Gardner  
 Garrett  
 Gerlach  
 Gibbs  
 Gibson

Gingrey (GA)  
 Gohmert  
 Goodlatte  
 Gosar  
 Gowdy  
 Granger  
 Graves (GA)  
 Graves (MO)  
 Green, Gene  
 Griffin (AR)  
 Griffith (VA)  
 Grimm  
 Guinta  
 Guthrie  
 Hall  
 Hanna  
 Harper  
 Harris  
 Hartzler  
 Hastings (WA)  
 Hayworth  
 Heck  
 Hensarling  
 Herger  
 Herrera Beutler  
 Holden  
 Huelskamp  
 Huizenga (MI)  
 Hultgren  
 Hunter  
 Hurt  
 Issa  
 Jenkins  
 Johnson (IL)  
 Johnson (OH)  
 Johnson, Sam  
 Jones  
 Jordan  
 Kelly  
 King (IA)  
 King (NY)  
 Kinzinger (IL)  
 Kissell

Kline  
 Labrador  
 Lamborn  
 Lance  
 Landry  
 Lankford  
 Latham  
 LaTourette  
 Latta  
 Lewis (CA)  
 Lewis (GA)  
 LoBiondo  
 Long  
 Lucas  
 Luetkemeyer  
 Lungren, Daniel E.  
 Mack  
 Manzullo  
 Marchant  
 Marino  
 Matheson  
 McCarthy (CA)  
 McCaul  
 McClintock  
 McCotter  
 McHenry  
 McKeon  
 McKinley  
 McMorris  
 Rodgers  
 Meehan  
 Mica  
 Michaud  
 Miller (FL)  
 Miller (MI)  
 Miller, Gary  
 Mulvaney  
 Murphy (PA)  
 Myrick  
 Neugebauer  
 Noem  
 Nugent  
 Nunes

Nunnelee  
 Olson  
 Palazzo  
 Paul  
 Paulsen  
 Pearce  
 Pence  
 Perlmutter  
 Peterson  
 Petri  
 Pitts  
 Platts  
 Poe (TX)  
 Pompeo  
 Posey  
 Price (GA)  
 Quayle  
 Rahall  
 Reed  
 Rehberg  
 Reichert  
 Renacci  
 Ribble  
 Richardson  
 Rigell  
 Rivera  
 Roby  
 Roe (TN)  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rohrabacher  
 Rokita  
 Rooney  
 Ros-Lehtinen  
 Roskam  
 Ross (AR)  
 Ross (FL)  
 Royce  
 Runyan  
 Ryan (WI)  
 Scalise  
 Schilling  
 Schmidt

Schock  
 Schrader  
 Schweikert  
 Scott (SC)  
 Scott, Austin  
 Sensenbrenner  
 Sessions  
 Shimkus  
 Shuster  
 Simpson  
 Smith (NE)  
 Smith (NJ)  
 Smith (TX)  
 Southerland  
 Stearns  
 Stivers  
 Stutzman  
 Sullivan  
 Terry  
 Thompson (PA)  
 Thornberry  
 Tiberi  
 Tipton  
 Turner (NY)  
 Turner (OH)  
 Upton  
 Walberg  
 Walden  
 Walsh (IL)  
 Webster  
 West  
 Westmoreland  
 Whitfield  
 Wilson (SC)  
 Wittman  
 Wolf  
 Womack  
 Royce  
 Woodall  
 Yoder  
 Young (AK)  
 Young (FL)  
 Young (IN)

NAYS—165

Ackerman  
 Baca  
 Baldwin  
 Barrow  
 Becerra  
 Berkley  
 Berman  
 Bishop (NY)  
 Blumenaue  
 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  
 Cooper  
 Courtney  
 Crowley  
 Cuellar  
 Cummings  
 Davis (CA)  
 Davis (IL)  
 DeFazio  
 DeGette  
 DeLauro  
 Deutch  
 Dicks  
 Dingell  
 Doggett  
 Doyle  
 Edwards  
 Ellison  
 Engel  
 Eshoo  
 Farr  
 Fattah  
 Filner

Frank (MA)  
 Fudge  
 Garamendi  
 Gonzalez  
 Green, Al  
 Grijalva  
 Gutierrez  
 Hahn  
 Hanabusa  
 Hastings (FL)  
 Heinrich  
 Higgins  
 Himes  
 Hinchey  
 Hinojosa  
 Hirono  
 Hochul  
 Holt  
 Honda  
 Hoyer  
 Inslee  
 Israel  
 Jackson (IL)  
 Jackson Lee  
 (TX)  
 Johnson (GA)  
 Kaptur  
 Keating  
 Kildee  
 Kind  
 Kucinich  
 Langevin  
 Larsen (WA)  
 Larson (CT)  
 Lee (CA)  
 Levin  
 Lipinski  
 Loeback  
 Lofgren, Zoe  
 Lowey  
 Luján  
 Maloney  
 Markey  
 Matsui  
 McCarthy (NY)  
 McCollum  
 McDermott  
 McGovern  
 McIntyre  
 McNeerney  
 Meeks  
 Miller (NC)  
 Miller, George

Moore  
 Moran  
 Murphy (CT)  
 Nadler  
 Napolitano  
 Neal  
 Olver  
 Owens  
 Pallone  
 Pascrell  
 Pastor (AZ)  
 Payne  
 Pelosi  
 Peters  
 Pingree (ME)  
 Price (NC)  
 Quigley  
 Rangel  
 Reyes  
 Richmond  
 Rothman (NJ)  
 Roybal-Allard  
 Ruppertsberger  
 Rush  
 Ryan (OH)  
 Sánchez, Linda T.  
 Sanchez, Loretta  
 Sarbanes  
 Schakowsky  
 Schiff  
 Schwartz  
 Scott (VA)  
 Scott, David  
 Serrano  
 Sewell  
 Sherman  
 Shuler  
 Sires  
 Slaughter  
 Smith (WA)  
 Speier  
 Stark  
 Sutton  
 Thompson (CA)  
 Thompson (MS)  
 Tierney  
 Tonko  
 Towns  
 Tsongas  
 Van Hollen  
 Velázquez  
 Visclosky

Walz (MN)	Waters	Welch
Wasserman	Watt	Woolsey
Schultz	Waxman	Yarmuth

NOT VOTING—11

Andrews	Giffords	Lynch
Bachmann	Johnson, E. B.	Polis
Bass (CA)	Kingston	Wilson (FL)
Costello	Lummis	

□ 1417

Ms. LORETTA SANCHEZ of California changed her vote from “yea” to “nay.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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, October 4, 2011.

Hon. JOHN A. BOEHNER,  
The Speaker, U.S. Capitol,  
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 October 4, 2011 at 11:50 a.m.:

That the Senate passed without amendment H. Con. Res. 83.

With best wishes I am,  
Sincerely,

KAREN L. HAAS.

RESIGNATION AS MEMBER OF COMMITTEE ON HOMELAND SECURITY

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Homeland Security:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES.

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

MR. SPEAKER: To provide a committee assignment opening for newly elected Congressman Bob Turner, I hereby resign my assignment on the Homeland Security Committee.

Sincerely,

MO BROOKS,  
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

ELECTING CERTAIN MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. BRADY of Texas. Mr. Speaker, by direction of the House 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. 420

Resolved, That the following named Members be, and are hereby, elected to the fol-

lowing standing committees of the House of Representatives:

COMMITTEE ON FOREIGN AFFAIRS—Mr. Turner of New York.

COMMITTEE ON HOMELAND SECURITY—Mr. Turner of New York.

COMMITTEE ON THE JUDICIARY—Mr. Amodei.

COMMITTEE ON VETERANS' AFFAIRS—Mr. Amodei and Mr. Turner of New York.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1420

JOBS, JOBS, JOBS

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

Ms. BERKLEY. Mr. Speaker, I rise today to talk about an issue that should be the top priority for every Member of the House and Senate: jobs, jobs, jobs.

Unfortunately, too many of my colleagues here in Washington just don't get it. Yesterday, the Senate courageously voted to stand up to the Chinese Government on behalf of the working families in Nevada and across the country. The Senate said no to China's unfair currency manipulation that has cost our Nation nearly 3 million jobs in the last 10 years, including over 14,000 in Nevada. However, 19 U.S. Senators voted to protect China's interests instead of the interests of the workers of the State of Nevada.

I have one thing to say to those Senators: Shame on you. Now is not the time to cower to the bullying tactics of the Chinese. We need leadership. We need to be creating jobs here in the United States of America, not in China.

From voting to kill Medicare by turning it over to private insurance companies to bowing to Chinese bullying tactics, the American people should start asking themselves: When will Washington Republicans start making job creation their top priority? I know it is mine.

ISSUES FACING AMERICANS

The SPEAKER pro tempore (Mr. SOUTHERLAND). Under the Speaker's announced policy of January 5, 2011, the gentlewoman from Hawaii (Ms. HANABUSA) is recognized for 60 minutes as the designee of the minority leader.

Ms. HANABUSA. Mr. Speaker, there are now about 11 of us who are considered freshmen to the Democratic side, and we are here today to share with everyone what we have learned. We hope, because we are freshmen, that we bring a different perspective on matters, that everyone might be able to see it from our eyes. And for that reason, we would like to share what we've learned in this last district work week and talking to our constituents about jobs, small business problems, and issues that face all of us.

With that, Mr. Speaker, I would like to begin first by asking the gentle-

woman from District 36 of California to share with us what she has heard. And I would like to say that the gentlewoman from District 36 of California is the most recent addition to what was originally the noble nine, but we are now the exquisite 11.

I yield to the gentlewoman.

Ms. HAHN. Mr. Speaker, I rise today to bring a perspective as a brand new Member of Congress. Last week while I was in my district, I met with over 50 businesses who wanted to talk to me about what they felt Congress was either doing or not doing. I met with them not to talk to them, but I met with them to listen to them. And I met with very small businesses, some that had two employees, to some other businesses who were considered small but had many more employees.

What they told me was this: These are tough times. They're having a tough time with our economy, but they still want to grow and they still want to hire people. We know that our small businesses in this country are the backbone of this economy. We know that they are the ones that will be hiring people. They are the ones that will be getting this economy back up and running. They're going to be part of this great recovery, but they need help from the Federal Government.

I asked them: What is it that you need? What is it that will keep you in business? What is it that helps you to grow and to hire people?

There was a common theme, and they told me it was their access to capital which was part of the problem they have. They believed that our small business loans took a small mountain of paperwork to apply for. They felt like the requirements for these loans were so burdensome that they were not able to access capital. And they said, if they could access this capital, they would grow. They would hire. And even in tough times, this is the American Dream. This is the American spirit. They wondered, frankly, why Congress had worked so hard to bail out the billionaires on Wall Street; and they wondered what was Congress doing to bail out the man and woman on Main Street that works so hard every day.

So I told them I wanted to stay in touch with them and I would urge my colleagues to do something else that they wanted, and that was to pass the President's Jobs Act. They love parts of this Jobs Act. They loved the fact that there is a tax credit there if they hired someone who had been unemployed for 6 months or longer.

They loved the idea that in this jobs bill there was a tax credit for hiring our returning veterans. They liked the fact that we even went further and said there would be a larger, I think it is a \$9,000 tax credit if you hire a veteran who's been wounded, because we know when our veterans come home that they have a very difficult time reentering society. They have a difficult time, frankly, reentering their families. They have a hard time relating

again to their husbands, to their wives, to their communities. This jobs bill actually speaks to the plight of the veteran. The woman veteran, by the way, has one of the highest unemployment rates in the country.

So colleagues, I think we should continue to fight for small businesses in this country. Let's give them what they need. Let's remove the barriers that are keeping them from growing and keeping them from hiring and keeping them from being the catalyst to getting this economy back on track.

Ms. HANABUSA. I thank the gentleman very much.

Mr. Speaker, my colleagues will be coming in as they return from their respective offices, but I'd like to share part of what I found when I was in district this past week.

You know, I think the problem we all have is we are all creatures of the media, so we tend to think in 30-second sound bites. And I'm sure we all got trained by the best of them: When you run for office, keep it short, and you tell everybody what they want to hear so they can pick it up on the 6 o'clock news.

You know, Mr. Speaker, when we do that, we fail to recognize that people are not covered by one broad brush. The gentlewoman from California, District 36, said it best when she said when she talked to small business, they want certain things because small businesses are not all alike. But there are things that they do want. They want, for example, the finances. What about Main Street? What about the tax credits? How will that affect their respective businesses? That's what we all have to step back and think about. That's why this time when we can go on and not have to worry about whether there is a camera there to get a 30-second sound bite gives us the opportunity to tell our constituents that we hear them and we know what they're saying.

When I was in district, I met with one type of small business, and they were the construction industry. Quite honestly, when you talk about the construction industry, even that we just tend to say we need to rebuild construction. But construction isn't as simple as just simply saying they all build roads or they all build airports. That's not true.

When we do construction, we talk about construction, you have people, for example, who specialize in homes, and that's a definite kind of need. Their needs, for example, are regarding finances. Their need is how healthy is FHA going to be? What are you going to do with Fannie Mae and Freddie Mac? What are you going to do to help foreclosures? They have very specific concerns. Where we may think what they're just concerned about is the ability to be able to build again, that's not it. They understand that in order for us to have a healthy economy, in order for us to have the environment in which they can then create the jobs and they can then be able to build

those homes and people who have jobs can buy those homes, that we need to look at the total picture. And that's what we're referring to.

So when we talk to our constituents and we report back to other Members of Congress, we have to be very clear as to what we are hearing.

□ 1430

They don't talk to us in general sound bites to get on the 6 o'clock news. What they talk to us about is to say, you know, in our specific industry, we have this problem, and what can you do to help us on this particular problem? They want to know, even to the point of saying, will, for example, credit unions be able to issue different kinds of loans? We think of banks, we think of loans, but how many of us have stopped to listen to our constituencies and said, hey, why are you interested in what credit unions are allowed to do? Because to them, especially those who are in smaller businesses, that is their lifeline. So they want to be sure that they can affect them and they can help them. So they want to know what we are doing in that process.

And so when we talk to our constituencies and we listen to them, we must understand that they are not simply ones that we do with a broad brush. So in the construction group that I spoke to, many of them, of course, specialized in home building, and they were, of course, concerned about the whole gamut, the ability of people to buy a home, the ability of people to finance that home, the ability of people to then say, hey, we are going to have the jobs to qualify for the respective mortgages. Because very few people are out there who can actually buy a home for cash. Anymore than we, as government, can buy things for cash. People are borrowing. And in order for them to borrow, we must have a healthy financial institution that can lend that money out.

So, Mr. Speaker, let's also look at where we are in terms of the constituencies. Like I said, small business isn't just small business. You can't just say "small business" and cover everyone. You need to understand what kind of small business.

I sit on a panel that was created in HASCO, and it's on acquisitions, and the focus there is small business. I am very honored to be part of that, and I am very proud of the fact that we, as a House, are looking at how, when military spending gets cut, we are able to preserve the small businesses. And the question was, how do we ensure them into the future? And we also have to recognize that the definition of small business differs for many of us. It's like a company that grosses no more than \$7 million or \$8 million a year. To some they probably hear that and say, wow, that's not a small business, that's a big business. But every segment of what creates businesses in our economy we have got to look at very seriously and

understand what their respective needs are, because if we fail to do that, if we fail to look at that, we are not going to be able to address this crisis.

So as tempting as it is for all of us to ignore, ignore what it is that we are looking to or speaking to, and when we vote on these bills that are before us, we have to understand that simply because one segment of a business community says it's good, it doesn't mean that it's good for everyone. And that is what makes the challenge of what we respectively do.

So back to construction. We said there are those who build homes, for example. There are also those who build commercial buildings, and they have a different challenge, because their financing is also tied to how healthy the economy is. It's also tied to the financial institutions and whether the financial institutions are out there lending the money, and that's all going to be tied to the whole issue of whether or not the economy is healthy. Many of those who build "commercial buildings," for example, they too are small businesses.

In addition to that, you have those major construction companies that do major infrastructure. And if you're going to talk about being able to get people back to work in large numbers, of course, of course, we need to talk about that level of construction. But what does that level of construction normally need? To do large infrastructure projects, it needs government. It is government that is able to build or contribute to a State's ability to build roads, to build airport modernization, to improve harbors or to basically look at highways and what we're going to do. You need government's role in that. And that is what the President has said, and that is what the President has emphasized: That he, in fact, is looking to infrastructure to be built and to say that will put people back to work.

In the long run, we as a country benefit the most from that. And you may say, well, what does that have to do with small business? It has a lot to do with small business because no one company can do it all. When you look at how construction, for example, is done, you have a general contractor, who usually serves in an administrative capacity, but all the respective work that may go into building whatever it may be—a freeway, a huge hotel or homes, the other company components of it are subcontractors who are small businesses, and each one of them hires a specific number of people, whether it be two or three or 20 or 30. If you have a huge part of some sort, they are there. And we need to recognize that, and we need to understand that it is through them, through the hiring of the respective subcontractors that are small businesses, that we are then able to move this economy along.

So it's like a situation of, we start on the top and to a large extent, government has that role, and it filters down

to the bottom line, which is to get people back to work. So when we start to talk about the Jobs Act, or how we're going to move our economy along and what are we going to do, we need to think about that. We need to think about how do we move forward.

It is on that note that I see my colleague from Detroit whom I would like to call upon, because he has a bill that I want him to speak about because he knows what it is going to take to get his people in Detroit back to work. And let's not forget, we are a great country built on manufacturing. That is what made us big. And do you know, it is also the city of Detroit that I believe really epitomizes what manufacturing is about.

So on that note, I would like to yield to my colleague, the Congressman from Detroit (Mr. CLARKE), to talk to us and share what he has learned from his district.

Mr. CLARKE of Michigan. Thank you. And I just want to thank the gentlewoman from Hawaii (Ms. HANABUSA) for her commitment to growing our economy not only here in this country but we can help the world by us in the United States manufacturing the best products and creating the best technologies.

I have introduced a bill called the Detroit Jobs Trust Fund. It will create jobs in Detroit. And Detroiters really need it because we've got the highest unemployment rate. We've lost more jobs than any metropolitan region in this country during the last 10 years. But as Ms. HANABUSA pointed out, investing in Detroit not only creates jobs for Detroiters, it will put Americans throughout this country back to work. And that's because in spite of Detroit's troubling economic situation and high unemployment rate, we still have the manufacturing know-how and we have the well trained workforce to put Americans back to work, especially in the area of advanced manufacturing.

So when Detroit makes its streets safer by hiring more police officers, more firefighters, and properly deploying them, when we improve and reform our public education system by opening more high quality schools, hiring more teachers who can go do the job, and when we reduce the cost of living and doing business in Detroit by cutting some very high municipal taxes, those factors—safe streets, good schools, and low taxes—that will attract investment back to the city.

If you take a look at the city of Detroit, you will see that we have a lot of vacant property. Well, that's land ready for a big plant to be located there. And by capturing the existing federal tax revenue that Detroit individuals and Detroit businesses already pay and having that money placed in a trust fund administered by the Department of the Treasury to be invested in Detroit to hire those police officers, hire and train those teachers and to cut taxes, we can bring employers back to Detroit to hire Detroiters. But also,

we can resurrect our manufacturing powerhouse in Detroit and create those jobs throughout the country the same way Detroit did back in World War II.

□ 1440

Detroiters built the arsenal of democracy that helped win World War II and saved this country and this world from fascism. It was metro Detroiters' manufacturing know-how that built some of the best cars in the world and that created millions of jobs worldwide, and especially in this country.

So in the same way, by investing in Detroit, in the Detroit workforce, in the Detroit winning spirit—exemplified by the Detroit Tigers and the Detroit Lions—we can put our people back to work. We can make this country even stronger in advanced manufacturing and help uplift the quality of life for everyone around the world.

I appreciate you giving me this time, the gentlewoman from Hawaii (Ms. HANABUSA), for talking about an important issue, putting Detroiters back to work.

If I can just say as a final note—I mentioned this last night—getting a job is important. Many years ago, in this last big recession we had in the 1980s, I was without a job and I lost hope. And that can be devastating, not only devastating economically and financially to people, but it can be devastating to the spirit of a human being. So a job gives somebody a paycheck, but it gives a person self-worth and the dignity and the uplifting spirit that they need to keep marching on. And that's what this country is all about.

You know, we have to deal with obstacles; but as Americans, we can turn those obstacles into opportunities. That's why immigrants are so successful when they come here to this country because they see this country for all its richness, for all its opportunity, and they seize it. I'm just asking for that same opportunity to be available for Detroiters, to put our country back to work.

Ms. HANABUSA. Before you leave, I just wanted to extend this discussion because I think that we tend to think about things like, when we talk about Detroit and we think about manufacturing, which of course is what we are all focusing on, we tend to forget how that one industry then multiplies out and how it creates other jobs. The Congressman from Detroit is absolutely correct, that is what made our country great.

And let me share with you, I grew up working in my family's service station, which later became a situation where we sold auto parts. And one of the things that I will never, never forget is the fact that, when you think about the ability to build a car, many of those parts are not manufactured in Detroit. They come from other places in the United States, and they all are put together to make the car. But the subsidiary industry is what my family was in, which is, with wear and tear, it breaks down.

So you have a whole secondary market of used auto parts being remanufactured or original-equipment auto parts are being remanufactured that then creates yet another industry. And when we, unfortunately, get careless and sometimes, through no fault of our own, the flagpole or the streetlight jumps in front of our car and we hit it, there is that whole other industry of repair.

So with the good Congressman from Detroit, I want to elaborate that just investing in Detroit isn't only for Detroit, but I'm sure within Michigan and within all the neighboring States we probably have great examples of how small industries are going to just start to kick-start.

Mr. CLARKE of Michigan. You are absolutely right, creating those jobs in Detroit will have a ripple effect throughout this country.

And I'm glad you mentioned about remanufacturing. That's the best way to have Make It in America jobs. Actually, I was able to visit a remanufacturing plant right outside the city of Detroit 2 weeks ago. It's fascinating what they do. These are not used units. These are totally remade. And, actually, these are better units and pieces of equipment than if you actually bought something new. So instead of U.S. manufacturers buying new products overseas that are made overseas, they can buy great remanufactured units right here at home, putting Americans back to work. So you're absolutely right about that.

Ms. HANABUSA. That is why I am a proud cosponsor of your bill because I think that you've hit it, that we start with someplace like Detroit where people clearly know that work ethic—that work ethic started in places like Detroit—and then from there we're going to build and we're going to rebuild this country because it has such a great impact all the way through. So thank you very much.

Mr. CLARKE of Michigan. I really appreciate it. And thank you for supporting Detroit and supporting Americans going back to work. And we're going to make it in America.

Ms. HANABUSA. We are going to make it in America.

Mr. Speaker, I also note that we have a person who probably all the small business guys would love to get their hands on. And I know for my constituents, they would love to have the ability to talk to someone from the great State of Delaware because, of course, when we think of Delaware, we think of financial institutions, we think about how they control our money. But he also is a proud member of the original Noble Nine. And I'm asking him to speak to us and share with us what he knows from his great State. So the Congressman from Delaware—who I would like to add is the only person who, while there may be others, he is the only person dear to me who actually has fewer people in his congressional delegation than me.

Mr. CARNEY. I thank my colleague from Hawaii, one of the other small States. I know you're a delegation of two; we're a delegation of one. I represent the whole State of Delaware. I tell my constituents that we have two Senators and one Member of Congress. That means that I have to work twice as hard, Mr. Speaker, to serve the people in my State.

I'm pleased to join my freshman colleagues on the Democratic side of the aisle this afternoon for our discussion about small business and job creation, and I'd like to talk for a little bit about the situation in my State, the State of Delaware.

All of us are coming off a district work week, where we spent our time, I'm sure, meeting with constituents, talking to business owners, small business owners, large business owners, and working our districts. And I did the same thing in Delaware, not too far from the Capitol here. I would like to highlight two meetings that I had in particular. One was a job fair that we held in Georgetown, Delaware, which is the county seat in the lower part of our State. Many people from the Washington, D.C. area know Georgetown as they pass through it to go to our lovely beaches during the summer time to enjoy time with their family at the beach.

This particular day we sponsored a job fair in Georgetown, along with Senator CARPER and Senator COONS. This was a program that Senator COONS championed in Wilmington initially, and we've moved it now to the other two counties of our State and had a job fair in Dover and a job fair in Georgetown this past week, really helping to connect those folks in our State who are unemployed or underemployed, people looking to move up with employers who are looking to hire. And even though we have over 9 percent unemployment nationally and a little bit over 8 percent unemployment in our State of Delaware, there are still a lot of jobs that go wanting, mostly because the employers are not able to find people that have the required skills for that particular enterprise.

So the good news about this job fair is that we had 55 employers there, many of whom were prepared to hire people and offer them jobs, certainly take resumes and interview people or set up interviews. But we had over 8,000 people who came seeking employment or seeking an upgrade in their current job situation. And that's a lot of people in the small State of Delaware in the least populous area of our State. So it tells us the very serious problem that we have with the lack of jobs and the lack of skills that people might have to do the jobs that are out there.

Later on in the week, I met at PATS Aircraft, which is an airplane manufacturing facility at Georgetown Airport. They've been hiring airplane mechanics over the last several years. In fact, when I was lieutenant governor, one of the biggest problems that they had was

finding workers that had the requisite skills to do the jobs that they had. Now, they have since lost some of that work; but they were looking ahead and anticipating, with some assistance from the FAA, to extend the runway there at Georgetown Airport—going back to your point about the need for infrastructure to stir business development, business growth and job creation. If we were able to extend the runway there at the airport, PATS would be able to hire more mechanics.

But there are a lot of people out there, while they might want those jobs, would not have the skills to do the work. And so Delaware Technical and Community College, with the help of the State government, has developed a training program specifically to prepare workers for that facility and other airplane manufacturing facilities in our region.

□ 1450

We have a Dassault Falcon plant, which does airplane maintenance and mechanics at the New Castle County Airport, as well as a large Boeing facility over the line in southeastern Pennsylvania. So these are jobs. They are highly skilled jobs. They are jobs that require mechanical ability. They are jobs that require training. And there are certainly lots of folks out there that are looking for employment, and these are the kinds of jobs that we need to prepare people for.

One of the press conferences we had this week was at Delaware Technical & Community College where we highlighted a Federal grant that was going to Delaware Tech to create training programs for businesses, basically to enable people to upgrade their skills to take the jobs that are available. One of the problems, obviously, that we have in our country—and the President's employment council has identified this problem—is that we have jobs that are out there, but we don't have people with the right kinds of skills for those jobs. So we need to have programs—and this is where the public sector comes into play, particularly technical and community colleges—to provide that training and those skills for those folks.

Later on in the week, I met and spoke with the Georgetown Chamber of Commerce; and the Georgetown Chamber, of course, is comprised mostly of very small businesses. They had a really simple message for me, as a Member of Congress, and that is that they see their businesses struggling because of a lack of confidence among consumers. And when you think about the U.S. economy at large, about 70 percent of economic activity is consumer driven. So when consumers don't have confidence either in their employment situation in the present—they may not be employed—or their future employment situation, they're not willing to spend money on small business services or products in the community and, therefore, these small businesses suffer.

So their message to me was really a simple one, twofold. One is: Do no harm in Washington, DC. Do the work of the people, solve the problems that we have, and inspire confidence. And I think one of the ways that we can do that—there's a lot of discussion. Most of the discussion that I hear from my constituents in the State of Delaware—and we've had town hall meetings. We're going to have a telephone town hall meeting tonight. I'm sure I will hear the same thing: Enough with the partisan bickering back and forth across the aisle. Let's focus on the challenges that we face—creating jobs and strengthening businesses, creating a business climate in the short term where businesses can thrive, where consumers can have confidence so they'll be willing to spend on small businesses and other procurement. And in the long term, address our deficits, our debt, and our budget imbalances.

If we're able to do that, we'll at least provide some confidence to the people that we represent that those that they send from Delaware, the Members of the House of Representatives here and our Senators across the Capitol, are doing their part, are working together, are focused on not the politics of where we all stand in relation to the next election but on solving the problems that face our country.

I think the vote that we have coming at the end of this year, which will be the result of the work of the Committee on the Budget, will be maybe one of the most important votes in a number of years. I have heard our majority whip STENY HOYER refer to it as the most important vote here in the last 30 years. And I think that's right in many respects, because people out there, my constituents, your constituents, Ms. HANABUSA, in Hawaii—I see our colleague from Rhode Island (Mr. CICILLINE) has joined us as well—our constituents are asking us, begging us to do our work to inspire confidence and to do the right thing for the country. And that involves giving people the skills they need to be able to do the jobs that are available out there, creating confidence so businesses can make investments, so people will be willing to spend money and consume so our economy will get back on its feet again. In the long term, we'll set up a fiscal situation with our government so that the economy can be strong and create jobs for my children and their children.

So I want to thank my colleague from Hawaii for leading our dialogue this afternoon on job creation, on small business development across our country in our respective districts, and I look forward to sitting here with you for a few more minutes and engaging in this dialogue. I just wanted to give a few words about how the people in Delaware are responding to the work that we are doing or are not doing here in the Congress.

Ms. HANABUSA. Thank you. And before the Congressman from Delaware

sits, I just wanted to explore one thing, because when I was in district, one of the comments I got was about the dysfunctional Congress. But one of the things that I asked them to really sit back and look at—and this is really our friends in the media, and they have to do something about the way they report. I told them that when they ask about our votes, they should really look at it seriously and say, okay, how many votes are really that controversial? How many times are we just adversaries, and how many times is it that there are just a handful of votes, relative to how many we pass in the House, that rise to the level that people would say that we are just cutting down partisan lines? Because I don't really think that that's the case. It's a minority of votes, but it's that which is played up. And when I tell my constituents that, they're sort of amazed. They think every single bill that we practically pass up here is controversial.

Did you get that sense from talking to your constituents?

Mr. CARNEY. Oh, I absolutely got that sense. And people that I talked to—Democrats, Republicans, it really didn't matter what party affiliation they had—were pretty fed up with what they had seen in the whole debt ceiling debacle, not so much the debate around it but the fact that we let it go to the brink and that we seem to want to, with every continuing resolution, every important vote, take it to the brink before coming together, however that might happen, whether it's one side of the aisle getting enough votes or whether it's coming across the aisle and having a bipartisan approach.

Frankly, the people in Delaware are more focused on having us address problems and solve those problems, and they're not really concerned at all, in fact, with the politics of it. What they tell me is: Cut it out. Cut it out. And they ask me: Is it so bad? And I tell them that I have been reading a lot of Civil War history of late.

I read a book about Abraham Lincoln about a year ago and, after that, started looking for other books to read. Of course just after we were sworn in, one of our leaders, Congressman LARSON from Connecticut, gave us a history of the House of Representatives. And because I had been doing so much reading about the Civil War, I decided to go first to those chapters just before the Civil War and during the Civil War and afterwards and to read about the history of the House of Representatives.

And I want to tell you, it might be hard for some of our constituents in Hawaii and Rhode Island and Delaware to believe it, but things were a lot worse during that period of time. One of the stories was related in the book that one Member almost caned another Member to death on the floor of the House. I tell my constituents, it's not nearly that bad. In fact, we have a lot of friends—frankly, I have a lot of friends, and I know you do—across the

aisle. I think the real problem is we have pretty significant differences of opinion on issues, and that's understandable. That's what makes our country so great, frankly, that we can come here. We can come from our respective areas of the country with different points of view.

As I look around this Chamber, you see America in this Chamber through the Representatives that are sent here by the people. But we need to understand that this country is greater than all the rest of us as individuals, and we need to live up to the greatness of our country by recognizing that we have got to put our differences behind us at the end of the day so that we can come to some resolution for the good of the people at large.

Ms. HANABUSA. That's a great message. The whole is greater than the parts. Thank you.

With that, I would also like to call on another colleague of ours, the Congressman from Rhode Island, who is actually my cosponsor of this time.

□ 1500

Mr. CICILLINE. I thank the gentlelady for convening this conversation and thank my friend from Delaware for his thoughtful remarks.

I think that what the American people want from us, and I think as freshmen, we were sent here to do our best to solve the problems, to meet the big challenges of our time. While that has been our responsibility, I think what the American people have seen, unfortunately, is really a lack of action by the Congress of the United States on the most urgent issue of our time, and that is jobs and getting this economy back on track.

We have some proposals before the Congress that are sound and that will really make important progress in our effort to get this economy back on track and create jobs. What I found when I was home in Rhode Island in listening to my constituents, I'm just reminded of how devastating this recession has been for American families and American businesses and how difficult it is right now for people who are out of work trying to find work, or people who are trying to hold onto a home and are facing foreclosure because of their inability to make ends meet, or people that are running a small business and are just trying to stay afloat and keep their business going.

I think our challenge is to first of all never lose sight of how devastating this recession has been for American families, American businesses; and then focus on what we can do, what are the practical solutions that we can find to meet this challenge. I think what people want is they want to see Congress, Republicans and Democrats, working together to find common ground, to find real solutions to these challenges.

I spent time in my district at a couple of things that I thought were particularly exciting examples of what

small businesses can do. I welcomed the SBA regional administrator, Jeanne Hulit, to Rhode Island and we visited a company called Wide World of Indoor Sports. Stephen Sangermano and Dan Fawcett are two Rhode Island entrepreneurs that brought this small business together and created jobs. They used the Small Business Administration loan program to do it, to start their business; and it allowed them to hire 80 full- and part-time employees, and they're looking at the opportunity to create another facility, another business in another part of the State which is likely to have the same number of employees.

It's really about how do we provide the needed capital to small businesses, to start-up companies so they can grow their businesses. At another event in my district, we announced along with our Governor and our entire congressional delegation—Senator WHITEHOUSE, Senator REED, Congressman LANGEVIN, and I—the launch of a new \$13 million loan fund, which is Federal funds again, to be administered by the Rhode Island Economic Development Corporation to assist an organization called Betaspring and the Slater Fund. Both of these organizations are really designed to help start-up entrepreneurs access the capital they need to start a new business and to grow jobs.

I think one of the things I've heard repeatedly is that small businesses need access to capital, they need an environment in which they can start and grow their business, but the other thing that small businesses need that I hear about all the time is they need customers to buy the goods and services they produce. I think one of the things that is really important about the President's American Jobs Act is it really focuses on tax cuts for small businesses, tax credits for small businesses, particular attention to our returning veterans, our heroes, those who have been unemployed for a very long time, and our young people; but at the same time it puts money in the pockets of middle class families so that they can increase their demand for goods and services that ultimately will help small businesses grow and create jobs.

I think this is one of the important lessons that we should have learned over the last decade, that it's not enough, that it's unwise fiscal policy to simply ensure that people at the very top, the millionaires and billionaires, get to hold onto more of their money at the expense of the middle class; because in order to have a thriving, prosperous economy, you not only need entrepreneurs and innovators, you need hardworking middle class families who have the ability to buy the goods and services that businesses produce. I think that's what we need to do. We need to be looking at policies that will do both things, that provide access to capital, that will create an environment for small businesses to grow and at the same time give hardworking

middle class families the ability to buy more goods and services.

What's exciting about the American Jobs Act is it does all of those things: it provides tax cuts to help American small businesses hire and grow. It puts workers back on the job by rebuilding and modernizing America's infrastructure. It creates pathways back to work for Americans looking for jobs to be sure that they have the skills necessary for the jobs of the 21st century. It puts more money in the pockets of every working American family, every worker, that again will help to stimulate growth of our small businesses.

I think the President has really identified a very serious plan to put Americans back to work; and I really hope, as I know the gentlelady from Hawaii hopes, that our colleagues on the other side of the aisle will be part of this conversation. If they have different ideas, better ideas as to ways we can create jobs and get the American people back to work, they ought to be part of the discussion.

But I know one thing for sure: we cannot simply do nothing for the next 14 months. The American people expect us to take action, to not only talk about jobs but to do things that are going to create jobs and create conditions for job growth, private sector job growth, and to be able to demonstrate that what we're doing, the policies we're enacting, are helping to get our economy back on track and to stimulate jobs.

The other point I want to mention, I know the gentlelady from Hawaii has been a big supporter of this, and that is the whole Make It in America agenda. I have the privilege of visiting manufacturers in my district. Rhode Island has a very rich history of manufacturing. I think everyone recognizes that if we're going to continue to be a leading economic power in the world, we have got to make things again in this country. While we've lost some manufacturing, the low-end manufacturing that may be difficult to get back, there's a lot of new manufacturing, more highly skilled manufacturing that's growing in our country. What we need to do is to have policies put in place that will support American manufacturers, American workers here so that we can compete in this global economy.

We have a very ambitious, comprehensive agenda, making it in America, that begins with the development of a national manufacturing strategy so we can have benchmarks and compete successfully with other countries that are engaged in manufacturing; creating tax policies that support investments in manufacturing and job growth. One of the pieces of legislation will create what's equivalent to an IRA for manufacturers to reinvest in capital equipment so they can grow jobs; my Make It in America block grant that will help retrofit factories, retrain workers, increase exports, things that are necessary to ensure that American

manufacturing can be rebuilt in this country. This is an area where I think the public is way ahead of the policy-makers in believing that we have to make things again in America.

I again thank the gentlelady for leading this conversation. I think we all know, particularly as members of the freshman class, that the single most urgent challenge, the single greatest crisis we face right now is job creation, is getting the American people back to work. When you think about all the other challenges that our country faces, if suddenly 14 million Americans were put back to work, it would go a long way to solving many of the other challenges we face. When people have a job and they have the ability to support themselves and their family and, of course, they're also contributing as productive taxpayers, that's a benefit to our whole society and certainly to our country.

I hope that what the President has outlined in the American Jobs Act, what we've outlined as part of the Make It in America agenda, the investments that are included in the American Jobs Act to rebuild the infrastructure of our country, to invest in roads and bridges and ports so that we can move the goods and services and information necessary to compete successfully in the 21st century, are those kinds of investments that ensure that we will do things today that will create jobs in the short term and in the long term deal in a responsible way with managing our debt and our deficit.

But we've got to do both things: we have to have a long-term strategy for fiscal responsibility that addresses the serious challenges that we face in terms of our debt, and at the same time we have to make the right investments that put people back to work and that ensure that we're investing in the things that are necessary to compete successfully and win in the 21st century: innovation, infrastructure, education, the things that are necessary to ensure that we rebuild the economy and that we not only put people back to work, that we position ourselves to continue to succeed and lead the world as an economic power.

I think that we can do it, the American people expect us to do it, and I know when I am home in my own district and I hear directly from my constituents, they are expecting Congress to take action that is going to get this economy back on track, that's going to create jobs, and that's going to allow every American to have a legitimate shot at realizing the American Dream.

I thank the gentlelady for the time.

□ 1510

Ms. HANABUSA. I thank the gentleman from Rhode Island. Before he leaves, I'd like to say this:

We have an opportunity as freshmen. We came here as a small number originally—the Noble Nine—and we have maintained our relationships. We hear each other all the time. Some of us sit

right in front of where the Congressman from Rhode Island is, and we shift in and out of those seats because we hear what each other has done and what our constituents are saying.

I can't tell you—and I'm sure he shares this with me—how great it is to hear, for example, the Congressman from Detroit talk about the Detroit plan and to hear the Congressman from Rhode Island speak about a type of block grant for his Make It in America part. Each and every one of them has done something where they're looking at and hearing their constituents. That's what we want to impress upon everyone, that we hear what our constituents are saying.

I think it was said very well by the Congressman from Delaware that we all have to put everything aside and build on the public's confidence. In Congress, we're just another body. The public has got to feel that confidence, not just in Congress, but in the United States of America, the greatest country in the world. They've got to feel that confidence. They've got to understand that other economies depend upon us. When we look like we're quibbling over things that are irrelevant to international matters, that's when their stock markets go crashing—based on how we act.

So wouldn't you say, Congressman CICILLINE, that what we need to do is set things aside and, as to anything we've got to do within the next 14 months, work together so that people begin to have confidence in us and then, by that, have confidence in this great Nation?

Mr. CICILLINE. I agree.

One of the important responsibilities that we have—and I think the work of the supercommittee is, obviously, first and foremost to all of us—is the opportunity to deal with the urgent responsibilities of our economic condition and our debt and our deficit and being sure that we are responsible in the way we cut spending. At the same time, if we do this right, we have an opportunity to restore the public's confidence in the operations of its national government.

I think people are going to look to this, and it will not only matter for the next fiscal year; it will matter for many generations. We will be able to demonstrate to the American people that we came together, Republicans and Democrats, and solved this hard set of questions and made the tough decisions to fix our economy in order to be sure that America continues to lead the world.

As freshmen on both sides of the aisle, we come here new to this experience and maybe without a lot of the history that so many other Members of Congress might have and some of the scar tissue that has maybe been built up over the years. I'm hoping, with the energy and the optimism of our freshman class and with our freshman colleagues on the other side of the aisle, it can help propel us into a new way of



working together, in a bipartisan way, to solve the real challenges that face our country.

Ms. HANABUSA. The one message that resonated at home is that people think we're going to do this time and time again—in other words, that we're going to have the CR issues, that we're going to have the debt ceiling issues. So I've impressed upon them, if the supercommittee does what it's supposed to do, that it's a plan for 10 years, and hopefully, it will give us stability.

The gentleman from Delaware said STENY HOYER, our minority whip, stated it's going to be the most critical vote we all take and one of the most critical votes that this Congress will take because, in this difficult time, that's what is going to render us stable if we're able to do it correctly. So I hope that on both sides of the aisle we're able to do that.

Mr. Speaker, I yield back the balance of my time.

#### ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2608. An act making continuing appropriations for fiscal year 2012, and for other purposes.

#### JOB CREATION

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

Mr. GRIFFIN of Arkansas. Thank you, Mr. Speaker.

I've been listening here on the floor today, and I heard some folks mention the need for action on the issue of jobs. I agree. Some of them said, hey, there hasn't been much action. There has been a lack of action, I think was the quote that I heard here on the floor earlier. I'd like to talk about that a little bit.

There has been a lot of action on the issue of jobs in the House. When folks talk about the Congress, they sort of group the House and the Senate together. I understand that, but the House and the Senate are two separate bodies, and the leadership in the House and the leadership in the Senate have two different visions of where this country ought to go.

As it relates to the House, there has been a lot of action. We've passed about 90 bills in the House this year. During that same timeframe, the Senate passed 20. A lot of those bills that we've passed here in the House directly relate to the issue of job creation and in helping our country get back on its feet.

Many of us understand that government is not the key job creator in this

country. The private sector creates jobs, and the government can make things better or make things worse for job creators. My hope is that we're working to make things better—to create an environment where the private sector can then flourish, can innovate, can advance, and create jobs.

Now let's talk about the action here in the House.

We've got a number of bills that we've passed that relate to job creation, bills that were then taken down to the other side of this building and given to the Senate. That's where they rest. They're just sitting there. A lot of us grew up in the seventies. We remember "Schoolhouse Rock." We remember that little bill sitting on Capitol Hill. That bill can't become a law unless it passes this House, the Senate, and then the President signs it. Well, that little bill was passed out of here. It's waiting on the Senate to do something about it, that little jobs bill, and there's a whole host of them down there with it. Let me mention a few of them.

First and foremost, when we got here in January, we voted to repeal ObamaCare, the health care law that recently passed. Why did we do that? Because it is a source of angst, uncertainty, out-of-control government spending, and excessive regulation the likes of which this country has never seen before. We voted to repeal that on the first day of the first week back. The first week we got here we sent that over to the Senate, and they didn't pass it.

We passed H.R. 872, the Reducing Regulatory Burdens Act. No Senate action.

We passed the Energy Tax Prevention Act to block some of the EPA's controversial excessive regulations. No action on that.

We passed H. Res. 72, asking our House committees to inventory regulations and look for places we can trim them back, reform them and save. No action like that in the Senate.

H.R. 1230, Restarting American Offshore Leasing Now Act, a bill, along with several others that we passed, to encourage energy exploration. No action in the Senate.

The Putting the Gulf of Mexico Back to Work Act. No action in the Senate.

Reversing President Obama's Offshore Moratorium Act. No action in the Senate.

We can go on and on and on.

One of those things that we passed here that the Senate hasn't passed is a budget—a fundamental document for managing one's finances. We passed one here. They haven't had a budget in the Senate for, I think, about 2 years now. For 888 days, no budget in the Senate.

So we've done a lot here in the House. Congress as a whole hasn't acted on a lot of this stuff, but we've done our part, and we've sent it down to the other side of the building, to the Senate. We're waiting for action on many pieces of critical legislation that

can help this country get back to job creation.

□ 1520

I would now like to yield to my friend from Illinois.

Mr. KINZINGER of Illinois. Thank you.

This kind of reminds me of the story of the rogue cowboy. When you think of the rogue cowboy, you think of somebody, you know, sitting under the sun just taking it all in, doesn't really want to work with anybody.

That reminds me of the Senate, taking it easy. They haven't taken a lot of votes this year; more interested in, I guess, getting paid and letting the bills stack up, and they don't need to work with anybody.

But you know what we can do in that process? Let's blame one small lever of government. Let's blame the House Republicans. Let's blame them for the 9.1 percent unemployment. Let's do that. You know, that's what we can do. We don't actually have to govern.

I mean, when you look at it, they've had control of the House of Representatives and the Senate since 2006 and the Presidency since 2008, with the exception of a very brief period of time over the last year where Republicans have been blessed and fortunate enough to be in the majority in the House of Representatives. But yet this unemployment, according to them, is our fault.

We need jobs in this country. In my district, the 11th Congressional District in Illinois, you have cities like Joliet, like Ottawa, like Bloomington. A lot of places have seen their manufacturing base disappear. They've seen it over the last 20 or 30 years. And what's been our reaction? Well, typically the knee-jerk reaction in Washington, DC, is that we have to have some kind of a program. We have to pass more spending.

Well, if there's no jobs, I mean, obviously the problem, if there's no jobs, it's got to be because Washington, DC, hasn't done enough. And so we get in this perpetual cycle of let's spend more and spend more.

I remember a couple of years ago, almost a trillion dollar stimulus was passed out of this House of Representatives, and I think by everybody's measure would agree that it was ineffective. I have not seen many people with a straight face argue that the stimulus was effective. Even the Commander in Chief, the President himself said, well, you know, it wasn't quite as shovel ready as we expected.

Mr. GRIFFIN of Arkansas. Reclaiming my time, I just want to point out that in Arkansas the President predicted that the stimulus would create 30,000 jobs. I think, in the end, the government funded about 4,800 jobs at a cost of around \$300,000 per job.

Now, if someone would've just given me the checkbook, I could have created more jobs writing people checks and could have saved people all the work. I mean, the idea that you create jobs at \$300,000 a job is just unbelievable.

Mr. KINZINGER of Illinois. That's a great point. What's amazing to me is you put out those very staggering numbers, and every American should just be horrified at those numbers, but I've actually heard Members of the other side of the aisle actually say the stimulus wasn't big enough. I think most people listening today have heard that: The stimulus just wasn't big enough. Okay, well, I disagree, but fine.

Theoretically, let's say it wasn't big enough. So what do we need, another \$2 trillion, \$3 trillion stimulus, a gajillion dollar stimulus, because then everybody can go back to work? But the President puts a \$450 billion stimulus.

The only argument I have heard that has any credence—and it doesn't—is that it wasn't big enough. That's why it didn't create jobs. So stimulus 2, which is smaller, has got to do what the large stimulus 1 never did. The insanity of the things I hear is staggering.

We've got to get people back to work. That's what it really comes down to. I think everybody agrees about that.

So we can work and say for 20 years we've been spending and spending and spending—\$14 trillion obviously wasn't enough to get us out of this deficit—or we can do what the House Republicans have been promising the American people and following through on, which is to say let the American consumer and businessman breathe the clean air, the fresh air of freedom, the fresh air of capitalism, understanding that if somebody has a fear of hypodermic needles, you don't solve that fear by stabbing them with a bunch of hypodermic needles. So if we have a debt problem in this country, you don't solve it by spending more and more. You initially figure out a better way to deliver those solutions.

Look, Federal Government isn't the answer. Everybody you are going to hear from tonight is going to tell you the Federal Government isn't the answer. In many cases, it's the problem. But the answer, the thing that has made our country great, the thing that has made us powerful is the people that live here, not the government that represents it. It's the people.

So I think, as this discussion goes on tonight, I look forward to listening and being part of it. But, again, to talk about a jobs bill—by the way, I don't want to say the words "jobs bill" again because, if it was a real jobs bill, I think that would be an appropriate title, but it's just stimulus 2.

Mr. GRIFFIN of Arkansas. I thank the gentleman from Illinois. It's stimulus, the sequel.

I would just like to point out that you made a really good point. The government is not going to be the answer in terms of creating jobs. The government can help create an environment where the private sector can innovate, can grow, and can create jobs. We can assist by creating an environment in a country where businesses and job cre-

ators flourish, and that's what we want to do.

I yield now to the gentlelady from Alabama.

Mrs. ROBY. Thank you so much. I appreciate your leadership here this afternoon giving us an opportunity to once again talk to the American people about jobs.

As the weather gets cooler outside, I know in the State of Alabama there's several large fairs that are happening right now, and I love the fair. I love going to the fair. I love taking my children to the fair. I love the corn dogs, the elephant ears, the Tilt-A-Whirl, the go-carts. I love going to the fair, but I really love roller coasters.

What I love about roller coasters is the anticipation, the tick, tick, tick as the carts reach the top of the hill; and every tick on that anticipation of unleashing the speed of that roller coaster, all of these job-creating bills that we've passed right here in this House of Representatives. And yet it's like being on a roller coaster and you've reached the very top and it shuts down. Because every piece of legislation that we've passed in order to unleash the private sector's speed and momentum to get this economy back on track is dead in the water, dead on arrival in the Senate.

We can't take it anymore. I've just gotten back from my district, like all of you have, and I've traveled around and I've looked into the eyes of the people who want to create these jobs. Our American job creators are sitting on almost \$2 trillion that they could be reinvesting in the private sector. Yet, as I have mentioned on this floor time and time again, I have visited places that have told me that every dollar in extra capital that they have they are having to reinvest back into their company in order to comply with EPA regulations. This is unconscionable. This is unconscionable at a time when our country is so desperate for good-paying jobs and people have given up even looking for those jobs.

I want to tell you real quickly about a recent trip that I took to International Paper in Prattville, Alabama, and I had the opportunity to sit down with them and talk specifically about a bill that we have in front of us on the floor today, and that's the Boiler MACT bill, and the thousands and thousands of dollars and millions of dollars all across this country and all the jobs that are going to be lost if this rule is implemented. They just can't comply. They have spent so many dollars already to already comply with the regulations in place, and this will essentially shut them down.

This is just one more example of what this Congress is trying to do in order to allow the private sector to create jobs. All of us make site visits to companies and to manufacturing sites throughout our districts, and all you have to do is see the empty space, the empty cubicles. This is real. This isn't just some pie-in-the-sky thing that we

are just standing here on the floor talking about this. It's real. There are real people hurting, and we've got to get the government out of the way.

I look forward to continuing this discussion with all of you this afternoon. But on behalf of Alabama's Second District, we'll keep fighting for the opportunity, and we have got it right here, just the tick, tick, tick on the roller coaster waiting for that free fall, but we've got to get Senate Democrats on board.

□ 1530

Mr. GRIFFIN of Arkansas. I thank the gentlelady from Alabama.

I would say, when I sit down and meet with constituents, whether it be here or back home in Little Rock, one of the complaints that I hear the most is that Federal Government continues to over-regulate, continues to burden us with regulations that are excessive, that just don't make sense, and they're implementing them without checking with the folks that they're going to most impact, or ignoring the folks that they will most impact.

There are a number of agencies that are doing that. We hear a lot about the EPA, but it's not just the EPA. You can just go right down the list of Federal agencies and they're issuing new regulations, many of which are almost impossible to comply with.

Today we voted on the concrete MACT and the boiler MACT legislation to help prohibit, to prohibit the EPA from implementing some of these harmful rules. And I can just tell you, talking to folks back in my district, these rules will have a specific impact on them. It will cost them millions of dollars to implement; and ultimately, it costs jobs.

Mrs. ROBY. Will the gentleman yield?

Mr. GRIFFIN of Arkansas. I yield to the gentlelady from Alabama.

Mrs. ROBY. Just to go back to what I was talking about with International Paper, the cost of implementing boiler MACT regulation when combined with the anticipated cost of implementing other pending air regulations would place at risk 36 mills, 20,541 pulp and paper mill jobs nationally; and this is approximately 18 percent of the primary pulp and paper industry workforce. The number of lost mills would rise to 79 if all air regulations are taken into account. The loss of jobs would rise to 87,299 if jobs and the supplier in downstream industries are figured into the equation. This would mean about \$4 billion in reduced wages and some \$1.3 billion in lost State, local, and Federal taxes. I just wanted to add to what you were pointing out.

Mr. GRIFFIN of Arkansas. That's the real impact that these rules will have if they're implemented. I would like to say, before I yield to the gentleman from New York, these regulations continue. It's almost every week there's a new one. I don't think anyone here is against regulation. This is not an issue

of do we regulate or not. Of course we need regulations. We need commonsense regulations that protect Americans.

What we're talking about are excessive regulations. What we're talking about is an unprecedented growth of regulations over the last few years that are stifling and crushing business.

One thing I'll mention with regard to health care, businesses aren't just concerned about the regulations that exist. They're concerned about the regulations that are in the pipeline that they haven't seen yet because it adds uncertainty to doing business. So a business may have some money set aside that they want to invest and expand their factory and they want to hire new people, but they don't yet know what the impact of the recently passed health care law is going to be. So they put that money aside and they sit on it.

I've had constituent after constituent tell me that if this health care law that recently passed is fully implemented, it will have a devastating impact on my business, and we will start paying an additional \$100,000 or \$200,000 or \$300,000, or whatever the amount is, for that particular business. So they're putting money aside waiting to see what they'll have to spend to comply with this new law.

The same situation with Dodd-Frank and a lot of the new financial regulations. There was a gentleman speaking earlier. He talked about small businesses needing access to credit. Well, let me tell you, the Dodd-Frank bill is part of the problem. If you really wanted to inspire confidence in job creators, the President ought to call a press conference today and say he's going to do everything he can to repeal his two big mistakes—ObamaCare and Dodd-Frank. That would give job creators a shot of confidence, and I guarantee you the markets would respond likewise.

I now yield to the gentleman from New York.

Mr. REED. I thank the gentleman from Arkansas for yielding and for setting up this leadership hour for us to have this important conversation.

I would say to all of my colleagues, it doesn't take a whiz kid to figure out that we're on the wrong path in America. So how are we going to change it? I come to this Chamber always in an optimistic manner. I come to this Chamber with the energy and the commitment to make America better. And we're going to change that by changing the culture of Washington, D.C. I'm proud to be part of this freshman class: 87 House Republicans, 13, approximately, new Democratic faces on the other side of the aisle. So how are we going to change from that new class, develop a new breed of elected official that puts country and policy over politics?

I can tell you that my colleagues that I have spent a tremendous amount of time with in the freshman class have always taken the approach that it is

policy over politics, and I am pleased to be joined on the floor here today with a colleague, a Democratic colleague, joining us, a bunch of House Republican freshman Members, a fellow freshman Member from the Democratic side, who has had the courage to stand up and publicly stand with us to talk about what is the critical issue of this Congress, and that is creating an environment where the economy improves and people can be put back to work.

It's about creating an environment that creates jobs. My colleague from Michigan, who I have developed a friendship with, is down here to join us to offer his ideas. Although we may not agree 100 percent on all of the ideas that he brings to the table, I still respect the man and I respect many of his ideas. And I respect that there are going to be areas where we will find common ground, that we can come together and move the ball forward so America will see its best and brightest days again ahead of us.

One of the common grounds that I know that's coming down the pipeline next week is the free-trade agreements. There's vast bipartisan support for those free-trade agreements which would equate up to 250,000 new jobs essentially immediately within the next 12 months. That type of economic opportunity is what we should be focusing on and on which we focus on here in the House as a freshman class, pushing forward policies and agendas that put the country first rather than our reelection efforts and our political ambitions ahead of country and policy.

One of the other things that we have to change in Washington, D.C., and I know my colleagues on both sides here today are firmly committed to, we have to look at this from a long-term comprehensive point of view. When you've got the Senate that hasn't passed a budget in 888 days, any businessman in America will tell you that how you run an operation, you at least have to have a vision, you have to have a strategy; and in government that document that sets the vision and the policy and the guiding principles of how we should operate is a budget. It's a fundamental thing that we do. So, again, the Senate needs to join us, lock arms with this freshman class and say we're going to put country and policy over politics, and jump.

That's why I have so much respect for my colleague from Michigan coming down and joining us here today, and if my colleague from Arkansas will yield him time to offer his insights into this debate. But, again, it's a commonsense approach to governing: do the job, lay forth the vision in a budget, work together to find common ground, and create an environment in America where people can go back to work and take care of their families for generations to come. It's only through that type of commonsense approach that I believe that we will move this ball down the field the way that it

needs to, and I'm proud to join my colleagues.

Mr. GRIFFIN of Arkansas. I thank the gentleman from New York. I will in a minute yield some time to the gentleman from Michigan, but I want to first yield some time to the gentleman from Wisconsin.

Mr. DUFFY. I appreciate the gentleman from Arkansas for yielding.

Just quickly, we have heard a lot about the President's jobs bill, and I think everyone in this House agrees that this country needs more economic growth and it needs more jobs. I'm from Wisconsin, and a lot of folks in Wisconsin and across the country want to see the folks in Washington and in Madison start to get along, try to find points of agreement instead of points of disagreement.

So the President came up with this jobs bill. I said, you know, Mr. President, I can agree with you that we need tax reform. I can agree with you that we need regulatory reform. And I can also agree that we should probably extend the payroll tax holiday.

□ 1540

But the President has gone a step further, and he wants to have a second stimulus. He wants to spend nearly half a trillion dollars because he believes more government spending will lead to economic growth, prosperity, wealth, and sustainable jobs. And we tried that to the tune of a trillion dollars. That doesn't work. But when the President talks about tax reform right after he gives that speech, a week later he comes out and says, my idea of tax reform is to raise taxes.

This doesn't make sense. Do you think that you help the job seeker by raising taxes on the job creator? He talks about reforming regulation. But all we see is more and more regulations coming from the agencies and the White House. And what that does is it makes America less competitive. It's pretty easy to see that we are a global economy; and in this country, we pay our employees more. I think we can do that because American workers are harder working, they're more productive, and they're smarter. But on top of that, our businesses have far more mandates, far more regulations, far more red tape; and now they're going to pay far more taxes.

With that kind of environment, how do we expect our businesses, our manufacturers to compete on this global scale? Sometimes people in Washington sit back and they scratch their head and they say, why are businesses leaving? Well, Washington has made it uncompetitive for American industry and American small manufacturers to compete, succeed, win, and put our hardworking families back to work.

I come from northern Wisconsin. You may not know this, but I grew up doing lumberjack sports. That's chop, saw, logroll, and tree climbing, skills of the old-time lumberjack. That's how our whole region was built. Paper is still a

huge industry where I come from, and the EPA was coming out with a Boiler MACT regulation. If that were to have gone through, that would have killed Wisconsin paper, it would have rippled throughout our whole economy, and it would have killed thousands of jobs in our community.

Just the threat of Boiler MACT has sent ripples through the economy. If you look at our loggers—this isn't small business, this is big business. They have big loans and big pieces of equipment, and they can't access the national forest. There are policies coming from this town that make it so much harder for our small businesses to succeed, compete, grow, and hire our hardworking people.

We have to switch around. I'm not a farmer. I said I was a lumberjack, but I do have a garden. And I think the economy is much like a garden. When you garden, you have to have good seed and good soil. Right? And you have to have sun and water. If you put that all together, it's amazing, your plants will grow. Once in a while, you can throw a little Miracle-Gro on them, and they grow a little more. The economy is no different. You can't have no sun and bad soil and just pour Miracle-Gro and expect the plant to grow. It doesn't work that way. We need to set the environment for expansion and growth and American competitiveness. That's not happening right now. We need to change these policies.

So look at what we've done in the House. In this House, those are the bills we've passed. We've passed bill after bill after bill that makes the environment more competitive for American industry, which means we would have more jobs in America, and they die in the Senate. And I think it's almost fruit loop legislation in the Senate, which is no legislation.

Until we start to turn this process around, start to focus on points of agreement that will turn the economy around and put our people back to work, I think you're going to see a continued discontent of people in this country with this town.

So with that, Mr. GRIFFIN, I'm proud to be here with this freshman class doing the hard work in a bipartisan way, trying to change the environment to put our families back to work.

Mr. GRIFFIN of Arkansas. Reclaiming my time, what you have just described is the fact that we can't mandate companies to come back to the United States. We can't mandate companies to invest in the United States. We have to attract them. We have to create an environment where they want to do business, and we've got to create an environment where they want to invest. We want people to look at the United States and say, that's the only place in the world to do business, that's where I want to create jobs, that's where I want to innovate, and that's where I want to invest. And as you say, a lot of the rules that we've set up have run folks off. So they're

creating jobs, but they're creating them somewhere else.

I yield to the gentlelady from Alabama.

Mrs. ROBY. I want to interject quickly. You talked about the forest products industry. And since 2006, it's already lost 31 percent of its workforce. That's nearly 400,000 high-paying jobs located in mainly small, rural communities. And without passing this Boiler MACT legislation, the situation is only going to become worse. So I just wanted to throw that in there.

Mr. GRIFFIN of Arkansas. I would like to now yield quickly to our friend from the other side of the aisle who has joined us, the gentleman from Michigan.

Mr. CLARKE of Michigan. I want to thank the gentleman from Arkansas for yielding to me to address this body and also to my good friend, the gentleman from New York (Mr. REED), for inviting me to be here.

As you know, I'm a Democrat. I'm currently vice president of the Democratic freshman class. And yet we may have our differences, but the people that we represent in this great country are all different. That's what makes our country so strong and so great is that we attracted people from all around the world with their different talents and perspectives. But they all have the opportunity to responsibly express themselves and leverage their talents to build one of the greatest countries our civilization has ever known.

One thing I do know that we can agree on is that the role of this Congress is to create jobs and to help improve the business climate to keep and attract the investment that creates jobs. I want to give you an example of the place that I was born and raised in and that I currently live in, the city of Detroit. That metropolitan area has lost more jobs than any other metropolitan area in the last 10 years. Home foreclosures came through, hit our city like a wave and destroyed blocks and blocks of formerly viable neighborhoods. It's been heartbreaking for me to see what's happened not only to the city but to the people that I love, many of whom have had to leave the city for the suburbs. They've moved out of State. Many have just lost hope altogether.

I want to get to the point. What businesses have told me on what they need to stay in the city and what businesses would need to locate in the city is the same things that Detroit families want: simple, basic things—safe neighborhoods, good schools, a low cost of living and doing business.

So think about it: if we could provide better public safety for folks, if we could improve the schools and cut those high municipal taxes in Detroit, I know that we could keep businesses and attract new jobs. And here's why. Even though this city has been very hard hit economically, we've got the best manufacturing know-how in the

country. We've got a great trained workforce. If we're able to hire more police officers, hire better teachers, keep our schools open longer, cut our property taxes by eliminating our daunting municipal and school debt and eliminate our city income tax on residents and nonresidents, we could bring jobs back to Detroit. And not only that, we could create jobs for this country.

Now all that sounds like it costs money. It does cost money. But here's what I'm proposing. It's not new money. Let's just use existing tax revenue that Detroit businesses and Detroit individuals pay right now. We put that money in trust on a pilot basis to see how it works. And we would say, if the city wants to benefit from those tax dollars, it's got to pay off its debt entirely, the city and the school district, and it's got to eliminate that uncompetitive city income tax. And then the rest of the money can only be invested in those core areas that will improve the business climate of that city, like making the streets safer, the schools better and rebuilding those crumbling roads and water systems. That's what we can do.

I appreciate the gentleman from Arkansas for yielding to me.

Mr. GRIFFIN of Arkansas. Thank you for joining us here on the floor today. We appreciate it very much.

I now yield to the gentleman from Colorado.

Mr. GARDNER. I thank the gentleman from Arkansas and the gentleman from Michigan for his words. We all may disagree how to get there, but we do want to be sure that the final goal is reached, and that's a stronger, better America, an America that has a strong economy that's putting people back to work.

□ 1550

This is the 31st straight month where unemployment has exceeded 8 percent. It's got to end. It's got to stop. This country needs to get an economy that's back on track.

In August, I spent a lot of time visiting with businesses around my district in eastern and northern Colorado, and one of the initiatives that we launched was an initiative called the "One More Job" initiative. The idea was to learn from job creators, those people who are on the front lines of our economy, what it takes for them to create another job, what would help their business grow and expand to the point where they could hire somebody else so that their customers are returning, so that they're able to sell their goods, their products, their services so that that business could expand and grow again; because, in Colorado, if just 10 percent of businesses in Colorado hired one person, if just 10 percent of Colorado businesses hired one person, we would create 60,000 jobs in the State of Colorado alone, in my home State, 60,000 jobs. That's not by telling businesses that they have to hire people. That's not by telling people that

they've got to do X, Y, or Z. But it's saying, all right, if we can get this economy growing again, what is it that would allow you to expand? And so I'm excited to share with the Congress, my colleagues, ideas that job creators in Colorado have about what it would take to get their businesses hiring again.

An independent consultant and business owner had this to say in response to our "One More Job" initiative:

"As a startup consultant and owner of my own business, I see the day-to-day regulatory burdens and uncertainties that many employers, both small and large, face. It seems to me that small businesses, including high-tech startups, are operating on the edge of knowing. They operate month to month or even day to day only to find out that a government fee or regulation or tax threatens to close their doors."

We have a kerfuffle every day on this floor about what it will take to move this economy forward, about what it's going to take to start creating jobs again. Let's listen to a car dealer. Tourism. Many jobs here. Build a strategy of promoting the State's beauty on a consistent basis. I'm glad to say that last night this body, the House of Representatives, passed a bill to increase the opportunity for tourism in Colorado around our ski resorts, our ski slopes in Colorado, the opportunity to not just generate jobs during the ski season itself, but to allow off-season uses, multiple seasons of use, zip lines, alpine slides, creating jobs in tourism in Colorado. This body passed that bill last night. I hope the Senate will pass it soon so that we can start creating jobs.

When I hear from my colleagues around Washington, D.C., around the country saying that the House of Representatives hasn't passed a jobs bill, we passed the Jobs and Energy Permitting Act. That would create 54,000 jobs. Last night, we passed a bill that would add to tourism jobs in Colorado, across the State, across the country. And so we are passing these bills. They need to move through the Senate. They need to be signed by the President.

The fact is we've got a lot of work to be done, and I thank the gentleman from Arkansas for allowing us to be here today to share that message.

Mr. GRIFFIN of Arkansas. I yield to the gentlelady from Alabama.

Mrs. ROBY. The only other thing that I would have to offer is to say that, as we move forward in the coming months and weeks, we've got to find common ground, but we do not have to forfeit our principles in doing so. We stand by the things that conservatives stand by. It's a three-legged stool: We're fiscally responsible, we're socially conservative, and we are pro-military, pro-defense. And we can still stand on that stool but yet continue to seek opportunities to find common ground.

The problem is that the Senate is not even having this conversation. We

watched 2 weeks ago as they tabled the continuing resolution that we passed in the House, meaning they're not even going to take an up-or-down vote on this, and ultimately passed something much different.

We are asking our friends on the other side of the aisle in the Senate and the White House to have a conversation with us. We have passed all of these bills that will lift the heavy hand of government off of the very job creators in this country; and we just want an opportunity to debate and then find where we do share that common ground, again, without ever compromising our core conservative principles.

Thank you again to the gentleman from Arkansas. I really appreciate the opportunity to spend this hour with you.

Mr. GRIFFIN of Arkansas. I would like to say a few things, if I could, about the President's so-called jobs bill.

We've heard about the desire for bipartisanship. We've heard about the desire to work together and find common ground. Well, not too long ago, the President visited us here in the House. He spoke from the podium and he talked about his new jobs bill. Well, he didn't talk about finding common ground. He didn't really talk about meeting us halfway, finding areas we could agree on. He just said, Pass my bill; pass it as it is. Then he ran around the country saying, Pass my bill; pass it as it is. Well, at that time there wasn't even a bill here in the House to pass. And when we finally did get the text of it, we saw that it certainly didn't reflect bipartisan agreement, certainly didn't reflect meeting halfway. It was stimulus 2, stimulus the sequel, and we know how ineffective the first stimulus was.

I'm here to work with other folks, find areas where we can agree and move forward. But there hasn't been a shortage of bills and legislation passed in this House. As we talked about earlier, we've passed bill after bill after bill that will help create an environment in this country where the private sector will want to do business and grow jobs.

When the President's bill finally got here, the so-called jobs plan, we found out there are not even enough Democrats to pass it in the Senate. I see just a few minutes ago the Republican leader in the Senate wanted to have an immediate vote on the President's jobs bill, and he has been blocked. He has been blocked by the Democrat majority leader in the Senate. He doesn't want to allow a vote on the President's jobs bill. I suspect that has something to do with the fact that most of the Democrats over there aren't going to vote for it either. They didn't just get here. They were around when the last stimulus passed and they realize how ineffective it was. And so the President can't even convince his own party to support his so-called jobs bill.

I think at the end of the day we can agree here that we want to pass legislation that will help the private sector grow and create jobs, no question. No question. We've passed a number of those here, and we're willing to work on more. What we need is the Senate to actually take up some of the stuff that we've passed, because I'll just say this: I've talked to a lot of job creators in the Second Congressional District of Arkansas, which is basically central Arkansas, with Little Rock at the core, and a lot of them, they have money to invest and expand and create jobs, but they're holding on to it. Why? Because they're uncertain about the future. They don't have confidence in the direction of this country. They're worried.

So businesses, job creators do what families do. They hold tightly to their money, save up, hoping that things will get better, hoping that they will gain some confidence in the direction of the country so that they can then spend that money to expand a plant and hire more people and what have you.

So what makes them uncertain? What makes them worried? Well, what I hear is overregulation, the need for tax reform so that we can be competitive with other countries, the health care bill that passed last year. That's got a bunch of folks worried because they don't know what the impact is going to be. The Dodd-Frank bill is absolutely killing our small town community banks that are a critical source of credit for small businesses and families. They're worried to death. All of this stuff. And let's not leave out the debt.

People are concerned about the debt because the national debt affects the markets. It affects interest rates. It affects the value of our currency. And folks see what's going on in Europe and they say, man, if we don't get this under control, we're next.

□ 1600

All of that, all of those different concerns, those worries, add to the uncertainty.

I yield to the gentleman from Colorado.

Mr. GARDNER. I thank the gentleman from Arkansas.

And to your point, what you are talking about, the direct consequences that legislation and regulation is having on job creators throughout the United States. In another email that I got from a business owner in Longmont, Colorado, he makes comments about how the Dodd-Frank bill is affecting his business. And he ends his comments with this, "Right now, Dodd-Frank appears to have completely killed my business."

We dealt earlier today and we will continue to deal with the Cement MACT rule that talks about what we're going to do to basic manufacturing elements in our country when it comes to cement. If we are going to pave the road to a better economy, we'd better

not do it without cement because this government is about to say, No more cement in this country.

So I thank the gentleman from Arkansas for his passion for job creators in this country.

Mr. GRIFFIN of Arkansas. I think you were there yesterday when we had a visit from some folks in the cement/concrete industry. I was taught yesterday the difference between cement and concrete. Cement is what we use to create concrete. And he sat there, and he said, Look, I've got a lot of employees. I want to hire more. I want to grow. But this regulation, this Cement MACT regulation is going to kill a lot of our businesses because it's going to set a standard way beyond the European standard, and it's going to set a regulatory standard that our businesses cannot meet no matter how much they spend. I think he mentioned that one company had spent \$20 million trying to comply, trying to tighten up their operations to meet some of these regulations. He even said, This regulation is so stringent, you can't even measure what the EPA is trying to achieve. It's beyond our ability to measure.

It's not that these guys are against regulations. He said in our meeting, We've been regulated for years. We're going to continue to be regulated, and we're cool with that. We get that. We understand that. But this type of regulation will put us out of business, and the only people making cement will be elsewhere. He said, The cement business is growing big time in China, and to compete, we've got to have common-sense regulation.

I yield to the gentleman from Colorado.

Mr. GARDNER. I think in that same conversation we talked about an editorial or an op-ed piece that was written by Charles Schwab, a very well respected voice when it comes to the economy in this country. In The Wall Street Journal editorial, it said basically this, a quote from Charles Schwab, What we can do and absolutely must is knock down all hurdles that create disincentives for investment in business. And that's exactly what you were talking about in terms of making sure businesses have the ability to grow and have the government getting out of the way.

Mr. GRIFFIN of Arkansas. I yield now to the gentleman from New York.

Mr. REED. I thank the gentleman from Arkansas. And I simply wanted to end this conversation with, as I get ready to leave and as our colleague from Kansas has joined us—I think the gentelady from Alabama said it best. We came here as a new breed of elected official, part of this freshman class. We are not here to compromise our principles, but we're here to govern responsibly.

Mr. GRIFFIN of Arkansas. Get things done.

Mr. REED. Get things done. And we can do that. That's why I was so pleased that our colleague from Michi-

gan joined us today. Even though we may disagree on many things, there is common ground there. He recognized that lower taxes creates a business climate upon which entrepreneurs can put people back to work. We're all trying to achieve the same goal. Now it's time to have the Senate and the President engage with the American people in an open and honest fashion and deal with these issues once and for all. Because if we continue to play the politics of yesterday, then America's brightest days are behind her. And to me, that is unacceptable. And I know to all my colleagues here today, that is also unacceptable to them.

Mr. GRIFFIN of Arkansas. I appreciate it.

I yield to the gentleman from Wisconsin.

Mr. DUFFY. Thank you.

I think we all come to this House in an effort to grow the economy and make sure we create policies that are going to help create jobs. We don't care if it's a Republican or a Democrat idea. We just want ideas that are going to work. So the partisanship goes away. It's ideas that put our families back to work.

I want to talk about taxes though, quickly, because I think there has been an engagement in class warfare. And I know the President, he talks about taxing millionaires and billionaires, corporate jet owners, and big oil companies. I don't have those people, really, in my district. I come from small-town America. And he talks about taxing those people. But what he leaves out is, he's here to tax the small businessman, the small manufacturer, the people who are making \$200,000 to \$250,000 a year. Those are the businessmen and -women in my community that own the small manufacturing shops that employ 10 people to 100 people. Those are the people that are looking for access to capital to grow their businesses that are going to put our hardworking families back to work. And those are the people that are going to pay the brunt of these tax increases that the President is talking about. So, you know what? The billionaires, I don't care. But I do care about the job creators in my community, in the district that I represent that are going to be hit by his proposed tax increases.

We all come to this House floor and we talk about debt reduction and job growth. There is a simple point I want to make here. If you look back at 1955, the top tax rate was around 90 percent. In the Reagan years, it was around 25 percent. From 90 to 25 percent, a great span of tax rates. What's unique is that no matter what the tax rate is, the Federal Government continuously brings in about 19 to 20 percent of revenue, as it relates to the size of the economy or GDP. Tax rate increases don't actually bring in more revenue. But if you want to look at what brings in more revenue to the Federal coffers it's economic growth. When GDP grows, so too does revenue to the Fed-

eral coffers, and that's because more people are going to work, which means more people are paying taxes. So if we want to reduce our debt and put our people back to work, let's focus on policies that grow our economy. When we grow our economy, more money comes into the Federal coffers, and more people are working, supporting their families, and paying taxes. Those are the policies that we're advocating for here in this House.

Mr. GRIFFIN of Arkansas. I thank the gentleman.

I yield to the gentleman from Kansas.

Mr. YODER. I appreciate the gentleman from Arkansas yielding to me.

I have been watching this debate as we discuss what are, to most people, commonsense American values. Hard work, a free enterprise system, and opportunity for all, the American system we all believe in that made our country so great, one of the most prosperous nations in history, the most prosperous nation in the world. And we see it being threatened every day by policies that are coming out of Washington, DC. It is heartache for a lot of us because we see the very principles that built this country being threatened in this very process.

So I'm pleased that the gentleman from Arkansas, the gentleman from Wisconsin, and the gentleman from Colorado are all arguing so passionately today for what they see as the future of the United States of America. I think one of the things that confuses a lot of folks back home is they see both sides of this debate on the floor saying, we're all for jobs. In fact, some people just come down and repeat it, Jobs, jobs, jobs. They say, Where are the jobs? And we just keep saying "jobs" over and over again as if that's somehow miraculously going to get the private sector to start creating jobs again.

They have come up with Washington solutions: borrowing and spending, creating jobs in Washington, DC. And what we know is that jobs aren't created here in Washington; they are created at home by small business owners. They are created through the free enterprise system. That's what made our country great.

But I think the reason this debate is so challenging and the reason that we're having such a hard time getting the sides to agree and the two Chambers to agree and the President to agree is because we have different principles by which we are arguing this debate. I want to lay out a couple of very commonsense principles that I wish this Congress could agree to and this government could agree to so that we could move forward with job creation. The first one is, regulations don't create jobs. And if we could get this body to simply agree that regulations don't create jobs, we would be moving a long way down the path toward job creation.

Mr. GRIFFIN of Arkansas. Can I interject that overregulation kills jobs?

Mr. YODER. That's absolutely correct.

So the regulations we're putting forward, not only do they not create jobs, but the gentleman from Arkansas is correct, they kill jobs. But yet I hear folks on this House floor, I see folks on the left, I see folks in the media arguing repeatedly that these regulations are actually good for business.

In fact, Robert Reich argued earlier this year, he said, There's no necessary tradeoff between regulations and jobs. In fact, regulations that are designed well can generate innovation as companies compete to find the most efficient solutions. And innovations can lead to more jobs as they spawn new products and industries.

□ 1610

Regulations don't create innovation. Regulations don't create jobs. They are a job killer. This is a commonsense principle that I know a majority of Americans agree with, and it's one that is completely refuted day after day on this House floor. If we can come to an agreement that regulations don't create jobs, we can get somewhere.

One of the reasons we don't, and you've been debating that this afternoon, is because they create additional burdens, additional hoops and additional challenges for small business owners that we're expecting to create two-thirds of the jobs in this country. In fact, just for fun, I brought down the stack of rules and regulations that have come out just in the last week. Every day, our small business owners have to deal with another one of these. Another one of these. Every day.

There's last Tuesday; there's last Wednesday; there's last Thursday; there's last Friday—a pile of new rules and regulations for business owners. Even if they don't affect them, they still need to read them and follow them and hire folks to be able to respond to them. You talk to folks at home, you say, Are you creating jobs? Are you hiring new folks? They say, We are hiring a few folks in the compliance department. So yes, you might create a new job, but you're killing the jobs in innovation, entrepreneurship, and free enterprise.

The other principle I want to leave with the folks here is that taxes don't create jobs. Taxing and spending doesn't create wealth. That is something that is in dispute on this House floor. If we could get an agreement with both parties that regulations don't create jobs and taxing and spending doesn't create jobs, we would be going a long way to solving this debate.

So when folks at home wonder, Why are they arguing so much? Why can't they ever get anything done? Why aren't they moving forward? Because we're debating basic commonsense principles of the free enterprise sys-

tem. And folks come down here and argue, Hey, these regulations are good for jobs. Hey, these new tax increases, that's good to create jobs. We're not going to get the free enterprise system going while we're smacking them down with new taxes and new regulations every day.

I appreciate the gentleman from Arkansas, the gentleman from Colorado and others down here having this debate, because it is essential to what it means to be an American in this free enterprise system we all believe in.

Mr. GRIFFIN of Arkansas. I thank the gentleman.

I want to use a little analogy and have a little fun here for a second.

If you have two runners and they're lined up ready to race and one runner is simply going to run straight to the finish line and the other runner has to run through an obstacle course, who do you think is going to win? I think we would all agree that the one who's just going to run straight, not going to have to jump over anything, not going to have to swim or climb a rope or whatever, go through tires, just run straight to the finish line, that runner is going to have a big advantage over the other runner. The other runner is going to have to climb a rope, go over a wall, go through the tires, do all the things that you do in an obstacle course.

The obstacle course, that's regulation. We need basic, fundamental regulation to keep us safe, keep our kids safe. I understand that. But that shows you what we're dealing with. You've got some countries who have little or no regulations, so their runners are just running down that track straight, unimpeded. We're putting up walls for ours, and then we wonder, Why can't we compete? Why aren't people investing? Why aren't they creating jobs in the private sector? Well, it has a lot to do with Washington, DC., my friend.

I yield to the gentleman from Colorado.

Mr. GARDNER. My colleague from Arkansas has a great point, that steeplechase economics will not work. It's when you remove the barriers, it's when you get things out of the way of this economy to grow, that's when we can create jobs. But if you're making people jump over walls and through water hazards, again, steeplechase economics have proven time and time again that they are failures.

Our colleague from Kansas has shown a great visual aid of what every business owner in this country is facing when it comes to their own business, when it comes to creating jobs, when they have to decide where they're going to invest their hard-earned capital. They've got to go through pages and pages and volumes and volumes of tax codes and regulatory decisions and court decisions about what it is they can or cannot do in their business, making this economy so that it actually is unable to unleash the innovators and entrepreneurs.

Mr. GRIFFIN of Arkansas. I would make a quick point on that if I could.

Some folks who want to invest, they've had the dream all of their life to create a small business, a little shop, maybe it's a bike shop, but to create that business. A lot of them are going to look at the metaphorical race, see the obstacles, and refuse to enter the race.

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

Mr. GRIFFIN of Arkansas. I thank the Speaker, and I thank the gentlemen for joining me tonight here on the floor.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair is prepared to recognize a member of the minority party for 30 minutes.

#### THE PRESIDENT'S AMERICAN JOBS ACT

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

Mr. GOHMERT. Thank you, Mr. Speaker.

I appreciate the opportunity to speak here today, and I certainly appreciate my friends enlightening the Chamber and those that may be prone to listening.

I want to add a little bit to the enlightenment, as we've seen that the President is out there. And here is an article from the AP, dated October 4, saying that President Barack Obama is criticizing House Majority Leader ERIC CANTOR for saying the President's \$447 billion jobs bill will not get a vote in its entirety in the Republican-led House. The President singled out Mr. CANTOR. According to the article, it says, "I'd like Mr. CANTOR to come down here to Dallas and explain what in this jobs bill he doesn't believe in," Obama said in remarks prepared for delivery Tuesday at a Texas community college."

And as we know, the President would have been reading those remarks, because he wouldn't want to stray far from the teleprompter with remarks. We've seen what happens on those occasions, and it isn't pretty.

The article goes on:

"Three weeks after Obama sent the legislation to Congress, the proposal has run into resistance from Republicans and even some Democrats."

See, the article's not quite accurate on that, because we know that the President came in here, in this very body after he demanded to come speak, which requires an invitation. You can't just come speak on the House floor unless you're recognized by the Speaker, you're a Member of the House, or if the House votes to allow someone to come in who's not a Member.

Some people are surprised when they come in, Mr. Speaker, that the President's not up there where you are, but

the rules make it very clear. This is the people's House. The President can only come, just like any other leader that's invited, for instance, Prime Minister Netanyahu. They speak from the second podium because they're invited guests.

Well, now, it's a little bit rude to demand to come speak in someone's house, and then you come in there and lecture them and you state things like repeatedly saying, You've got to pass this bill right away, right now; pass this bill, this bill, and it turns out you didn't even have a bill. You had the gall to come in here and demand we pass a bill and you haven't even got a bill?

And then on Friday, the President hit the campaign trail. Well, maybe not the campaign trail, but whatever you want to call it. He was out there spending millions and millions and millions of dollars to go to different places around the country and demand we pass this bill. Tell Congress, pass my bill, and he didn't have a bill.

Saturday, Sunday, he's out there saying, Pass my bill right now, pass it right away. People, go to work immediately. Never mind that he had to take a vacation before he could get around to producing a bill that was that important. Never mind that he's going around telling everybody, We should make Congress pass a bill that doesn't exist.

□ 1620

On Monday, I was a little bothered we were being condemned for not passing a bill that didn't exist. So we were pushing to try to get a copy of this phantom bill. Late that afternoon, we finally got a copy emailed. I printed it out that Monday night at around 11 p.m., and I started going through the President's bill.

Now, by Wednesday, when no bill was filed and when the President was still running around spending millions of taxpayer dollars, condemning Congress for not passing his bill when he was so busy out there telling people to make Congress "pass my bill," he forgot to have anybody file the bill. For 6 days, we were condemned here in this Chamber for not passing the President's bill. He was so busy condemning Congress for not passing his bill that he forgot to ask somebody to file it for him.

By Wednesday, I got tired of being condemned for not passing the American Jobs Act, so I filed an American Jobs Act. Mine's two pages. It's H.R. 2911. It would create more jobs in America than anything that the President has ever even talked about because, though you have businessmen who are very successful, like Donald Trump, saying we ought to slap a 25 percent tariff on everything we buy from China, that starts a trade war. I'm sure we don't win. I don't think China wins. I don't think anybody wins. It would be messy. China owns so much of our debt, unfortunately, that it's probably not a smart move right

now until we get out from under this debt.

The Bible talks very clearly about what happens when you allow somebody to own your debt. Basically, you become a slave to them. So I'm looking forward to the day we don't owe China and we don't owe foreign countries, the day we get out of debt because we balance our budget; and it looks like it will take a balanced budget amendment to do that.

In the meantime, there is no treaty that would be violated, no trade agreement, no court order anywhere in the world that would prevent us from eliminating the 35 percent tariff that we put on all American-made goods before they're able to sell them abroad. It's called a 35 percent corporate tax, the largest corporate tax in the world. It's the number one reason that I've heard from CEOs as to why they moved their businesses to other countries.

So my two-page bill, the American Jobs Act—and I do appreciate the President promoting the American Jobs Act; that's my bill—reduces the 35 percent corporate tax to zero. Now, there are some people who never really got economics, and they don't understand the way the real world works. They think the real world works like CBO's archaic rules that say you can't take actual historic precedent to figure out what effect a bill will have.

Never mind even if the same result always occurs after a certain thing is done, you can't consider that because the 1974 liberal Congress that ran us out of Vietnam and left all our allies there to be killed by our enemies put in the rules for CBO to score bills. So you don't get a fair look at what really happens with CBO rules, and there are some people who think those rules are the way you have to look at things. The fact is, if you reduced the corporate tax, especially to zero, jobs would come flooding back into America.

Now, I would think unions would love this bill. If you really want union jobs back in America; if you're really willing to say, you know what, forget this business about America being nothing but a service economy, we really want manufacturing jobs back, then eliminate the 35 percent insidious tariff we put on American-made goods before they can be sold abroad.

As I've said here on the floor, I'm willing to negotiate, to be bipartisan. If the President can't bring himself to get to zero, then let's negotiate somewhere in between. We could do that. Herman Cain is talking about 9 percent. But then we have the President out there demanding that we pass his bill. Then he's saying things about it that simply are not factual, not factual at all. I know, because I read the bill. I'm very irritated with people who think the President's lying about his bill, because I believe I can prove he's not lying about his bill. He doesn't know what's in his bill. You can't lie about something you don't know, and I

believe I can prove the President is not a liar. Absolutely not.

He gave that speech in here on Thursday night. The next day, he's on the road condemning Congress for not passing his bill. There was no bill yet. Saturday, he's on the road condemning Congress for not passing his bill. There's no bill. He was still keeping that up all day Monday. Well, it wasn't until Monday that his bill got finished. There's no way he could keep giving those speeches every single day all over the country and have had the 6 or 7 hours I did between 11 p.m. to 5 or 6 a.m.—I've said five, but I was still going awhile—but at least the 6 hours that I took the night the bill came out to go through his bill. He hadn't had that time. There's no way the President could work that 6-hour schedule, or time in his schedule, to go through the bill like I did. There's no way to condemn the President for not knowing what's in his bill when he hasn't had time, when he's been too busy condemning Congress for not passing it. How could he know what was in it?

Then today, of course, we see the President's knocking the GOP leadership, and he's telling people on the campaign trail—let's see. This is an article from Yahoo! News, by Chris Moody:

President Obama is in Dallas today, urging Americans who support the American Jobs Act to demand that Congress pass it already.

Though it's been nearly a month since he laid out this plan, House Republicans haven't acted to pass it, and House Majority Leader Eric Cantor is out there actually bragging that they won't even put the jobs package up for a vote—ever.

It's not clear which part of the bill they now object to—building roads, hiring teachers, getting veterans back to work. They're willing to block the American Jobs Act, and they think you won't do anything about it.

Apparently, those are the President's words, according to the article, the best I understand this. Oh, this was the President's reelection campaign that sent out an email blasting House Republicans for not voting on the proposal.

It's just been in the last hour, while the President is condemning Republicans for not passing his bill, that Senate Minority Leader MITCH MCCONNELL, Republican of Kentucky, tried to force a vote on the President's plan in the upper Chamber on Tuesday afternoon; but REID used a procedural tactic to block the bill from coming to the floor. He called the Republicans' insistence on a vote a "publicity stunt." So the President hasn't had time to read the bill. He hasn't had time to find out who was really blocking his bill. Well, it turns out it's really HARRY REID in the Senate.

Based on the things the President has said, I know he hasn't read this, because I know the President would not be dishonest. When he's out there and has repeatedly said that we're going to make millionaires and billionaires pay their fair share, I know he wouldn't go out there and say that if he knew the



truth about what was in his bill, because in his bill at pages 134 and 135, it gives the definition of who's rich and who's going to get it socked to him.

The President has been saying repeatedly "millionaire and billionaire"; but bless his heart, if he had time to read the bill—and I hope somebody will carve out some time for him to do that. I know his speech schedule out there of condemning Congress has kept him tied up—but if they could work in some time for him to read his own bill and just stop condemning Congress for just a little bit and if he has enough time to get to page 135, he'll find out that the people he's going after that he says are millionaires and billionaires in his bill—and it's not a jobs bill.

□ 1630

Since I have used the name that the President was originally plugging, I think his bill would be better called "the saving Obama's job bill."

But that may not be fair either because if people really find out what's in this bill, I don't think they would be very happy. I'm not sure it saves his job.

But he defines millionaire and billionaire—right here on page 135—as any taxpayer whose adjusted gross income is above \$125,000 in the case of a married filing separately return, and that's \$250,000 in the case of a joint return, married filing jointly.

And here again this may be something nice he's throwing out for gay folks that are living together, so he can tell them actually you're better off not getting married, because there's some marriage penalty here. If you're the head of a single household, you've got an exemption of \$225,000; all other cases, \$200,000.

So it really penalizes married individuals and, apparently, according to this bill, a millionaire or a billionaire is somebody who makes \$125,000.

But if you think this is good news, if you want to get divorced, it is good news for you because if you're married and you're filing a joint return, you get a \$250,000 exemption. Or if you're married and filing singly, you get a \$125,000 exemption. The good news is, if you're thinking about divorce, you can actually get divorced and have a \$75,000 to \$100,000 higher exemption if you'll just get divorced, and you can even live together. This is the President's proposal: live together and you get a whole lot more of an exemption than if you're married.

Now, of course, the Founders, they all understood marriage to be between a man and a woman, and that's the way the history of the country has been. Study after study has shown that the odds are children will be better adjusted if they have the two-parent home, the traditional two-parent home. Obviously, there's some homes that aren't good and children are not well served there. But this President, by virtue of the power as the old saying, the power to tax, the power to de-

stroy, takes a shot at traditional, conventional marriage.

Then there is an additional AMT amount. That's subsection c, because if you are a millionaire or a billionaire, which means you make more than \$125,000 and you're married, there is an extra penalty for you that the President's got waiting for you in his so-called jobs bill.

I don't know if he's aware—I just don't see how he could be because he's been so busy out making speeches everywhere. But if you were to look, Mr. Speaker, at the stuff in here, well, he says it's about jobs; so I bet the President does not know that here at page 75, we've got a new Federal entity, although it's defined on page 76 as a private, nonprofit corporation, called the Public Safety Broadband Corporation, because this President believes there is danger in people having broadband in their home.

Can you really trust the American people? It has to be the theme of this part of the President's so-called jobs bill. Apparently, he thinks there's a public safety threat in broadband that people have coming into their home and business. So he's created this private, nonprofit corporation.

You might say, well, good, thank goodness it's not government; it's a private nonprofit corporation that will control everybody's broadband. Good news, is it?

Because when you look down at section 285, halfway down page 76, you see who's on the board of directors. And even though it's a private, nonprofit corporation, the board of directors is comprised of—the Federal members are the Secretary of Commerce, the Secretary of Homeland Security, Attorney General of the United States, the Director of the Office of Management and Budget. I believe those are all appointed by the President. How about that? But it's a private, nonprofit corporation; so surely the Federal Government wouldn't try to control it.

But the Secretary of Commerce, in consultation with the Secretary of Homeland Security and Attorney General, shall appoint 11 other individuals who serve as non-Federal members of the board.

Well, isn't that happy news? They're not really Federal even though the President's appointees are the ones that will be on the board with these folks. They'll owe their appointment to them.

But it's just interesting. I bet the President has no idea. And, of course, I know the President's aware of what a fiasco to our Federal budget Fannie Mae and Freddie Mac have been and the danger that it posed to our Federal economic system. Well, he's probably not aware that in here his bill creates—I'm sure there's no way he could know what's in this bill. He's too busy running around condemning us for not passing it. There's no way he could have spent 6 hours reading this, 6 to 7 hours, like I did.

Anyway, if you'll double-check, you'll find, Mr. Speaker, that page 40, whoever wrote this bill thinks Fannie Mae and Freddie Mac were a wonderful, wonderful thing. The Federal Government, insuring all these home loans and, then, of course, we pass laws.

I do remember our friend from Massachusetts (Mr. FRANK) assuring everybody that they're in good shape, not a problem. It turned out they weren't in good shape. He didn't know. Mr. FRANK wouldn't come down here and misrepresent something like that, I know. He wouldn't. He just didn't know, just like the President has no clue what all is in this bill.

But if he'll check at the bottom of page 40, he'll find the American Infrastructure Financing Authority says it's established as a wholly owned government corporation. So if you like Fannie Mae and Freddie Mac, you think they've done a great job, you're going to love this bill. It's like both of them combined, exponentially increased and put on steroids. Because we know houses, compared to infrastructure, don't cost all that much. But, boy, you compare them to infrastructure, man.

This has to be the thinking of whoever put this bill together, and I know it wasn't the President because he couldn't have put this together and gone around telling people things that are in it, not knowing this kind of stuff that is in it. But the American Infrastructure Financing Authority—and we could do that like we did the flood insurance. You know, the Federal Government says, well, we need a Federal player in the insurance business; so we provided a Federal option.

Well, guess what, the Federal Government runs in the red on the flood insurance. Private companies can't keep up with that, and so insurance companies quit providing flood insurance in those parts and the Federal Government became the insurer.

It's the same way with student loans. Banks, other lending institutions could lend money for student loans, and they were backed by the government. But under Speaker PELOSI and this President, HARRY REID, the Federal Government decided we're going to take over all the student loans.

□ 1640

Well, that creates a concern for some because if you're as outspoken as some of us are, I'm just grateful my daughter has just finished her college degree so I won't have to come begging to the President for a student loan so my children can go to college. Is that what we want? Is that where we want the infrastructure financing to go? Every school district, town, county, State has to come begging to the Federal Government because we run everybody else out of business, like we did student loans and flood insurance?

Surely the President doesn't know this is in here. This is not a jobs bill; it's a government takeover. Same with

the public safety broad band authority or corporation.

I bet a lot of folks don't know about the short time compensation program. It's a new program, never created before, but it's in the President's bill. The participation, it says, is involuntary. But if an employer under this program reduces hours worked by employees instead of laying them off, and that's anybody who has been reduced by at least 10 percent, then it says they're eligible for unemployment compensation. It gives out the terms for that. I bet the President doesn't know that's in there.

Now I have to agree with him, it is a jobs bill for plaintiff's lawyers because we have seen over and over a lot of states doing tort reform. It's more and more difficult to sue people. So we have got a new program here that will help with lawyers that are out of work because here in the bill, we've created a new class of protected individuals. So if you're unemployed and you get laid off, you ought to see a lawyer if you feel like you weren't hired because you're unemployed, because you can sue. You can file a claim, at least, against the employer that didn't hire you.

Now, a practical look at that provision, allowing employers to be sued if they fail to hire someone who is unemployed, would make employers—I've already heard from them—if that ends up in the law, I'm not going to be hiring anybody. I can't take a chance on being sued or having claims filed against me. If five people unemployed come in, four of them don't get the job and they all four file claims against me, I can't afford that.

So I think once the President ever gets to look at his bill, then he'll understand this is not what he's thinking it is.

And, of course, he's promised America we're going after major oil companies. There is no way this President could know that page 151–154, the part that goes after oil companies, will not affect his friends at British Petroleum, Exxon, Shell. They won't be affected because the most important deductions that are repealed here are only for smaller producers, the independent producers who drill 94 percent of all the oil and gas wells on the land of the continental U.S. There's no way he could know that, even if he read this, unless he really understood the oil and gas industry.

So what he'll do, he drives up the capital for companies trying to drill wells, and this will be a disaster unless you're a major oil company, in which case you'll make more profit than you've ever made because you kill off all of the independent competition. That's what his bill does, and I'm sure he doesn't know that.

Now, they have also been out there blaming Republicans for increasing the debt. This was in an article. We've got it up on the House Web site so people can really see what has happened. It's

a great article from the Atlanta Journal Constitution. This is one of the diagrams. It shows who really increased the debt. We know from the Constitution that it is the Congress that holds the purse strings. So really the one responsible, most responsible, is the Congress. And who's most responsible, the biggest, most powerful body is controlled by the Speaker; you, Mr. Speaker—that is while you're pro tempore. This shows the increase in debt as a percentage of GDP. And we see what happened under Speaker O'Neill. We see what happened under Speaker Jim Wright. Didn't really increase much in debt as a percentage of GDP. Under Speaker Foley, it increased a great deal. And actually under Speaker Gingrich and Speaker Hastert, debt as a percentage of GDP, it went way down. And then we got the last 4 years with Speaker PELOSI, and it went through the roof like has never happened in this country's history.

Well, I hope I have provided an adequate defense to those who would say that the President is misrepresented because I think I've got proof. The President didn't lie about any of this stuff. He hasn't had time to read it. He doesn't know what's in it. I hope and pray that he'll take the time to do that so he can accurately represent the saving Obama's job bill, and I appreciate the President's support for the American Jobs Act, which bill is mine.

I yield back the balance of my time.

#### FLOODS DEVASTATE PENNSYLVANIA

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

Mr. BARLETTA. Mr. Speaker, on September 7, 8, and 9, the Susquehanna River and some of its tributaries, swollen by the remnants of Tropical Storm Lee, overflowed their banks. This happened shortly after northeastern Pennsylvania was soaked by Hurricane Irene, which brought local rivers and creeks to their banks. So when Tropical Storm Lee moved in over my district, the results were catastrophic. In some communities, the floodwaters came quickly. Creeks raged out of control. Homes were swept off their foundations and toppled into muddy pits. Roads were washed away.

In other communities, the water rose more slowly, but it did no less damage. I was there in the town of Duryea, Pennsylvania, when the Lackawanna River topped the small levee and began flooding homes. It was like watching someone fill an aquarium, although this was much, much more destructive.

I spent many days in September traveling across my district to see firsthand the devastation caused by this flooding. It's hard to describe exactly what it looks like. Think of everything you have on the first floor of your home—your couch, reclining chairs,

your refrigerator, your stove, your dishwasher, your television. Maybe you have a bedroom on the first floor—your mattress, your dresser. Then think of everything you have in your basement—a washer, a drier, your furnace, your hot water heater, your winter clothing. Now imagine all of that on the sidewalk ready for a dumpster because it is soaked with river water. It's dirty with river mud. And it's contaminated by whatever else flowed into the river when the water rose.

But go beyond these possessions. Think of photographs on your walls and on your end tables. Think of your children's toys in the basement. Think of the mementos, family treasures handed down to you by your parents and your grandparents. Now imagine all of that on the sidewalk, too. But it's not just your house. It's your neighbor's house next door and the house across the street, and all of those houses up and down your street. Imagine entire neighborhoods—block after block of destruction. And imagine the smell of it—wet fabric, spoiled food, spilled fuel oil, raw sewage, and mud. Mud 2 feet deep in basements and covering lawns and filling swimming pools.

That is what I experienced. That is what my constituents experienced. It's what they're continuing to cope with as they try to rebuild.

I will never forget standing in a ruined living room with a woman in West Nanticoke. Most of her belongings were piled on the street in front of her home. She wept as she told me that both her husband and son died in the last 6 months. During this flooding, she lost almost everything she owned. Think about that. She lost her husband. She lost her son. She lost most of her belongings. She lost her home. All in 6 months. The loss is just incredible.

I've seen children console their parents, saying, Mommy, don't cry.

In Shickshinny, a mother pointed to a leather jacket and remembered the first time her daughter wore it. She broke down as she told me she hoped her grandchild would wear it some day. It, too, was ruined and had to be thrown away.

□ 1650

An old black-and-white photograph of a woman sat on a pile of belongings in front of a home in West Pittston. The surface of the photo was covered in muddy streaks as the owner tried to save it. But she couldn't save it from the mud. It had to be thrown away. Another memory lost.

In Bloomsburg, a family stayed in their home to try to move their possessions to an upper floor, but Fishing Creek rose too quickly. The house next to theirs was knocked from its foundation. Water started gushing through their front windows as they called for help. They had to be saved by a helicopter. The woman there told me that she could never live in that home again.

A woman near Orangeville cried as she told me her neighbor's house, carried by the same raging creek, smashed into hers, demolishing a lifetime of memories.

An elderly man in Duryea broke down as he told me how much time and money he put into making his house a home for his family only to see it all ruined by high water.

In Exeter, borough officials made a gut-wrenching decision. They hauled in 200 truckloads of dirt and created a makeshift dyke right down the middle of a residential street. Several dozen homes were saved, but dozens more were ruined.

Scenes like these were repeated hundreds, thousands of times in town after town in northeastern Pennsylvania.

If all of these damaged homes and businesses were in one city, it would make the evening news every day. But the damage sustained by my constituents is spread out over miles of the Susquehanna River basin. The scope of this damage goes far beyond what the local and State governments can fix on their own. The Federal Government must step in.

Mr. Speaker, I ask, What are we going to do to make these people's lives whole again?

Officials from the Federal Emergency Management Agency have told my constituents what they will receive for their losses. It's about what it costs for an American family to buy a decent car nowadays. That's for all of their furniture. That's for all of their clothes, for all of their treasured belongings. For many of my constituents, it's not nearly enough.

I remember standing in front of one family's home which had river water flowing more than a foot deep up on its second floor. Most of this family's possessions were piled on to the sidewalk. Some were dripping wet. The mother looked at her children's toys ruined by the flood. She pointed to one little toy and said, How can the government put a price on that? My son played with that. Those are memories. How can you put a price on that?

She's right. We cannot put a price tag on memories. But the Federal Government can and should do more for our neighbors. I know that in these budget-conscious times we worry about offsets to increases in any other spending. I also know we can find some duplicative program, some excessive spending, some additional funding somewhere in the vast Federal budget and provide more help for flood victims.

The United States of America is one of the most generous and compassionate countries when it comes to providing global aid. This government has no problem sending money overseas to build roads, bridges, hospitals, and schools in foreign countries. When disaster strikes anywhere in the world, the United States is the first country to help rebuild. But now that a disaster occurred right here in our own back-

yard, we need to start rebuilding here first. Let's help Americans first.

We must restore American lives, save American businesses, and protect American jobs. At a time when we're so focused on creating jobs and helping businesses, the United States Small Businesses Administration will offer disaster recovery loans at 6 percent—that's right, 6 percent—and that rate is if the business owners can get credit elsewhere. That is not acceptable.

I talked to dozens of business owners in Luzerne and Columbia Counties who have lost everything: their shops, their inventories, their fixtures, and their equipment. A small business owner in Jenkins Township said he's not sure he can recover after suffering more than \$7 million in flood losses. He doesn't know if he's going to rebuild and reopen or maybe close his doors forever. I don't know any business owner in my district who thinks a 6 percent government disaster recovery loan will help them get back on their feet.

My district has one of the highest unemployment rates in the State and a rate higher than the national average. The people of the Eleventh District in northeastern Pennsylvania need their jobs. We can't afford for these businesses to close. For the SBA to offer a ridiculously high interest rate in the name of disaster relief to these business owners is downright insulting. What rate do we charge foreign countries when we rebuild their infrastructure? The answer is zero. We don't charge foreign countries any interest. The money they receive from the United States is a giveaway.

This government gave 215 million interest-free dollars for flood relief to Pakistan, a country that harbored Osama bin Laden, and it's charging American homeowners and American business owners interest rates on loans they're using to rebuild. That's wrong.

We must take a serious look at how the interest rate for SBA disaster recovery loans are calculated. That's why I introduced the Disaster Loan Fairness Act of 2011, H.R. 3042. This bill would set the interest rate for all recovery loans—home disaster loans, business physical disaster loans, and economic injury disaster loans—at 1 percent for the life of the loan up to 30 years. The rate would be effective for Presidentially declared major disasters, and the 1 percent interest rate is retained merely to pay administrative costs for the program.

This bill would not cause the government to spend any additional money. It would mean the Federal Government takes in less in interest from disaster recovery loans. But can anyone honestly say that providing disaster recovery loans for American homeowners and American businesses should be a moneymaking operation?

I strongly encourage my colleagues to support H.R. 3042, the Disaster Loan Forgiveness Act. Give Americans a low interest rate and help them recover.

While my neighbors in northeastern Pennsylvania recover and rebuild,

they're also asking what steps are being taken to protect them in the future. This is the role of the Federal Government. We must make sure disaster of this scale does not happen to these people again.

First, the Army Corps of Engineers must complete a comprehensive study of the Susquehanna River basin in my district. After the flooding caused by Hurricane Agnes in 1972, the Corps built massive levees to protect the most populated areas of the Eleventh District. Those levees protected thousands of homes and businesses. But many people believe they also funneled walls of floodwater into unprotected areas upriver and downriver. Some of those residents were told they didn't need to buy flood insurance because they don't live in a floodplain. As these people struggle to rebuild their lives today, they want to know if the floodplain has changed.

My constituents deserve to know what role, if any, these new flood walls played during this event. What is known is that some communities were devastated because they lacked adequate flood protection. For 40 years, the town of Bloomsburg has been asking for flood protection. There is a plan to provide it, but the Corps of Engineers will not fund it because it does not meet an arbitrary benefit-to-cost ratio, the BCR. Now, because of the lack of adequate flood protection in Bloomsburg, 1,000 jobs are on the verge of being lost.

Two of Columbia County's largest employers sit in the floodplain. When Fishing Creek and the Susquehanna River flood, these employers not only have to shut down production, but they also have to move equipment. That costs them hundreds of thousands of dollars. During this flood event, more than 6 feet of water poured through their shops, destroying equipment and inventory. At a time when we're talking about how to create jobs, we're not doing enough to protect these.

□ 1700

What is the negative benefit-to-cost ratio of the Bloomsburg Flood Protection project if we lose these jobs? What happens to this town, this county, and my district if we lose 1,000 jobs? That's just one component to the Bloomsburg project.

This year, about one-third of the buildings in that town were flooded, one-third of an entire town. Worse, the Bloomsburg Fair—one of the largest economic drivers for the town, the county, and dozens of community and charity groups—had to be canceled for the first time since the Civil War due to the epic flooding.

What happened to Bloomsburg could have been prevented. The Federal Government dropped the ball. It failed to protect homes and businesses. We need to make sure that it doesn't happen again, not to Bloomsburg, and not to other communities along the Susquehanna that need protection.

Sadly, for some of the people I've spoken with, flood protection will come too late. Some of my constituents have told me that they will not move back into their homes. The great flood of 2011 was just the latest in a long line of floods that they've had to endure. They're tired of picking up the pieces of their shattered lives. Some in fact were in the process of being bought out by the government when this flood hit. Now they're in limbo, unsure of whether to accept Federal aid or if accepting help would jeopardize their pending buyouts.

This Congress needs to look at the buyout process. I fear it is too confusing, it takes too long, and it discourages people from trying to receive the help they need.

Mr. Speaker, over the last several weeks, I have seen terrible destruction and hardship endured by my constituents. But I've also seen tremendous good, as neighbors help stricken neighbors, community groups banded together, charities mobilized quickly and effectively. In Plymouth Township, I met Red Cross volunteers from Michigan who made the trip to northeastern Pennsylvania to help people that they had never met.

In Bloomsburg, I visited AGAPE, a local ministry that provided flood victims with everything from cleanup buckets to hot meals. Church groups, scout troops, college clubs, sports teams, people from all across northeastern Pennsylvania and beyond came together to support each other. The recent flood was a terrible disaster, but it also brought out the best in our people.

As I was driving through West Pittston, a small borough that was absolutely devastated by flooding, I saw a sign on a front porch: "The Valley with a Heart. Thank You."

My constituents were knocked down, but not out. The people of northeastern Pennsylvania are strong and resilient, but they need help from the Federal Government; and the Federal Government needs to help them. If they get that help, my neighbors will come back stronger and better than before.

Mr. Speaker, I yield back the balance of my time.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CRENSHAW (at the request of Mr. CANTOR) for Monday on account of attending a family funeral.

#### ADJOURNMENT

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

The motion was agreed to; accordingly (at 5 o'clock and 4 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, October 5, 2011, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

3329. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Atrazine, Chloroneb, Chlorpyrifos, Clofencet, Endosulfan, et al; Tolerance Actions [EPA-HQ-OPP-2011-0104; FRL-8883-9] received September 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3330. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Sulfur Dioxide; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2011-0684; FRL-8887-2] received September 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3331. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2,4-D; Pesticide Tolerances [EPA-HQ-OPP-2010-0905; FRL-8881-7] received September 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3332. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Chromobacterium subsugae strain PRAA4-1T; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2010-0054; FRL-8887-4] received September 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3333. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Dicamba; Pesticide Tolerances [EPA-HQ-OPP-2010-0496; FRL-8881-6] received September 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3334. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flubendiamide; Pesticide Tolerances; Technical Amendment [EPA-HQ-OPP-2007-0099; FRL-8870-8] received September 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3335. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Lipase, Triacylglycerol; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2010-0271; FRL-8882-4] received September 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3336. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Mandipropamid; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2011-0639; FRL-8886-8] received September 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3337. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Novaluron; Pesticide Tolerances [EPA-HQ-OPP-2010-0466; FRL-8882-1] received September 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3338. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — National Priorities List, Final Rule No. 52 [EPA-HQ-SFUND-2002-0001; EPA-HQ-SFUND-2010-0640 and 0641, EPA-HQ-SFUND-2011-0057, 0058, 0061, 0062, 0065, 0066, 0070, 0072, 0074, 0076, 0077, and 0078, FRL-9464-6] (RIN: 2050-AD75) received September 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3339. A letter from the Director, Regulatory Management Agency, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Texas; Revisions to Permits by Rule and Regulations for Control of Air Pollution by Permits for New Construction or Modification [EPA-R06-OAR-2011-0426; FRL-9463-6] received September 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3340. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Ohio and West Virginia; Determinations of Attainment of the 1997 Annual Fine Particle Standard for Four Nonattainment Areas [EPA-R05-OAR-2010-0393; FRL-9463-1] received September 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3341. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Revised Motor Vehicle Emission Budgets for the Charleston, Huntington, Parkersburg, Weirton, and Wheeling 8-Hour Ozone Maintenance Areas [EPA-R03-OAR-2011-0511; FRL-9462-6] received September 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3342. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plan; Utah; Maintenance Plan for the 1-Hour Ozone Standard for Salt Lake County and Davis County [EPA-R08-OAR-2011-0719; FRL-9460-6] received September 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3343. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Designation of Hazardous Substances; Designation, Reportable Quantities, and Notification [EPA-HQ-SFUND-2011-0565; FRL-9460-9] received September 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3344. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Findings of Failure to Submit a Complete State Implementation Plan for Section 110(a) Pertaining to the 2006 Fine Particulate Matter (PM<sub>2.5</sub>) NAAQS [EPA-HQ-OAR-2011-0747; FRL-9460-4] received September 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3345. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Interim Final Determination to Stay and Defer Sanctions, San Joaquin Valley Unified Air Pollution Control District [EPA-R09-OAR-2011-0733; FRL-9462-1] received September 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3346. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — Interim Final Determination to Stay and Defer Sanctions, San Joaquin Valley Unified Air Pollution Control District [EPA-R09-OAR-2011-0701; FRL-9462-5] received September 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3347. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revision to the California State Implementation Plan; Yolo-Solano Air Quality Management District [EPA-R09-OAR-2011-0594; FRL-9456-6] received September 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3348. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Revision of the Commission's Program Carriage Rules Leased Commercial Access; Development of Competition and Diversity in Video Programming Distribution and Carriage [MB Docket No.: 11-131] [MB Docket No.: 07-42] received August 30, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3349. A letter from the Chief, Revenues and Receivables Group, Federal Communications Commission, transmitting the Commission's final rule — Assessment and Collection of Regulatory Fees for Fiscal Year 2011 [MB Docket No.: 11-76] received September 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3350. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-154, "Income Tax Secured Bond Authorization Act of 2011"; to the Committee on Oversight and Government Reform.

3351. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-97, "Ward Redistricting Amendment Act of 2011"; to the Committee on Oversight and Government Reform.

3352. A letter from the Acting Assistant Secretary for Fish & Wildlife & Parks, Department of the Interior, transmitting the Department's final rule — 2011-2012 Refuge-Specific Hunting and Sport Fishing Regulations [Docket No.: FWS-R9-NSR-2011-0038] [RIN: 1018-AX54] received September 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

## 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. YOUNG of Indiana:

H.R. 3085. A bill to terminate the Transportation Enhancement Program and transfer the funding dedicated to such program to carry out the most critical emergency transportation projects identified by the Secretary of Transportation, after consultation with State and local transportation officials; to the Committee on Transportation and Infrastructure.

By Mr. STEARNS (for himself and Mr. BISHOP of New York):

H.R. 3086. A bill to phase out special wage certificates under the Fair Labor Standards Act of 1938 under which individuals with disabilities may be employed at subminimum wage rates; to the Committee on Education and the Workforce.

By Mr. BUCHANAN (for himself, Mr. THOMPSON of California, Ms. BERKLEY, Mr. MICA, Mr. BURTON of Indi-

ana, Mr. REED, Mr. CARSON of Indiana, Mr. WALBERG, Mr. MCHENRY, Mr. DIAZ-BALART, Mr. SESSIONS, Mr. WESTMORELAND, Mr. HURT, Mr. POSEY, and Mr. MANZULLO):

H.R. 3087. A bill to amend the Internal Revenue Code of 1986 to make permanent the depreciation classification of motorsports entertainment complexes; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia (for himself, Mr. TOWNS, Mr. FILNER, Ms. LEE of California, Mr. RANGEL, Mr. JACKSON of Illinois, Mr. CONYERS, Ms. WOOLSEY, Mr. GRIJALVA, Mr. MCDERMOTT, Mrs. CHRISTENSEN, Ms. JACKSON LEE of Texas, Mr. STARK, and Mr. PAYNE):

H.R. 3088. A bill to direct the Secretary of Defense to post on the public website of the Department of Defense the cost to each American taxpayer of each of the wars in Afghanistan, Iraq, and Libya; to the Committee on Armed Services.

By Mr. MURPHY of Connecticut:

H.R. 3089. A bill to authorize the Administrator of the Federal Emergency Management Agency to make grants to local governments for flood mitigation projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. POMPEO:

H.R. 3090. A bill to terminate the Economic Development Administration, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSKAM:

H.R. 3091. A bill to make permanent the individual income tax rates for capital gains and dividends; to the Committee on Ways and Means.

By Mr. WELCH:

H.R. 3092. A bill to conduct a pilot program in support of efforts to increase the amount of purchases of local fresh fruits and vegetables for schools and service institutions by giving certain States the option of receiving a grant from the Secretary of Agriculture for that purpose instead of obtaining commodities under Department of Agriculture programs; to the Committee on Education and the Workforce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HENSARLING:

H. Res. 420. A resolution electing certain Members to certain standing committees; considered and agreed to.

By Mr. HASTINGS of Florida (for himself, Mr. WEST, and Mr. DEUTCH):

H. Res. 421. A resolution commemorating the city of Delray Beach, Florida, on its 100th anniversary; to the Committee on Oversight and Government Reform.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. ANDREWS introduced a bill (H.R. 3093) for the relief of Dmitry Efimovich Lyusin; which was referred to the Committee on the Judiciary.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representa-

tives, 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. YOUNG of Indiana:

H.R. 3085.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause

By Mr. STEARNS:

H.R. 3086.

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 Mr. BUCHANAN:

H.R. 3087.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this joint resolution rests is the power of Congress as enumerated in Article I, Section 8 of the United States Constitution.

By Mr. LEWIS of Georgia:

H.R. 3088.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. MURPHY of Connecticut:

H.R. 3089.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. POMPEO:

H.R. 3090.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. ROSKAM:

H.R. 3091.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, which states "The Congress shall have Power To lay and collect Taxes," and Article I, Section 7, which states "All Bills for raising Revenue shall originate in the House of Representatives."

By Mr. WELCH:

H.R. 3092.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8—The Congress shall have Power—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

Mr. ANDREWS:

H.R. 3093.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4, and Amendment 1 Clause 3, of the Constitution.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 85: Ms. BORDALLO.

H.R. 111: Mr. LOBIONDO, Ms. HOCHUL, and Ms. HAHN.

H.R. 178: Mr. MCINTYRE.

H.R. 181: Mr. FORTENBERRY.

- H.R. 186: Mr. CONNOLLY of Virginia.  
H.R. 190: Mr. KUCINICH, Ms. KAPTUR, and Mr. COHEN.  
H.R. 191: Ms. SPEIER.  
H.R. 306: Ms. SUTTON.  
H.R. 360: Mr. WESTMORELAND.  
H.R. 374: Mr. JOHNSON of Ohio.  
H.R. 416: Ms. HAHN.  
H.R. 420: Mr. SENSENBRENNER.  
H.R. 453: Mr. KIND.  
H.R. 466: Ms. HAYWORTH and Mr. DAVID SCOTT of Georgia.  
H.R. 527: Mr. BROOKS.  
H.R. 615: Mr. GIBSON.  
H.R. 634: Mr. GOSAR.  
H.R. 639: Mr. CLYBURN, Ms. DEGETTE, Mr. DEUTCH, Mr. PERLMUTTER, Mr. PITTS, Mr. DAVID SCOTT of Georgia, and Mr. SERRANO.  
H.R. 654: Mr. BLUMENAUER.  
H.R. 663: Mr. BURGESS.  
H.R. 668: Mr. HULTGREN, Mrs. MALONEY, Mr. GOSAR, and Mr. FORTENBERRY.  
H.R. 721: Mr. COURTNEY and Mr. JONES.  
H.R. 735: Mr. KELLY, Mr. WEST, and Mr. LATHAM.  
H.R. 743: Mr. COHEN and Mr. FRANKS of Arizona.  
H.R. 835: Ms. TSONGAS and Mr. GUTIERREZ.  
H.R. 854: Mr. JONES, Mr. WEST, and Mr. OWENS.  
H.R. 886: Mr. BENISHEK, Mr. BUCSHON, Mr. CICILLINE, Mr. HARRIS, Mrs. HARTZLER, Mr. HECK, Mr. POMPEO, Mr. RUNYAN, and Mrs. ROBY.  
H.R. 890: Ms. HAHN, Mr. WOLF, and Mr. WESTMORELAND.  
H.R. 894: Mr. WELCH and Mr. QUIGLEY.  
H.R. 930: Ms. SLAUGHTER.  
H.R. 933: Mr. GUTIERREZ.  
H.R. 938: Mr. SABLAN.  
H.R. 1006: Mr. HOLDEN.  
H.R. 1057: Ms. DELAURO and Mr. VAN HOLLEN.  
H.R. 1166: Mr. STEARNS.  
H.R. 1167: Mr. GRIFFIN of Arkansas and Mr. NUNNELEE.  
H.R. 1173: Mr. PALAZZO.  
H.R. 1179: Ms. BORDALLO, Mr. LANDRY, Mr. CASSIDY, Mr. HECK, Mr. DUFFY, and Mr. CRAWFORD.  
H.R. 1182: Mr. ROE of Tennessee.  
H.R. 1206: Mr. SCOTT of South Carolina.  
H.R. 1235: Mr. JOHNSON of Ohio and Mr. WESTMORELAND.  
H.R. 1259: Mr. CASSIDY, Mr. NUGENT, and Mr. ADERHOLT.  
H.R. 1284: Ms. KAPTUR.  
H.R. 1366: Mr. HOLDEN.  
H.R. 1394: Mr. GARAMENDI, Mr. CLAY, and Mr. CLARKE of Michigan.  
H.R. 1418: Mr. COBLE and Mr. LARSON of Connecticut.  
H.R. 1463: Mr. KINZINGER of Illinois.  
H.R. 1489: Mr. CLAY and Mr. THOMPSON of Mississippi.  
H.R. 1498: Mrs. DAVIS of California.  
H.R. 1505: Mr. GIBSON.  
H.R. 1511: Mr. CANSECO.  
H.R. 1513: Mr. POLIS.  
H.R. 1558: Mr. SENSENBRENNER, Mr. GIBSON, Mr. WEST, and Mr. WALSH of Illinois.  
H.R. 1571: Mr. WALSH of Illinois.  
H.R. 1620: Mr. WITTMAN.  
H.R. 1623: Mr. CONYERS and Ms. HAHN.  
H.R. 1639: Mr. TOWNS and Mr. GUTHRIE.  
H.R. 1653: Mr. MANZULLO and Mr. LATHAM.  
H.R. 1659: Mr. ISRAEL, Mr. PASCARELL, Mr. TOWNS, and Mr. GUTHRIE.  
H.R. 1666: Mr. LOESBACH.  
H.R. 1672: Mr. TONKO and Ms. TSONGAS.  
H.R. 1675: Mr. ALEXANDER.  
H.R. 1681: Mr. DEUTCH, Ms. LINDA T. SANCHEZ of California, and Mr. DOGGETT.  
H.R. 1700: Mr. POSEY.  
H.R. 1704: Mr. MCGOVERN and Mr. WALZ of Minnesota.  
H.R. 1717: Ms. SLAUGHTER.  
H.R. 1722: Mr. GRIJALVA and Ms. MATSUI.  
H.R. 1738: Mr. YOUNG of Alaska and Mr. MCDERMOTT.  
H.R. 1744: Mr. PENCE and Mr. BARTLETT.  
H.R. 1776: Mr. FILNER and Mr. HOLT.  
H.R. 1803: Mr. GIBSON.  
H.R. 1834: Mr. NUNNELEE, Mr. JOHNSON of Ohio, Mr. MILLER of Florida, and Mr. ROE of Tennessee.  
H.R. 1845: Ms. DEGETTE.  
H.R. 1847: Mr. PRICE of North Carolina.  
H.R. 1867: Mrs. MCCARTHY of New York.  
H.R. 1905: Mr. BASS of New Hampshire, Ms. SLAUGHTER, Mr. YARMUTH, and Mr. DICKS.  
H.R. 1912: Mr. DEUTCH.  
H.R. 1956: Mr. MARCHANT.  
H.R. 1957: Mr. TIBERI.  
H.R. 1965: Mr. NEUGEBAUER and Mr. DOLD.  
H.R. 1985: Mr. MORAN.  
H.R. 1996: Mr. GRAVES of Georgia, Mr. NEUGEBAUER, and Mr. NUNNELEE.  
H.R. 1997: Mr. GRIFFITH of Virginia.  
H.R. 2004: Mr. FALCOMA, Mr. COURTNEY, and Mr. MURPHY of Connecticut.  
H.R. 2020: Mr. HANNA, Mr. LEWIS of Georgia, Mr. CARSON of Indiana, Mr. ROE of Tennessee, and Ms. FUDGE.  
H.R. 2046: Ms. RICHARDSON and Mr. AL GREEN of Texas.  
H.R. 2059: Mr. HUELSKAMP, Mr. KING of New York, Mr. LATTA, Mr. BUCSHON, Mr. JOHNSON of Ohio, Mr. KING of Iowa, Mr. GARRETT, Mr. PENCE, Mr. KLINE, Mr. LAMBORN, Mr. PALAZZO, Mr. MCINTYRE, Mr. POSEY, Mr. SCALISE, Mr. PETERSON, Mr. RIVERA, and Mr. ROSKAM.  
H.R. 2063: Mr. CONYERS.  
H.R. 2082: Mr. PASCARELL.  
H.R. 2108: Mr. RUNYAN.  
H.R. 2131: Mr. LOESBACH.  
H.R. 2167: Ms. HAYWORTH, Mr. ACKERMAN, and Mr. DOLD.  
H.R. 2195: Mr. PETRI, Mr. MICHAUD, and Ms. MOORE.  
H.R. 2248: Mr. CICILLINE.  
H.R. 2252: Mr. PLATTS.  
H.R. 2267: Mr. SMITH of New Jersey, Mr. LUJAN, Mr. RAHALL, Mr. DENT, Mr. TIBERI, Mr. CONNOLLY of Virginia, Mr. MICHAUD, Ms. SLAUGHTER, Mr. MCGOVERN, Mr. TOWNS, Mr. OWENS, and Ms. BORDALLO.  
H.R. 2287: Mr. KISSELL.  
H.R. 2337: Mr. BUTTERFIELD, Ms. BORDALLO, Ms. SLAUGHTER, Mr. HINCHEY, Mr. CLAY, Mr. SMITH of Washington, Mr. PRICE of North Carolina, Mrs. MCCARTHY of New York, Mr. DANIEL E. LUNGREN of California, Ms. KAPTUR, Mr. KLINE, Mr. PERLMUTTER, and Mr. OWENS.  
H.R. 2346: Mr. BLUMENAUER.  
H.R. 2369: Mrs. BLACKBURN, Ms. ZOE LOFGREN of California, and Mr. PIERLUISI.  
H.R. 2394: Ms. WILSON of Florida and Ms. JACKSON LEE of Texas.  
H.R. 2412: Mr. STARK.  
H.R. 2443: Mr. RIGELL.  
H.R. 2446: Mr. DAVID SCOTT of Georgia and Mr. POSEY.  
H.R. 2447: Mr. DAVIS of Kentucky, Mr. BILLRAKIS, Mr. AKIN, Mr. BROUN of Georgia, Mr. WELCH, Mr. GOWDY, Mr. WOMACK, Mrs. EMERSON, Mr. SHIMKUS, Mr. MURPHY of Pennsylvania, Mr. KLINE, Mr. WESTMORELAND, Mr. SCOTT of Virginia, Mr. LEWIS of Georgia, Mr. PEARCE, Mr. GRIJALVA, Mr. RUNYAN, Ms. LINDA T. SANCHEZ of California, Mr. DEUTCH, Mr. ROE of Tennessee, and Mr. DANIEL E. LUNGREN of California.  
H.R. 2459: Mr. NUNNELEE.  
H.R. 2471: Mr. CHAFFETZ and Mr. LATTA.  
H.R. 2492: Mr. COURTNEY, Mrs. CAPPS, Mr. BLUMENAUER, Mr. LOBIONDO, Mr. SHUSTER, and Mr. DEUTCH.  
H.R. 2500: Mr. LATTA.  
H.R. 2513: Ms. WOOLSEY and Ms. ZOE LOFGREN of California.  
H.R. 2528: Mr. KLINE.  
H.R. 2541: Mr. DUNCAN of South Carolina and Mr. NUNNELEE.  
H.R. 2547: Mr. CICILLINE.  
H.R. 2602: Ms. EDDIE BERNICE JOHNSON of Texas.  
H.R. 2632: Mr. SIREs.  
H.R. 2689: Ms. ZOE LOFGREN of California.  
H.R. 2706: Mr. DIAZ-BALART.  
H.R. 2750: Mr. KILDEE.  
H.R. 2813: Mr. COURTNEY.  
H.R. 2815: Mr. KINZINGER of Illinois.  
H.R. 2829: Mr. KING of Iowa, Mr. KINZINGER of Illinois, Mr. RIBBLE, Mr. GARDNER, and Mr. DENT.  
H.R. 2853: Ms. CHU.  
H.R. 2865: Mr. DUNCAN of South Carolina.  
H.R. 2870: Mr. GOWDY.  
H.R. 2884: Mr. CARSON of Indiana.  
H.R. 2904: Mr. HANNA.  
H.R. 2920: Ms. BASS of California, Ms. CHU, Mr. RICHMOND, Mr. CARSON of Indiana, Ms. FUDGE, Mr. BUTTERFIELD, Ms. HANABUSA, Ms. SEWELL, Mr. JACKSON of Illinois, Mr. DAVIS of Illinois, Mr. PAYNE, Mr. ELLISON, Mr. CICILLINE, Ms. WILSON of Florida, Ms. HAHN, Mr. CLAY, Mr. CLEAVER, Ms. JACKSON LEE of Texas, Mr. AL GREEN of Texas, Mrs. CHRISTENSEN, Ms. KAPTUR, Ms. LEE of California, and Mr. CONYERS.  
H.R. 2930: Mr. SCHWEIKERT.  
H.R. 2940: Mr. DOLD and Ms. HAYWORTH.  
H.R. 2945: Mr. LONG, Mr. WESTMORELAND, Mr. CHAFFETZ, and Mr. PENCE.  
H.R. 2955: Mr. JONES.  
H.R. 2966: Ms. MOORE, Mr. DEUTCH, Mr. SERRANO, Mr. POLIS, and Ms. SPEIER.  
H.R. 2970: Mr. CARNAHAN, Mr. PETERSON, Mr. LANCE, and Mr. HOLT.  
H.R. 2973: Mr. BISHOP of Utah.  
H.R. 2981: Mr. GRIJALVA and Mr. FILNER.  
H.R. 2985: Mr. ROE of Tennessee, Mr. MURPHY of Connecticut, Mr. WESTMORELAND, Mr. HINOJOSA, Mr. FORTENBERRY, Mrs. HARTZLER, Mr. LONG, Mr. MICHAUD, and Mr. CARSON of Indiana.  
H.R. 2994: Mr. TONKO.  
H.R. 3003: Mr. ISRAEL, Mr. BURGESS, and Mr. HASTINGS of Florida.  
H.R. 3005: Mr. OWENS and Mr. OLVER.  
H.R. 3015: Mr. CONYERS.  
H.R. 3059: Mr. BACHUS, Mrs. ROBY, and Mr. CARTER.  
H.R. 3065: Mr. BUCSHON, Mr. OWENS, and Mr. KINZINGER of Illinois.  
H.R. 3069: Mr. DICKS, Mr. SIMPSON, Mr. WALDEN, Ms. HERRERA BEUTLER, and Mr. SCHRADER.  
H.R. 3073: Mr. SHERMAN.  
H. Con. Res. 72: Ms. HAHN and Mr. PAYNE.  
H. Con. Res. 77: Mr. MARINO.  
H. Res. 111: Mr. GARDNER, Ms. ZOE LOFGREN of California, Ms. DELAURO, Mr. CAMP, and Mr. REHBERG.  
H. Res. 137: Mr. CLARKE of Michigan, Ms. HOCHUL, and Mr. DAVIS of Illinois.  
H. Res. 177: Mr. CUMMINGS.  
H. Res. 220: Mrs. MCCARTHY of New York.  
H. Res. 367: Mr. FRELINGHUYSEN.  
H. Res. 378: Mr. LIPINSKI, Mr. HEINRICH, and Mr. BENISHEK.  
H. Res. 394: Mr. LAMBORN and Mr. KING of Iowa.  
H. Res. 407: Ms. NORTON.

## AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2250

OFFERED BY: Ms. SCHAKOWSKY

AMENDMENT No. 1: After section 1, insert the following section (and redesignate the subsequent sections, and conform internal cross-references, accordingly):

## SEC. 2. FINDING.

The Congress finds that mercury released into the ambient air from industrial boilers

and waste incinerators addressed by the rules listed in section 2(b) of this Act is a potent neurotoxin that can damage the development of an infant's brain.

H.R. 2250

OFFERED BY: MS. EDWARDS

AMENDMENT NO. 2: After section 1, insert the following section (and redesignate subsequent sections, and conform internal cross-references, accordingly):

**SEC. 2. FINDING.**

The Congress finds that, according to the Environmental Protection Agency's analysis of the impacts of the final rules specified in section 3(b)(1) and section (3)(b)(2) on employment, based on peer-reviewed literature, such rules would create 2,200 net additional jobs, not including the jobs created to manufacture and install equipment to reduce air pollution.

H.R. 2250

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT NO. 3: Page 6, lines 23 and 24, strike "not earlier than 5 years after the effective date of the regulation" and insert "not later than 3 years after the regulation is promulgated as final".

H.R. 2250

OFFERED BY: MR. DOYLE

AMENDMENT NO. 4: Page 6, beginning on line 20, strike paragraph (1) and insert the following paragraphs (and redesignate the subsequent paragraph accordingly):

(1) shall establish a date for compliance with standards and requirements under such regulation in accordance with section 112(i)(3) of the Clean Air Act (42 U.S.C. 7412(i)(3));

(2) may, if the Administrator determines there is a compelling reason to extend the date for such compliance, provide an extension, in addition to any extension under section 112(i)(3)(B) of such Act (42 U.S.C. 7412(i)(3)(B)), extending the date for such compliance up to one year, but in no case beyond the date that is 5 years after the effective date of such regulation; and

H.R. 2250

OFFERED BY: MR. BLUMENAUER

AMENDMENT NO. 5: After section 1, insert the following section (and redesignate the subsequent sections accordingly):

**SEC. 2. FINDINGS.**

The Congress finds the following:

(1) Section 112(e) of the Clean Air Act (42 U.S.C. 7412(e)) requires the rules specified in section 3(b)(1) and (2) to be promulgated no later than the year 2000, and section 112(i) of such Act (42 U.S.C. 7412(i)) requires emissions reductions mandated by such rules to be achieved no later than 2003.

(2) Section 129 of the Clean Air Act (42 U.S.C. 7429) requires the rule specified in section 3(b)(3) to be promulgated no later than the year 1994, and section 112(f) of such Act (42 U.S.C. 7412(f)) requires emissions reductions mandated by such rule to be achieved no later than 1999.

Page 6, line 18, strike "section 2" and insert "section 3".

Page 7, line 21, strike "section 2(a)(1)" and insert "section 3(a)(1)".

Page 8, line 14, strike "section 2(a)" and insert "section 3(a)".

Page 8, line 16, strike "section 2(b)" and insert "section 3(b)".

Page 9, line 9, strike "section 2(a)" and insert "section 3(a)".

Page 9, line 20, strike "section 2(a)" and insert "section 3(a)".

H.R. 2250

OFFERED BY: MR. RUSH

AMENDMENT NO. 6: At the end of section 5, add the following:

(c) RULE OF CONSTRUCTION.—This section is intended to supplement the provisions of, and shall not be construed to supersede any requirement, limitation, or other provision of, sections 112 and 129 of the Clean Air Act (42 U.S.C. 7412, 7429).

H.R. 2250

OFFERED BY: MR. QUIGLEY

AMENDMENT NO. 7: At the end of the bill, add the following section:

**SEC. 6. PROTECTION FROM AVOIDABLE CASES OF CANCER.**

Notwithstanding any other provision of this Act, the Administrator shall not delay actions pursuant to the rules identified in section 2(b) of this Act to reduce emissions from waste incinerators or industrial boilers at chemical facilities, oil refineries, or large manufacturing facilities if such emissions are increasing the risk of cancer.

H.R. 2250

OFFERED BY: MR. WAXMAN

AMENDMENT NO. 8: After section 1, insert the following section (and redesignate the subsequent sections, and conform internal cross-references, accordingly):

**SEC. 2. FINDING.**

The Congress finds that, according to the Environmental Protection Agency, if the rule specified in section 3(b)(1) remains in effect, it will yield annual public health benefits of \$22 billion to \$54 billion, while the costs of such rule are \$1.9 billion.

H.R. 2250

OFFERED BY: MR. WAXMAN

AMENDMENT NO. 9: At the end of the bill, add the following section:

**SEC. 6. PROTECTION FOR INFANTS AND CHILDREN.**

Notwithstanding any other provision of this Act, the Administrator shall not delay actions pursuant to the rules identified in section 2(b) of this Act to reduce emissions from waste incinerators or industrial boilers at chemical facilities, oil refineries, or large manufacturing facilities if such emissions are harming brain development or causing learning disabilities in infants or children.

H.R. 2250

OFFERED BY: MR. WAXMAN

AMENDMENT NO. 10: At the end of the bill, add the following section:

**SEC. 6. DETERMINATION; AUTHORIZATION.**

Not later 10 days after the date of enactment of this Act, the Director of the Office of Management and Budget, in consultation with the Chief Financial Officer of the Environmental Protection Agency, the Comptroller General of the United States, and the Director of the Congressional Budget Office, shall make a determination regarding whether this Act authorizes the appropriation of funds to implement this Act and, if so, whether this Act reduces an existing authorization of appropriations by an offsetting amount. The provisions of this Act shall cease to be effective if it is determined that this Act authorizes the appropriation of funds without an offsetting reduction in an existing authorization of appropriations.

H.R. 2250

OFFERED BY: MR. WAXMAN

AMENDMENT NO. 11: At the end of the bill, add the following section:

**SEC. 6. COMPLIANCE WITH CUT-GO.**

If this Act authorizes the appropriation of funds to implement this Act and does not reduce an existing authorization of appropriations to offset that amount, then the provisions of this Act shall cease to be effective.

H.R. 2250

OFFERED BY: MR. ELLISON

AMENDMENT NO. 12: Page 6, line 24, insert "except that the date for compliance with

standards and requirements under such regulation may be earlier than 5 years after the effective date of the regulation if the Administrator finds that such regulation will create more than 1,000 jobs" after "regulation".

H.R. 2250

OFFERED BY: MR. ELLISON

AMENDMENT NO. 13: Page 7, line 5, strike "non-air quality".

H.R. 2250

OFFERED BY: MR. ELLISON

AMENDMENT NO. 14: Strike section 5.

H.R. 2250

OFFERED BY: MS. HAHN

AMENDMENT NO. 15: At the end of section 2, add the following:

(d) TEN METROPOLITAN AREAS OF THE UNITED STATES WITH THE WORST AIR QUALITY.—

(1) STAY OF EARLIER RULES INAPPLICABLE.—Insofar as the rules listed in subsection (b) apply to sources of air pollution in any of the 10 metropolitan areas of the United States with the worst air quality, such rules shall, notwithstanding subsection (b), continue to be effective.

(2) NEW STANDARDS INAPPLICABLE IF LESS PROTECTIVE OF PUBLIC HEALTH AND THE ENVIRONMENT.—With respect to sources of air pollution in any of the 10 metropolitan areas of the United States with the worst air quality, the provisions of the regulations promulgated under subsection (a)—

(A) shall apply to such sources, and shall replace the rules listed in subsection (b), to the extent such provisions are equally or more protective of public health and the environment than the corresponding provisions of the rules listed in subsection (b); and

(B) shall not apply to such sources, and shall not replace the rules listed in subsection (b), to the extent such provisions are less protective of public health and the environment than the corresponding provisions of the rules listed in subsection (b).

(3) DEFINITIONS.—In this subsection:

(A) The term "metropolitan area"—

(i) for purposes of subparagraph (B)(i), means the metropolitan statistical area or consolidated metropolitan statistical area (as established by the Bureau of the Census) most closely corresponding to the city or group of cities ranked among the cities with the worst year-round particle pollution in the "State of the Air 2011" report of the American Lung Association; and

(ii) for purposes of subparagraph (B)(ii), means a metropolitan statistical area or consolidated metropolitan statistical area (as established by the Bureau of the Census).

(B) The term "10 metropolitan areas of the United States with the worst air quality" means—

(i) during the 5-year period beginning on the date of the enactment of this Act, the 10 metropolitan areas listed in the "State of the Air 2011" report of the American Lung Association as having the worst year-round particle pollution; and

(ii) during each successive 5-year period, the 10 metropolitan areas determined by the Administrator of the Environmental Protection Agency to have the highest year-round levels of particulate matter in the air.

H.R. 2250

OFFERED BY: MRS. CAPPS

AMENDMENT NO. 16: After section 1, insert the following section (and redesignate the subsequent sections, and conform the internal cross-references, accordingly):

**SEC. 2. FINDING.**

The Congress finds that, according to the Environmental Protection Agency, if the rules specified in section 3(b) are in effect,

then for every dollar in costs, the rules will provide at least \$10 to \$24 in health benefits, due to the avoidance each year of—

- (1) 2,600 to 6,600 premature deaths;
- (2) 4,100 nonfatal heart attacks;
- (3) 4,400 hospital and emergency room visits;
- (4) 42,000 cases of aggravated asthma; and
- (5) 320,000 days of missed work or school.

H.R. 2250

OFFERED BY: MR. CONNOLLY OF VIRGINIA

AMENDMENT No. 17: At the end of the bill, add the following section:

**SEC. 6. PROTECTION FROM RESPIRATORY AND CARDIOVASCULAR ILLNESS AND DEATH.**

Notwithstanding any other provision of this Act, the Administrator shall not delay actions pursuant to the rules identified in section 2(b) of this Act to reduce emissions from waste incinerators or industrial boilers at chemical facilities, oil refineries, or large manufacturing facilities if such emissions are causing respiratory and cardiovascular illnesses and deaths, including cases of heart attacks, asthma attacks, and bronchitis, in communities with air pollution levels that exceed the health-based air quality standards.

H.R. 2250

OFFERED BY: MR. CONNOLLY OF VIRGINIA

AMENDMENT No. 18: At the end of the bill, add the following section:

**SEC. 6. PROTECTION FROM RESPIRATORY AND CARDIOVASCULAR ILLNESS AND DEATH.**

Notwithstanding any other provision of this Act, the Administrator shall not delay actions pursuant to the rules identified in section 2(b) of this Act to reduce emissions from waste incinerators or industrial boilers at chemical facilities, oil refineries, or large manufacturing facilities if such emissions are causing respiratory and cardiovascular illnesses and deaths, including cases of heart attacks, asthma attacks, and bronchitis.

H.R. 2250

OFFERED BY: MR. WELCH

AMENDMENT No. 19: After section 1, insert the following section (and redesignate the subsequent sections, and conform internal cross-references, accordingly):

**SEC. 2. FINDING.**

The Congress finds that the American people are exposed to mercury from industrial sources addressed by the rules listed in section 2(b) of this Act through the consumption of fish containing mercury and every State in the Nation has issued at least one mercury advisory for fish consumption.

H.R. 2250

OFFERED BY: MR. PALLONE

AMENDMENT No. 20: After section 1, insert the following section (and redesignate the subsequent sections, and conform internal cross-references, accordingly):

**SEC. 2. FINDING.**

The Congress finds that Federal departments and agencies should support efforts to achieve the science-based, 10-year national objectives for improving the health of all Americans through reduced exposure to mercury that are established in Healthy People 2020 and were developed under the leadership of the National Institutes of Health and the Centers for Disease Control and Prevention during two presidential administrations.

At the end of the bill, add the following new section:

**SEC. 7. REDUCING BLOOD-MERCURY CONCENTRATIONS.**

The provisions of this Act shall cease to be effective, and the rules specified in section 3(b) shall be revived and restored, if the Ad-

ministrator finds, in consultation with the directors of the National Institutes of Health and the Centers for Disease Control and Prevention, that by allowing continued uncontrolled emissions of mercury from industrial boilers and waste incinerators, this Act threatens to impede efforts to achieve the science-based, 10-year national objective for reducing mercury concentrations in children's blood that is established in Healthy People 2020.

H.R. 2250

OFFERED BY: MS. SPEIER

AMENDMENT No. 21: Strike all after the enacting clause and insert the following:

**SECTION 1. STUDY.**

(a) **STUDY.**—Not later than 6 months after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall submit to Congress a report with respect to the emissions control technologies in use by the best-performing 12 percent of industrial, commercial, and institutional boilers and process heaters, and commercial and industrial solid waste incineration units, that were evaluated to develop the rules listed in subsection (b). Such report shall include the following:

- (1) A description of the emissions control efforts of such boilers, process heaters, and incineration units.
- (2) The cost-efficient and cost-effective strategies employed by such sources to reduce emissions.
- (3) A description of the emissions control technologies that such sources are using that will achieve compliance with the rules listed in subsection (b).
- (4) Identification of manufacturing industries involved in making emissions control technologies in use by such sources.

(b) **RULES.**—The rules referred to in subsection (a) are the following:

- (1) “National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters”, published at 76 Fed. Reg. 15608 (March 21, 2011).
- (2) “National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers”, published at 76 Fed. Reg. 15554 (March 21, 2011).
- (3) “Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units”, published at 76 Fed. Reg. 15704 (March 21, 2011).
- (4) “Identification of Non-Hazardous Secondary Materials That Are Solid Waste”, published at 76 Fed. Reg. 15456 (March 21, 2011).

H.R. 2250

OFFERED BY: MR. COHEN

AMENDMENT No. 22: Page 7, line 18, strike “and” after the semicolon.

Page 7, line 19, strike “impacts.” and insert “impacts; and”.

Page 7, after line 19, insert the following subparagraph:

(F) potential reductions in the number of illness-related absences from work due to respiratory or other illnesses.

H.R. 2681

OFFERED BY: MS. SCHAKOWSKY

AMENDMENT No. 1: After section 1, insert the following section (and redesignate the subsequent sections, and conform internal cross-references, accordingly):

**SEC. 2. FINDING.**

The Congress finds that mercury released into the ambient air from cement kilns addressed by the rules listed in section 2(b) of this Act is a potent neurotoxin that can damage the development of an infant's brain.

H.R. 2681

OFFERED BY: MS. MOORE

AMENDMENT No. 2: Add at the end of the bill the following:

**SEC. 6. DELAYED EFFECTIVE DATE.**

(a) **IN GENERAL.**—This Act shall not take effect until the President certifies that implementation of this Act—

(1) will not adversely affect public health in the United States; and

(2) will not have a disproportionately negative impact on subpopulations that are most at risk from hazardous air pollutants, including communities with a high proportion of minorities, low-income communities, pregnant women, and the elderly.

(b) **DETERMINATION REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the President shall publish in the Federal Register—

- (1) the certification described in subsection (a); or
- (2) an explanation of why such certification is not warranted.

H.R. 2681

OFFERED BY: MS. EDWARDS

AMENDMENT No. 3: After section 1, insert the following section (and redesignate the subsequent sections accordingly):

**SEC. 2. FINDING.**

The Congress finds that if the rules specified in section 3(b) remain in effect, they will yield annual public health benefits of \$6,700,000,000 to \$18,000,000,000, while the costs of such rules are \$926,000,000 to \$950,000,000.

Page 5, line 11, strike “section 2” and insert “section 3”.

Page 6, line 14, strike “section 2(a)(1)” and insert “section 3(a)(1)”.

Page 7, line 8, strike “section 2(a)” and insert “section 3(a)”.

Page 7, lines 9 and 10, strike “section 2(b)(2)” and insert “section 3(b)(2)”.

Page 8, line 3, strike “section 2(a)” and insert “section 3(a)”.

Page 8, line 14, strike “section 2(a)” and insert “section 3(a)”.

H.R. 2681

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT No. 4: Page 5, lines 16 and 17, strike “not earlier than 5 years after the effective date of the regulation” and insert “not later than 3 years after the regulation is promulgated as final”.

H.R. 2681

OFFERED BY: MR. KEATING

AMENDMENT No. 5: Page 5, beginning on line 13, strike paragraph (1) and insert the following paragraph (and redesignate the subsequent paragraph accordingly):

(1) shall establish a date for compliance with standards and requirements under such regulation in accordance with section 112(i)(3) of the Clean Air Act (42 U.S.C. 7412(i)(3));

(2) may, if the Administrator determines there is a compelling reason to extend the date for such compliance, provide an extension, in addition to any extension under section 112(i)(3)(B) of such Act (42 U.S.C. 7412(i)(3)(B)), extending the date for such compliance up to one year, but in no case beyond the date that is 5 years after the effective date of such regulation; and

H.R. 2681

OFFERED BY: MR. BLUMENAUER

AMENDMENT No. 6: After section 1, insert the following section (and redesignate the subsequent sections accordingly):

**SEC. 2. FINDINGS.**

The Congress finds the following:

- (1) Section 112(e) of the Clean Air Act (42 U.S.C. 7412(e)) requires the rule specified in



section 3(b)(1) to be promulgated no later than the year 2000, and section 112(i) of such Act (42 U.S.C. 7412(i)) requires emissions reductions mandated by such rule to be achieved no later than 2003.

(2) Section 129 of the Clean Air Act (42 U.S.C. 7429) requires the rule specified in section 3(b)(2)(A) to be promulgated no later than the year 1994, and section 112(f) of such Act (42 U.S.C. 7412(f)) requires emissions reductions mandated by such rule to be achieved no later than 1999.

Page 5, line 11, strike “section 2” and insert “section 3”.

Page 6, line 14, strike “section 2(a)(1)” and insert “section 3(a)(1)”.

Page 7, line 8, strike “section 2(a)” and insert “section 3(a)”.

Page 7, lines 9 and 10, strike “section 2(b)(2)” and insert “section 3(b)(2)”.

Page 8, line 3, strike “section 2(a)” and insert “section 3(a)”.

Page 8, line 14, strike “section 2(a)” and insert “section 3(a)”.

H.R. 2681

OFFERED BY: MR. RUSH

AMENDMENT No. 7: At the end of section 5, add the following:

(c) **RULE OF CONSTRUCTION.**—This section is intended to supplement the provisions of, and shall not be construed to supersede any requirement, limitation, or other provision of, sections 112 and 129 of the Clean Air Act (42 U.S.C. 7412, 7429).

H.R. 2681

OFFERED BY: MR. QUIGLEY

AMENDMENT No. 8: At the end of the bill, add the following section:

**SEC. 6. PROTECTION FROM AVOIDABLE CASES OF CANCER.**

Notwithstanding any other provision of this Act, the Administrator shall not delay actions pursuant to the rules identified in section 2(b) of this Act to reduce emissions from any cement kiln if such emissions are increasing the risk of cancer.

H.R. 2681

OFFERED BY: MR. WAXMAN

AMENDMENT No. 9: At the end of the bill, add the following section:

**SEC. 6. DETERMINATION; AUTHORIZATION.**

Not later 10 days after the date of enactment of this Act, the Director of the Office of Management and Budget, in consultation with the Chief Financial Officer of the Environmental Protection Agency, the Comptroller General of the United States, and the Director of the Congressional Budget Office, shall make a determination regarding whether this Act authorizes the appropriation of funds to implement this Act and, if so, whether this Act reduces an existing authorization of appropriations by an offsetting amount. The provisions of this Act shall cease to be effective if it is determined that this Act authorizes the appropriation of funds without an offsetting reduction in an existing authorization of appropriations.

H.R. 2681

OFFERED BY: MR. WAXMAN

AMENDMENT No. 10: At the end of the bill, add the following section:

**SEC. 6. COMPLIANCE WITH CUT-GO.**

If this Act authorizes the appropriation of funds to implement this Act and does not reduce an existing authorization of appropriations to offset that amount, then the provisions of this Act shall cease to be effective.

H.R. 2681

OFFERED BY: MR. WAXMAN

AMENDMENT No. 11: At the end of the bill, add the following section:

**SEC. 6. PROTECTION FOR INFANTS AND CHILDREN.**

Notwithstanding any other provision of this Act, the Administrator shall not delay

actions pursuant to the rules identified in section 2(b) of this Act to reduce emissions from any cement kiln if such emissions are harming brain development or causing learning disabilities in infants or children.

H.R. 2681

OFFERED BY: MR. ELLISON

AMENDMENT No. 12: Page 5, line 22, strike “non-air quality”.

H.R. 2681

OFFERED BY: MR. ELLISON

AMENDMENT No. 13: Strike section 5.

H.R. 2681

OFFERED BY: MR. ELLISON

AMENDMENT No. 14: Page 5, after line 8, insert the following subsection:

(c) **NOTICE IN FEDERAL REGISTER.**—Not later than 60 days after the date of enactment of this Act, the Administrator shall publish a notice in the Federal Register estimating the public health impact of delaying regulation for the Portland cement manufacturing industry and Portland cement plants until the compliance date of the rules required by subsection (a) instead of the compliance date of the rules made ineffective by subsection (b).

H.R. 2681

OFFERED BY: MS. HAHN

AMENDMENT No. 15: At the end of section 2, add the following:

(c) **TEN METROPOLITAN AREAS OF THE UNITED STATES WITH THE WORST AIR QUALITY.**—

(1) **STAY OF EARLIER RULES INAPPLICABLE.**—Insofar as the rules listed in subsection (b) apply to sources of air pollution in any of the 10 metropolitan areas of the United States with the worst air quality, such rules shall, notwithstanding subsection (b), continue to be effective.

(2) **NEW STANDARDS INAPPLICABLE IF LESS PROTECTIVE OF PUBLIC HEALTH AND THE ENVIRONMENT.**—With respect to sources of air pollution in any of the 10 metropolitan areas of the United States with the worst air quality, the provisions of the regulations promulgated under subsection (a)—

(A) shall apply to such sources, and shall replace the rules listed in subsection (b), to the extent such provisions are equally or more protective of public health and the environment than the corresponding provisions of the rules listed in subsection (b); and

(B) shall not apply to such sources, and shall not replace the rules listed in subsection (b), to the extent such provisions are less protective of public health and the environment than the corresponding provisions of the rules listed in subsection (b).

(3) **DEFINITIONS.**—In this subsection:—

(A) The term “metropolitan area” —

(i) for purposes of subparagraph (B)(i), means the metropolitan statistical area or consolidated metropolitan statistical area (as established by the Bureau of the Census) most closely corresponding to the city or group of cities ranked among the cities with the worst year-round particle pollution in the “State of the Air 2011” report of the American Lung Association; and

(ii) for purposes of subparagraph (B)(ii), means a metropolitan statistical area or consolidated metropolitan statistical area (as established by the Bureau of the Census).

(B) The term “10 metropolitan areas of the United States with the worst air quality” means—

(i) during the 5-year period beginning on the date of the enactment of this Act, the 10 metropolitan areas listed in the “State of the Air 2011” report of the American Lung Association as having the worst year-round particle pollution; and

(ii) during each successive 5-year period, the 10 metropolitan areas determined by the

Administrator of the Environmental Protection Agency to have the highest year-round levels of particulate matter in the air.

H.R. 2681

OFFERED BY: MR. MARKEY

AMENDMENT No. 16: After section 1, insert the following section (and redesignate the subsequent sections accordingly):

**SEC. 2. FINDING.**

The Congress finds that if the rules specified in section 3(b) remain in effect, they are expected to reduce the amount of mercury that deposits to land and water by up to—

(1) 30 percent in some areas of the western United States; and

(2) 17 percent in some areas of the eastern United States.

Page 5, line 11, strike “section 2” and insert “section 3”.

Page 6, line 14, strike “section 2(a)(1)” and insert “section 3(a)(1)”.

Page 7, line 8, strike “section 2(a)” and insert “section 3(a)”.

Page 7, lines 9 and 10, strike “section 2(b)(2)” and insert “section 3(b)(2)”.

Page 8, line 3, strike “section 2(a)” and insert “section 3(a)”.

Page 8, line 14, strike “section 2(a)” and insert “section 3(a)”.

H.R. 2681

OFFERED BY: MRS. CAPPS

AMENDMENT No. 17: After section 1, insert the following section (and redesignate the subsequent sections, and conform internal cross-references, accordingly):

**SEC. 2. FINDING.**

The Congress finds that according to the Environmental Protection Agency, if the rules specified in section 3(b) are in effect, then for every dollar in costs, the rules will provide at least \$7 to \$19 in health benefits, due to the avoidance each year of—

(1) 960 to 2,500 premature deaths;

(2) 1,500 nonfatal heart attacks;

(3) 1,000 emergency room visits;

(4) 17,000 cases of aggravated asthma; and

(5) 130,000 days of missed work.

H.R. 2681

OFFERED BY: MR. CONNOLLY OF VIRGINIA

AMENDMENT No. 18: At the end of the bill, add the following section:

**SEC. 6. PROTECTION FROM RESPIRATORY AND CARDIOVASCULAR ILLNESS AND DEATH.**

Notwithstanding any other provision of this Act, the Administrator shall not delay actions pursuant to the rules identified in section 2(b) of this Act to reduce emissions from any cement kiln if such emissions are causing respiratory and cardiovascular illnesses and deaths, including cases of heart attacks, asthma attacks, and bronchitis.

H.R. 2681

OFFERED BY: MR. CONNOLLY OF VIRGINIA

AMENDMENT No. 19: At the end of the bill, add the following section:

**SEC. 6. PROTECTION FROM RESPIRATORY AND CARDIOVASCULAR ILLNESS AND DEATH.**

Notwithstanding any other provision of this Act, the Administrator shall not delay actions pursuant to the rules identified in section 2(b) of this Act to reduce emissions from any cement kiln if such emissions are causing respiratory and cardiovascular illnesses and deaths, including cases of heart attacks, asthma attacks, and bronchitis, in communities with air pollution levels that exceed the health-based air quality standards.

H.R. 2681

OFFERED BY: MR. WELCH

AMENDMENT No. 20: After section 1, insert the following section (and redesignate the

subsequent sections, and conform internal cross-references, accordingly):

**SEC. 2. FINDING.**

The Congress finds that the American people are exposed to mercury from industrial sources addressed by the rules listed in section 2(b) of this Act through the consumption of fish containing mercury and every State in the Nation has issued at least one mercury advisory for fish consumption.

H.R. 2681

OFFERED BY: MR. PALLONE

AMENDMENT No. 21: After section 1, insert the following section (and redesignate the subsequent sections, and conform internal cross-references, accordingly):

**SEC. 2. FINDING.**

The Congress finds that Federal departments and agencies should support efforts to achieve the science-based, 10-year national objectives for improving the health of all Americans through reduced exposure to mercury that are established in Healthy People 2020 and were developed under the leadership

of the National Institutes of Health and the Centers for Disease Control and Prevention during two presidential administrations.

At the end of the bill, add the following section:

**SEC. 7. REDUCING BLOOD-MERCURY CONCENTRATIONS.**

The provisions of this Act shall cease to be effective, and the rules specified in section 3(b) shall be revived and restored, if the Administrator finds, in consultation with the directors of the National Institutes of Health and the Centers for Disease Control and Prevention, that by allowing continued uncontrolled emissions of mercury from cement kilns this Act threatens to impede efforts to achieve the science-based, 10-year national objective for reducing mercury concentrations in children's blood that is established in Healthy People 2020.

H.R. 2681

OFFERED BY: MR. GARAMENDI

AMENDMENT No. 22: Strike all after the enacting clause and insert the following:

**SECTION 1. SENSE OF CONGRESS ON GROWTH IN CEMENT INDUSTRY.**

Given that the United States cement industry must comply with United States labor and air pollution standards and faces strong competition from foreign countries with weak labor and air pollution emissions requirements, it is the sense of the Congress that Federal departments and agencies should strictly enforce the Buy American requirements in Federal law applicable to the manufacture of cement in the United States.

H.R. 2681

OFFERED BY: MR. COHEN

AMENDMENT No. 23: Page 6, line 11, strike "and" after the semicolon.

Page 6, line 12, strike "impacts." and insert "impacts; and".

Page 6, after line 12, insert the following subparagraph:

(F) potential reductions in the number of illness-related absences from work due to respiratory or other illnesses.