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No. 163

## House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. WOMACK).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
October 27, 2011.

I hereby appoint the Honorable STEVE WOMACK to act as Speaker pro tempore on this day.

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

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Compassionate and merciful God, we give You thanks for giving us another day.

As this House comes together at the end of the week, bless the work of its Members.

Give them strength, fortitude, and patience. Fill their hearts with charity, their minds with understanding, their wills with courage to do the right thing for all of America.

In the work to be done before the end of this session, may they rise together to accomplish what is best for our great Nation and, indeed, for all the world, for You have blessed us with many graces and given us the responsibility of being a light shining on a hill.

May all that is done this day be for Your greater honor and glory. Amen.

### THE JOURNAL

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

Mr. SAM JOHNSON of Texas led the Pledge of Allegiance as follows:

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

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

### JOBS

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, this week the President adopted a new campaign slogan, "We Can't Wait," in efforts to get his \$447 billion jobs bill passed by Congress even after the Senate has rejected it already, two or three times.

The President continues to promote his more-of-the-same failed policies like higher taxes and increased spending, and we can't wait for the President to get behind policies that will help the American people.

Families and small business across the country continue to struggle in this economy, and that's why Republicans have passed bill after bill to get our economy moving in the right direction.

Today, the House will vote on repealing the IRS' 3 percent withholding rule in order to reduce uncertainty for our businesses and allow job creators to do what they do best, create jobs.

I urge the President and my colleagues in the Senate to follow our

lead, get our economy moving forward. Americans want, need, and deserve no less.

### STUDENT LOANS

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

Mr. COURTNEY. Mr. Speaker, for Americans who are disgusted with the obstructionism of the Republican-controlled House, yesterday President Obama cut through the morass, issuing new rules for student loan assistance, implementing a law that was passed by the last Congress, the Democratic-controlled Congress, the Student Aid and Fiscal Responsibility Act.

This program will allow millions of Americans to consolidate their student loans, lower their interest rates, and will also cap loan payments again for millions of Americans. Anyone listening can go to [studentaid.ed.gov/ibr](http://studentaid.ed.gov/ibr) to find out the new rules of eligibility which, again, will save thousands of dollars for people who are drowning in student loan costs.

Rather than trying to build on that accomplishment, this Congress passed a Ryan budget which would butcher the Pell Grant program and do nothing for people who are racking up huge amounts of student loans.

As a Member of Congress from the University of Connecticut's district—go Huskies—thank you, Mr. President. Congratulations on moving forward to address the real needs of America's middle class.

### JOB CREATION

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

Ms. HAYWORTH. Mr. Speaker, last month Paul Manahan from Mahopac, New York, sent the following letter to me:

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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“We don’t need or want more government spending. Cut regulation, cut taxes, repeal the 2010 health care law, and let business do what it does best: Create jobs based upon demand, not government dictates, spending, and attempts at market manipulation.”

Well, Mr. Manahan, you’re absolutely right and, in fact, our House majority has passed at least 15 bills that now lie dormant in our Senate because the Senate refuses to take action on what would actually create American jobs, lift regulations, create new environments and new opportunities.

We are working nonstop in the House majority for all of our American citizens and you, Mr. Manahan, to make sure that you have the opportunity that you deserve and the prosperity that you need.

Please urge your Senator and all senators across the country to free those 15 bills and get this economy going.

#### WHITE HOUSE SIGNING OF THE FREE TRADE AGREEMENTS

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

Mr. MICHAUD. Mr. Speaker, I rise today to call to the attention of the American people the fact that last Friday the President signed the implementing legislation for Colombia, Panama, and Korea free trade agreements.

My colleagues and the American people might have missed it, because that’s what the President wanted. The American people don’t support more flawed trade agreements, so the President signed them into law quietly.

The White House issued no press releases or statements. No photos were taken, no signing pens were publicly handed out.

If these jobs are the job creators the President promised us that they would be, then why wouldn’t we have a public ceremony highlighting the signing of the FTAs? It’s because these FTAs aren’t going to create American jobs. They might create jobs in Korea and China, but they won’t create them here at home.

If I were the President, I’d want to keep these agreements quiet too.

#### THE IMPORTANCE OF FAITH

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

Mr. FORBES. Mr. Speaker, I rise today on behalf of the Congressional Prayer Caucus to note the importance of faith in our Nation’s history. In his first inaugural address in 1789, George Washington said in part:

“It would be peculiarly improper to omit in this first official act my fervent supplications to that Almighty Being who rules over the universe, who presides in the councils of nations, and whose providential aids can supply every human defect. No people can be bound to acknowledge and adore the

Invisible Hand which conducts the affairs of men more than those of the United States. Every step by which they have advanced to the character of an independent nation seems to have been distinguished by some token of providential agency.”

#### OVERSIGHT OF EXECUTIVE BRANCH SPENDING

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

Mr. BARROW. Madam Speaker, I rise to ask my colleagues to join me in improving congressional oversight of Federal spending by cosponsoring H.R. 3121, the Reclaiming Oversight of the Executive Branch Spending Act.

Too often Congress appropriates vast amounts of money within broad funding categories and gives the executive branch the freedom to spend it with little oversight. The constitutional obligation to ensure that taxpayer dollars are spent wisely lies with Congress. My legislation would require that all Federal spending and loan guarantees over \$100 million be explicitly approved by Congress.

Had my bill been law a year ago, Congress would have had to approve the \$500 million loan guarantee to the now bankrupt Solyndra and perhaps we could have stopped that from happening. Today, however, the only real vetting of programs like the Solyndra loan happens after things have gone wrong and the money has been lost.

Congress needs to reassert itself and ensure that all programs are properly vetted. The old carpenter’s rule still applies: measure twice, cut once.

I ask all of my colleagues to help me end wasteful spending by cosponsoring the Reclaiming Oversight of the Executive Branch Act.

□ 0910

#### TRIBUTE TO HARRY H. BASORE

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

Mr. WOMACK. Madam Speaker, I rise today to remember the service of Arkansas native and Navy Captain Harry Harrison Basore, Jr., of Leawood, Kansas, who died August 2, 2011, at the age of 95, and who will be buried tomorrow in Arlington National Cemetery.

A distinguished naval aviator, Captain Basore commanded Fighter Squadron 74 off the “jeep” carrier USS *Kasaan Bay*, in support of Allied forces during their fight against Germany in southern France in August 1944. He was awarded the Navy Cross for extraordinary heroism during low-level reconnaissance missions over enemy concentrations.

Like most of America’s Greatest Generation, Captain Basore returned home following the war, became president of a prominent sheet metal firm,

was an active volunteer of the Leawood Fire Department, and chairman of the board of trustees of his alma mater, College of the Ozarks in Point Lookout, Missouri.

Preceded in death by his wife, Shirley, to whom he was married 70 years, Captain Basore will always be remembered by his family and friends for his courage, leadership, and selfless service to his country—and his fellow man.

#### JOBS

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

Mr. TONKO. Madam Speaker, far too many Americans hurt today. They hurt because of unfair tax policy. They’ve witnessed, as more and more reports are issued, that the top income stratum has seen its income grow by 275 percent, while those of more modest means have seen a growth of perhaps 15 to 20 percent, and far too many have seen no growth with a flat outcome. They also witnessed no meaningful jobs agenda coming from this House over the last 10 months. Throughout the course of the first session of the 112th Congress, they are waiting for a jobs agenda.

So, Madam Speaker, as the House drags its feet, America struggles. Many struggle to find a job. Many struggle to keep a job. Many struggle to make ends meet. Many struggle to make student loan payments. Many struggle to pay those mortgages. We need to go forward with a progressive agenda that responds to strengthening the middle class, strengthening the purchasing power of the middle class. Without a strong middle class, there’s not a strong America.

#### “COME AND TAKE IT”

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

Mr. POE of Texas. Mr. Speaker, during the Texas War of Independence, the enemy tried to remove a cannon from the town of Gonzales. The defiant Texans flew a flag which stated “Come and Take It.”

Now, in Montana, an intolerant radical anti-religious group wants a statue of Jesus taken down from a mountain. The Forest Service is under pressure not to renew a lease for the 58-year-old statue. The statue is more than a religious symbol. It was erected as a memorial and a tribute to Montana freedom fighters during World War II for their bravery, dedication, and patriotism.

What’s next? Is the anti-religious crowd going to demand the government chisel off the crosses, the Stars of David, and other religious symbols on the tombstones of our war dead at Arlington Cemetery? The Constitution protects free speech and freedom of religion. As those early Texas settlers

were successful in preventing the enemy from taking that cannon and the right to bear arms, I hope the people of Montana are successful in keeping the anti-religious bunch from taking the Jesus statue.

And that's just the way it is.

### 3 PERCENT WITHHOLDING REPEAL AND JOB CREATION ACT

Mr. CAMP. Mr. Speaker, pursuant to House Resolution 448, I call up the bill (H.R. 674) to amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. WOMACK). Pursuant to House Resolution 448, the amendment printed in House Report 112-261 is adopted and the bill, as amended, is considered read.

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

H.R. 674

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "3% Withholding Repeal and Job Creation Act".

#### SEC. 2. REPEAL OF IMPOSITION OF 3 PERCENT WITHHOLDING ON CERTAIN PAYMENTS MADE TO VENDORS BY GOVERNMENT ENTITIES.

(a) IN GENERAL.—Section 3402 of the Internal Revenue Code of 1986 is amended by striking subsection (t).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments made after December 31, 2011.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. CAMP) and the gentleman from Michigan (Mr. LEVIN) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. CAMP).

#### GENERAL LEAVE

Mr. CAMP. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 674.

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

There was no objection.

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

I come to the floor today in strong support of H.R. 674 to repeal the onerous, job-killing 3 percent withholding law. While this legislation has 269 cosponsors, I'd like to acknowledge the leaders on the bill, Ways and Means Health Committee Chairman WALLY HERGER and our Democrat Ways and Means colleague Congressman EARL BLUMENAUER. In addition to these advocates, we also have 25 other members of the Ways and Means Committee supporting this legislation—a clear signal of the strong bipartisan support for repeal of this 3 percent withholding rule.

Job creators know all too well that this provision, like many efforts to in-

crease Federal revenue and tax compliance, is lined with paperwork, complexity and costs—all of the things that hinder, rather than help, promote a climate for job creation.

By considering and passing this bipartisan bill, we will unlock new opportunities for hiring. Job creators have told us just that, and it's why this legislation has the support of a diverse coalition of more than 170 groups, including the Government Withholding Relief Coalition.

Like those job creators, others recognize the need for repeal, including President Obama. In the statement of administration policy in support of H.R. 674, the administration noted that "the effect of the repeal of the withholding requirement would be to avoid a decrease in cash flow to these contractors which would allow them to retain these funds and use them to create jobs and pay suppliers." Mr. Speaker, I couldn't agree more.

Supporting the repeal of the 3 percent withholding law is a demonstration that Washington can work together. With a strong bipartisan vote, we can reduce the uncertainty facing America's job creators, and we can free up valuable resources businesses can use for hiring.

I ask my colleagues to vote "yes" on H.R. 674 and urge the Senate to swiftly take up and pass this legislation.

I ask unanimous consent that the gentleman from California (Mr. HERGER) be designated to control the balance of my time.

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

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. LEVIN).

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

I rise in support of this bill. It should have happened earlier. I think most of us, if not all of us, agree that this provision should be repealed. It is not narrowly targeted, and it would indeed impose significant and costly burdens on Federal, State, and local governments. I think we should all remind ourselves it was passed some years ago; and it was, I think, misguided when it was enacted in 2006 when we in the minority here did not control the Congress. Indeed, the Ways and Means Committee when we were in the majority approved a repeal of the provision in 2009, and the Congress ultimately delayed its effective date.

I do want to comment on the title of this bill that refers to job creation, and it should be noted that this is really not going to address the need for creation of jobs in our country. We have been here now 10 months. There is still no effort by the majority here in the House to bring up any meaningful jobs legislation; and when the President brings up proposals to create jobs, they are thwarted by the majority here and by the Republicans in the Senate.

So let's support this bill but not pretend that it will create jobs; and in this respect I refer to a recent statement by Mark Zandi, the chief economist for Moody's Analytics who said this about this bill: "I don't think it's meaningful in terms of jobs. It's more trying to clean up something that needs cleaning up." Indeed, this needs to be cleaned up. Therefore, we need to pass it.

□ 0920

Let me also comment on—and we'll talk about this later on the second bill—the pay-for. I went before the Rules Committee to ask that there be consideration of a different pay-for, what we'll be considering later. I just want everybody to understand the facts, and each can judge on his or her own how they'll vote. The impact of the pay-for that came through the Ways and Means Committee could cause up to 500,000 individuals to lose health care coverage.

I offered an amendment in the Rules Committee that would have offset the cost of a business tax provision by closing a loophole on the business side that's improperly enjoyed by oil and gas industry giants. Unfortunately, my amendment was ruled out of order. We'll talk about that later.

We're now on this bill. I urge its support. Let's not pretend it's a job creation bill. Let's get busy here on bills that will indeed help to promote jobs in the private sector of the United States of America, as our President has proposed and he has pleaded that there be consideration by the House and the Senate, only to be responded to with deaf ears.

I reserve the balance of my time.

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

I rise in strong support of H.R. 674, the 3% Withholding Repeal and Job Creation Act. The American people have repeatedly called on Congress to work together in a bipartisan way to encourage job creation. That's exactly what we're doing here today.

H.R. 674 repeals a tax that requires government agencies at all levels—Federal, State, and local—to withhold 3 percent of all payments for goods and services beginning at the end of next year. This tax will affect everyone, from manufacturers to road builders to physicians who treat seniors on Medicare. Many of these businesses operate on margins of less than 3 percent, meaning that this provision will harm their cash flow and effectively force them to give the Federal Government a no-interest loan.

Even though it doesn't go into effect for another year, the 3 percent withholding tax is holding back job creation right now. Coming from a small business background, I can attest that businesses look several years ahead when they're deciding how to invest.

This week the Associated General Contractors of America released a survey finding that nearly half of all construction firms will be forced to hire

fewer workers if the 3 percent withholding tax takes effect. As one AGC member put it, “The way the economy is now, we are very lucky to make 3 percent profit. This could put us out of business, along with our 300-plus employees.”

Now is the time to eliminate the barriers that are standing in the way of jobs for American workers. H.R. 674 has the support of businesses, State and local governments, and 269 bipartisan cosponsors in the House of Representatives, as well as the Obama administration.

Mr. Speaker, I would like to enter into the RECORD a letter from the Government Holding Relief Coalition, signed by more than 150 businesses, health care, education, and local government groups supporting passage of this legislation.

With that, I reserve the balance of my time.

GOVERNMENT WITHHOLDING  
RELIEF COALITION,  
October 26, 2011.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The Government Withholding Relief Coalition and its member organizations strongly urge you to vote for H.R. 674, a bipartisan bill to repeal the burdensome 3% Withholding Tax mandate enacted in Section 511 of the Tax Increase Prevention and Reconciliation Act of 2005 (P.L. 109-222), when it is considered on the House floor later this week.

Unless repealed before it takes effect on January 1, 2013, the 3% Withholding Tax will have a dramatic, negative impact on millions of honest taxpaying businesses as well as state and local governments, health care providers, farmers and colleges and universities.

For many businesses the profit margin for projects they complete is often less than 3% meaning that the withholding tax will create significant cash flow problems for day-to-day operations as well as draining capital that could be used for job creation and business expansion. This mandate is also anti-stimulus in the sense that it removes money from local economies and sends it to the IRS.

The mandate is already proving costly and will increase exponentially as the implementation deadline moves closer. If this mandate is not repealed, it will cost companies and governments at all levels substantial amounts of money just to prepare to comply with this unnecessary and unfortunate tax provision. These exorbitant expenditures will be at the expense of hiring new employees, expanding businesses, and providing government services at a time that neither the public nor private sector can handle such unnecessary costs.

In addition, we strongly support the view that those receiving payments from the government should meet their federal, state and local tax obligations. However, imposing an onerous 3% Withholding Tax on transactions between government and honest taxpaying businesses is not the answer.

The Government Withholding Relief Coalition, which represents all sectors of the economy, believes it is imperative that the 3% Withholding Tax be repealed as soon as possible to limit the damaging impacts to our economy. We appreciate the bicameral, bipartisan support of efforts to repeal it and strongly encourage you to vote for H.R. 674.

Sincerely,

Government Withholding Relief Coalition:

Aeronautical Repair Station Association; Aerospace Industries Association; Air Conditioning Contractors of America; Air Transport Association; Airports Council International-North America; America's Health Insurance Plans; American Ambulance Association; American Bankers Association; American Bus Association; American Clinical Laboratory Association; American Concrete Pressure Pipe Association; American Congress on Surveying and Mapping; American Council of Engineering Companies; American Dental Association; American Farm Bureau Federation; American Gas Association; American Health Care Association; American Institute of Architects; American Institute of Certified Public Accountants; American Logistics Association.

American Medical Association; American Moving and Storage Association; American Nursery and Landscape Association; American Road & Transportation Builders Association; American Society of Civil Engineers; American Society of Landscape Architects; American Subcontractors Association; American Supply Association; American Traffic Safety Services Association; American Trucking Associations; Armed Forces Marketing Council; Associated Builders and Contractors; Associated Equipment Distributors; Associated General Contractors of America; Association of Management Consulting Firms; Association of National Account Executives; Association of School Business Officials International; Baltimore Washington Corridor Chamber; Biotechnology Industry Association; Business and Institutional Furniture Manufacturers Association.

CTIA-The Wireless Association™; California Association of Public Purchasing Officers; Coalition for Government Procurement; Colorado Motor Carriers Association; Computing Technology Industry Association; Construction CPAs/Consultants Association (CICPAC); Construction Contractors Association; Construction Employers' Association of California; Construction Financial Management Association; Construction Industry Round Table; Construction Management Association of America; Design Professionals Coalition; Edison Electric Institute; Electronic Security Association; Engineering & Utility Contractors Association; Federation of American Hospitals; Financial Executives International; Financial Services Institute; Finishing Contractors Association; Gold Coast Hispanic Chamber of Commerce.

Government Finance Officers Association; Hawaii Transportation Association; Heating, Airconditioning & Refrigeration Distributors International; IPC—Association Connecting Electronics Industries; Independent Electrical Contractors, Inc.; International City/County Management Association; International Council of Employers of Bricklayers and Allied Craftworkers; International Foodservice Distributors Association; International Municipal Lawyers Association; Large Public Power Council; Management Association for Private Photogrammetric Surveyors; Mason Contractors Association of America; Mechanical Contractors Association of America; Medical Group Management Association; Messenger Courier Association of the Americas; Miami Dade County; Mississippi Trucking Association; Modular Building Institute; Motor Transport Association of Connecticut; Munitions Industrial Base Task Force.

National Asphalt Pavement Association; National Association for Self-Employed; National Association of College & University Business Officers; National Association of Counties; National Association of Credit Management; National Association of Educational Procurement; National Association of Energy Services Companies; National As-

sociation of Government Contractors; National Association of Manufacturers; National Association of Minority Contractors; National Association of State Auditors, Comptrollers and Treasurers; National Association of State Chief Information Officers; National Association of State Procurement Officials; National Association of Surety Bond Producers; National Association of Water Companies; National Association of Wholesaler-Distributors; National Beer Wholesalers Association; National Corn Growers Association; National Council for Public Procurement and Contracting; National Defense Industrial Association.

National Electrical Contractors Association; National Electrical Manufacturers Association; National Emergency Equipment Dealers Association; National Federation of Independent Business; National Institute of Governmental Purchasing; National Italian-American Business Association; National League of Cities; National Mining Association; National Office Products Alliance; National Precast Concrete Association; National Propane Gas Association; National Office Products Alliance; National Railroad Construction & Maintenance Association; National Ready Mixed Concrete Association; National Roofing Contractors Association; National School Transportation Association; National Small Business Association; National Society of Professional Engineers; National Society of Professional Surveyors; National Utility Contractors Association.

National Wooden Pallet and Container Association; New Jersey Chamber of Commerce; North-American Association of Uniform Manufacturers & Distributors; North Coast Builders Exchange; Office Furniture Dealers Alliance; Oregon Trucking Association; Owner Operator Independent Drivers Association; Petroleum Marketers Association of America; Plumbing-Heating-Cooling Contractors—National Association; Printing Industries of America; Professional Services Council; Regional Legislative Alliance of Ventura and Santa Barbara Counties; Retail Energy Supply Association; Santa Rosa Chamber of Commerce; Security Industry Association; Service Disabled Veteran Owned Small Business Council; Sheet Metal and Air Conditioning Contractors National Association, Inc.; Shipbuilders Council of America; Small Business & Entrepreneurship Council.

Small Business Legislative Council; South Carolina Trucking Association; TechAmerica; Textile Rental Services Association of America; The Association of Union Constructors; The Distilled Spirits Council of the U.S.; The Financial Services Roundtable; U.S. Chamber of Commerce; U.S. Conference of Mayors; United States Telecom Association; Veterans Business Institute; Veterans Entrepreneurship Task Force; Water and Wastewater Equipment Manufacturers Association; Women Construction Owners & Executives; Women Impacting Public Policy.

Mr. LEVIN. Mr. Speaker, I yield such time as he may consume to the gentleman from Oregon (Mr. BLUMENAUER), who is a lead sponsor of this bill.

Mr. BLUMENAUER. I appreciate your courtesy, Mr. LEVIN, as I appreciate the opportunity to work with my friend, Mr. HERGER, on moving this bill forward.

It was only a couple of months ago that we were having a press conference in the Triangle with a bipartisan group

of Members of Congress, representatives from some of the coalition members that my friend Mr. HERGER referenced, to be able to focus on the need to repeal this provision.

Mr. Speaker, I think it is important to mark this critical step today. It will pass on the floor of the House in a strong bipartisan vote, reaffirming the bipartisan cooperation that got us to this point. I think that this is an example of what potentially we could do because a number of the members of the coalition that Mr. HERGER referenced and that he is entering into the RECORD are likewise people that have a vision about how Congress and the Federal Government could help rebuild and renew America.

The contractors, the engineers, and the architects that we have heard from would also like us to step up in a bipartisan manner to deal with that. There were references to people who are dealing with health care. We still face sort of a health care crisis in this country. We may be able to deal with much of it with the health care reform bill. But many of the provisions that are embedded in law now have their core as bipartisan ideas. And I hope the same bipartisan spirit could help us accelerate bipartisan reforms so that the American public benefits in the health arena as well.

You're going to hear a little spirited exchange on the floor of the House about how we pay for this legislation because it has a CBO score that's attached to it that suggests that this will raise revenue. Well, I have two observations that I think are important to note dealing with the pay-for. First and foremost, the sad fact is that this bill actually would cost more to implement than it would ever raise for the Federal Government. But we have a quirk in our scoring rules where they credit revenue. They don't deal with the cost of compliance. And this complicated piece of legislation, were it ever enacted, would require the Department of Defense, the General Services Administration, and up and down the Federal Government to develop mechanisms to try to implement it. It wouldn't just cost contractors, hospitals, State, and local government. It would actually cost the Federal Government far more than we would collect. I think one estimate was for the Department of Defense it would be \$17 billion, which would dwarf what would be collected.

We need, Mr. Speaker, as we move forward, to do a better job of thinking about the scoring rules. It's not CBO's fault, but that's how we play the game. And I find it troubling.

It also, I think, speaks volumes about how we operate in the legislative process. This was passed in 2005. It was kind of dropped in in sort of backroom negotiations. It was never part of regular order. There was no hearing before our Ways and Means Committee to talk about this because the elements that have been documented in our com-

mittee and on the floor about the unworkability of this would never have survived a regular legislative process.

Well, I'm pleased that the Democratic side has at least tried first to delay and then to fix this. I'm pleased we have worked with Mr. HERGER in a bipartisan fashion to bring this legislation forward. I think Mr. CAMP and Mr. LEVIN are committed to regular order. We've been having, I think, some very productive discussions on major issues. I hope we can keep this commitment to regular order to be able to make sure we don't have something like this in the future that has massive unintended consequences.

Mr. Speaker, this is an idea that never should have been advanced in this form. It's been a long road to try and correct it. Today, we're making an important step towards that correction, but I would add a note of caution. The same spirit of cooperation and focus that has gotten us to this point with what will be an overwhelming vote—I hope it's unanimous—we need to keep going so this isn't a casualty of the back-and-forth process between the House and the Senate. The Senate played a large role in giving us this in the first place. We need to make sure that it is not caught up in the larger dramas that occur around here, that we can keep our eye on the ball, and that we can fix it.

□ 0930

I do want to say just one brief word about the pay-for. As I say, it's illusory, because it would cost far more than we would ever collect, but we have to deal with the scoring rules as they are.

There are two proposals: One would tighten some eligibility for the health care reform; the other would take away some unnecessary tax benefits to large oil companies that long ago ceased to have any impact on oil exploration or reducing price. But while I actually think that the pay-for from our side of the aisle dealing with the oil tax adjustment is superior, I think as a practical matter we are going to have to do both of these in the months ahead if we're going to deal with our budget problems, reducing expenditures.

I am hopeful that we don't allow the debate over the pay-for to obscure the need to move forward. And as a practical matter, we have big challenges ahead to get our deficit under control. I think, frankly, that both of these are items that should be enacted into law, I think will be enacted into law. And while there will be a spirited discussion—and I respect the people on both sides, and I think that they will be making good points—I hope it doesn't get in the way of the big picture.

In closing, I appreciate the gentleman from Michigan permitting me to speak on this, his leadership on this. I salute my friend, Mr. HERGER. I hope we can mark this step today for what it is but keep our eye focused on how we deal with these larger issues going

forward so we're not back in this situation in the future.

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

I want to thank my good friend from Oregon (Mr. BLUMENAUER) for his support as the lead cosponsor on the other side of the aisle.

I would like to take a moment to read a few of the comments that the Ways and Means Committee received from businesses and organizations across the country demonstrating why repealing the 3 percent withholding tax is critical to laying a stable foundation for job creation.

Buffalo Supply, Incorporated, in Boulder, Colorado, writes, "We are a 28-year-old small business that sells high-value medical equipment at a low margin, with a very significant part of our sales going to the Federal, State, and local governments. The 3 percent withholding tax will exceed our company's tax liability, which will destroy cash flow and ultimately hinder our ability to grow the business and add new employees."

Ian Frost, principal and founder of EEE Consulting in Virginia, says, "If enacted, the rule would mean the withholding of approximately \$130,000 of revenue, using our projected 2011 revenue. This 3 percent withholding would essentially be a loan to the government for the year until our taxes are filed. Worse still, it might require our company to secure a loan to help us cover operating expenses at a time when cash in the bank is limited. The withholding could limit our ability to make payroll each month and limit our use of profits to give bonuses to our employees, expand our business, and hire new employees. A \$130,000 withholding each year would deplete our cash reserves by about 30 percent."

The University of Illinois notes, "This will add expenses at a time when our university, like many others around the country, is facing reduced State support. We would have no choice but to pass these expenses on to our students, many of whom are also struggling to make ends meet."

The American Medical Association states, "In repealing the 3 percent withholding provision altogether, H.R. 674 will help Medicare beneficiaries maintain access to care, while assisting government agencies, physicians, and other health care providers avoid substantial implementation costs that will outweigh the benefits."

And I'd like to add that, at a time when many of us are concerned about fixing the SGR that threatens massive cuts to physicians participating in Medicare and a loss of access to physician services for many seniors, the last thing we want to do is add yet another potential cut to physicians' payments.

Again, these are just a few of the dozens—or hundreds—of letters and testimonials the committee received from businesses across the country. We need to pass H.R. 674 and repeal this harmful tax today.

I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield such time as he may consume to a most active member of our committee, the gentleman from New Jersey (Mr. PASCARELL).

Mr. PASCARELL. Good morning.

I come to the floor today in support of H.R. 674, which will repeal a burden on government contractors, particularly small businesses.

I opposed the enactment of the 3 percent withholding when a Republican Congress and a Republican administration enacted it because I knew that it would hurt the economic engines of our economy.

The repeal of this requirement will free up small businesses' cash flow, increasing their ability to add jobs and bid on new projects. This is only a very small part of a jobs plan that could help to reduce unemployment and wage stagnation.

The majority has not allowed a vote on known job-creating measures such as the infrastructure bank or funding for our first responders and teachers, so I would imagine that that's not very important, those items. Rather, the majority has decided to promote their "False Fifteen" bills that attack clean air, safe water, and consumer safety. Be prepared, America, to eat poison.

Not only do independent economists state that these bills do not create jobs, a recent report found that the so-called "economically stifling" regulatory atmosphere is not as bad as they say. The report says this: "Obama's White House has approved fewer regulations than George W. Bush at this same point in their tenures, and the costs of those rules haven't reached the annual peak set in fiscal 1992 under President Bush's father," President Bush I. You would never think that by listening to the propaganda on the other side of the aisle. We've overregulated—supposedly—and we've caused businesses to spend so much money on these regulations. But again, when we look at the facts, this is not true.

Eat your words. Even former Reagan Treasury official Bruce Bartlett quoted the Wall Street Journal saying, "The main reason U.S. companies are reluctant to step up hiring is scant demand, rather than uncertainty over government policies." So you can grow as many horns as you want onto the President. Once again, look at the facts and the statistics: more regulations at this point when former President Bush was the President, Bush II.

It is ironic that the majority is adjusting health reform to pay for this legislation. You condemn the health act, and then you take the money from the health act to pay for this legislation. That is a Ponzi scheme if I've ever heard one. The majority already voted to repeal health reform, yet to pay for this legislation—which is a separate piece of legislation—health reform must be in place for 10 years. How do you do that? They get rid of the health care act—well, they're trying to

anyway—and yet they use every dime for the first 10 years to pay for the bill.

□ 0940

How do you do that? I'm anxious to see how you do this.

Just as their 2012 budget was paid for by health reform savings, and we've discussed this in the budget committee, this bill is again paid for by the health reform which they want to annihilate. If the majority is against the health reform bill, perhaps they should stop making their agenda so dependent upon it.

While I support H.R. 674, we cannot pat ourselves on the back and claim victory that this is a victory for jobs. Congress must do much more.

Mr. HERGER. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. PAULSEN), a distinguished member of the Ways and Means Committee.

Mr. PAULSEN. I thank the gentleman for yielding.

Mr. Speaker, I also rise in favor of H.R. 674, a bill that will repeal this ill-conceived 3 percent withholding rule for all government contractors, including private hospitals that accept Medicare or Medicaid payments and those who provide even lunches for schools.

This is one area in which Republicans and Democrats are working together, as even President Obama singled out this provision as burdensome to our Nation's job creators. The President, in his jobs plan, he proposed delaying this rule. The very fact that this rule continues to be delayed and has not been implemented since being first created in 2005 just tells you how bad of an idea it truly is. But we shouldn't just delay it; we should eliminate it and repeal it immediately.

I've spoken with many small businesses in my district that will be negatively impacted by this law because the profit margin for many of these companies that have government contracts is right around 3 percent.

One Minnesota company, Valley Paving, says that withholding 3 percent, the new 3 percent withholding law would be catastrophic on their balance sheet, meaning that covering costs, paying bills, and just covering operating costs would be a challenge. And as they point out, during these hard economic times, withholding more money from our small businesses like themselves would be that they most likely would not be able to update their equipment, not grow as fast, and not be able to hire more people.

Mr. Speaker, this goes against everything that Washington should be doing, giving our employers certainty to create more jobs. This law needs to be repealed.

Another contractor in my district, Hardrives, Incorporated, pointed out the Federal Government does not need to be playing banker with our earned income.

This law may have sounded like a good idea on paper but, in practice, it

will be disastrous. This is made evident by the cost of the program itself. Implementing it for the Department of Defense alone is estimated to cost about \$17 billion over 5 years.

And here's the irony, Mr. Speaker. The program is forecast to bring in a little over \$11 billion across the whole spectrum of government. So the program is going to cost more to implement than it will take in.

I strongly urge support of this commonsense approach and bipartisan approach on adopting this bill. The President supports the pay-for.

I thank the member of the Ways and Means Committee, Mr. HERGER, and I ask for its support.

Mr. HERGER. Mr. Speaker, I advise the gentleman from Michigan that I am prepared to close.

Mr. LEVIN. In closing, I support this legislation. It should not have been passed in the first place. It was not vetted effectively by the then majority. It's time. We tried before. It's time to now support this bill.

I yield back the balance of my time.

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

I would like to reference the Statement of Administration Policy on this bill. In this letter from the President, just to quote from it, "The Administration supports passage of H.R. 674, which would repeal a 3 percent withholding on certain payments made to private contractors by Federal, State, and local government entities."

"The effect of the repeal of the withholding requirement would be to avoid a decrease in cash flow to these contractors, which would allow them to retain these funds and use them to create jobs and pay suppliers."

Mr. Speaker, jobs are the number one priority of the American people, and jobs should be the number one priority of this Congress. Many initiatives that are billed as "creating jobs" are controversial. This is not. We're repealing a tax that hurts small businesses and that will cost the government more to implement than it collects. This is a win-win-win for businesses, workers, local public services, and taxpayers.

I urge all Members to vote to repeal the 3 percent withholding tax and create new jobs now.

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

EXECUTIVE OFFICE OF THE PRESIDENT,  
OFFICE OF MANAGEMENT  
AND BUDGET,

Washington, DC, October 25, 2011.

STATEMENT OF ADMINISTRATION POLICY

H.R. 674—REPEAL OF THE THREE PERCENT WITHHOLDING ON GOVERNMENT VENDORS (REP. HERGER, R-CA, AND 269 COSPONSORS)

The Administration supports passage of H.R. 674, which would repeal a three percent withholding on certain payments made to private contractors by Federal, State, and local government entities.

The repeal of the withholding requirement in H.R. 674 would reduce a burden on government contractors who otherwise comply with their tax obligations, particularly small businesses. As evidenced in the President's

proposed American Jobs Act, released September 12, 2011, the Administration has supported alleviating this burden, which was originally enacted into law on May 17, 2006. The Administration also believes it is important to ensure that Federal contractors are compliant with tax laws and supports more targeted efforts that prevent persons with outstanding tax debts from receiving Federal contracts. The effect of the repeal of the withholding requirement would be to avoid a decrease in cash flow to these contractors, which would allow them to retain these funds and use them to create jobs and pay suppliers. This would complement the Administration's other efforts to help small businesses. Repeal of the withholding requirement would also reduce implementation costs borne by Federal and other governmental agencies. The Administration would be willing to work with the Congress to identify acceptable offsets for the budgetary costs associated with the repeal, which could include but are not limited to ones that are in the President's detailed blueprint outlined to the Congress on September 19, 2011.

Mr. JOHNSON of Illinois. Mr. Speaker, H.R. 674 is an extremely crucial piece of legislation that will permanently repeal the 3 percent withholding requirement on all government contracts. Once before, the tax's implementation date had been extended. H.R. 674 will remove any uncertainty from contractors that this tax would eventually be placed upon them.

During these difficult economic times, this extra tax would limit access to capital, increase operating expenses, and take money out of local economies fortunate enough to have contracts to build infrastructure. That means, not only would businesses be burdened, but whole communities as well, because these local contractors would not be able to hire more local workers. As a result, infrastructure projects would slow, further burdening businesses, communities, and citizens that rely on infrastructure for transportation to work, running water for their families, and interstates to move goods and services.

To further exemplify my support for H.R. 674, of which I am a cosponsor, prior to final passage, I will vote against the Motion to Re-commit. This vote will drastically alter the bill and negate any positive affect this bill will have on the American economy.

Mr. MARCHANT. Mr. Speaker, to my constituents in Texas, two things lay at the heart of this bill. The first is that the repeal of the 3 percent withholding requirement removes unreasonable burdens on contractors doing business with federal, state, and local governments; the second is that it creates a more stable economic environment to conduct business, create jobs and get America moving in the right direction.

The legislation before us repeals a requirement that may have been well-meaning but was ultimately misconceived. Whatever the original purposes of three percent requirement, the outcome would be disastrous.

Much-needed capital would be kept out of the hands of cash-strapped businesses across the country. And local and state governments—facing historic budget pressures—would be saddled with even more additional administrative and compliance costs on basic goods and services.

At a time when business investment is essential to revitalizing our economy, repealing the 3 percent withholding rule is the kind of

federal action that aids economic growth and makes possible an increase in private consumption and demand. H.R. 674 is a thoughtful, commonsense, bipartisan bill that strengthens our economy, and I urge my colleagues to support this legislation.

Mr. CONNOLLY of Virginia. Mr. Speaker, I am proud to be an original sponsor of this important bipartisan legislation, which will remove a sizable impediment to job creation in the private sector.

Repealing this burdensome 3-percent withholding regulation will offer predictability and free up capital that employers have been holding in abeyance. Those dollars now can be used to create jobs, increase wages, or fund business investments that will benefit our local economies. That is why a diverse coalition of industry and government—including retailers, telecom, and local and state government associations—strongly support this repeal.

The federal government has a historic partnership with the private sector supporting research and innovation, which has led to job creation and economic growth. Allowing this ill-conceived regulation to go into effect would damage that partnership at the very time we need to be collaborating more with the private sector.

This is one repeal that enjoys bipartisan support from the House and Senate, the President and the business community. I urge my colleagues to support it and to keep this private capital where it belongs—in the hands of our job creators.

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

Pursuant to House Resolution 448, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of the bill is postponed.

#### MODIFYING INCOME CALCULATION FOR HEALTH CARE PROGRAMS

Mr. CAMP. Mr. Speaker, pursuant to House Resolution 448, I call up the bill (H.R. 2576) to amend the Internal Revenue Code of 1986 to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2576

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

#### SECTION 1. MODIFICATION OF CALCULATION OF MODIFIED ADJUSTED GROSS INCOME FOR DETERMINING CERTAIN HEALTHCARE PROGRAM ELIGIBILITY.

(a) IN GENERAL.—Subparagraph (B) of section 36B(d)(2) of the Internal Revenue Code of 1986 is amended by striking “and” at the end of clause (i), by striking the period at the end of clause (ii) and inserting “, and”, and by adding at the end the following new clause:

“(iii) any amount of social security benefits of the taxpayer excluded from gross income under section 86.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to House Resolution 448, the gentleman from Michigan (Mr. CAMP) and the gentleman from Michigan (Mr. LEVIN) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. CAMP).

GENERAL LEAVE

Mr. CAMP. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 2576.

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

There was no objection.

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

I am pleased to come to the floor today and share my time with one of our committee's newest members, the gentlewoman from Tennessee, Representative DIANE BLACK. In taking the lead on this legislation, Mrs. BLACK has identified an area of poor stewardship of taxpayer dollars, and she's taken steps to save the taxpayers \$13 billion. I'm happy to support her and this legislation.

H.R. 2576 modifies the income definition for determining eligibility for exchange subsidies, Medicaid, and the Children's Health Insurance Program. The legislation conforms the definition of income in the Democrats' health care law to the standards used by other Federal low-income programs such as food stamps and public housing.

By aligning this definition with other Federal subsidy programs, the legislation ensures that taxpayer funds will not be used to enroll middle class individuals into Medicaid, which is an abuse of the program's mission, to provide targeted assistance to those who are in most need of help.

One of the most encouraging outcomes of Representative BLACK's legislation is that it has garnered bipartisan support, including the support of President Obama. In its Statement of Administration Policy, the Obama administration affirms its support for passage and goes so far as to say that, and I quote, “The Administration looks forward to working with the House to ensure the bill achieves the intended result.”

Today, I urge my colleagues in the House to vote “yes” on H.R. 2576. I encourage our colleagues in the Senate to quickly follow suit.

I ask unanimous consent that Mrs. BLACK be designated to control the balance of my time.

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

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. Mr. Speaker, I yield such time as he may consume to a very distinguished member of our committee, Mr. CROWLEY, from the State of New York.

Mr. CROWLEY. I thank my friend from Michigan and the ranking member of the Committee on Ways and Means for yielding me this time.

Mr. Speaker, I rise in opposition to this bill. As we look at this redefinition of terms under the Affordable Care Act, let me take a minute or 2 or 3 and go to the facts on the health care law as it exists today.

Some people on the other side of the aisle and in the media continue to refer to this provision that we're talking about today as a glitch. As we learned from the nonpartisan Joint Committee on Tax at the markup of this bill in the Ways and Means Committee, this provision was not a glitch.

Again, the other side will report that this was a glitch in the law. It was not a glitch. It was written into the law deliberately, and anyone who actually read the bill would have known that. This language was deliberately put into the health care law to expand affordable health insurance and will particularly help early retirees between the ages of 62 and 64, as well as Americans on disability.

□ 0950

But, again, for those of us who support this law and supported the passage of this law, we have heard a lot of distortions and a lot of falsehoods and outright lies about what is in this bill. That is why I encourage all my colleagues, Democrats and Republicans, especially those of you who are new to Congress who were not here when the bill was passed, to read the bill. I bet that if you did so, you'd like a lot about what is in the bill.

There are no death panels in this bill, no government takeover of health care in this bill, and bureaucrats will not be in the operating room with your surgeon. These are all falsehoods spread about the law, and again, people who read the law know that these claims simply are not true.

But here is what is in the law. I think we need to be reminded. No longer will insurance companies be able to decide whether or not you or your family deserve care based on cost or profit-making; no, these decisions will be made by doctors and patients. That's no glitch. Children can no longer be denied coverage on their parents' private health insurance because of a preexisting condition like asthma, which is very prevalent in my district in the Bronx. This was no glitch. Children can stay on their parents' private health insurance until the age of 26, which has led to over 1 million more young adults being covered this year. It's no glitch.

No mandates on any employer with under 50 employees—none, zero. No mandating to any employers with under 50 employees, also deliberate by the writers of this bill. Prescription

drugs for seniors are being made more affordable, and this year, seniors get deep discounts on their brand-name drugs if they fall into the prescription drug coverage gap, a black hole that seniors fall into if they need more than a few thousand dollars' worth of medications annually, which millions of our seniors do. It was no glitch—no glitch.

And, finally, something else in the bill—people will know if they read it: Young families with private health insurance can no longer be denied coverage or care under the disgusting term known as "lifetime limits." If a young mother gives birth to a severely ill child, there are no lifetime limits. Yes, the practice of telling young parents that not only is their newborn severely ill but that their private insurance company won't pay for any more hospitalization care because it's too costly is over. That's no glitch. Those parents will be able to get their sick child the care that he or she needs without selling their home, without declaring bankruptcy, and without having to fight their health insurance company tooth and nail to provide for their child. Rather, they can focus on their child's well-being. It's no glitch. It's in the law. Democrats put it there deliberately.

What I can't understand is why my Republican colleagues will continue to work to rip away health care, from private insurance to Medicare and Medicaid. But they refuse to even acknowledge that they, themselves, benefit from taxpayer-funded health care in this Congress. I have a bill that will require every Member of Congress to publicly disclose if they are receiving the taxpayer-subsidized health care benefits that are provided to all Federal Government employees, including Members of Congress. My bill has not been brought up for a debate or a vote yet, even though it's a simple bill to make more information available to the American people about the benefits that we in Congress enjoy.

Finally, I want to address another serious issue about this bill and how it could affect tens of millions of middle class Americans. During the committee debate on this bill, it was certified by the nonpartisan Joint Committee on Taxation that Social Security benefits generally are not added back in determining one's modified adjusted gross income for other benefits that they receive, such as IRA contributions, student loan interest, and adoption tax benefits. But we are changing that definition today for consideration of who can obtain tax credits to purchase private health insurance. I argued, and no one corrected me during that debate, that this bill could be the Republicans' first step on a slippery slope to limit middle class Americans' ability to claim certain deductions for retirement security, college tuition expenses, and even adoptive assistance—yes, the first step on the Republican plan to raise taxes on working class families. And this morning, my fears

are being proven correct. Right now, the Oversight Committee is discussing a report they wrote questioning the tax cuts provided to working families to afford health insurance in the Affordable Care Act.

They don't argue that the tax cuts are too limited or too weak; they actually argue that the tax cuts are too generous to working families and that too many Americans will benefit from tax cuts that will make obtaining private health insurance cheaper. The Oversight Committee report states that the health care law will "take millions of people off the tax rolls." And let me continue from the report that says Americans receiving these tax cuts in the health care law will have their taxes reduced and "will no longer pay the cost of government by contributing federal income taxes."

What that means is because the tax cuts in the law will lower taxes for people so they can afford health insurance. It's amazing how tax cuts for millionaires are sacrosanct, but tax cuts for working people so they can get affordable health care coverage so their kids can see a doctor are somehow evil. Let's end the hypocrisy with respect to health care and Medicare for our constituents and end the lies about the Affordable Health Care Act, and let's not pass this bill.

Mrs. BLACK. Mr. Speaker, I yield the customary 1 minute to the gentleman from Virginia, Majority Leader CANTOR.

Mr. CANTOR. I thank the gentlelady.

Mr. Speaker, it is clear that many businesses across this country are feeling the ill effects of the regulatory and tax burdens placed upon them by continued policies coming out of Washington and this administration. Small businesses in particular, the backbone of our economy, face a cloud of uncertainty. This uncertainty prevents entrepreneurs from taking a risk, from starting a business and from creating jobs.

Mr. Speaker, House Republicans want to work with our colleagues across the aisle, and we want to help empower these small businessmen and women to, once again, be the engine that drives our economy. This is the focus of the House Republican plan for America's job creators, Mr. Speaker. This is about jobs.

There are some who repeatedly claim that they want to vote on a jobs bill. Well, we passed one yesterday on a bipartisan basis. And today, we'll have another chance, and we will pass another. Currently, the House has passed 16 bills focused on job creation that are sitting idly in the U.S. Senate.

Mr. Speaker, the President has traveled the country telling Americans, "we can't wait" to pass some jobs bills. Well, we aren't waiting. We continue to pass jobs bills. Perhaps it's time for the President to deliver the "we can't wait" message to the other body in the Capitol.



Today, the House will take another step in solving our jobs crisis by repealing the 3 percent withholding rule. Under this rule, Federal, State, and many local governments will be required to withhold 3 percent of all government payments made to contractors and suppliers. The impact of this rule will be huge accounting burdens on governments and potentially harmful cash flow disruptions for suppliers, contractors, and subcontractors. Those are dollars, Mr. Speaker, that could otherwise be used to grow a business or hire more workers.

□ 1000

The cost of this law would then be felt by State and local governments and by universities like Virginia Commonwealth University, which told me it is an “unreasonable burden on an institution of higher education,” that it is an unreasonable burden on heavy equipment dealers and on other businesses across the country. Compliance costs would move capital that otherwise would be used to hire additional workers to the government.

Many of my fellow Virginians in the county in which I live will be severely impacted. For example, if this law had been in effect in 2009 and 2010 in the county of Henrico, Virginia, an estimated \$15 million would not have reached small businesses that are already operating within small margins of profit.

Mr. Speaker, this is not the time to be adding additional costs to our job creators. In May of this year, my county manager stated, “The effect of this law may also be harmful to the economy with a significant amount of money being directed to the Federal Government instead of to businesses that will potentially use those funds to create jobs and grow their business.”

By passing another jobs bill, House Republicans are helping companies cope with this era of uncertainty. This is another bipartisan and commonsense solution to support the small business men and women so that they can support and begin to regenerate our ailing economy.

In this past week, Mr. Speaker, we passed the long-awaited free trade agreements and the Veterans Opportunity to Work Act. Next week, we will further help entrepreneurs access capital with the Access to Capital for Job Creators Act.

The President says, We can't wait.

We agree. It's time to get America working again. We call upon the Senate, not only to act on this jobs bill, but on the other 16 jobs bills that currently sit idly in the Senate.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan.

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

Mr. LEVIN. I yield to the gentleman from New York.

Mr. CROWLEY. I thank my colleague from Michigan for yielding.

I just want to note for the record that the majority leader did not challenge my point that, if this bill passes, it will, in fact, increase taxes on the middle class.

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

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

I am here today to speak on my bill, H.R. 2576, which would save \$13 billion by ensuring that Medicaid dollars go to those who are most in need.

When the Affordable Care Act was passed, it created a new income formula that determines the eligibility for government-subsidized health insurance. The Modified Adjusted Gross Income, more commonly known as MAGI, deviated from other Federal assistance programs in failing to include Social Security benefits as income. Let me repeat that: the new income formula for Medicaid, CHIP, and exchange subsidies deviated from the eligibility requirements for other Federal assistance programs. Supplemental security income, Supplemental Nutrition Assistance Programs, also known as food stamps, Temporary Assistance for Needy Families, and public housing all include—all include—the Social Security benefit as income.

Congress didn't know that then, but we know now that the Affordable Care Act had the unintended consequence of allowing a couple with close to \$60,000 in income to qualify to receive Medicaid benefits. Let me put it in more stark terms. Changing the income formula could result in individuals whose incomes are up to 400 percent of the Federal poverty level receiving Medicaid. This is unacceptable, and I very strongly believe that it is our duty to ensure that the very scarce Medicaid resources will be there for the most in need.

It is incorrect to assert that this legislation unfairly targets widows, survivors, or the disabled. This is the equivalent of asserting that public housing or the SNAP unfairly target widows, survivors or the disabled simply because, when accounting for resources, these programs consider the source of income.

The health care law's deviation from the typical method of counting income results in taxpayer dollars being directed to individuals who do not meet the standard definition of “low income.” According to the current law, a couple that is on Social Security benefits and has a total income of \$22,000 a year would have a higher income than a couple earning \$58,000 a year for the purpose of determining their eligibility for Federal subsidies in the exchange. I am not the only one who thinks so.

At the July 14 Budget Committee hearing, I asked Richard Foster, the CMS chief actuary, about the income eligibility issue. He said, “I don't generally comment on the pros or cons of policy, but that just doesn't make sense.” Foster had previously compared the MAGI glitch to allowing mid-

dle-income Americans to qualify for food stamps. Additionally, Richard Sorian, who is the HHS Assistant Secretary for Public Affairs, conceded, “As a matter of law, some middle-income Americans may be receiving coverage through Medicaid, which is meant to serve only the neediest Americans.”

Primarily, my bill is about fairness. We must accurately account for poverty in Federal assistance programs. My commonsense, bipartisan solution has a companion bill in the Senate, which is sponsored by HELP Committee Ranking Member MIKE ENZI; and H.R. 2576 passed out of Ways and Means with bipartisan support.

As has already been reported, President Obama, himself, recognizes the problem on page 41 of his recent debt reduction plan where he explicitly proposes the entire amount of Social Security benefits be included in the definition of “income.”

Mr. Speaker, we must bring Medicaid back into line with other Federal assistance programs and limit improper payments to those who should not receive Medicare benefits.

I reserve the balance of my time.

Mr. LEVIN. I yield such time as he may consume to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Speaker, I would like to engage in a colloquy with the gentlelady.

You suggested this change of MAGI as it pertains to tax credits that are eligible to the middle class under the Affordable Care Act; is that correct?

Mrs. BLACK. Will the gentleman yield?

Mr. CROWLEY. I yield to the gentlelady from Tennessee.

Mrs. BLACK. That is correct.

Mr. CROWLEY. Are you also going to make that same suggestion that we change the adjusted gross income for eligibility for the purposes of IRA contributions?

Mrs. BLACK. Sir, we're talking about social benefit programs.

Mr. CROWLEY. I understand that. We're talking about tax credits for health care.

You don't want to make certain individuals eligible for those tax credits; isn't that correct? Your attempt here is to not make certain people who under the Affordable Care Act today would be eligible for certain tax credits ineligible; is that correct?

Mrs. BLACK. As the bill proposes, this would put it into alignment with other Federal assistance programs. That's the intent of the bill.

Mr. CROWLEY. My question is either “yes” or “no.” You can answer your way, but it's a simple question.

Under the Affordable Care Act, would the people who can receive tax credits today be denied those tax credits if your bill were to pass today?

Mrs. BLACK. I have answered your question.

Mr. CROWLEY. If you will continue with me under my time, would you then suggest that we now do that for

other areas of the Code not pertaining to the lower class or the poor in this country? I'm not suggesting we do that. I'm talking specifically of the middle class.

Should we extend that logic or maybe enhance your bill to include IRA contributions, student loan interest and adoption tax credits, which are focused on the middle class?

Again, we're not talking about the poor. They're covered. We're talking about individuals who are struggling to survive right now in this economy, who are struggling to put food on their tables, to pay for their student loans or their children's student loans, to put away money for retirement, who maybe have the opportunity for the first time in their lives to afford health insurance. Under your bill, you would take those credits away. Are you suggesting that we take them away?

It's a slippery slope. You start here. Let's just look at the overall Tax Code. We'll change major portions then.

□ 1010

What about the IRA contributions that that person would be making? What about the student loan interest, the adoption tax credits? Should we also limit their ability to take advantage of those provisions of the law?

The silence is deafening. The silence is deafening because the reality is, Mr. Speaker, this is a slippery slope. You take away opportunities for the middle class to afford health insurance under the Affordable Care Act by whittling away at it. It's the middle class who are hurt here.

We're not talking about the poor; we're not talking about the least amongst us. We're talking about the middle class that under the Affordable Care Act would have the opportunity to afford insurance for the first time, and this legislation, this legislation, I can't even say as well intentioned as it may be, it is not well intentioned.

There is nothing about this bill that is well intentioned. It is simply to take away a provision that this Congress and our President made available for the first time in people's lives. They want to take it away for the middle class.

Let's put everything aside—that's what we're doing today—and I'm suggesting maybe this is just the first step, that maybe the next step will be limiting the ability of individuals to put away money for retirement in their IRA, limiting the availability for students or the parents to pay for a college education, and lastly, and probably most egregious, the adoption tax credits, taking them away. I mean, that's where this is going.

I thank my colleague from Michigan once again for yielding me the time.

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

It is difficult to recognize the argument on this when we have bipartisan support. And once again, I want to read the Statement of Administration Policy that came out on October 25 from the executive office of the President, and it reads:

“The administration supports passage of H.R. 2576, which would change the calculation of modified adjusted gross income, as defined in section 1401 of the Affordable Care Act, to include both taxable and nontaxable Social Security benefits. Beginning in 2014, this income definition will be used to determine financial eligibility for Medicaid and the State Children's Health Insurance Program, and for premium tax credits and cost-sharing reductions available through Affordable Insurance Exchanges. The administration looks forward to working with the House to ensure the bill achieves the intended result.”

I think that speaks for itself.

EXECUTIVE OFFICE OF THE PRESIDENT,  
OFFICE OF MANAGEMENT  
AND BUDGET,

Washington, DC, October 25, 2011.

STATEMENT OF ADMINISTRATION POLICY

H.R. 2576—MODIFY INCOME CALCULATION FOR ELIGIBILITY FOR CERTAIN HEALTH PROGRAMS (REP. BLACK, R-TN, AND 3 COSPONSORS)

The Administration supports passage of H.R. 2576, which would change the calculation of modified adjusted gross income, as defined in section 1401 of the Affordable Care Act, to include both taxable and non-taxable Social Security benefits. Beginning in 2014, this income definition will be used to determine financial eligibility for Medicaid and the State Children's Health Insurance Program, and for premium tax credits and cost-sharing reductions available through Affordable Insurance Exchanges. The Administration looks forward to working with the House to ensure the bill achieves the intended result.

I reserve the balance of my time.

Mr. LEVIN. Does the majority have additional speakers? If so, I reserve the balance of my time.

Mrs. BLACK. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. HERGER).

Mr. HERGER. I applaud my good friend from Tennessee for her leadership. This should not be a difficult question. Even the President supports this.

I believe the Medicaid expansion and premium subsidies in last year's health care overall are wasteful and should be repealed, but even for those who support these policies, there's no reason to ignore an entire category of income. Under current law, a person with \$30,000 in Social Security benefits and \$20,000 in other income would get a much larger health insurance subsidy than a person who earns \$50,000 in wages.

That makes no sense, and it's a disincentive to work. Let's treat everyone fairly and vote for this bill.

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

Mrs. BLACK. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. BRADY), a member of the Ways and Means Committee.

Mr. BRADY of Texas. I want to thank Congresswoman BLACK for her leadership on this very commonsense issue, so commonsense at a time where it seems like Democrats and Republicans and the President in Washington

rarely agree on anything, we all agree on this, on closing this loophole in the President's health care plan that really should have never been there in the first place.

We got good news last week when the President rescinded another big flaw in the President's health care plan, when he gave up on the CLASS Act. It was a plan for nursing home care and later care for elderly that was financed in a way that even Senate Democrats labeled it a Ponzi scheme. Thankfully, that's been repealed.

Today we're here to repeal another loophole in a really nonsensical part in the President's health care plan for couples who make more than the national average in income, \$64,000 per year. Today, under the law, they can qualify for Medicaid. That's a program for the very poor in America. That's a program we don't have enough money for as it is.

And at a time when 25 million people are either out of work or can't find a full-time job, shouldn't our hard-earned tax dollars go to those who can't afford anything rather than those who are blessed with \$5,000 or more a month to make ends meet; at a time, again, it seems to me, that a couple making four times the Federal poverty level shouldn't be able to draw down the dollars that you and I pay to help those who are truly needy in America, who, by the way, are growing by the day?

I will say my good friend from New York is very passionate about this issue, and I appreciate his passion, but this isn't about young kids paying off college student loans. This is not about couples struggling to make ends meet. This is about making sure couples making as much as \$64,000 a year don't use the money that we reserve for our poorest in America.

Mr. CROWLEY. Will the gentleman yield?

Mr. BRADY of Texas. Not at this time.

And I appreciate the gentleman from New York's effort on this. This is not about taxing millionaires and billionaires.

In fact, let me yield for just a moment.

Mr. CROWLEY. I appreciate it. And in friendship, while the gentleman is a fair Member of the other side of the aisle, we work very well together on a number of issues.

You make out the point about \$64,000 a year as being—I won't say wealthy.

Mr. BRADY of Texas. Oh, no.

Mr. CROWLEY. But you are suggesting maybe on \$64,000 a year that people are living a little bit of the high life.

Mr. BRADY of Texas. Actually, I was making the point that the very poor need our resources.

Mr. CROWLEY. Will the gentleman continue to yield?

Mr. BRADY of Texas. I tell you what, maybe we can continue this conversation off the floor. I know you feel strongly.

Mr. CROWLEY. I was just suggesting, in my district in Queens, New York, or in the Bronx, \$64,000 doesn't get you very far. It just doesn't.

Mr. BRADY of Texas. For those who are making \$20,000 a year, it goes even less far.

Reclaiming my time, we've had great discussions about this, but, again, Medicaid should be for those who are very poor.

This loophole is being closed, and thankfully the President agrees with us. The Senate Democrats and Republicans join with us to close this loophole. That has to tell you that this is a loophole that Republicans and Democrats, the White House all agree needs to be closed.

Again, I thank Congresswoman BLACK for her leadership on this commonsense issue, and I urge support.

Mr. LEVIN. Is the majority ready to close?

Mrs. BLACK. We are ready to close.

Mr. LEVIN. I yield to the gentleman from New York, and then I will close.

Mr. CROWLEY. I thank the gentleman from Michigan once again.

It's been said on the floor, once again, this bill has bipartisan support. I don't doubt that it probably will at the end of the day, but somehow that's the magic formula for doing the right thing. I would suggest there are many things that were done on this floor that enjoy bipartisan support. The Iraq war, unfortunately, had bipartisan support. I was one of those who supported it. I think many today would suggest that maybe that wasn't the right thing to do.

□ 1020

Just as an example, the point I was making with my friend, the gentleman from Texas, this magic number of \$63,000 or \$64,000 as being a wonderful income, not if you live in Queens or the Bronx; you're barely making it. I'm not talking about people who are destitute. I'm not talking about people who are suffering. We know they exist. Many of my colleagues on the other side of the aisle would like to do away with the Medicaid system. Many of my colleagues on the other side of the aisle would like to do away with the Medicare system. I'm not suggesting that you're talking about this in the bill.

But what I am suggesting, though, is that you think that people making \$63,000 or \$64,000 are living high on the hog. They're not. Not in my district they're not. They can barely afford their home. They can barely afford to send their children to school. They can barely afford to put food on the table, and many of them cannot even afford ownership of a health insurance policy to take care of their children let alone themselves. And that's what I'm talking about, giving people that opportunity.

I don't care if the President is going to sign this bill. It doesn't make it right. It doesn't make it right. We should not be degrading. We should not be degrading hardworking Americans, middle class Americans who are trying to do the best for their families.

This bill should have never gotten out of committee, and it shouldn't be on the floor in the manner it is.

I thank the gentleman from Michigan for again yielding.

Mr. LEVIN. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 14½ minutes.

Mr. LEVIN. First of all, I'm glad that the majority leader came to the floor to talk about jobs. This set of bills is not a jobs bill. To call it that is a pure smoke screen. I quoted Mark Zandi before: "I don't think it's meaningful in terms of jobs. It's more trying to clean up something that needs cleaning up." That's the 3 percent withholding bill.

The Majority Leader called upon the Senate to act, to act on bills that essentially would allow mercury to continue to be accessible. And other bills that are called jobs bills, deregulation where it's necessary to regulate, that's a jobs bill? And the Majority Leader called again on the Senate to act.

We haven't had a single hearing here in the House on the President's jobs bill. Not a single hearing.

The President has proposed to cut the payroll tax in half for 98 percent of the businesses. A complete payroll tax holiday for adding workers; extending 100 percent expensing, not a single hearing on that.

Preventing up to 280,000 teacher layoffs, not a single hearing on that. Don't call on the Senate. The majority leader should call on the House himself and the committees to hold hearings on these bills.

The infrastructure bill, a bipartisan national infrastructure bank, not a single hearing.

And then unemployment insurance, at the end of this year, in next month, a million people will lose their unemployment benefits if we don't act and extend the Federal program; and a million and a half by mid-February. So I call upon the House to act.

A \$4,000 tax credit to employers for hiring the long-term unemployed, not a single hearing. No action. I suggest to the majority they not look to the other body, but to look to themselves.

So I'm glad the Majority Leader came here. Now, I want to say just a word about the bill right before us. Mr. CROWLEY has suggested that we look at the facts, and I think we should. Before we vote, I think all of us want to know what we're voting on. And essentially this revision of the modified adjusted gross income provision in terms of potential impact on health care, according to the Joint Tax Committee and the CBO, will likely have this effect, and I want everybody to understand it: between 500,000 and a million individ-

uals will no longer be eligible for Medicaid. That's their estimate. Of those who no longer are eligible for Medicaid, about 500,000 will be eligible for tax credits unless the Republicans ever succeeded in eliminating them. But of that additional number, between 500,000 and a million, about 500,000 people as a result, if this bill becomes law, will likely lose their health coverage altogether unless they had available to them insurance through their employer. That's the estimate of the Joint Tax Committee.

We're talking about vulnerable populations here. We're talking about early retirees, and we're talking about the disabled. And we need to understand those facts as presented by the Joint Tax Committee and by CBO.

A second problem here is that essentially we're using a provision relating to health to address a business tax problem. It is a problem for the government and for the business community in the 3 percent withholding provision which we should repeal.

But we should understand the implications. The Ways and Means Committee has traditionally said don't do it that way. Let's also remember that we're going to have before us a provision relating to physician reimbursement rates in Medicare, and we're going to have to find the funds to pay for it. And essentially what would be doing now is to use up a provision that impacts health and lose the possibility of using it in terms of improving health programs, such as reimbursement.

The last point I want to make is we tried to present an alternative, an alternative within business taxation. It relates to the taxation of the oil and gas industry. Mr. BLUMENAUER earlier talked about things that were kind of done in the dark of night and this provision, the 3 percent, if it wasn't the dark of night, it wasn't fully in the daylight.

But the oil and gas provision in section 199 was added, indeed, in the dark of night. It provided some tax benefits to the oil and gas industry in a bill that related to manufacturing when oil and gas did not fall within that purview. And it was essentially put in in the dark of night, and it would be much preferable to address that issue and pay for the bill that needs to pass rather than essentially starting on a path that Mr. CROWLEY has described that, according to CBO and the Joint Tax Committee, is likely to lead up to half a million people having no health coverage at all.

Everybody should understand that price, and then everybody can make up their own mind, but they should understand what's involved here. This is not a technical change. It isn't a glitch. It is a tax definition, by the way, as Mr. CROWLEY has pointed out; and it also applies to other areas where I think we need to be very careful in terms of its application.

So those are the facts and everybody can make up their own mind. But let's

not pretend this is a jobs bill when the majority here has essentially had a deaf ear to bringing up the jobs bill presented by the President. And let's not pretend that this will have no impact on health insurance and health coverage for lots of people who are the early retirees and the disabled.

□ 1030

These, by and large, are not wealthy people. And there are examples given that are true in the extreme. But for the mainstream in this country, the early retirees and the disabled, they're not on the fringes in terms of income, in terms of wealth.

These are the facts. I hope as everybody comes to vote on this bill—this second bill—they will look at the facts and make up their own mind.

I yield back the balance of my time. Mrs. BLACK. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore. The gentlewoman from Tennessee is recognized for 17 minutes.

Mrs. BLACK. Thank you, Mr. Speaker.

This bipartisan solution would bring Medicaid back into line with other Federal assistance programs and ensure that the program is there for those who most need it. Furthermore, according to the CBO and the Joint Tax Committee estimates, this bill would save taxpayers approximately \$13 billion over 10 years. And considering our \$14 trillion in national debt, closing this loophole as soon as possible is a good policy on a number of levels. I am delighted that both the President and other Members across the aisle support this bill.

I yield back the balance of my time.

Mr. MARCHANT. Mr. Speaker, I rise to support H.R. 2576. This bill would count the entire Social Security benefit, rather than just the portion that is taxable for income tax purposes, as income for determining eligibility for Exchange subsidies, Medicaid, and CHIP.

This bill is both good policy and good economics. The 2010 health care law uses a uniform definition of modified adjustment gross income—or “MAGI”—to determine eligibility for Exchange subsidies, Medicaid, and Children's Health Insurance Program, CHIP. By using a uniform basis of eligibility, the current health law doesn't properly take account of the entire Social Security benefit. This understates the resources available to some households; which thus allows some individuals to game the system.

To illustrate, allow me to cite a report by the Associated Press, dated June 21, 2011. In the report, the Chief Actuary for federal health programs, Richard Foster, determined that “a married couple could have an actual income of about \$64,000 and still get Medicaid” under the current definition. There is no sound logic to this. In the same article, Foster adds, “I don't generally comment on the pros and cons of policy, but that just doesn't make sense.”

In addition, CBO and JCT have estimated the bill would reduce the deficit by \$13 billion over ten years.

H.R. 2576 is good policy and good economics. I urge my colleagues to support this bill.

Mr. STARK. Mr. Speaker, I rise in opposition to H.R. 2576, legislation brought forth by House Republicans today. It is being considered in order to pay for the previous bill that eliminates a Republican-written provision in law requiring a 3 percent withholding tax on payments to government contractors.

H.R. 2576 changes a provision of the new health reform law that defines income for purposes of qualifying for financial help obtaining health insurance. The effect of the bill is to reduce the number of Americans eligible for financial assistance with their health insurance costs. In fact, the Congressional Budget Office estimates that, if enacted, it will cause up to a half a million people to lose access to affordable health coverage.

My colleagues on the other side of the aisle will gleefully point to support by the Administration as a compelling reason to support this legislation. I respectfully disagree and believe the Administration is dead wrong on this one.

First, the Administration decided on its own—without consultation with Congress who wrote the Affordable Care Act—that this definition of income was a “glitch” in the law. They are wrong.

This definition excludes non-taxable Social Security income from the definition of income. As a result, it helps to assure that more people who obtain Social Security between ages 62 through 64 and people who qualify for Social Security because of severe disabilities have access to affordable health coverage. That wasn't a glitch. It was intentional. Making the change proposed in this bill saves money by kicking these very vulnerable people out of eligibility for financial help with their health insurance costs.

It's also important to note that we intentionally picked up this exclusion from the definition of income because this exclusion is typically applied for purposes of qualifying for other tax credits and benefits.

While I oppose this bill on its own merits, I also take issue with its pairing with the 3 percent withholding legislation. Yesterday, Ways and Means Ranking Member LEVIN went to the Rules Committee with an alternative way to finance the 3 percent withholding bill. His alternative would have offset the cost of this business tax cut by closing a tax loophole improperly enjoyed by oil and gas industry giants. Yet, Republicans prohibited his amendment from being brought to the floor for our consideration today.

Clearly, Republicans believe the needs of the highly profitable oil and gas industry outweigh the need for early retirees and people with disabilities to afford health insurance.

With H.R. 2576, Republicans are forcing these vulnerable people to pay for yet another tax break for business. It's the wrong thing to do and I urge my colleagues to join me in voting no.

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

Pursuant to House Resolution 448, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 262, nays 157, not voting 14, as follows:

[Roll No. 813]

YEAS—262

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

NAYS—157

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

NOT VOTING—14

Ackerman	Hinchev	Turner (NY)
Bachmann	Miller, Gary	Visclosky
Clay	Polis	Wilson (FL)
Giffords	Ros-Lehtinen	Young (AK)
Grimm	Ryan (OH)	

□ 1058

Messrs. ROTHMAN of New Jersey, GARAMENDI, ELLISON, and LARSON of Connecticut changed their vote from “yea” to “nay.”

Mr. WELCH changed his vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GRIMM. Mr. Speaker, on rollcall No. 813, I had district work that required my presence. Had I been present, I would have voted “yea.”

3% WITHHOLDING REPEAL AND JOB CREATION ACT

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of the bill (H.R. 674) to amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, will now resume.

The Clerk read the title of the bill.

MOTION TO RECOMMIT

Mr. ANDREWS. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. ANDREWS. Yes, I am, in its present form.

Mr. CAMP. Mr. Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Andrews moves to recommit the bill H.R. 674 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

**SECTION 1. DENIAL OF RELIEF TO COMPANIES FOUND DELINQUENT IN PAYING THEIR FEDERAL TAXES.**

(a) IN GENERAL.—Paragraph (1) of section 3402(t) of the Internal Revenue Code of 1986 is amended by striking “any person providing” and inserting “any Federal tax delinquent which provides”.

(b) FEDERAL TAX DELINQUENT.—Subsection (t) of section 3402 of such Code is amended by redesignating paragraph (3) as paragraph (4) and by inserting after paragraph (2) the following new paragraph:

“(3) FEDERAL TAX DELINQUENT.—The term ‘Federal tax delinquent’ means any person who owes a delinquent tax debt (as defined in section 6103(1)(22)(C)).”

(c) CONFORMING AMENDMENT.—Subsection (t) of section 3402 of such Code is amended by inserting “TO FEDERAL TAX DELINQUENTS” after “PAYMENTS MADE BY GOVERNMENT ENTITIES” in the heading thereof.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to payments made after December 31, 2011.

Mr. CAMP (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the motion be dispensed with.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey is recognized for 5 minutes in support of his motion.

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

Mr. ANDREWS. Mr. Speaker, this ends yet another week for the House of Representatives without consideration of a meaningful jobs bill. More meaningfully, though, this concludes another week where a nightmare is about to come true for our constituents. This is another week without a paycheck for a lot of Americans. It might be the week that their unemployment benefits expire. This might be the day that someone shuts down their small business and closes the doors for the last time. This might be the week that the foreclosure notice is executed and someone loses their home. This has been a bad week for a lot of Americans. It’s been a bad time for a lot of Americans. But what they have lost is not

simply their job, not simply their business, not simply their health insurance or their pension. Many of our neighbors have lost their basic faith that America is fair.

Mr. Speaker, 50 percent—50 percent—of the American people recently surveyed said the American Dream was either dead or on life support. They see in the halls of big institutions, they see on Wall Street and they see in the Halls of Congress a basic sense that America is not fair anymore, that the basic deal that if you work as hard as you can, give as much as you can and do as much as you can that you can go as far as your abilities will take you, too many of our constituents no longer believe that.

My motion makes what I believe is an improvement to a good bill. I’m going to support this bill that says that no small business person should have to make an interest-free loan to the Federal Government to do business with the government. I think that’s exactly right. But here’s the improvement it makes. It recognizes that some who would take advantage of that provision are taking advantage of our tax system and not paying their fair share.

When I say “not paying their fair share,” I’m not talking about policy or arguing about tax rates. I’m talking about someone who is delinquent on their taxes and cheating the rest of us. So when someone looks at their pay envelope this afternoon and sees what’s taken out in FICA and Federal withholding tax, they’re paying their fair share. Some like it, many do not, but they’re paying their fair share. Why should it be that someone who is not paying their fair share to support this country should take advantage of this very good bill? I say they shouldn’t.

So my improvement to this bill is very simple. If you run a barber shop or a software company or a delicatessen or a manufacturing plant, you no longer have to make an interest-free loan to the government to do business with the government. I agree with that, and I salute the authors of the bill. But if you are delinquent on your taxes, if you haven’t paid your fair share, if you are cheating the rest of the community, then you may not take advantage of this opportunity.

This amendment is not just about improving the revenue flow to the Federal Government. It’s about making the country a little more fair again. It’s about saying that those who follow the rules, our small businesses, our middle class citizens, those who follow the rules can take advantage of the law, but those who do not follow the rules may not take advantage of the law. I think the American people want to see that in big hospitals and insurance companies; I think they want to see that on Wall Street; and I think they want to see it right here on the floor of this Chamber.

So let’s cast a vote today not just for an improvement to this bill, but let’s make America a little more fair. Let’s

make the American Dream a little more alive. Let's stand for the proposition that those who play by the rules benefit from the rules, but those who break the rules do not.

The question raised, colleagues, by this amendment is this: Where do you stand? Do you stand with small businesses and middle class people who follow the rules, or do you follow with those who would violate the rules and pillage the American system?

The American people have had enough of this. We need to do far more than this to restore fairness to our country, but this is a good start. I would urge a "yes" vote on this motion.

Mr. CAMP. Mr. Speaker, I withdraw my point of order and seek time in opposition to the motion.

The SPEAKER pro tempore (Mr. DENHAM). The gentleman's reservation is withdrawn.

The gentleman from Michigan is recognized for 5 minutes.

Mr. CAMP. Mr. Speaker, the underlying bill that we're talking about here today which repeals the 3 percent across-the-board rule is cosponsored by two-thirds of this House. This bill has been endorsed by the President of the United States as is. And when the current minority was in the majority, in the stimulus bill they offered this exact legislation, full repeal, without any complications. And then when the final version came over, it was full repeal for 1 year without any changes or complications. I obviously am in strong opposition to this motion to recommit.

Then we get the analysis from the Joint Committee on Taxation which says, in typical understatement from the joint committee: Your proposal poses some administrative difficulties. Some?

The burden is going to be on State and local governments to figure out which contractors are or are not delinquent. And either there's a violation of taxpayer privacy, which I don't think anybody in this House would support, a violation of rule 6103, or very complex procedures are going to have to be put in place for government to figure out which contractors are in compliance and which aren't.

As the Joint Committee on Taxation goes on to say: The IRS would need to build the infrastructure to handle the volume of requests from State and local government entities. Implementation difficulties limit somewhat the revenue gain from withholding on State and local governments.

□ 1110

This is more complication in the Tax Code. It goes against what a majority of this House wants to do. It goes against what the President of the United States wants to do. Vote "no" on this motion to recommit.

I yield back the balance of my time.  
The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 183, noes 235, not voting 15, as follows:

[Roll No. 814]

AYES—183

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

NOES—235

Adams	Barletta	Bilirakis
Aderholt	Bartlett	Bishop (UT)
Akin	Barton (TX)	Black
Alexander	Bass (NH)	Blackburn
Amash	Benishek	Bonner
Amodei	Berg	Bono Mack
Austria	Biggert	Boustany
Bachus	Bilbray	Brady (TX)

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

NOT VOTING—15

Ackerman	Hinchey	Ros-Lehtinen
Bachmann	Miller, Gary	Turner (NY)
Cicilline	Platts	Visclosky
Giffords	Poe (TX)	Wilson (FL)
Grimm	Poils	Young (AK)

□ 1128

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. GRIMM. Mr. Speaker, on rollcall No. 814, I had district work that required my presence. Had I been present, I would have voted "no."

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 405, nays 16, not voting 12, as follows:

[Roll No. 815]

YEAS—405

Adams	Crenshaw	Higgins
Aderholt	Critz	Himes
Akin	Crowley	Hinojosa
Alexander	Cuellar	Hirono
Altmire	Culberson	Hochul
Amash	Cummings	Holden
Amodei	Davis (CA)	Holt
Andrews	Davis (IL)	Honda
Austria	Davis (KY)	Hoyer
Baca	DeFazio	Huelskamp
Bachus	DeGette	Huizenga (MI)
Baldwin	DeLauro	Hultgren
Barletta	Denham	Hunter
Barrow	Dent	Hurt
Bartlett	DesJarlais	Inlee
Barton (TX)	Deutch	Israel
Bass (CA)	Diaz-Balart	Issa
Bass (NH)	Dicks	Jackson (IL)
Becerra	Dingell	Jenkins
Benishkek	Doggett	Johnson (GA)
Berg	Dold	Johnson (OH)
Berkley	Donnelly (IN)	Johnson, E. B.
Berman	Doyle	Johnson, Sam
Biggart	Dreier	Jones
Bilbray	Duffy	Jordan
Bilirakis	Duncan (SC)	Kaptur
Bishop (GA)	Duncan (TN)	Keating
Bishop (NY)	Ellison	Kelly
Bishop (UT)	Ellmers	Kildee
Black	Emerson	Kind
Blackburn	Engel	King (IA)
Blumenauer	Eshoo	King (NY)
Bonner	Farenthold	Kingston
Bono Mack	Farr	Kinzinger (IL)
Boren	Fattah	Kissell
Boswell	Filner	Kline
Boustany	Fincher	Labrador
Brady (PA)	Fitzpatrick	Lamborn
Brady (TX)	Flake	Lance
Braley (IA)	Fleischmann	Landry
Brooks	Fleming	Langevin
Broun (GA)	Flores	Lankford
Brown (FL)	Forbes	Lansky (WA)
Buchanan	Fortenberry	Larson (CT)
Bucshon	Foxx	Latham
Buerkle	Frank (MA)	LaTourette
Burgess	Franks (AZ)	Latta
Burton (IN)	Frelinghuysen	Levin
Butterfield	Gallegly	Lewis (CA)
Calvert	Garamendi	Lewis (GA)
Camp	Gardner	Lipinski
Campbell	Garrett	LoBiondo
Canseco	Gerlach	Loebisack
Cantor	Gibbs	Long
Capito	Gibson	Lowe
Capps	Gingrey (GA)	Lucas
Capuano	Gohmert	Luetkemeyer
Cardoza	Gonzalez	Lujan
Carnahan	Goodlatte	Lummis
Carney	Gosar	Lungren, Daniel
Carson (IN)	Gowdy	E.
Carter	Granger	Lynch
Cassidy	Graves (GA)	Mack
Castor (FL)	Graves (MO)	Maloney
Chabot	Green, Al	Manzullo
Chaffetz	Green, Gene	Marchant
Chandler	Griffin (AR)	Marino
Chu	Griffith (VA)	Markey
Cicilline	Grijalva	Matheson
Clarke (MI)	Guinta	Matsui
Clay	Guthrie	McCarthy (CA)
Cleaver	Hahn	McCarthy (NY)
Clyburn	Hall	McCaul
Coble	Hanabusa	McClintock
Coffman (CO)	Hanna	McCollum
Cohen	Harper	McCotter
Cole	Harris	McDermott
Conaway	Hartzler	McGovern
Cornolly (VA)	Hastings (FL)	McHenry
Conyers	Hastings (WA)	McIntyre
Cooper	Hayworth	McKeon
Costa	Heck	McKinley
Costello	Heinrich	McMorris
Courtney	Hensarling	Rodgers
Cravaack	Herger	McNerney
Crawford	Herrera Beutler	Meehan

Meeks	Renacci	Sires
Mica	Reyes	Slaughter
Michaud	Ribble	Smith (NE)
Miller (FL)	Richardson	Smith (NJ)
Miller (MD)	Rigell	Smith (TX)
Miller (NC)	Rivera	Smith (WA)
Miller, George	Roby	Southerland
Moore	Roe (TN)	Speier
Moran	Rogers (AL)	Stearns
Mulvaney	Rogers (KY)	Stivers
Murphy (CT)	Rogers (MI)	Stutzman
Murphy (PA)	Rohrabacher	Sullivan
Myrick	Rokita	Sutton
Nadler	Rooney	Terry
Napolitano	Ros-Lehtinen	Thompson (CA)
Neal	Roskam	Thompson (PA)
Neugebauer	Ross (AR)	Thornberry
Noem	Ross (FL)	Tiberi
Nugent	Rothman (NJ)	Tierney
Nunes	Roybal-Allard	Tipton
Nunnelee	Royce	Tonko
Olson	Runyan	Towns
Owens	Ruppersberger	Tsongas
Palazzo	Rush	Turner (NY)
Pallone	Ryan (OH)	Turner (OH)
Pascrell	Ryan (WI)	Upton
Pastor (AZ)	Sánchez, Linda	Van Hollen
Paul	T.	Velázquez
Paulsen	Sanchez, Loretta	Walberg
Pearce	Sarbanes	Walden
Pelosi	Scalise	Walsh (IL)
Pence	Schiff	Walz (MN)
Perlmutter	Schilling	Wasserman
Peters	Schmidt	Schultz
Peterson	Schock	Watt
Petri	Schrader	Waxman
Pingree (ME)	Schwartz	Webster
Pitts	Schweikert	Welch
Platts	Scott (SC)	West
Poe (TX)	Scott (VA)	Westmoreland
Pompeo	Scott, Austin	Whitfield
Posey	Scott, David	Wilson (SC)
Price (GA)	Sensenbrenner	Wittman
Price (NC)	Serrano	Wolf
Quayle	Sessions	Womack
Quigley	Sewell	Yarmuth
Rahall	Sherman	Yoder
Rangel	Shimkus	Young (FL)
Reed	Shuler	Young (IN)
Rehberg	Shuster	
Reichert	Simpson	

NAYS—16

Clarke (NY)	Kucinich	Schakowsky
Edwards	Lee (CA)	Stark
Fudge	Lofgren, Zoe	Thompson (MS)
Gutierrez	Olver	Waters
Jackson Lee	Payne	Woolsey
(TX)	Richmond	

NOT VOTING—12

Ackerman	Hinchey	Visclosky
Bachmann	Johnson (IL)	Wilson (FL)
Giffords	Miller, Gary	Woodall
Grimm	Polis	Young (AK)

□ 1145

Ms. BASS of California and Mr. RUSH changed their vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GRIMM. Mr. Speaker, on rollcall No. 815, I had district work that required my presence. Had I been present, I would have voted “yea.”

Mr. JOHNSON of Illinois. Mr. Speaker, on Thursday October 27, 2011 I inadvertently missed the vote on final passage of H.R. 674. I would have cast a “yea” vote.

PERSONAL EXPLANATION

Mr. VISCLOSKY. Mr. Speaker, on October 27, 2011, I was absent from the House and missed rollcall votes 813 through 815.

Had I been present for rollcall No. 813, on passage of H.R. 2576, to amend the Internal

Revenue Code of 1986 to modify the calculation of modified adjusted gross income for purposes for determining eligibility for certain healthcare-related programs, I would have voted “no.”

Had I been present for rollcall No. 814, on a motion to recommit with instructions on H.R. 674, to amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, I would have voted “aye.”

Had I been present for rollcall No. 815, on passage of H.R. 674, to amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, I would have voted “aye.”

The SPEAKER pro tempore. Pursuant to section 3(b) of House Resolution 448, H.R. 2576 is laid upon the table.

ADJOURNMENT TO MONDAY,  
OCTOBER 31, 2011

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 1 p.m. on Monday next.

The SPEAKER pro tempore (Mr. AMASH). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

FORMER MEMBER HOWARD WOLPE

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

Mr. DINGELL. Mr. Speaker, I have sad news for the House today. I rise to inform the House that we lost a former Member of this great institution. He was our friend, Howard Wolpe, who served in this body for 14 years. He was particularly known for his concern for the poor and unfortunate and about peace in the world.

He was a true patriot, a devoted teacher, and a fine statesman. He was a dear friend of mine and many others with whom he served. He shared our collective love for this great Nation and for our State of Michigan. He had an enormous impact upon public policy in Michigan and our country, as well as across the world, which was a positive one. He contributed most of his life to bringing civility to government relations and to making this world a better place—a passion that I was able to witness during his long and distinguished service here.

He served Michigan ably and honorably and went on to serve as the Presidential Special Envoy to Africa’s Great Lakes Region, where he initiated peace talks and helped to end civil wars in Burundi and the Democratic Republic of the Congo.

ROY ROOD

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

Mr. ROONEY. Mr. Speaker, I rise today to honor the life of Roy Rood, who passed away on October 8. Roy was a longtime resident and the founding father of my hometown of Tequesta, Florida.

Mr. Rood was born in 1918 on a farm in Jupiter, Florida, one of 11 children. He spent his early years on the family dairy farm, where he learned the value of a hard day's work and love for working outside. The first Tequesta post office was located on his family's property and was placed on maps of that era as a settlement called "Rood."

Following the attack on Pearl Harbor, Roy joined the Navy, where he served with honor in World War II as an aviation mechanic on an aircraft carrier that was part of the fleet that participated in the Battle of Guam. Following the war, Roy returned home to Florida, where he started a landscaping business that continues today.

Over the past 60 years, Roy Rood helped found American Legion Post 271, the local Kiwanis Club, the First Bank of Jupiter, and the Jupiter Christian School.

The residents of Tequesta are lucky to call Roy Rood our founding father. He will be missed.

#### THE MEMPHIS TIGERS

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

Mr. COHEN. Tonight is going to be the sixth game of the World Series. Sports means money, business, and jobs. The St. Louis economy has been spurred on by the World Series to where they're not cutting employees because they have had increased sales tax. It's the same way with college sports.

I want to encourage all the Big East presidents to consider the University of Memphis for membership. Memphis is a major city. It is the home of Federal Express, International Paper, and other major companies. We don't have a professional football team in Memphis. So if we get in the Big East, in essence, you are our professional football team and the city would rally around it, unlike in Dallas and Houston, where they have professional teams. The Big East is known for basketball.

Rick Pitino, the coach of our rival, the University of Louisville, has suggested Memphis should be in the conference to keep the Big East as a primary basketball conference. What a great thing to see Memphis and Louisville again in a conference game.

We ought to be beyond just dollars—although Memphis can bring them—but also competitive rivalries that make the sport what it has been in the American appetite. I encourage the Big East to include the University of Memphis in its expansion plans.

#### SERGEANT ROBERT B. COWDREY

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

Mr. TIPTON. Mr. Speaker, it is a great privilege to rise in commendation of Sergeant Robert B. Cowdrey, who served our country with great honor and pride. Sergeant Cowdrey gave his life for our country on October 13 while attempting a helicopter rescue of his fellow soldiers under fire.

Sergeant Cowdrey was raised in La Junta, Colorado. He graduated from La Junta High School in 1990. He was a devoted outdoorsman and family man who enjoyed bow hunting. Cowdrey enlisted in the Army in 2003 and was serving his third tour of duty in Afghanistan at the time of his death. Sergeant Cowdrey's duties included flying into active combat zones to deliver medical assistance and rescue troops while under fire. He was highly decorated for his heroic service, earning the Bronze Star and two Army commendations for valor.

Mr. Speaker, I rise today to pay tribute to Sergeant Cowdrey, a selfless American hero whose bravery and sacrifice for our country are examples of what makes this country great. My thoughts and prayers are with his wife, Jill, and their three sons, Justin, Jacob, and Nathan, and the entire Cowdrey family.

□ 1150

#### JOB CREATION

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

Ms. JACKSON LEE of Texas. Mr. Speaker, I am delighted to rise to indicate that we have an opportunity to be good Americans and to be the kind of resilient, strong, patriotic Nation that all of us love. We love this country.

I gathered this morning with a group of leaders who addressed the question of working issues, union leaders. Every last one of them said, let us create jobs, jobs in America. Part of it could be passing the jobs bill that the President has introduced dealing with the question of infrastructure. One Member who was coming to the meeting said, I was late because of our infrastructure problems. This would create jobs, bring back our law enforcement, police officers and teachers, where classrooms are going up and up and up in size because we don't have enough teachers.

And as you well know, the President has announced that we will be bringing home our valiant troops from Iraq, 150,000 of these young people that will need jobs. Let's get them in a training program where they have to get a stipend that will help support them, legislation that I have introduced.

This last bill that I had to vote against, it's sad that we would take Medicaid to help our small businesses and our vendors, whereas 2 years ago I voted on it because we used the stimulus funds to do so. There are many pay-fors to help small businesses, but what we need to do is to focus on paying and creating—paying people, Amer-

icans, so they can eat and put food on their table. We need to create jobs and stop taking money from Medicaid, Medicare, and Social Security.

Let's all work together, pull together, balance this budget on the basis of the fact that the Nation is not broke. We can do this.

#### JOB CREATION

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, not only can we not wait; we can't afford to wait. And here in the House, we haven't waited.

With this week's passage of H.R. 1904, the Southeast Arizona Land Exchange and Conservation Act of 2011, and H.R. 674, the repeal of the 3 percent withholding rule on certain payments made to vendors by government entities, the House Chamber now has passed more than 17 job-creating bills in the 112th Congress.

H.R. 1904 will boost development of our Nation's copper resources, generating billions in new revenue and creating new environments for economic growth. Much like the costly Form 1099 requirements that we succeeded in repealing earlier this year, the 3 percent withholding rule would impose substantial new burdens on cash-strapped employers, impeding cash flows and further undermining job creation.

Passage of H.R. 674 will not only create jobs; it will relieve Federal, State and local governments of the need to comply with unfunded administrative burdens that the rule would impose.

Mr. Speaker, not only can we not wait; we cannot afford to wait. And here in the House, we haven't waited.

#### VOW ACT

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

Mr. NUGENT. Mr. Speaker, on October 12, 2011, the House took an important step in addressing the alarming number of unemployed veterans currently living within the United States by passing the Veterans Opportunity to Work Act.

Known as the VOW Act, this legislation will confront the rising unemployment problems that our veterans in the U.S. are facing by providing veterans of past eras with additional training benefits, ensuring all transitioning servicemembers have access to a transition assistance program, and by strengthening protections under USERRA for our National Guard and Reserve troops. As a father of three sons currently serving in the United States Army, I have a deep appreciation for the service our men and women in uniform have given to this country.

Additionally, one of my priorities when I came to Washington was to ensure that when our troops return home,



they have jobs and a strong economy to come to. This legislation is a great first step in fulfilling our responsibilities to all veterans who have sacrificed much on behalf of this Nation. With that in mind, I was proud to support the passage of the VOW Act.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore. The Chair is prepared to recognize a Member of the minority party for 1 hour.

#### YUCCA MOUNTAIN

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

Mr. DUNCAN of South Carolina. Mr. Speaker, I have prepared remarks today, but I want to talk about Yucca Mountain.

We've heard a lot of talk this week about the Presidential candidates and Yucca Mountain. America needs to realize that South Carolina, on the Savannah riverside, is currently holding all of the legacy weapons product material that came out of the Non-proliferation Treaty—plutonium, sitting in my State, in my district, that is slated to go, under past agreements, to Yucca Mountain. It's the right place.

America needs to bring Yucca Mountain back online. And let's take the legacy weapons products out of South Carolina and put them in a long-term storage facility.

#### A TEXAN LOOKS AT CURRENT EVENTS

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

Mr. GOHMERT. Mr. Speaker, for going on a couple months now, we've been hearing the President say we need to pass his jobs bill—pass his jobs bill right away, right now, pass his jobs bill. And it was so ironic to have a President of the United States, who says he wants to work with the Members of Congress, but Members of Congress won't work with him, and in his purported "effort" to work with Members of Congress, he doesn't ask to sit down with Congress in a private meeting and talk about these issues. Oh, no, that would really show an intent to work with Congress, to sit down in a room where we can visit about the issues. That would be really working with Congress. Instead, what we have from the President of the United States is a demand.

Now, I'm not sure historically, Mr. Speaker, how many times a President of the United States has decided to just throw a little hissy fit and, I'm going to come talk to Congress. Well, we know that he was an instructor. He wasn't a professor, but an instructor.

You can be an instructor in a law school if you practice law on the side or a community organizer on the side, or whatever; and they'll let you come teach a course or two. So anybody who has been involved in a law school, you would think, even as a low instructor, would know that the Constitution makes very clear that the President of the United States has no right, no moral authority to demand to come speak in the House.

Now, the President would never give credit to the willingness of this Congress to vote unanimously to allow the President, after his little hissy fit, to come speak in the House, but we did. He demanded to come speak to the House. He has to have an invitation to do that. In social circles, if somebody demanded to come to someone's house—I demand an invitation to come lecture you in your house—most people would say forget it. But this House, controlled by Republican Members—the majority here, Republican, Democrat majority down in the Senate—we voted unanimously. There were no objections to inviting the President to come lecture us rather than sit down and try to work with us.

□ 1200

Mr. BARTON of Texas. Will the gentleman yield?

Mr. GOHMERT. I certainly will yield to my friend from Texas.

Mr. BARTON of Texas. I just want to thank you for taking this time to speak on this subject. I think it's commendable that you would do that, and I think you're exactly right. I would encourage you to keep telling the truth as you know it.

And how proud we are of you in the Texas delegation and certainly in east Texas, where you represent that part of the State so well. So keep up the good work.

Mr. GOHMERT. Well, that's so unexpected and unnecessary, and it actually means a great deal. Thank you.

Somebody that's been here slugging it out longer than I would ever be able to handle, Mr. BARTON from Texas came as a young man, and he's been able to endure the slings and arrows through many, many years of being in the minority.

And we're back to dealing with a White House who wants, he says, to negotiate, to work with Congress, and does so by demanding to come talk to Congress, and comes.

Did we have a warm, friendly meeting here as the President stood here on the second level?

Well, actually we got lectured. We were lectured that we needed to pass the President's jobs bill right away, right away, 16, 17 times. We've just got to do it now.

During the speech, I don't recall the President ever saying, I really don't have a bill. I don't have a bill. And, in fact, if you want to sit down and work with me, you won't be able to because in the morning I'm getting on Air

Force One, funded by the taxpayers, and basically hit the campaign trail. And I'm going to be beating up on you guys in the House of Representatives for not being willing to negotiate with me, even though I'm not around. And, by the way, I'm not going to negotiate even if we sat down because you've got to take my bill completely, pass the whole thing. I'm not going to compromise on anything.

That was the message for a number of weeks. Take it; pass it as it is. Never mind the fact that he didn't have a bill when he hit the road and was condemning Congress for not passing his bill. That's just strange.

You would think if somebody really wants to work with Congress, really wants to do something for the people of America that are hurting—I've had four job fairs in east Texas, and I've gone to each one, and it breaks your heart. There are people in their fifties and sixties, there's a lot of young people, a bigger percentage of young people, but there were older people, tremendous experience, tremendous education and training, been laid off because of the bad economy.

And it's heartbreaking even more so because this Congress and this President have to take responsibility for continuing to put more and more laws, regulations, burdens on business that keep them from being able to retain jobs, keep them from being able to expand and create more jobs.

And when you hear from people who've lost their job, and they're not only brokenhearted, but they're upset because then they find out that this administration has done things like throw \$600 million at Solyndra, has spent millions of dollars, hundreds of millions of dollars, to create jobs. One giveaway program, seems like I read we spent \$8 million per job that was created. Different amounts resulting in a different number of jobs.

One of the things I've seen in talking to people in Texas who are involved in the education system is that when the President's so-called stimulus bill in January of 2009 was passed and it was done, rammed through like the ObamaCare bill was, it didn't have, it didn't seem, the full support of America. But it had a majority in the House, it had a majority in the Senate, and so it passed.

I like to think I'm objective enough that I certainly acknowledge it didn't start in January of '09 with President Obama. A good man, a smart man—he's not given credit for that—made a major mistake when President Bush trusted Hank Paulson. Paulson says, we're about to have a catastrophe, give me \$700 billion and I'll keep things on track, get things back on track.

We don't give \$700 billion to one man and say go fix things. You don't do that in America. That's not what the country was founded for. But it was done. And as I understand it, about \$250 billion of the \$700 billion is around the amount that Hank Paulson squandered

of the so-called stimulus or the bailout, TARP, whatever you want to call it.

Ironically, if one wishes to look at things from a political standpoint, it was pretty amazing because a Republican administration provided \$700 billion to mainly bail out people on Wall Street who had donated to Democrats 4-1 over Republicans. That's what's so amazing is to hear people constantly talk about these rotten Republicans on Wall Street, when the fact is they give to Democrats 4-1 over Republicans.

So, not only was it absolutely, in my mind, an immoral thing to do, to take people's hard-earned money and add it to money we borrowed from China and others to bail people out on Wall Street. That's not the America that was founded, that so much blood and treasure has been spent to establish.

Wall Street executives, I've got no problem, as long as they're playing by the rules, they're not cheating people, if they make \$100 million a year. I have no problem as long as they're playing fairly; but when they get greedy and end up being broke, I do think it's appropriate for them to do what Americans are supposed to do and what is set out in the Constitution to do, called bankruptcy.

And AIG, it sounds like they were making money in every department except the credit default swaps. Well, gee, that's what happens when you sell what is, in effect, insurance against a catastrophic event, which would be the failure of the mortgage-backed securities to have the value that was paid for them. You ensure against that. You take what amounts to premiums. You put no money in reserve to ensure against the event you took money to ensure against; and then are shocked some day when people want to make a claim under that insurance, and you've done nothing but take profit.

What a great business that was, selling insurance to ensure against mortgage-backed securities not having the value paid for them, and not having to set aside a dime of that in a reserve account so that if somebody ever makes a claim you've got to pay it back. Now, there had to be a fun business.

But, again, it was immoral, it was irresponsible, and they should have been under the rules of insurance. If you're going to sell insurance, you've got to ensure against the event you took money to pay off for if it ever happens. It didn't happen, so AIG should have been allowed to go through bankruptcy. If they had enough assets, and thought they might, they were certainly making a lot of money, if they had enough assets, they could reorganize, get creditors to agree and come up with a plan for reorganization. The law is very clear. At least it used to be before the auto bailout. But that's what should have happened.

□ 1210

Goldman Sachs, even though those were the dear, close friends of Hank

Paulson, the worst Secretary of the Treasury this country has ever had until we got Tim Geithner. Now it's a close call. I'm not sure who is worse. But he bailed out his buddies at Goldman Sachs. They should have been allowed to go through reorganization if they could, and, if not, then liquidation and bankruptcy. That is what the Constitution provides for. And it should have been allowed to happen. And I realize that if that had happened, then those massive donations that the Democratic Party and President Obama got from Wall Street wouldn't have come through for him. I realize that. But this is more than about political parties and more than about political donations. It's about the life and the existence of this country.

Nobody should be too big to fail. If you can get big enough that the failure of your company or your bank hurts a lot of people, then it's going to hurt a lot of people. But that is the problem when the government becomes a player. We start becoming the lending institution, we start becoming the player in insurance where we're going to be selling the insurance like we do flood insurance, and we're going to be guaranteeing all the home loans. Well, people have to be in the good graces of the Federal Government if they're going to be able to get what they want because the Federal Government becomes the player, selling the insurance, like flood insurance, or backing home mortgages, and then you have a catastrophe like we've witnessed for the last 3 years. It didn't have to happen, but it is what happens when a country moves toward being more socialistic, where the government runs everything, the GRE, government running everything. That is what ObamaCare was about, the GRE. That's what the President's stimulus bill in January of 2009 was about. We were told it was \$800 billion. It turned out to be maybe more like \$1 trillion. It was about the GRE, the government running everything.

We heard with the President's stimulus bill in 2009, January, that if we did not pass the President's stimulus bill—the President told us, he made very clear, if you don't pass this bill, I'm warning you, unemployment could go as high as 8½ percent. Well, 2½ years later, that 8½ percent looks pretty doggone good. That would have been nice. But it got up to 10, and we're back at 9.1 for months now.

The numbers are bad, but what is worse is all those people that cannot find jobs, and the biggest reason is because we have a government that thinks it is the answer when it's the problem. It's not the answer. When the government becomes the player and tries to be the player and referee, it doesn't work. When the government is so busy being a player as well as referee, it can't do its referee job very well, and so you have people like Bernie Madoff who get away for years with bilking people out of billions of dollars—life savings. That should never

have happened. If the Federal Government were more interested in being the referee and making sure people played fair, Madoff couldn't have gotten away with it for that long.

When the government wants to run health care as we do with Medicare and Medicaid, it becomes the problem, not the solution. And now we have seniors who are scared to death because they see what's happening. The President gets his bill, ObamaCare health bill, passed, and it has a provision for \$500 billion to be cut from Medicare. And then AARP, after supporting that bill that cut \$500 billion from Medicare, has the unmitigated gall to encourage people that are sending AARP money to notify their Congressman that we don't want any cuts to Medicare. Well, I've gotten those petitions. And my response is that if you're part of AARP and you don't want cuts to Medicare, then I'm so glad you're now off the AARP team and you now support what I do. Because AARP sold the seniors down the road.

Why would they do that? Well, let's look. Gee, they made, I believe it was in 2008, one big health insurance company made around \$92 million clear profit and another \$112 million or so profit, and then you have AARP that made over \$400 million in clear profit from the sale of their supplemental insurance. I had a proposal that would have given seniors a choice: you can stay on Medicare, or you can choose to have us buy you private insurance that covers everything. You won't need any supplemental insurance; it will cover everything, but it will have a high deductible. Thirty-five hundred dollars was the proposal, but I'm not married to that. If there were another figure that would end up being better from an accounting standpoint in the long run, you can do that. But the proposal was \$3,500. And then for that, we will put the \$3,500 cash in the seniors' health care account for each of those 30 million or so homes that have people on Medicare, Medicaid. So then you have a debit card coded to only pay for health care, and the senior for the first time since the sixties will finally be in control of their own health care, making their own decisions, and we get the government out of the way of making decisions—oh, no, you can't have that medication; oh, no, you can't see that doctor; oh, no, you can't have that treatment. And what we're seeing are the early stages of what ultimately happens when the government controls health care. It's lists, and lists mean rationing.

I've heard from people that live in Canada and England. The father of one man from Canada needed a heart bypass operation. They put him on the bypass list, and 2 years later he had not gotten his bypass, and so he died. If he had been in the United States, he would probably still be alive today. One secretary in my district told me about her mother getting breast cancer. But she had to get on a list in

order to get the mammogram, had to get on a list to get the treatment, get on a list to have therapy, and get on a list for surgery, all those things that came with it. And as a result of all those lists, she said, "my mother died because she was in England. I was found to have cancer, I had immediate treatment." She's a secretary. She got treatment. She got the surgery and treatment. And she says, "I'm alive because I was in the United States. My mother died because she was in England."

Well, unfortunately, there are people who love people but think that by the government running health care—which will inevitably lead to rationing of health care—that somehow that's a better thing. Our health care system needs work. It needs to be fixed. But the thing we should be doing is not having the government become the ultimate, the biggest player and referee in health care. We need to get the government out of being the player and get them back into the business of being the referee.

At the same time, we need to get the health insurance companies out of the business of being health managers and back in the business of selling insurance. And you do that, if we can move forward, with health savings accounts. The young people of today in their twenties and thirties start putting away money in their own health savings account, let that build—there shouldn't be any limits on how much you can put in, but it ought to be a requirement you can never take it out. You can give it to your kids, give it to charities for a health savings account for those who can't provide it themselves, but once it becomes health savings account cash, that's where it stays until it's spent on health care.

□ 1220

Leave it to your children when you die. Leave it to other charities that have people who need health care, and it could go in their health savings accounts.

Once we do that, for the kids in their twenties and thirties, indications are, by the time they're 65, 70 years old, not only will they not want Medicare, they won't need it because they'll have enough money in their accounts that they can do whatever they want to and have whatever health care they need. But it's not the end-all solution. We don't have free market forces at work in health care. It's why costs keep going up. That's one of the reasons.

Another reason is the tremendous advances that have been made in medicine that are now slowing down without the great people who have been attracted to health care—brilliant doctors and nurses. People in the health care industry are so smart, but we're already seeing the quality of people applying not at the level it once was. Why should it when this government intervenes and prevents people from being compensated properly?

But until we get free market forces at work in health care, we're not going to fix health care, and you cannot have competition in health care as long as we have our existing system in which nobody knows what anything costs:

You ask, What does an MRI cost? Well, it all depends, you're told.

What does a room with a single bed in your hospital cost? Well, it all depends. We can't really say.

You have Blue Cross. You have this and that. You have Medicaid. You have Medicare. Are you paying cash?

It all depends. You can't fix health care when there's no competition.

Growing up in Mount Pleasant, Texas, it was no secret that we went between two and, actually, eventually three different doctors' offices. We loved the doctors. They were great doctors. My mother passed away at 91, and my dad is still alive. I recall, growing up, we'd go to one doctor when I thought we were going to this other doctor:

Well, they raised their prices, and they're both great doctors.

Well, yeah, they are. I love them both.

So we would go. When one would raise his price, we'd go back to the other doctor. You can't do that now. You don't know what a doctor charges. I've talked to doctors who would love to tell people what they charge, but it all depends whether it's Medicare, Medicaid, what insurance.

Then the most unfair cut of all is, if you come in and if you're too poor to have insurance and if you're not eligible for Medicare or Medicaid, then they're going to sit down with you and work out a payment plan for an amount that is normally many times more than the insurance companies would ever have agreed to pay. Well, that's not right. If somebody comes in with cash, they ought to be able to get it cheaper than Blue Cross or cheaper than other methods of payment. They're coming in with cash. In a good scenario, that's the way it would be.

If everyone had a health savings account that covered the high amount of the deductible, of their catastrophic insurance, that's the way it would be because you would call up the doctor or the hospital and say, I need to come in. How much do you charge? Under a bill I've proposed, they'd have to tell you. You could find it online. It would have to be posted. "This is how much we charge." They'd have to know before they'd come. Then you could get competition. You've got your debit card coded to only cover health care, and so you then care about how much things cost. You can't find a whole lot of people who care how much health care costs anymore because they're not paying it. What does it matter if the cost goes up 10 times?

Then you've got seniors, many of whom are AARP members. They're paying their dues, and they've got their supplemental insurance. How tragic that AARP didn't mind the \$500

billion cut to Medicare. Gee, let's think about that. If there's a massive cut to Medicare and if AARP sells supplemental insurance to cover what Medicare doesn't, I wonder if maybe they might think they would sell more insurance. Maybe that's why they would support a bill that cut Medicare by \$500 billion.

The games that have been played around this town really need to stop. We've gotten this country in trouble, but they're not going to stop with the President spending every day traveling around the country, demonizing Congress for not passing his bill, his law, when he doesn't even know what's in his bill. I do. I read the whole thing. I'm told there may not be anybody else in the House or Senate who has read every page of the President's bill like I did. Well, if the President would read it—he's obviously a smart enough man—he would see that a lot of his claims do not have the merit he thinks they do—or whoever is putting those words in his teleprompter thinks they do.

On education, we have the stimulus bill. We were told it was going to create so many jobs, that it was going to build bridges and fix bridges. It didn't do those things. So now, 2½ years later, the President makes the same speeches. That's got to be good for the speechwriters because they could go back and take the same speeches that the President gave in January of 2009:

You need to pass this bill. You've got to pass this bill right now, right away. Then it will build bridges; it will fix these bridges; it will hire people, get school teachers back and law enforcement.

Those were all said in January of '09. I'm wondering if we shouldn't go back and compare those speeches and see if they haven't just cut some of those speeches and pasted them. Hey, it worked. They got Congress in January of '09 to pass the massive stimulus bill.

As I've talked to educators around Texas, I found something that was deeply saddening and a bit maddening. There was some very limited amount of the trillion dollars in the President's so-called "stimulus bill" in January of '09 that went to hire teachers. I've met young people who were hired as teachers, and I'm thrilled when young people are able to get jobs. It's a good thing. Then I've talked to different educators who have said, It's so tragic. The stimulus money ran out, so we had to let teachers go. If you don't keep paying the stimulus money, then we don't get to keep those same teachers.

That ought to tell us something. The stimulus money was not stimulus. If it had been stimulus, it would have stimulated things to the point that those teachers who were hired 2½ years ago would have stimulated enough in the economy that they would have been able to keep those jobs; but the stimulus bill in January of '09 was not nor was the stimulus bill in January of '08 under President Bush. They did not

work. They don't work. That's not the way to stimulate.

So then what really breaks my heart is when I find out people my age, who are in their fifties, and people in their forties who have been teaching for 20, 25, 30 years—and because they do and because of the payment structure in education, they make a little more and a little more as they go along. Lo and behold, the Federal Government comes in and says, Here's a bunch of stimulus money, not that much in the scheme of a trillion, but we'll give you a little bit to hire some new teachers. They hire new, young teachers. They're working for cheaper than the older, experienced, well-trained teachers.

So what happens when the stimulus money that didn't stimulate anything runs out? It's rather tragic. People who have families, who have committed their lives to education, have lost their jobs.

□ 1230

I've heard from those people. Good teachers, good educators. But when they look at it, jeez, if this stimulus has allowed us to hire these young, new teachers, these experienced teachers that have a heart for the students, well trained, well educated, they're costing a little more, let's let them go. How tragic that this body would pass a bill under Speaker PELOSI intending to help education; and as a result of the misguided attempt to help education, we have driven out many of our best, most experienced, most caring teachers.

I have talked to young people who have gotten a job. They don't intend to stay teachers all that long. They're hoping they can find something else. So you have people who committed their lives to education losing their jobs because of a stimulus bill that wasn't for young teachers who don't plan to stay teachers. They don't like teaching; they want to do something else.

This body needs to get back to the original purpose of the Constitution. The purpose of the Constitution was to have a limited government, and that government would be a referee. It would make sure people and businesses in America played fair. It would not guarantee equal results, but it would guarantee opportunity to be fair and equal. It was a long way from doing that until the wonderful works that were accomplished by the efforts of Martin Luther King, Jr.

So we were on track, more equality of opportunity; but now it's as if some people think, no, Dr. King wanted equal results. No, he didn't. He wanted people judged by the content of their character, not the color of their skin.

We made great, tremendous strides, but when a government wants to guarantee equal outcomes instead of equal opportunity, it becomes a tyrannical government. It becomes the player and not the referee.

The other thing we're supposed to do is provide for the common defense, and

that means not checking in our brain before we come to work every day. That means in every executive agency charged with providing for defense, you don't suddenly declare that the only people who can advise us about that tiny percent of radical Islamists, tiny percentage of the overall Muslim population, the only ones that can advise us about those radicals are people that really understand that mentality.

We want people from the Muslim Brotherhood who want to take over the county, take over the world, have a united caliphate under sharia law to be the ones to advise us on how we deal with radical Islam, although this administration has now made it extremely clear, Attorney General Holder has made it clear, Secretary Napolitano has made clear, we really don't want to offend those who want to kill us and destroy our way of life by referring to them as radical Islamists.

Let's call them violent extremists. But when you look at what they've said, and you look at what they've done and want to do, it's because of their sick beliefs in what being a Muslim means.

An even further tragedy is the fact that we have allowed people with organizations who have supported terrorism to be advisers to this administration, to this Justice Department, to this intelligence community, to this Department of State. We've got foxes in the hen house.

We don't need to pass the President's so-called jobs bill. This will do more to drive up the cost of oil and gas because this President doesn't understand that the four pages of deductions that he repeals in here will put independent oil and gas producers out of business.

He doesn't understand that 94 percent of the oil and gas wells that are drilled on the land in the continental U.S. are drilled by independent oil and gas producers. He doesn't understand that when you eliminate their ability to raise capital, those wells will no longer be drilled. The major oil companies that the President demonizes and says he's going after will not only not drill all of those wells and produce all of the oil and gas; they can produce the exact same amount and make massive amounts more in profit.

So the one thing the President says he wants to do that's page 151 through 154 of his bill has the exact opposite effect. It will increase revenues, profits, for major oil companies because it will drive out the independent oil and gas producers, not to mention the millions of jobs that we'll lose by doing that.

Now, when I came to Congress 6½ years ago, I was concerned that there was not enough natural gas to continue to produce electricity with it, even though it is the most clean-burning thing that we've got. It would be wonderful, I thought, if you could do that. We just don't have enough because you've also got to have natural gas. It's a feedstock that you have to have in order to produce so many of the

plastics, so many of the goods that are now so important to all Americans and to health care and to transportation. So if you're using natural gas to produce electricity, provide energy, then it's going to drive up those costs.

Well, then science and necessity being the mother of invention, we hone our ability to horizontally drill. Hydraulic fracking allows us to get gas that we couldn't get otherwise. And now, depending on who you believe, we've got 100, 300 years of natural gas. Some of us have been told that possibly the largest deposit of natural gas just may be off the west coast of Florida, and nobody's allowed to drill there.

We find out that the Marcellus shale up in the Northeast is producing jobs for people, unless our friends across the aisle are successful in killing those efforts to drill for that gas, Haynesville shale down in Louisiana, east Texas where I am; Barnett shale, north, northwest Texas. These other gas finds are so extraordinary I now fully support my Democrat friend, DAN BOREN's, efforts to encourage people to convert cars to natural gas, to encourage manufacturers to produce cars that will run on natural gas. It will be cheaper than gasoline.

Some people identify greatly with the tea parties. I think they've been demonized, the people I see at those tea parties, all races, all ages, but they seem to have one thing in common: They're all paying income tax. And we're down to about 50 percent of the country that's doing that. People that come out at the tea parties, that's the one commonality: They pay taxes, they pay income tax and, as a result of that, they'd like to see less government.

□ 1240

So some have been surprised that I would support something that's not free market totally because I'm a free market kind of guy. But the overriding concern for this body, the oath that we take should be to make sure that we provide for the common defense. We have been sending trillions of dollars overseas when so much of that money finds its way into the hands of those who hate us, want to destroy our way of life. They don't think that people should have freedom to choose because if you give freedom to choose they think, their religious beliefs are, you'll slip into degradation, and then you'll be part of a Nation that needs to be destroyed.

Well, it happens. When you give people freedom of choice, just as I believe God did to start with, some are going to choose to do wrong. It's going to happen. We're all going to make mistakes, and some will do so intentionally. That's when you need a government to enforce rules of fair play to make sure that we provide for the common defense so that people can freely practice peaceful religious beliefs.

But we've been sending all that money year after year, growing more and more dependent on overseas oil.

When President Carter created this new monstrosity, a couple of them, one called the Department of Education and another called the Department of Energy, and every year the Department of Energy has existed, its goal has been to reduce the dependency on foreign oil. And every year they fail at their job more than they did the year before. Every year. No matter how many billions, hundreds of billions of dollars they throw at alternative energy rather than letting the free market play, it's not working.

But the reason I would support encouraging people to convert cars to natural gas, I'd like to buy a car from a factory in the United States that runs off natural gas. We do need infrastructure where you can pull up to a gas station and get natural gas instead of gasoline. But I support it because if we do that, I now see we could be 100 percent energy independent. It would save the lives of our most treasured possessions in this country, the American people, the men and women who give their lives for their country, when we have funded terrorism, not intentionally, but by paying people who hate our own country for their oil when we could get off of it. And if we get on natural gas for 100 years, there's going to be time to develop—and I know some people think it's not possible, I really do think we could eventually come up, somebody will, with a way to hold electricity. Some laugh at that. The late Ted Kennedy laughed about having a strategic defense shield of rockets, that's Star Wars. And lo and behold, it's happening. Well, until President Obama reneged on our agreement with Poland that cost so many their political lives in Poland, supported the missile defense that would stand between us and Iranian missiles, and we turned our backs on them, stabbed them in the back.

Well, we're at risk, and it's time to quit sending money to countries that hate us. As I have often said, you don't have to pay people to hate you; they'll do it for free. You don't have to pay them. And yet we keep sending money to people who hate our guts, and it doesn't cause them to like us. It causes them to not only hate us but to have total contempt because of how stupid we are—that we know that they hate us and we still keep giving them money. Bullies on a playground who demand lunch money from another student don't develop admiration, love, and respect for students who give them their lunch money. They still hate them. They still don't think anything of them. That's not the way to deal with bullies. The way to deal with bullies is to make sure that if you have to band together as a government, as an educational administration, and just decide we're not going to let bullies prevail, then you do that. You can do that in schools. You can do it in the world by having a government that is strong enough militarily that what it says, it can back up.

You don't do that when you make contractual agreements, as we did with Mubarak. And I'm not a President Mubarak fan. I was not a Qadhafi fan. But this administration had agreements with both of those people. They turned their backs on them, and now it appears we have radical Islamists that are taking over in those countries, and they will hate us more than Qadhafi did because at least Qadhafi was afraid of us.

And then, we had a hearing yesterday in the Judiciary Committee. Secretary Napolitano came here. It has not made the mainstream media. They'll probably never touch it, but it ought to rock people's lives when they see what's going on with this administration. You can't use the word radical Islam—that might offend the people that want to kill us—when the fact is if we address radical Islam, we will protect the moderate, the vast majority of Muslims who are moderate who want to live in peace. If the radicals take over, they could be the first ones they go after. As well as liberal reporters, they'll take them out. Gays, they'll take them out.

You would think people for gay rights would be on the side of those of us who want to go after radical Islam. But instead, it seems to be strange bedfellows in combining against those who want to support and defend the Constitution of the United States.

So we do some digging, a couple of sleepless nights doing research, and we find out the Homeland Security Department has people in its midst who are advising it. We find out, there's an article about it, it can be found on the Internet, we find out that there was a seminar by two of the leading experts on radical Islam that was going to be given to law enforcement. And CAIR—a named coconspirator supporting terrorism, named as a coconspirator in the Holy Land Foundation trial that should have been prosecuted, but this administration says they're friends, we're not going after them—CAIR complains to the White House, to this administration, and they cancel the briefing. And the word we're reading is that, gee, apparently they're rewriting the rules so that people in our intelligence of this administration, people in Homeland Security, people in the Justice Department, people in the White House, can only be briefed. They are rewriting the rules, and what we are told they'll end up saying is, you can't do the briefing if you're part of the government. So if you're in the government and you're not Muslim and don't have sympathies for radical Islam, then you'll be prevented from briefing others despite the fact that you may have spent your whole adult life studying this terrorism since 1979, when we saw it first come after us in Iran after President Carter proclaimed this "man of peace," Ayatollah Khomeini, was coming in, and he has done more to create hatred, to create violence, than any leader I'm aware of in the last 50 years.

□ 1250

President Carter thought he'd be a man of peace. Wrong. He wasn't. Nor is the present Khamenei. Nor is Ahmadinejad. And then you find out the president of ISNA, the Islamic Society of North America, who has ready access to the White House, within the inner sanctum of the State Department.

When the President gave his speech to try to upstage Netanyahu the day before Netanyahu was coming from Israel to the United States and ultimately to address this body, the president of ISNA, a named coconspirator in the Holy Land Foundation trial, 105 counts of conviction in which the named coconspirators should have been pursued after those initial convictions, he's advising the President on his speech about Israel. He's giving remarks on how the President is doing. He's got the President's ear. He's got the State Department's ear. He's got National Security's ear. In fact, we see from the Deputy National Security Advisor's own transcript of his own remarks that were on the White House Web site, the Deputy National Security Advisor commends the president of this named coconspirator to fund terrorism for leading prayers for the Iftar celebration last year at the White House.

We haven't seen anybody in this mainstream media that wants to talk about the fact that al-Awlaki, who this administration killed with a drone just not that long ago, was leading prayers for Muslim staffers on Capitol Hill.

Foxes are in the hen house. And they're given more and more authority.

We found out yesterday that it was Homeland Security that gave a secret security clearance to Mohamed Elibary, from all accounts, a very nice gentleman. But if you read his writings, he thinks the world of the Muslim philosopher on whom Osama bin Laden relied so heavily for being barbaric, for killing innocents. The man that is part of the inner circle and now has been elevated to the National Homeland Security Advisory Council of the Secretary of Homeland Security thinks that he was a man of peace. He was executed in the sixties, but his writings fully supported what Osama bin Laden was doing. They support what radical Islam is doing. And that's why they constantly point to his writings from the fifties and sixties.

We also find—and I have got a flyer in my materials here—that Mohamed Elibary was one of the featured speakers for the tribute to a man of vision, the Ayatollah Khomeini, just recent years ago. He's been given a secret security clearance. I find out 2 days ago he's also working with the ACLU to attack from the outside, to demand materials that will tell them about the sources and methods of how we try to get some intelligence on the people that want to destroy and kill us and ruin our way of life and create a one-world caliphate for some dictator like

the Ayatollah Khomeini or Khamenei over there now in Iran. And we're giving people like that access.

And then I find out this week—and it's written; it's now on the Internet and you can read the story—that the same man used his security clearance and is allowed to access security databases from his home computer; and he accesses a security database called the State and Local Intelligence Community database, called SLIC for short, and he pulled off some material that said on it "For Official Use Only," and then was shopping that to mainstream media in this country to try to condemn people in Texas for being concerned, under Governor Perry, as being Islamaphobes.

Then we find that the OIC that has been so powerful—57 states—that actually in 2007 they said that the most fearful terrorism that exists—and these are their words—is Islamaphobia. They created the term "Islamaphobia." They're donating hundreds of thousands and millions to some of our best educational institutions to go after people who are concerned not about Islam, not about the 95, 99 percent, whatever it is of Muslims who are peace-loving, but if you want to go after the 1 percent that wants to kill us and make this country into a caliphate under sharia law, you're an Islamaphobe. And they're paying millions and millions to develop that terminology.

So the mainstream media will buy into it and come after anybody that says, Look, there is a common thread

that runs through those people who want to destroy our way of life, that want to take our young men and women in this country, radicalize them and have them help them destroy the greatest, most free country in the history of mankind. And this administration is bringing some of those foxes into the hen house.

So not only does this administration give a man who admires the inspiration for Osama bin Laden, who is a featured speaker for the tribute to Ayatollah Khomeini, he's given secret security clearance and now is using that as a political weapon not just to go after people concerned about radical Islam, but also to go after an opponent of this President politically.

It's time to wake up. It's time to be a referee, not a player. It's time to let the free market system drive the economy, create jobs, while we do what we're supposed to do—provide for the common defense.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. All Members are reminded to refrain from engaging in personalities toward the President.

PUBLICATION OF BUDGETARY MATERIAL

REVISIONS TO THE AGGREGATES AND ALLOCATIONS OF THE FISCAL YEAR 2012 BUDGET RESOLUTION FOR H.R. 2576

Mr. RYAN of Wisconsin. Mr. Speaker, pursuant to section 305 of H. Con. Res. 34, the

House-passed budget resolution for fiscal year 2012, deemed to be in force by H. Res. 287, I hereby submit for printing in the Congressional Record revisions to the budget allocations and aggregates set forth pursuant to the concurrent resolution on the budget for fiscal year 2012. Aggregate levels of budget authority, outlays, and revenue are revised and the allocation to the House Committee on Ways and Means is also revised, for fiscal year 2012 and the period of fiscal year 2012 through 2021.

The revision is provided for H.R. 2576, legislation amending the Internal Revenue Code of 1986 to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs. Corresponding tables are attached.

This revision represents an adjustment for the purposes of sections 302 and 311 of the Congressional Budget Act of 1974, as amended. For the purposes of the Budget Act, these revised aggregates and allocations are to be considered as aggregates and allocations included in the budget resolution.

Section 305 of the budget resolution allows the Chairman of the Committee on the Budget to revise the allocations of spending authority provided to the Committee on Ways and Means for legislation that decreases revenue. The Chairman of the Committee on the Budget may adjust the allocations and aggregates of this concurrent resolution if such measure would not increase the deficit over fiscal years 2012 through 2021.

H.R. 2576 decreases the deficit over this period by \$14.6 billion and is hence eligible for these adjustments are.

The table that follows indicates what these adjustments are.

BUDGET AGGREGATES

[On-budget amounts, in millions of dollars]

	Fiscal year	
	2012	2012–2021
<b>Current Aggregates:</b>		
Budget Authority .....	2,858,503	(1)
Outlays .....	2,947,662	(1)
Revenues .....	1,890,365	30,285,754
<b>Changes for the United States—Colombia, Panama, Korea Free Trade Agreement Implementation Acts (H.R.3078, H.R. 3079, H.R. 3080):</b>		
Budget Authority .....	0	(1)
Outlays .....	0	(1)
Revenues .....	0	-7,100
<b>Revised Aggregates:</b>		
Budget Authority .....	2,858,503	(1)
Outlays .....	2,947,662	(1)
Revenues .....	1,890,365	30,278,654

<sup>1</sup> Not applicable because annual appropriations Acts for fiscal years 2013 through 2021 will not be considered until future sessions of Congress.

DIRECT SPENDING LEGISLATION—AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR RESOLUTION CHANGES

[Fiscal years, in millions of dollars]

House Committee on Ways and Means	2012		2012–2021 Total	
	Budget authority	Outlays	Budget authority	Outlays
Current Allocation .....	1,030,960	1,031,280	13,171,553	13,172,135
Changes for a bill to amend the Internal Revenue Code of 1986 to modify the calculation of adjusted gross income for purposes of determining eligibility for certain healthcare-related programs. (H.R.2576) .....	0	0	-21,700	-21,770
Revised Allocation .....	1,030,960	1,031,280	13,149,853	13,150,435

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 58 minutes p.m.), under its previous order, the House adjourned until Monday, October 31, 2011, at 1 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3617. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — Foreign Futures and Options Contracts on a Non-Narrow-Based Security Index; Commission Certification Procedures (RIN: 3038-

AC54) received September 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3618. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Isopyrazam; Pesticide Tolerances [EPA-HQ-OPP-2009-0906; FRL-8874-6] received October 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3619. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — Prothioconazole; Pesticide Tolerances [EPA-HQ-OPP-2011-0053; FRL-8884-2] received October 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3620. A letter from the Senior Counsel, Financial Stability Oversight Council, transmitting the Council's final rule — Authority To Designate Financial Market Utilities as Systemically Important (RIN: 4030-AA01) received August 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3621. 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; Commonwealth of Virginia; Section 110(a)(2) Infrastructure Requirements for the 1997 8-Hour Ozone and the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards [EPA-R03-OAR-2010-0160; FRL-9477-6] received October 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3622. 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; Determination of Attainment and Determination of Clean Data for the Annual 1997 Fine Particle Standard for the Charleston Area [EPA-R03-OAR-2011-0454; FRL-9477-5] received October 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3623. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; North Carolina; Prevention of Significant Deterioration; Greenhouse Gas Tailoring Rule Revision [EPA-R04-OAR-2010-0471-201071; FRL-9476-5] received October 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3624. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — California: Final Authorization of State Hazardous Waste Management Program Revision [FRL-9476-2] received October 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3625. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans; State of Colorado Regulation Number 3: Revisions to the Air Pollutant Emission Notice Requirements and Exemptions [EPA-R08-OAR-2007-0649; FRL-9290-2] received September 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3626. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: The 2011 Critical Use Exemption from the Phaseout of Methyl Bromide [EPA-HQ-OAR-2008-0321; FRL-9473-5] (RIN: 2060-AP92) received September 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3627. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2010-1075; FRL-8880-2] (RIN: 2070-AB27) received September 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3628. A letter from the Speaker of the House of Representatives, Parliamentary Assembly of Bosnia and Herzegovina, transmitting a letter expressing sympathy for the families of the victims of the September 11, 2001 terrorist attacks; to the Committee on Foreign Affairs.

3629. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch for Catcher/Processors Participating in the Rockfish Limited Access Fishery in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 101126522-0640-02] (RIN: 0648-XA587) received October 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3630. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Portsmouth Naval Shipyard, Portsmouth, NH [Docket No.: USCG-2011-0708] (RIN: 1625-AA11) received September 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3631. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Potomac River, Georgetown Channel, Washington, DC [Docket No.: USCG-2011-0760] (RIN: 1625-AA87) received September 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3632. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation and Safety Zones; Marine Events in Captain of the Port Long Island Sound Zone [Docket No.: USCG-2011-0553] (RIN: 1625-AA08; 1625-AA00) received September 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3633. A letter from the Attorney — Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; August Fireworks Displays and Swim Events in the Captain of the Port New York Zone [Docket No.: USCG-2011-0688] (RIN: 1625-AA00) September 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3634. A letter from the National Adjutant, Chief Executive Officer, Disabled American Veterans, transmitting the report of the proceedings of the organization's National Convention, including their annual audit report of receipts and expenditures as of December 31, 2011, pursuant to 44 U.S.C. 1332; (H. Doc. No. 112—68); to the Committee on Veterans' Affairs and ordered to be printed.

3635. A letter from the Secretary, Department of Labor, transmitting the Department's report entitled, "2010 Findings on the Worst Forms of Child Labor"; to the Committee on Ways and Means.

## 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. OLSON (for himself, Ms. MCCOLLUM, Mr. PRICE of Georgia, Mr. LATHAM, Mr. HARRIS, Mrs. McMORRIS RODGERS, Mr. NUNES, Mrs. BLACKBURN, Mr. BUCSHON, Mr. LANCE, Mr. HARPER, Mr. BROWN of Georgia, Mr. POE of Texas, Mr. BURGESS, Mr. OWENS, Mr. BARROW, Mr. DAVID

SCOTT of Georgia, Mr. ROTHMAN of New Jersey, Mr. COURTNEY, Ms. MATSUL, Ms. FUDGE, Mr. BRALEY of Iowa, Mrs. CAPPS, Mr. MURPHY of Connecticut, Mrs. BONO MACK, Ms. JENKINS, Mr. DAVIS of Illinois, Mr. RUNDYAN, Mr. BOREN, Mr. TIBERI, Mr. BONNER, Mr. STIVERS, and Mr. SCHOCK):

H.R. 3269. A bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILBRAY (for himself, Mr. FILLNER, Mrs. DAVIS of California, Mr. ROHRBACHER, Mr. HUNTER, Mrs. NAPOLITANO, Ms. PELOSI, Ms. SPEIER, Mr. BACA, Ms. LINDA T. SANCHEZ of California, Mrs. BONO MACK, Mr. COSTA, Ms. RICHARDSON, Mrs. CAPPS, Ms. ROYBAL-ALLARD, Mr. GEORGE MILLER of California, Mr. ISSA, Mr. SCHIFF, Mr. THOMPSON of California, Mr. DREIER, Mr. LANGEVIN, Mr. CICILLINE, Mr. CAMPBELL, Mr. GALLEGLY, Mr. LEWIS of California, Mr. STARK, Mr. FARR, Mr. HERGER, Mr. DANIEL E. LUNGREN of California, Mr. NUNES, Mr. MCCLINTOCK, Mr. GARAMENDI, Ms. WOOLSEY, and Ms. LEE of California):

H.R. 3270. A bill to facilitate the hosting in the United States of the 34th America's Cup by authorizing certain eligible vessels to participate in activities related to the competition; to the Committee on Transportation and Infrastructure.

By Ms. ROYBAL-ALLARD (for herself and Mr. POE of Texas):

H.R. 3271. A bill to promote the economic security and safety of victims of domestic violence, dating violence, sexual assault, or stalking, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Financial Services, Ways and Means, and the Judiciary, 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. NEUGEBAUER:

H.R. 3272. A bill to reauthorize the National Windstorm Impact Reduction Program, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RIGELL:

H.R. 3273. A bill to amend title 46, United States Code, to authorize the Secretary of Homeland Security or of any other department in which the Coast Guard is operating to enter into agreements with foreign governments or international organizations for the performance of port security assessments on behalf of the Secretary, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAMPBELL (for himself, Mr. POSEY, Mr. MANZULLO, Mrs. BLACKBURN, Mr. HUNTER, and Mr. BARROW):

H.R. 3274. A bill to direct the National Highway Traffic Safety Administration to establish a program allowing small volume

vehicle manufacturers to produce not more than 1,000 vehicles annually within a regulatory system that addresses the unique safety and financial issues associated with limited production, and to direct the Environmental Protection Agency to allow low volume vehicle manufacturers to rely upon certificates of conformity issued to engines from certified vehicles; to the Committee on Energy and Commerce.

By Mr. BUCSHON:

H.R. 3275. A bill to amend the Internal Revenue Code of 1986 to disallow the refundable portion of the child credit to taxpayers using individual taxpayer identification numbers issued by the Internal Revenue Service; to the Committee on Ways and Means.

By Ms. CASTOR of Florida:

H.R. 3276. A bill to designate the facility of the United States Postal Service located at 2810 East Hillsborough Avenue in Tampa, Florida, as the "Reverend Abe Brown Post Office Building"; to the Committee on Oversight and Government Reform.

By Mrs. MALONEY (for herself, Mr. TOWNS, Ms. RICHARDSON, Mr. RANGEL, Mr. NADLER, and Mr. JACKSON of Illinois):

H.R. 3277. A bill to amend title 38, United States Code, to improve and make permanent the Department of Veterans Affairs loan guarantee for the purchase of residential cooperative housing units, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. NORTON (for herself and Mr. CALVERT):

H.R. 3278. A bill to authorize the Fair Housing Commemorative Foundation to establish a commemorative work on Federal land in the District of Columbia to commemorate the national significance of the fair housing movement in America; to the Committee on Natural Resources.

By Mr. REYES:

H.R. 3279. A bill to amend title 38, United States Code, to clarify that caregivers for veterans with serious illnesses are eligible for assistance and support services provided by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. SENSENBRENNER:

H.R. 3280. A bill to amend the Federal Power Act to establish a regional transmission planning process, and for other purposes; to the Committee on Energy and Commerce.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. FILNER introduced a bill (H.R. 3281) for the relief of Ayded Reyes Benitez; which was referred to the Committee on the Judiciary.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. OLSON:

H.R. 3269.

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 (Commerce Clause).

By Mr. BILBRAY:

H.R. 3270.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the United States Constitution which allows the Congress of the United States To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. ROYBAL-ALLARD:

H.R. 3271.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1  
Article I, Section 8, Clause 18

By Mr. NEUGEBAUER:

H.R. 3272.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power To . . . provide for the common Defence and general Welfare of the United States.

Article I, Section 8, Clause 18

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.

By Mr. RIGELL:

H.R. 3273.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1  
Article 1, Section 8, Clause 18

By Mr. CAMPBELL:

H.R. 3274.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution of the United States.

By Mr. BUCSHON:

H.R. 3275.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Ms. CASTOR of Florida:

H.R. 3276.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1 of the Constitution.

By Mrs. MALONEY:

H.R. 3277.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. NORTON:

H.R. 3278.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1, and 18 of section 8 of article I, and clause 2 of section 3 of article IV of the Constitution.

By Mr. REYES:

H.R. 3279.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I, Section 8 of the United States Constitution.

Text:

Article I, Section 8.

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of

the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 2: To borrow Money on the credit of the United States;

Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

Clause 4: To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

Clause 5: To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

Clause 6: To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

Clause 7: To establish Post Offices and post Roads;

Clause 8: To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

Clause 9: To constitute Tribunals inferior to the supreme Court;

Clause 10: To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

Clause 11: To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

Clause 12: To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

Clause 13: To provide and maintain a Navy;

Clause 14: To make Rules for the Government and Regulation of the land and naval Forces;

Clause 15: To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

Clause 16: To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

Clause 17: To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—  
And

Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SENSENBRENNER:

H.R. 3280.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution

Mr. FILNER:

H.R. 3281.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (Clause 4), which grants Congress the power to establish a Uniform rule of Naturalization throughout the United States.



## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 12: Mr. SERRANO and Mr. TOWNS.  
 H.R. 210: Mr. CONNOLLY of Virginia.  
 H.R. 234: Mr. RIBBLE.  
 H.R. 569: Mrs. MYRICK.  
 H.R. 644: Mr. BOSWELL and Mr. WELCH.  
 H.R. 721: Mr. SCHILLING.  
 H.R. 735: Mr. ADERHOLT and Mr. DANIEL E. LUNGRÉN of California.  
 H.R. 749: Mr. NUNES.  
 H.R. 798: Ms. MOORE.  
 H.R. 1084: Mr. LARSON of Connecticut.  
 H.R. 1103: Mr. CLEAVER.  
 H.R. 1312: Mr. WEBSTER.  
 H.R. 1342: Mr. POLIS and Mr. GONZALEZ.  
 H.R. 1474: Mr. DESJARLAIS.  
 H.R. 1477: Mr. ACKERMAN.  
 H.R. 1513: Mr. LATOURETTE.  
 H.R. 1609: Mr. LABRADOR.  
 H.R. 1648: Ms. ZOE LOFGREN of California and Mr. DOGGETT.  
 H.R. 1653: Mr. MEEHAN, Mr. GRIFFIN of Arkansas, Mr. QUAYLE, Mrs. LUMMIS, Mr. DUFFY, and Mr. MCHENRY.  
 H.R. 1674: Mr. NUGENT.  
 H.R. 1834: Mr. MCCAUL, Mr. KING of New York, Mrs. BIGGERT, and Mr. HONDA.  
 H.R. 1842: Mr. CROWLEY.  
 H.R. 1865: Mr. HUIZENGA of Michigan.  
 H.R. 1925: Mr. HIGGINS.  
 H.R. 1965: Mr. KLINE.  
 H.R. 2020: Mr. ROTHMAN of New Jersey, Mr. PAULSEN, and Mr. DESJARLAIS.  
 H.R. 2053: Mr. HEINRICH.  
 H.R. 2063: Mr. RANGEL, Ms. BASS of California, and Ms. LEE of California.  
 H.R. 2070: Mr. LUETKEMEYER.  
 H.R. 2088: Mr. SCHIFF, Ms. EDWARDS, Ms. TSONGAS, Mr. LEWIS of Georgia, Mr. CAPUANO, and Ms. SPEIER.  
 H.R. 2214: Mr. PEARCE, Mr. WILSON of South Carolina, Mr. THORNBERRY, Mr. SCHOCK, Mr. GRAVES of Georgia, Mrs. CAPITO, Mr. GARRETT, Mr. DUFFY, Mr. LONG, Mr. WALSH of Illinois, and Mr. MULVANEY.

H.R. 2245: Mr. KING of New York.  
 H.R. 2264: Mr. LEVIN.  
 H.R. 2299: Mr. BERG.  
 H.R. 2367: Mr. SIMPSON.  
 H.R. 2369: Mr. WOODALL, Mr. BROUN of Georgia, Mr. AMODEI, and Mr. BISHOP of Utah.  
 H.R. 2412: Ms. ZOE LOFGREN of California.  
 H.R. 2446: Mr. BACA, Mr. ROE of Tennessee, and Mrs. BLACKBURN.  
 H.R. 2487: Mr. STARK.  
 H.R. 2514: Mr. HULTGREN and Mr. ROONEY.  
 H.R. 2516: Mr. NUGENT.  
 H.R. 2538: Mr. DANIEL E. LUNGRÉN of California.  
 H.R. 2563: Mr. BARTLETT.  
 H.R. 2853: Mr. GARAMENDI.  
 H.R. 2874: Mr. FLEMING.  
 H.R. 2888: Mr. FLORES.  
 H.R. 2910: Mr. POSEY.  
 H.R. 2945: Mr. LANKFORD.  
 H.R. 2967: Mr. FRANK of Massachusetts.  
 H.R. 2969: Mr. NADLER, Mr. FRANK of Massachusetts, Mr. ROTHMAN of New Jersey, Mr. TIERNEY, Mr. BARTLETT, and Mr. JACKSON of Illinois.  
 H.R. 3029: Mr. LABRADOR, Mr. DESJARLAIS, Mr. SCOTT of South Carolina, Mr. MACK, Mrs. BONO MACK, Mr. SOUTHERLAND, Mr. MCHENRY, Mr. BILBRAY, Mr. MCCLINTOCK, Mr. GUINTA, Mr. HARRIS, Mr. KELLY, Mr. FARENTHOLD, Mr. JORDAN, Mr. STUTZMAN, and Mr. GOHMERT.  
 H.R. 3033: Mr. ISSA, Mr. CANSECO, and Mr. HINOJOSA.  
 H.R. 3044: Mr. LAMBORN, Mr. GOHMERT, Mr. POSEY, and Mr. DUNCAN of South Carolina.  
 H.R. 3046: Mr. DAVIS of Kentucky, Mr. OWENS, and Mr. HONDA.  
 H.R. 3055: Ms. LEE of California.  
 H.R. 3056: Mr. SCOTT of Virginia.  
 H.R. 3059: Mr. NUNNELEE and Mr. SMITH of Washington.  
 H.R. 3074: Mr. BACHUS, Mr. CRAVAACK, Mr. HURT, and Mr. HUIZENGA of Michigan.  
 H.R. 3088: Mr. POLIS and Mr. COHEN.  
 H.R. 3094: Mr. CANSECO, Mr. RIBBLE, Mr. WALSH of Illinois, Mrs. MYRICK, Mrs. SCHMIDT, Mr. DUNCAN of South Carolina, Mr. HARRIS, Mr. PEARCE, and Mr. BARTLETT.

H.R. 3102: Ms. NORTON.  
 H.R. 3123: Mr. MARCHANT, Mr. PAULSEN, and Mr. NUNES.  
 H.R. 3151: Ms. MOORE, Ms. LEE of California, Mr. SERRANO, Ms. SLAUGHTER, Mr. LEWIS of Georgia, Ms. NORTON, Mr. JACKSON of Illinois, Ms. JACKSON LEE of Texas, and Mr. VAN HOLLEN.  
 H.R. 3156: Mr. MARCHANT.  
 H.R. 3178: Mr. LOEBSACK and Ms. RICHARDSON.  
 H.R. 3200: Ms. SCHAKOWSKY, Mr. SHERMAN, Mr. SCHIFF, Mr. BISHOP of Georgia, Mr. CUELLAR, Mr. KIND, Mr. SHIMKUS, and Mr. MCKINLEY.  
 H.R. 3206: Mr. CULBERSON.  
 H.R. 3211: Mr. CULBERSON.  
 H.R. 3218: Mr. WALSH of Illinois, Mr. ROKITA, Mr. REHBERG, Mr. POE of Texas, and Mr. BROOKS.  
 H.R. 3236: Mr. FARR.  
 H.R. 3262: Mr. GOWDY, Mr. HUIZENGA of Michigan, Mr. MCHENRY, Mrs. MILLER of Michigan, Mr. BRADY of Texas, Mr. KELLY, Mr. ROSKAM, Mr. FLORES, Mr. CRAWFORD, and Mr. CRAVAACK.  
 H.R. 3268: Mr. FILNER, Ms. JACKSON LEE of Texas, and Mr. CONNOLLY of Virginia.  
 H. Res. 111: Mr. RANGEL, Mr. BERG, Mr. HEINRICH, Mrs. ADAMS, Mr. TIPTON, Mr. BOREN, Mr. PERLMUTTER, and Ms. SCHWARTZ.  
 H. Res. 295: Mr. RIVERA.  
 H. Res. 416: Mr. JOHNSON of Illinois.  
 H. Res. 435: Mr. GERLACH.  
 H. Res. 449: Mr. CONNOLLY of Virginia.

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 PETITIONS, ETC.

Under clause 3 of rule XII:

27. The SPEAKER presented a petition of Government Contractor Services, Tampa, Florida, relative to a letter protesting the the serious inequities in the procurement system; which was referred to the Committee on Oversight and Government Reform.



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 112<sup>th</sup> CONGRESS, FIRST SESSION

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No. 163

## Senate

The Senate met at 11:00 and 10 seconds a.m., and was called to order by the Honorable PATRICK J. LEAHY, a Senator from the State of Vermont.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will read a communication to the Senate.

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, October 27, 2011.

*To the Senate:*

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable PATRICK J. LEAHY, a Senator from the State of Vermont, to perform the duties of the Chair.

DANIEL K. INOUE,  
*President pro tempore.*

Mr. LEAHY thereupon assumed the chair as Acting President pro tempore.

ADJOURNMENT UNTIL 3 P.M. ON  
MONDAY, OCTOBER 31, 2011

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 3 p.m. on Monday, October 31, 2011.

Thereupon, the Senate, at 11:00 and 33 seconds a.m., adjourned until Monday, October 31, 2011 at 3 p.m.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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## EXTENSIONS OF REMARKS

TRIBUTE TO HOWARD H. "TIM"  
HAYS

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 27, 2011

Mr. CALVERT. Mr. Speaker, I rise today to recognize and honor Howard H. "Tim" Hays who recently passed away at the age of 94. He will be deeply missed.

Mr. Hays spent 51 years at the Riverside Press Enterprise, the sixth largest newspaper in the state of California. Before coming to the newspaper, Mr. Hays was an FBI Special Agent during World War II. In 1946, he joined the paper as an Assistant Editor and also passed the California bar exam. The Riverside Press Enterprise wrote an article detailing the many accomplishments of Mr. Hays and the incredible contributions he made to the newspaper, the community and the country.

[Oct. 14, 2011]

FORMER P-E PUBLISHER AND EDITOR TIM  
HAYS DIES

Howard H. "Tim" Hays, Jr., the Harvard-educated lawyer who chose a newspaperman's life and led what became The Press-Enterprise into national prominence as a Pulitzer Prize-winning advocate of open government and defender of the First Amendment, died Friday in St. Louis. He was 94.

Mr. Hays had been struggling with Alzheimer's disease, his son Tom Hays said Friday. He said his father died in the afternoon at Barnes-Jewish Hospital following a brief acute illness.

Mr. Hays spent 51 years at The Press-Enterprise. He was an FBI special agent during World War II and joined the newspaper as assistant editor in 1946. He passed the bar the same year but never practiced law.

His subsequent roles included editor, co-publisher, publisher and chairman. He continued as chairman until 1997, when The Press-Enterprise was sold to the A.H. Belo Co., ending 67 years of family ownership of the Riverside-based newspaper.

The news organization's five-story office on Fourteenth Street was named in 2006 as the Howard H. "Tim" Hays Media Center.

"Tim was a rarity, a man whose moral compass was set on true," said Mel Opatowsky, the former managing editor of The Press-Enterprise. "That is especially important as a newspaper owner because of the obligation as a public trust. There are many instances of Tim's beneficence, not only to his employees, but to his readers and to principles of quality journalism."

Mr. Hays once joked that his choice of journalism over law and his "semi-meteoritic rise" at the newspaper were due to "diligence, and the fact that my father was co-owner."

Courtly, soft-voiced and with a penchant for remembering anyone's name, from civic leaders to cleaning crews in the hallways of his newspaper, Mr. Hays' personality contrasted sharply with flamboyant news-executive contemporaries. His memos were to his "Fellow Employees."

But his reserved manner was matched with a steely resolve.

He stood up to pressure and confrontation to lead his newspaper to a Pulitzer Prize. He took two open-government cases to the U.S. Supreme Court, winning both.

Media attorneys use shorthand to refer to two landmark cases won by the newspaper, Press-Enterprise One and Two.

In January 1984, the newspaper won a case establishing the public's right to attend jury selection in criminal trial proceedings. In a 1986 case, the court asserted the right of the public to attend pre-trial hearings in criminal cases with few exceptions.

Mr. Hays oversaw publication of a series of articles in 1967 that exposed malpractice in the conservatorship program for Agua Caliente Indians in Palm Springs. Editorials combined with more than 100 stories, mostly written by reporter George Ringwald, earned the newspaper the Pulitzer Prize for meritorious public service in 1968. (Ringwald died in 2005.)

During the newspaper's reporting of that issue, a judge who was under investigation became infuriated by a Press-Enterprise editorial and ordered Mr. Hays arrested.

The publisher stood his ground and was not jailed.

Mr. Hays also stood by his reporters, even as advertisers took their business away in protest over investigative pieces.

Despite national recognition, Mr. Hays kept his community at the forefront of his work. He was among the civic leaders who worked to get a University of California campus established here. UC Riverside opened in 1954.

"Tim had a very active mind that saw beyond the ordinary but was able to bring it down to earth," said his former executive secretary, Jean Wingard. "He was an excellent newsmen, and had the respect of those who worked with him and for him."

Mr. Hays established the Hays Press-Enterprise Lecture in 1966, which was underwritten in 1998 by a \$100,000 endowment after the newspaper was sold.

The free lectures, open to the public, featured leaders in news media, including retired Washington Post Executive Editor Ben Bradlee; Gene Roberts, former managing editor of the New York Times; and W. Thomas Johnson, who was then president of Cable News Network.

Mr. Hays also undertook the cause of preserving the Mission Inn.

He and other civic leaders maintained their effort during a seven-year stretch in which the state and national historic landmark in downtown Riverside was closed—at one time surrounded by a chain-link fence.

Several attempts to reopen the Inn failed. Some suggested the land was a prime spot for a parking lot. In 1992, Duane Roberts bought the hotel and invested millions of dollars in renovations.

The Press-Enterprise under Mr. Hays also quietly helped to underwrite local cultural and arts organizations.

"I'm not married to any cause," Mr. Hays once said. "I believe in generosity to the community in which you live. I think you can contribute more with time and energy than with dollars. But I guess the money can be pretty dandy, too."

Retired appellate court Justice John Gabbert said Mr. Hays, similar to his brothers, developed his sense of community engagement early in life.

"He was motivated by the very strong civic background that he probably inherited from his father," Gabbert said Friday. "They were all there, out in the community, making it better."

Contemporaries of Mr. Hays said he was less likely to deliver a fiery speech, and more likely to argue his points over lunch or in a casual conversation. Former state Sen. Robert Presley said each time he would meet Mr. Hays at the same downtown Riverside restaurant, the publisher would prod him for support of downtown Riverside projects.

"He didn't seem to have a lot of ego, although he could be vigorous and persuasive in his arguments," Presley said Friday from Sacramento.

"He was a very special person," said Marcia McQuern who worked for Hays at The Press-Enterprise and eventually became the paper's publisher. "He had a true journalist's heart. He always tried to live up to his standards and ideals."

McQuern remembered Hays being well tied into the community. So much so that he often knew what was going on before his reporters did.

"I would come to him with a story and he'd say, 'You finally found that out,'" she said. "But he never would kill anything."

Even when it may have been unpopular among the community leaders he mingled with.

"He took a lot of heat. He really stuck by the newsroom. That's where his heart was," she said.

McQuern remembered one instance where the paper wanted the name behind a large anonymous donation to UC Riverside.

"We fought for access," she said. "He let us go fight for the information. We were about to file suit and he finally admitted it was him."

Howard H. "Tim" Hays, Jr. was born in Chicago on June 2, 1917, the son of Howard H. Hays, Sr. and Margaret Mauger Hays. He came to Riverside with his parents in 1924.

A graduate of Riverside Polytechnic High School, he was editor of the school newspaper, Poly Spotlight, during his senior year.

Mr. Hays earned a bachelor's degree in social sciences at Stanford University, graduating in 1939.

In 1942, he received a law degree from Harvard Law School. After his service with the FBI, he briefly served as a reporter at the San Bernardino Sun before joining the family newspaper and beginning his leadership role in American journalism.

Mr. Hays moved to St. Louis part time in 1989, and began living there full time after his retirement from The Press-Enterprise, his son Tom said.

In a message read at the 2007 dedication of the news building named after him, Mr. Hays noted that he still read every day the newspaper that he had led for so long.

Survivors include wife Susie Hays of St. Louis, sons Bill Hays of Corona Del Mar and Tom Hays of New York City, and brother Dan Hays of Riverside. His brother, William H. Hays, died earlier this year. Mr. Hays' first wife, Helen Hays Yeager, died two years earlier, to the day, of Mr. Hays' death.

Said Tom Hays, "He lived a very long and productive and fortunate life, and he died very peacefully, so we are thankful for that."

Mr. Hays will always be remembered for his incredible work ethic, generosity, love of

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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

family, and the numerous contributions he made to the newspaper industry. His dedication to the integrity of the newspaper, the protection of the First Amendment and to the community as a whole are a testament to a life lived well and a legacy that will continue. I extend my condolences to Mr. Hays' family and friends. Although Mr. Hays may be gone, the light and goodness he brought to the world remain and will never be forgotten.

HONORING THE CENTRALIA HIGH SCHOOL LADY PANTHERS

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Centralia High School Lady Panthers Softball team for winning the Class 3 Missouri State Championship on October 22, 2011.

The young women and their coaches should be commended for all their hard work throughout the regular season and for bringing home the state softball championship to their school and community. In its final championship game against the Chillicothe Hornets, every team member made important contributions that led to the team's 2-0 win.

This Lady Panthers team will hold a special place of honor in the history of Centralia High School for winning the school's first-ever softball state championship. The team finished the season with a 28-2-1 record, including wins over this year's Class 1 and Class 2 softball champs.

I ask that you join me in recognizing the Centralia Lady Panthers for a job well done!

HONORING DAVID BRIGGS AND NORBERT PUTNAM

**HON. MARSHA BLACKBURN**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mrs. BLACKBURN. Mr. Speaker, musical genius is commonplace in Middle Tennessee. From songwriters to executive producers, the notables of Nashville are known the world over for their dedication to the perfect sound. I rise today to honor two pillars of Music City as they receive the Cecil Scaife Visionary Award and are recognized for their contribution to Tennessee's legendary sound.

David Briggs excels at more than the ivory keys. Dedicated to great and beautiful music, Briggs moved to Nashville and worked on over 200 number one hits. Playing keyboard for Elvis, Kris Kristofferson, Reba McEntire, Dolly Parton, and many more of the greats, Briggs has decades of success as both a musician and an executive of Quadrofonic Sound Studio.

Together with Briggs, Norbert Putnam was part of the original Muscle Shoals Recording Section at Fame Recording Studios. From opening for the Beatles in their first American concert, to becoming one of Nashville's most successful pop-rock bassists, to currently his place as one of the top pop/rock producers in

Music City with Quadrofonic Sound, Putnam too has a storied devotion to Tennessee music.

The greatness of Music City is only as strong as the next generation of billboard leaders. I appreciate David Briggs and Norbert Putnam for their contributions to our great music legacy. I also appreciate the hard work and support of those who established and continue the Cecil Scaife Business Scholarship. Your devotion to those who pioneer the way for future music legends helps to strengthen Music City. I rise today to honor two industry leaders whose drive and dedication to offer their experiences to tomorrow's musicians, publishers, composers, and arrangers. I ask my colleagues to rise and join with me in celebrating David Briggs and Norbert Putnam as they receive the Cecil Scaife Visionary Award and continue to offer their experience and wisdom to those who seek the next great note.

IN HONOR OF MR. TOM FERAN

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Mr. Tom Feran, a writer and editor with the Cleveland Plain Dealer, who is being honored by the Press Club of Cleveland and inducted into the Cleveland Journalism Hall of Fame, Class of 2011.

Tom is a longtime Clevelander who graduated from St. Ignatius High School before attending Harvard University. While at Harvard, he was the president and editor of the Harvard Lampoon, the world's longest continually published humor magazine. He graduated from Harvard in 1975.

Tom joined the Cleveland Plain Dealer in 1982 as the editor for the publication's Sunday magazine. He has since worked as the editor of the Arts&Life section of the paper, a columnist, television critic and is currently working as a writer of PolitiFact columns. In addition to the Plain Dealer, Tom has published articles in Ohio, Cleveland, and DirecTV magazines. He is the author of Ghoulardi: Inside Cleveland TV's Wildest Ride and Cleveland TV Memories. He has also co-authored Six Inches of Partly Cloudy, Big Chuck! and The Buzzard. Tom was recognized by the society of Professional Journalists in 2007 as the Best Columnist in Ohio.

In addition to his career, Tom has served as the president of the Television Critics Association of North America for two terms. He is also a member of the Harvard Club of Northeast Ohio.

Mr. Speaker and colleagues, please join me in congratulating the Cleveland Plain Dealer's Mr. Tom Feran as the Press Club of Cleveland inducts him into the Cleveland Journalism Hall of Fame, Class of 2011.

PERSONAL EXPLANATION

**HON. MICHAEL G. GRIMM**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. GRIMM. Mr. Speaker, on rollcall No. 805, I had district work that required my pres-

ence. Had I been present, I would have voted "nay."

HONORING NATIONAL BREAST CANCER AWARENESS MONTH

**HON. MICHAEL G. FITZPATRICK**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. FITZPATRICK. Mr. Speaker, I rise today in honor of National Breast Cancer Awareness Month. For those of you who do not know, October is Breast Cancer Awareness Month. Founded in 1985, this is an annual campaign by various breast cancer organizations to increase awareness of the disease. Part of the awareness includes educating the public about early detection, the cause, diagnosis, treatment, and support for survivors.

Not long ago, I survived my fight with cancer, and since then, I have made it a top priority to help others overcome this terrible disease. Along with Congresswoman BETTY SUTTON, I introduced the Breast Cancer Recovery Improvement Act (H.R. 2510) to provide critical medical devices to women recovering from post-mastectomy breast cancer surgery.

The American people have become much more aware of this deadly disease. Today, on the 25th anniversary, I'd like to thank all of the people who have been involved with National Breast Cancer Awareness Month. Be it wearing a pink ribbon to pledge your support, or giving a donation for cancer research, it all plays an important part in promoting the message, so that way we can finally find a cure for this disease.

RECOGNIZING MADONNA UNIVERSITY

**HON. THADDEUS G. McCOTTER**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. McCOTTER. Mr. Speaker, today I rise to recognize Madonna University, located in my hometown of Livonia, Michigan, upon the 75th anniversary of the school's founding by the Felician Sisters.

In 1937, the Felician Sisters established Presentation Blessed Virgin Mary Junior College on what had been sprawling farmland. As a teaching college with a staff of 18 Sisters committed to providing higher education to area Catholic schools, the school grew to include service-oriented majors such as nursing, hospice, sign language and criminal justice.

After 10 years of rapid growth, Presentation Blessed Virgin Mary College expanded to a baccalaureate institution and was renamed Madonna College. In 1965, the main Academic Building and Residence Hall were dedicated. Madonna launched its first master's program in 1982, and in 1984 dedicated a new library and Kresge Hall. Madonna became a University in 1991 and currently offers more than 50 undergraduate majors toward associate and bachelor degrees as well as 22 masters programs in clinical psychology, business, criminal justice, education, history and health professions. The year 2009 brought the University's first doctoral program in nursing

and the dedication of the Franciscan Center for Science and Media. The Franciscan Center has been awarded Gold Status for Leadership in Energy and Environmental Design by the United States Green Building Council. The Ford Motor Company Technology Wing offers opportunities for students to work collaboratively on class projects. From its humble beginnings Madonna University has been at the forefront of academic excellence.

Mr. Speaker, for 75 years Madonna University has been true to its mission and Franciscan values. I ask my colleagues to join me in commending Madonna University and the Felician Sisters for their commitment to furthering education and their positive influence on our community and our country.

TRIBUTE TO JUDGE E.J. "JOE"  
KING

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 27, 2011

Mr. PAUL. Mr. Speaker, Judge E.J. "Joe" King of Brazoria County has recently been honored with a distinguished alumni award from the University of Houston—Clear Lake. It is my pleasure to congratulate Judge King on this well-deserved award.

For the past 42 years, Judge King has served the people of Brazoria County in a variety of ways, including as a Department of Public Safety state trooper, a lieutenant in the Brazoria County Sheriff's Department, and as a Brazoria County Judge. Judge King has also served as President of the Brazoria County Peace Officers Association and the Southeast Texas Association for Identification and Investigation Officers.

Judge King's commitment to protecting and serving the people of Brazoria County was recognized by the Federal Bureau of Investigation, which selected him to attend the FBI National Academy, one of the highest honors non-federal law enforcement can receive.

Judge King also served his community through involvement in numerous civic associations and volunteer efforts. He is currently a director of the Brazoria County Cattleman's Association and is a past director of the Brazoria County Fair and the Brazoria Association for Citizens with Handicaps.

Mr. Speaker, Judge Joe King is truly devoted to helping others in his community and serves as an example of which one person can make a difference in the lives of those around them. It is therefore my pleasure to once again congratulate Judge Joe King on receiving the distinguished alumni award from University of Houston—Clear Lake and thank him for all he has done for the people of Brazoria County.

DIAGNOSTIC IMAGING SERVICES  
ACCESS PROTECTION ACT OF 2011

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 27, 2011

Mr. OLSON. Mr. Speaker, I rise today, along with 32 additional bipartisan House

members, to introduce the Diagnostic Imaging Services Access Protection Act of 2011. I am introducing this legislation to preserve patient access to important, life-saving advanced diagnostic imaging services, including magnetic resonance imaging (MRI), computed tomography (CT), and ultrasound.

Radiologists are paid for the time, effort, and skill involved in interpreting images, rendering patient diagnoses, and reporting their findings as part of the medical record. A Proposed Rule by the Centers for Medicare and Medicaid Services (CMS) would cut the professional component reimbursement for radiologists by 50 percent through application of a multiple procedure payment reduction (MPPR) to the interpretation of multiple images for a single patient.

Under the Proposed Rule, CMS seeks to apply this MPPR policy to the professional component due to what we think is a flawed view that there are considerable "efficiencies" when the same patient receives multiple imaging services from the same radiologist during a single session. This substantial cut is a disservice to radiologists and ignores the fact that radiologists spend an equal amount of time, effort, and skill interpreting each diagnostic image, regardless of the number of images being examined, the section of the body being examined, or the particular date of the imaging service.

My legislation ensures that CMS does not arbitrarily undervalue the role of the radiologist within the health care delivery system. As you know, individuals receiving multiple imaging studies often represent the sickest and most complex patients seen by radiologists. Constituent radiologists contacting our offices in recent months have shared their concerns regarding the impact of this policy, particularly on patients who receive multiple scans during a single session and are typically affected by severe trauma, stroke, or widespread cancer.

Implementation of this flawed MPPR will disproportionately affect our most vulnerable patient population and could actually cost our health care system more in the long run. This action could force physicians who currently provide imaging services in a private practice setting to move to a hospital setting, causing these vital services to be reimbursed through the more expensive Hospital Outpatient Prospective Payment Schedule (HOPPS), rather than the Medicare Physician Fee Schedule.

I urge all Members of the House of Representatives to lend their support to this bipartisan legislation dedicated to preserving patient access to community-based diagnostic imaging services.

CALIFORNIA AND E-VERIFY

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 27, 2011

Mr. CALVERT. Mr. Speaker, I rise today to bring attention to a recent article in the Riverside Press Enterprise about E-Verify and the new California state law that will prevent cities and counties from requiring businesses to use E-Verify. It is disappointing that when so many other states are moving towards mandating E-Verify, California is going in the opposite direction. With unemployment at 12.1 percent in

California, preventing cities and counties from using E-Verify to ensure local residents have an opportunity to work makes no sense. Instead, the state is protecting illegal immigrants who are employed illegally. Furthermore, federal law already requires businesses to hire a legal work force; allowing the use of E-Verify simply gives employers the tool to ensure they can comply with existing law.

Again, many of us in California are outraged by Governor Jerry Brown's decision to sign this bill and deny cities and counties their right to require use of the E-Verify program. It is telling that the Governor decided not to issue a statement announcing the signing of the legislation. The E-Verify program is overwhelmingly popular, with over 80 percent of Americans supporting its mandatory enactment. The Governor is wrong on this issue and I support local cities and counties that choose to challenge the constitutionality of this law.

[From the Press Enterprise, Oct. 20, 2011]

REGION: CITIES SCRAMBLE IN WAKE OF E-VERIFY BILL

(By Kevin Pearson)

A number of Inland cities may be forced to repeal ordinances requiring businesses to verify that employees are not undocumented immigrants, now that the state has prohibited cities from mandating use of the federally run E-Verify system.

The law that was signed this month and goes into effect Jan. 1 left cities with few other options, but it has stoked the debate on both sides of the issue about the state's role in immigration issues.

E-Verify, created in 1996 by Rep. Ken Calvert, R-Corona, is operated by the Department of Homeland Security. It can be used to ensure that an employee has the legal right to work in the United States.

The new state legislation does not prohibit businesses or government entities, including cities and counties, from using E-Verify; it does prohibit making E-Verify's use a requirement to do business within those cities our counties.

In the past year and a half, Temecula, Murrieta, Lake Elsinore, Hemet, Menifee, Wildomar, Norco and San Bernardino County have passed ordinances requiring businesses to use the system, to varying degrees. The Inland area is home to the majority of municipalities in the state with such ordinances.

The state law comes as a bill is making its way through Congress that would require every business in the nation to use E-Verify, signaling that the issue between cities, states and the federal government may just be getting started.

"Right now, across America, various states and local governments are enacting mandatory E-Verify," Calvert said in a statement. "Meanwhile, California is going the other way . . . and in fact the Governor is signing laws to preempt the use of E-Verify. This is an outrage."

CITIES AFFECTED

When Gov. Jerry Brown signed the bill last week, he released no signing statement and the move largely flew under the radar. But the text of the bill cited the costs that businesses incur to implement the system, and concern about the accuracy of the system.

Though E-Verify is free to use, the bill noted that there could be a significant cost to businesses in staff time and other resources. And while Calvert's office boasts that E-Verify is 99.5 percent accurate, other studies have questioned that figure.

As word spread about the new bill, cities in Riverside County began working on how to react. Officials in some of those cities said

they are still having internal discussions among city and legal staff.

City leaders said it is likely that most of the city councils will be asked to repeal the ordinance. Another option is a legal battle, but officials said that would be an unlikely choice because of costs.

In Temecula and Murrieta, there have been no reports of immigration violations since the E-Verify ordinances went into place. Staff for both southwest Riverside County cities said they did not view illegal immigration as a major issue in their towns.

"When you look at the whole issue, it's a federal issue," Temecula Deputy City Manager Grant Yates said. "When you look at actions across the country . . . the frustration is that at the federal level we don't have clear direction."

In Hemet, the city passed its ordinance in June and just recently got new business license paperwork with the E-Verify information on it. Staff members are now instructing applicants to ignore that language.

"California is a dysfunctional state and therefore it makes it difficult on local governments to implement this and a host of other issues," said Brian Ambrose, a Senior Management Analyst with the city of Murrieta. "Does this surprise me? No.

"The state legislature passed this bill, and if that's the legislature and governor's desire, we are content to do what they wish. (But) this is absolutely far from over."

#### FEDERAL ISSUE?

Many local city officials said they will keep a close eye on the federal push for the E-Verify system because they believe the federal government should be the one making the final decision on immigration issues.

Kathleen Kim, a professor at Loyola Law School in Los Angeles who specializes in immigration issues, said E-Verify should be dealt with on the national level and that asking private businesses to run immigration checks blurs the line between the public and private sector.

"I think the workplace should not be the location for immigration enforcement," Kim said. "E-Verify and the controversy over it is an example of why immigration enforcement should be taken out of the workplace and put in the hands of trained officers.

"This attempt to privatize immigration enforcement in the workplace can never find a comfortable solution."

Republican State Sen. Bill Emmerson said he opposed the state bill and that it goes against Brown's campaign for governor, during which he said he wanted to shift power to local agencies. Emmerson, whose 37th District includes Hemet, Menifee, Lake Elsinore, Moreno Valley and Corona, said he was surprised by the bill.

"It's another case of the state stepping in and not allowing local governments to use the tools available to them," Emmerson said. "To say they can't use a federal program seems not fair.

"The federal government has to be the level of government that steps up and makes the fix so states have a clearer policy of what to do."

#### LOCAL POLICIES

Hemet: All businesses in the city must check newly hired employees through E-Verify.

Lake Elsinore: All businesses in the city must check newly hired employees through E-Verify.

Menifee: All applicants for a business license must affirm their intent to use E-Verify.

Murrieta: All businesses in the city must check newly hired employees through E-Verify.

Norco: All businesses that have contracts with the city must use E-Verify.

San Bernardino County: All county contractors must use E-Verify.

Temecula: All businesses in the city must check newly hired employees through E-Verify.

Wildomar: All city contractors must use E-Verify and provide documentation of doing so.

### HONORING THE ROCK BRIDGE HIGH SCHOOL LADY BRUINS GOLF TEAM

#### HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Rock Bridge High School Lady Bruins golf team on its first state title.

The young women and their coaches should be commended for all their hard work throughout the regular season and on bringing home the Class 2 State Golf Championship to their school and community.

The girls played through less-than-ideal weather to beat their seven competitors. With a nine-stroke lead, the team won with a final score of 352.

I ask that you join me in recognizing the Rock Bridge High School Lady Bruins for a job well done.

### HONORING TIM MCGRAW

#### HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mrs. BLACKBURN. Mr. Speaker, the true greatness of our state and country lies in the creativity, integrity, and passion of its people, and we are fortunate to be surrounded by mighty examples of dedication to leadership, service, and support of the arts. I rise today to honor Tim McGraw as he receives the Applause Award. Given each year to those who devote their time, talents, and treasures to the performing arts and arts education in middle Tennessee, Tim McGraw joins Ted Welch as this year's deserved recipients.

From bluegrass, to rockabilly, to traditional country, the notes composing the symphony of country music are as diverse as they are enticing. A common thread among the stars of Music City is their devotion to causes greater than themselves. Tonight's award recipient, Tim McGraw, is no exception. Known the world over for his talents in harmonies and melodies, McGraw can be found in service to the American Red Cross, Nashville Rising, and various state and local foundations.

A successful arts program is one of the markers of a successful community, and I am thankful for all those who remain devoted to the Tennessee Performing Arts Center and its Education Programs. Through music, theater, ballet, and art, TPAC provides elevated experiences to middle Tennessee patrons. I rise today to honor Tim McGraw for his loyalty to not only the arts in his community, but his community as a whole. I ask my colleagues to join with me in celebrating McGraw's contributions to and success in Music City.

IN HONOR OF MR. BOB SCHIEFFER

#### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Mr. Bob Schieffer to acknowledge his contribution to broadcasting. He has been a valuable journalist in the broadcasting community for several decades and the host of CBS' "Face the Nation" for 20 years.

Mr. Schieffer was born on February 25th, 1937 and grew up in Fort Worth, Texas. He went to North Side High School and attended Texas Christian University. Upon graduating from TCU, Mr. Schieffer joined the US Air Force where he earned the ranks of captain and information officer. His first reporting job was with the Fort Worth-Star Telegram where he was a police reporter.

He has been a journalist for CBS since 1969 and hosted the "CBS Evening News" for 23 years. His career covering national politics included assignments with the White House, Pentagon, Department of State, and Congress. During the 2004 and 2008 presidential elections, he served as moderator of the third presidential debates. Mr. Schieffer has also written three books regarding his career in broadcasting.

Mr. Schieffer has won six Emmy awards, as well as the National Press Foundation's Broadcaster of the Year Award. He has also been named to the Broadcasting/Cable Hall of Fame. In 2005, Texas Christian University honored him by naming the Schieffer School of Journalism in his honor.

Mr. and Mrs. Schleifer currently reside in Washington D.C. and are the parents of two daughters.

Mr. Speaker and colleagues, please join me in honoring the work of Mr. Schieffer and celebrating his countless achievements.

### PERSONAL EXPLANATION

#### HON. MICHAEL G. GRIMM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. GRIMM. Mr. Speaker, on rollcall No. 807 I had district work that required my presence. Had I been present, I would have voted "nay".

### HONORING THE SERVICE OF JOHN BRUCE TO THE ARMY

#### HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. LEVIN. Mr. Speaker, one of the enduring beliefs of life in America is that a person can rise through the ranks and achieve success through a combination of hard work, determination, and honesty. This link between hard work and success is one of our country's core values, and appropriately so. Our country is a better place because of the efforts of those who quietly go to work every day, meet the challenges of their jobs, and exceed expectations.

These qualities are not uncommon among the men and women who serve in our nation's Armed Forces, but it's not every day that you can point to someone who has lived up to these standards over a career that spans nearly seven decades. I am pleased to recognize a man who has done just that, John Bruce of Troy, Michigan.

Mr. Bruce served in the South Pacific during World War II as a member of the Army Signal Corps. After being honorably discharged following the war, he began a career at the Detroit Arsenal in 1946 as a cost/price analyst. Mr. Bruce has been with TACOM ever since, accepting greater and greater responsibilities. He has served as Chief of Payroll, Chief of Financial Accounting, Deputy Comptroller, and Chief of the Detroit Arsenal Procurement Office, to name only a few of the positions he has held over the years.

Mr. Bruce has been honored on many occasions for his service. His awards include the Secretary of the Army Award for outstanding achievement in material acquisition; the Commanders Award for exceptional Civilian Service, the Meritorious Civilian Service Award, the Achievement Medal for Superior Civilian Service, the Superior Civilian Service Award, the Commander's Award for Civilian Service, and the Department of the Army Decoration for Exceptional Service.

Mr. Bruce is a graduate of UCLA, where he earned a Bachelor of Science Degree in Business Administration. He and his late wife, Jean, have two daughters, Nancy and Barbara.

When John Bruce retires on his 94th birthday on December 3, he will be TACOM's and the Army's longest serving employee. I ask the House of Representatives to join me in expressing our gratitude to Mr. Bruce for his many years of service to the nation. Congratulations for a remarkable career and a job well done.

LETTER TO NOAA ADMINISTRATOR JANE LUBCHENCO REGARDING HER INACCURATE AND UNCONSTRUCTIVE PUBLIC COMMENTS ON THE HOUSE APPROPRIATIONS LEGISLATION

**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. WOLF. Mr. Speaker, I submit a letter that I have sent to National Ocean and Atmospheric Administration administrator Jane Lubchenco in response to inaccurate and unconstructive remarks about the House Commerce-Justice-Science Appropriations Subcommittee recommended funding for the Joint Polar Satellite System.

HOUSE OF REPRESENTATIVES,

*October 26, 2011.*

Dr. JANE LUBCHENCO,  
*Undersecretary for Oceans and Atmosphere,  
Department of Commerce, Washington, DC.*

DEAR DR. LUBCHENCO: I was disappointed by your recent remarks to the Guardian newspaper accusing congressional Republicans of endangering the Joint Polar Satellite System (JPSS). I want you to know that your reported accusations were neither accurate nor constructive.

According to the article, "Republican budget-cutting measures would knock out

that critical capacity by delaying the launch of the next generation polar-orbiting satellites, said Jane Lubchenco." You are also quoted as saying, "It is a disaster in the making. It's an expression of the dysfunction in our system." Your remarks mirror similar comments made by deputy administrator Kathryn Sullivan to the Washington Post earlier this summer.

Perhaps you are unaware that the Republican-authored House FY 2011 bill recommended a higher level of funding for NOAA's satellite acquisition account than the Democrat-authored Senate bill despite the House having a lower allocation than the Senate. Further, for FY 2012, the House Commerce-Justice-Science Appropriations subcommittee recommended \$901 million, a nearly \$430 million increase—91%—above the FY 2011 level for JPSS. Despite having an allocation \$2.5 billion higher than the House, the Senate recommended an amount only slightly above the House recommendation, \$920 million. To my knowledge, you have never criticized Senate funding levels for JPSS. While the House did not provide the full \$1 billion requested, the House level is a significant amount of funding given these austere budget times when other programs in the Commerce-Justice-Science bill were significantly reduced or eliminated altogether.

Finally, I would call your attention to the fact that any gap in satellite data is not due to lack of funding, "Republican budget-cutting measures" or "the dysfunction in our system," but rather years of poor inter-agency management that resulted in the cancellation of the National Polar-orbiting Operational Environmental Satellite System (NPOESS) satellite program after being more than five years behind schedule, twice as expensive with fewer satellites and less capability. The caution shown by the Congress with regard to funding the successor program, JPSS, is fully justified in light of this record of waste and mismanagement. I have noted below portions of September, 2011 GAO testimony to the Congress on NPOESS mismanagement, from GAO-11-945T:

"When its primary contract was awarded in August 2002, NPOESS was estimated to cost about \$7 billion through 2026 and was considered critical to the United States' ability to maintain the continuity of data required for weather forecasting and global climate monitoring. However, in the years after the program was initiated, NPOESS encountered significant technical challenges in sensor development, program cost growth, and schedule delays. By November 2005, we estimated that the program's cost had grown to \$10 billion, and the schedule for the first launch was delayed by almost 2 years. These issues led to a 2006 restructuring of the program which reduced the program's functionality by decreasing the number of planned satellites, orbits, and instruments. The restructuring also led agency executives to decide to mitigate potential data gaps by using NPP as an operational satellite. Even after the restructuring, however, the program continued to encounter technical issues in developing two sensors, significant tri-agency management challenges, schedule delays, and further cost increases. Faced with costs that were expected to exceed \$14 billion and launch schedules that were delayed by over 5 years, in August 2009, the Executive Office of the President formed a task force, led by the Office of Science and Technology Policy, to investigate the management and acquisition options that would improve the NPOESS program. As a result of this review, the Director of the Office of Science and Technology Policy announced in February 2010 that NOAA and DOD would no

longer jointly procure the NPOESS satellite system; instead, each agency would plan and acquire its own satellite system."

Your reported inaccurate and partisan comments are unhelpful. I urge you to publicly correct these inaccurate statements. I await your prompt response.

Best wishes.

Sincerely,

FRANK R. WOLF,

*Chairman, Commerce-Justice-Science  
Subcommittee, Appropriations Committee.*

HONORING JULIE WATKINS FOR  
TWENTY-THREE YEARS OF PUBLIC SERVICE

**HON. NICK J. RAHALL II**

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. RAHALL. Mr. Speaker, it is always hard to say goodbye to a valued staff person, but today is especially difficult in wishing Julie Watkins a fond farewell as she begins her retirement.

Julie has served the people of West Virginia as a staff member in the U.S. Congress since 1989, almost 23 years.

Julie began her Congressional tenure working in the mailroom for West Virginia's beloved Senator Robert C. Byrd. She later moved to Senator Byrd's front office, where she was a Staff Assistant who proved her commitment daily to her job. Rising at 3:15 a.m., each morning, in order to drive from rural Virginia to be in the office by 5 a.m., Julie impressed Senator Byrd and everybody on staff with her diligence and hard work.

Julie later was promoted to Front Office Manager and then Office Manager, training every new Staff Assistant who came to work in Senator Byrd's front office, forty-eight in total, while she was in that position. After fifteen years, in 2005, she left the front office to try her hand at casework. Senator Byrd, who thought so very highly of Julie, was deeply reluctant to let her go—refusing to accept for the longest time that Julie was no longer looking after his front office—a position upon which he placed tremendous value. She had been, for so long, his warm, welcoming, efficient representative to so many West Virginians whenever they called for help or came to visit Capitol Hill.

When Senator Byrd passed away last year, I was fortunate that Julie agreed to come to work on the House Natural Resources Committee, on which I was Chairman. She worked in my Committee office, and later graciously moved to my personal office, once again resuming the vital duties of the front desk.

I cannot help but feel a little boastful in saying that I succeeded where Senator Byrd did not in convincing Julie to move back into the front office. I know, however, that Senator Byrd would be so proud to know that all of Julie's skill and experience were still being employed, at least for a little while longer, in serving the people of West Virginia.

Julie is one of those prized Congressional staffers who master their job. Many times they are not high profile positions, but they are essential to a smooth running office and to ensuring that our constituents are well and effectively served. Julie knows what so many of us forget or fail to understand: filling the copy

paper each morning, checking the fax machine so it works properly, knowing the right contacts in the Superintendent's office when something needs fixing—these sometimes seemingly little things are of big importance. Julie had a keen eye for catching those little things and always looked after them to ensure that everyone else could do their job better. She is ever dependable, ever reliable. When Julie gets an assignment, you know it will get done and get done right.

I know I speak on behalf of the entire Rahall staff, as well as the staffs of the Natural Resources and Transportation and Infrastructure Committees who have had the pleasure of working with her, when I say that Julie will be deeply missed. We wish her a most enjoyable retirement. We won't ever forget her and neither will scores of citizens who have benefited from her service to the Nation.

H.R. 674 AND H.R. 2576

**HON. JOHN D. DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. DINGELL. Mr. Speaker, I am prepared to vote in support of H.R. 674, which would repeal the onerous requirement that federal, state, and local government entities withhold three percent of payments to government contractors. Although never put into effect, the requirement would constitute a significant burden on all levels of government, which are presently sorely lacking in resources. Withholding three percent of payments was unsound policy when enacted by the Republican Congress in 2005, and I gladly will help my colleagues on the other side of the aisle correct their mistake.

I am less disposed to be helpful on H.R. 2576, a bill to adjust the definition of "modified adjusted gross income," MAGI, so that fewer Americans qualify for tax credits under the Affordable Care Act. This strikes me at best as a solution in search of a non-existent problem. To add insult to injury, H.R. 2576 will cause American families, seniors, and those with disabilities to pay more for their healthcare at a time when they can least afford it. I have spent my entire career fighting to ensure working American families have access to affordable, good-quality healthcare. Supporting H.R. 2576 would be in direct contravention of that goal, and I cannot in good conscience do so. I urge my colleagues to vote "no" on it.

Mr. Speaker, I would like to conclude by noting the rascality underlying the rule for H.R. 674 and H.R. 2576. It allows separate votes on both bills—one non-controversial and the other very controversial—and then requires they be merged for consideration by the Senate. I oppose this sort of legislating and believe each chamber should be allowed to work its will on separate items, rather than forced to accept bad policy in the guise of procedural tricks and faux compromise. This is skullduggery at its finest, Mr. Speaker, and an unnecessary affront to regular order, which your side so consistently claims to cherish.

TRIBUTE TO USS "CALIFORNIA"

**HON. KEN CALVERT**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. CALVERT. Mr. Speaker, I rise today, on behalf of the California Delegation, to honor and pay tribute to the USS *California* (SSN-781), a Virginia-class submarine and the first submarine to be named after the Golden State. On the occasion of the submarine's commissioning, we could not be more proud to have one of the world's most modern and sophisticated nuclear-powered attack submarines named for the state of California.

The contract to build her was awarded to Northrop Grumman Newport News (now Huntington Ingalls Industries Newport News Shipbuilding) in Newport News, Virginia, on August 14, 2003. Construction began in December 2006. *California's* keel was laid down on May 1, 2009. She was christened on November 6, 2010, sponsored by Donna Willard, wife of Admiral Robert F. Willard. The *California* was launched eight days later, on November 14, 2010. The commissioning has been scheduled for October 29, 2011 by the Secretary of the Navy. USS *California* will be homeported at Groton, Connecticut.

Designed to meet the Navy's requirements in a post-Cold War era, Virginia-class submarines use advanced technologies to increase firepower, maneuverability and stealth. Along with other Virginia-class submarines, the *California* is tailored to excel in a wide range of warfighting missions with several innovations that significantly enhance its warfighting capabilities, especially in the littoral environment. The ship has a fly-by-wire ship control system that provides improved shallow-water ship handling. The class has special features to support special operation forces and prolonged deployments. Advanced technology is employed to provide the ship's company enhanced situational awareness and is designed to remain state of the practice for its entire operational life through rapid introduction of new systems and payloads.

Previous ships bearing the USS *California* name have a long and storied history. The first USS *California*, a screw propelled frigate, was christened in 1869. In 1941, the USS *California* (BB-44) was the flagship of the U.S. Pacific fleet stationed in Pearl Harbor. She was badly damaged by Japanese torpedoes, and partially sunk. The three crewmen serving aboard the battleship that day were posthumously awarded the Medal of Honor for acts of bravery in saving the lives of their shipmates. A few months later, the *California* was salvaged and repaired, and served in the Pacific theater during the final two years of World War II. She was present at several crucial battles in the Pacific theater, including the Battle of Surigao Strait—the last naval engagement fought by opposing battleships.

The most recent USS *California* (CGN-26) was the lead ship of her class of nuclear powered guided missile cruisers and was also a vital part of the U.S. fleet from her launch in 1971 to her retirement in 1999. She was known as the "Golden Grizzly," in recognition of the grizzly bear on the California state flag. We are pleased that the USS *California* (SSN-781) will follow in the footsteps of previous ships that have served this great country so proudly.

California is a state with a long naval history and strong naval tradition. The entire California Delegation is proud to welcome the USS *California* as the eighth U.S. Navy ship named after our home state. We have no doubt that she, and her crew, will serve our country honorably.

The following are the names of the Members of the California Congressional Delegation in support of the USS *California*:

MIKE THOMPSON, WALLY HERGER, DANIEL LUNGREN, TOM MCCLINTOCK, DORIS MATSUI, GEORGE MILLER, JOHN GARAMENDI, JERRY MCNERNEY, JACKIE SPEIER, PETE STARK, ANNA ESHOO, MIKE HONDA, ZOE LOFGREN, SAM FARR, DENNIS CARDOZA, JEFF DENHAM, JIM COSTA, DEVIN NUNES, KEVIN MCCARTHY, LOIS CAPPAS, ELTON GALLEGLY, HOWARD "BUCK" MCKEON, DAVID DREIER, BRAD SHERMAN, HOWARD BERMAN, ADAM SCHIFF, HENRY WAXMAN, XAVIER BECERRA, JUDY CHU, KAREN BASS, LUCILLE ROYBAL-ALLARD, MAXINE WATERS, JANICE HAHN, LAURA RICHARDSON, GRACE NAPOLITANO, LINDA SANCHEZ, EDWARD ROYCE, JERRY LEWIS, GARY MILLER, JOE BACA, KEN CALVERT, MARY BONO MACK, DANA ROHRBACHER, LORETTA SANCHEZ, JOHN CAMPBELL, DARRELL ISSA, BRIAN BILBRAY, BOB FILNER, DUNCAN HUNTER, and SUSAN DAVIS.

HONORING THE PALMYRA HIGH SCHOOL LADY PANTHERS

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Palmyra High School Lady Panthers softball team for winning the Class 2 Missouri State Championship on October 22, 2011.

The young women and their coaches should be commended for all their hard work throughout the regular season and bringing home the state softball championship to their school and community.

The Lady Panthers were hungry for a win and proudly demonstrated that competitive spirit by beating the undefeated Pleasant Hope High School Pirates softball team for the title. This is their fourth softball title in just six years.

I ask that you join me in recognizing the Palmyra Lady Panthers for a job well done.

HONORING TED WELCH

**HON. MARSHA BLACKBURN**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mrs. BLACKBURN. Mr. Speaker, the true greatness of our state and country lies in the creativity, integrity, and passion of its people, and we are fortunate to be surrounded by mighty examples of dedication to leadership, service, and support of the arts. I rise today to honor Ted Welch as he receives the Applause Award. Given each year to those who devote their time, talents, and treasures to the performing arts and arts education in Middle Tennessee, Ted Welch joins Tim McGraw as this year's deserved recipients.



Engaged in process of democracy and faithful to the causes of his calling, Ted Welch can be found working with various political organizations, the foundation of the Schermerhorn Symphony Center, or the Tennessee Chamber of Commerce. Throughout his years of public service, Welch remained a key figure in TPAC's past. His allegiance to his community is notable and remains part of what makes Middle Tennessee one of the best places to call "home."

A successful arts program is one of the markers of a successful community, and I am thankful for all those who remain devoted to the Tennessee Performing Arts Center and its Education Programs. Through music, theater, ballet, and art, TPAC provides elevated experiences to Middle Tennessee patrons. I rise today to honor Ted Welch for his loyalty to not only the arts in his community, but his community as a whole. I ask my colleagues to join with me, his wife Colleen, and his children and grandchildren, in honoring Ted Welch for supporting the betterment of his neighbors.

IN HONOR AND MEMORY OF MR.  
STEVE JOBS

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Steve Jobs, the former CEO of Apple Incorporated.

Mr. Jobs was born February 24, 1955 and graduated from Homestead High School in Cupertino, California. Steve would then attend lectures at Hewlett-Packard Company in Palo Alto, California, where he met future business partner Steve Wozniak. After attending Stanford, Steve was hired by Atari where he created the circuit board for the game "Breakout."

Mr. Jobs' invention of the personal computer happened in his family garage, where the company name "Apple" stemmed from his favorite fruit and where the technological word byte was also created. His vision included condensing computers to box size and having them introduced into the masses. In order to initiate their new company, Jobs sold his Volkswagen Micro Bus and business partner Steve Wozniak sold his HP scientific calculator to raise funds to begin Apple.

Later on in life Steve purchased The Graphics Group which later became Pixar. In 1995 he was executive producer for the Pixar movie "Toy Story." Years later Disney would buy Pixar and Steve would sit on the Disney committee for Disney's Pixar animation business. He was a pioneer and innovator. In August of 2011 Steve resigned as CEO of Apple to concentrate on his health. He died on October 5th, 2011 as the former founder, chairman, and CEO of Apple Incorporated.

The work Steve accomplished throughout his life was invaluable towards personalizing the computer and paved the way for the future of the technological world. In 2007, Steve was inducted into the California Hall of Fame and was recognized by Forbes as the most powerful person in business. Billions of people have benefited from Mr. Jobs' work which ranges from the Mac computer and iPhone, to the many Disney Pixar films.

Mr. Speaker and colleagues, please join me remembering Mr. Steve Jobs as we honor his work and life as an innovator and offer condolences to his family and friends.

PERSONAL EXPLANATION

**HON. MICHAEL G. GRIMM**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. GRIMM. Mr. Speaker, on rollcall No. 806 I had district work that required my presence. Had I been present, I would have voted "nay."

RED RIBBON WEEK

**HON. SILVESTRE REYES**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. REYES. Mr. Speaker, I rise today for a very special occasion to congratulate all of the students who participated in the first annual Red Ribbon Poster Contest. I started the Red Ribbon Poster Contest in an effort to engage El Paso area students in this nationwide initiative. I encouraged students to join this effort by asking them to create and submit a poster incorporating "Say No to Drugs, Say Yes to Life" theme. More than 100 students from elementary, middle, and high schools submitted posters, and the winning posters are currently being displayed at El Paso's Main Public Library.

Red Ribbon Week originated in 1988 for the purpose of honoring the life of DEA Agent Enrique "Kiki" Camarena, who was brutally tortured and killed by drug traffickers in Mexico 26 years ago. It is the largest advocacy effort in the nation for the prevention of drug use. By wearing a red ribbon during the week of October 23rd through the 31st, students, counselors, parents, teachers, and community leaders come together across the country to demonstrate their opposition to drugs and to promote a drug-free environment.

Approximately 80 million people participate in Red Ribbon Week events each year. Red Ribbon Week is dedicated to help preserve Camarena's memory and further the cause for which he gave his life: the fight against drug violence and drug addiction. I was fortunate to personally know "Kiki" Camarena while I was serving in the Border Patrol. It is fitting that our nation remembers him by observing Red Ribbon Week each year. The El Paso Intelligence Center (EPIC), located on Fort Bliss and operated by DEA, was dedicated to the memory of Agent Camarena.

This year's Red Ribbon Week Poster Contest winners are: Jonathan Lopez of O'Donnell Elementary School, Yesenia Webb of St. Pius School, Yari Castro of Immanuel Christian School, Ashley Mercado of Edgemere Elementary School, Andrea Castaneda of Faith Christian Academy, Jose Galarza of Ysleta Middle School, Nicole Luna of Hanks High School, Christian Rodriguez of Hanks High School, Christian Caballero of Parkland High School.

I would also like to include in the RECORD a list of all the students who participated in the Red Ribbon Poster Contest.

Aaron Ordaz, Abatrice Moncayo, Abby Castillo, Adriana Escajeda, Aileen Velasquez, Aldo Yañez, Alec Waring, Alex Britton, Alexah Delgado, Alexander Hutsell, Aliyah Guerrero, Amber Ochoa, Amelia Gonzalez, Analiese Ramirez, Andrea Castaneda, Angel Rodriguez, Angeline Ashley Martinez, Annabelle Cordero, Annette Orquiz.

Antonio Lopez Jr., Aparna Mangadu, Ariana Gonzalez, Ashley Clinton, Ashley De La Rosa, Ashley Hernandez, Ashley Mercado, Astryd Estrada, Athena Najjar, Azul Saray Martinez, Bella Ozomaro, Brandon Tellez, Brendan Galindro, Briana Carranza, Brianna D. Sanchez, Brittney Baca, Bryan Arenivas, Casandra Atilano, Cesar O. Davila, Cheyenne Jones.

Christian Caballero, Christian Rodriguez, Christopher Torres, D.J. Betancis, Daniela Tribaldos, Danielle Darbonnier, Dante Amato, Danya Navarrette, Darcy Hdz, Dariana Rubio, Dario Martinez, David Romero, David Samario, Destiny Avila, Devon Segovia, Diego Cardenas, Diego Samaniego, Eileen Matamoros-Horstman, Elizabeth Hernandez, Emilio I. Aguilar.

Emily Feria, Fancie Loubet, Ghicel Nuñez, Giseel Pulido, Hailey Swisher, Ines Figueroa, Isaac Ramirez, Isai Guerrero, Isaiyah Gonzales, Isaiyah Hernandez, Isaiyah Orozco, Ivan Arenivas, Ivan Palomars, Jacob Gutierrez, Jacob Parker, Jacqueline Martinez, Jacqueline Olivas, Jacquelyn Garcia, Jade Zamora, Janeth Escajeda.

Janice Mendoza, Jasmin Espinoza, Jasmine Tomlinson, Jayda Zamora, Jessica Gallegos, Jesus Sanchez, Jette Sagely, Joel Rangel, Jonathan Lopez, Jonathan Ortega, Jose Alberto Martinez, Jose Galarza, Joseline Avila, Joselyn Moreno, Joseph Gomez, Julian Robledo, Julianna Pluma, Julie Escalera, Julio Retana Rodriguez, Kara Reid.

Katelyn Riffle, Katrina Jimenez, Tyler Z. Jones, Lazaro Flores, Lennon Romo, Liliana Barrientos, Lynelle N. Villa, Madison Routledge, Maria Cortez, Mark Usevitch, Marlene Gonzalez, Megan Custer, Melissa Carrera, Mia Olivas, Michelle Soto, Miguel Sotelo, Miguel Velazco, Milka Serrano, Monika Ortiz, Monique Ramos.

Naomi Nava, Natalia Bustillos, Nathan Gandara, Nathaniel Lucero, Nicholas Salcedo, Nicole Luna, Noel Tamayo, Oscar Valladolid, Paolo Velazquez, Paulina Acosta Amaya, Phuumin Houser, Ravin Carico, Regina Perez, Robert Granados, Rosemary Vozza, Rudy Meraz, Ryan Rose, Sabreeyah Moody, Samantha A. Sanchez, Samantha Torres.

Samuel Pardo Jr., Sarah Lovett, Selena Ogawa, Sergio Cox, Severa Swiger, Shayla Rey, Simone Gordon, Sophia McCray, Stephanie Siqueiros, Steven Felix, Toni Cobos, Trinity Cordero, Victoria Mendez, Yamilet Acevedo, Yari Castro, Yesenia Webb, Zianya Larios.

Once again, I would like to congratulate this year's winners and thank all students and schools that participated in the Red Ribbon Poster Contest.

INTRODUCTION OF THE FAIR HOUSING MEMORIAL AUTHORIZATION ACT

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Ms. NORTON. Mr. Speaker, today I introduce, together with the co-sponsor Representative KEN CALVERT, the Fair Housing Memorial Authorization Act, to commemorate the accomplishments of the fair housing movement

in the United States with a memorial on federal land in the nation's capital. The bipartisan bill authorizes the Fair Housing Commemorative Foundation, established by the National Association of Realtors, to raise funds to build the memorial in accordance with the Commemorative Works Act. No federal funds could be used for the memorial. This may be the first time that a sector of our economy has decided to establish a memorial commemorating a movement that led to the enactment of statutes that regulate some of its practices. The foundation's precedent is commendable.

Fair housing and the movement to bring equal opportunity in the real estate markets are intertwined with our nation's history. The federal government has both been a part of the problem and an integral part of the solution, and every branch of the federal government has played a key role in our nation's progress towards fair housing. It is, therefore, fitting that we commemorate the fair housing movement's efforts to achieve equal opportunity in housing.

The Fifth Amendment to the Constitution establishes a right to own private property that the government cannot take without just compensation. Early immigrants sought a place where they could own and transfer real estate without the arbitrary interference of the government. That right, however, was not universal. Slavery denied basic rights to a whole class of Americans based on their race, and reduced many African Americans to the status of property. Among other things, slaves were denied the right to own and use real property.

The Civil War and the constitutional amendment prohibiting slavery were accompanied by laws that gave all citizens the same rights to own and use real property. The Civil Rights Act of 1866 was our nation's first "fair housing" law, but that law was ignored and severely limited by court decisions, culminating with the philosophy of "separate but equal" in the U.S. Supreme Court Plessey v. Ferguson decision. In addition, Congress and some states passed laws that restricted private property ownership and use by Latinos and Asian Americans. In the early 20th century, social scientists and leaders within the real estate community established guides for neighborhood desirability based on racial composition. Homogeneous neighborhoods of whites from northern European backgrounds were seen as the best investment for homeowners and others. Some early zoning laws sought to limit, by race, the people who could live in certain communities, as did some practices of the real estate industry. Although the U.S. Supreme Court, in its 1917 Buchanan v. Worley decision, struck down these racial restrictions, racial bias formed the basis for many restrictive covenants on real estate.

Following the World War II, returning GIs, through the GI Bill, were offered a path to homeownership. African Americans and other minorities, however, could not take advantage of these benefits in many communities. The great migration of the middle class to suburbs created segregated white suburbs and large isolated urban minority communities. There was little response by the federal government or the courts until, most notably, the 1948 U.S. Supreme Court decision in Shelley v. Kraemer ended judicial enforcement of racially restrictive covenants. The Civil Rights Movement, including Dr. Martin Luther King, Jr.'s work in Chicago, brought renewed attention to housing

discrimination. The federal government, first through executive order and then through the Civil Rights Act of 1964, banned discrimination in federally funded housing. By 1961, seventeen states had passed fair or open housing laws. However, it was not until April 1968, following the assassination of Dr. King, that Congress passed the Fair Housing Act.

Also in April 1968, the U.S. Supreme Court, in Jones v. Mayer, held that the Civil Rights Act of 1866 prohibited discrimination in private real estate transactions. The Court noted that the law, which lacked an effective government enforcement mechanism, covered racial and religious discrimination. The federal government banned gender discrimination in housing in 1974, during the height of the Women's Rights Movement. And in 1988, in response to growing awareness of the housing issues faced the disabled, Congress amended the Fair Housing Act to protect the disabled.

A memorial to the fair housing movement would celebrate the distance the nation has come to achieve fair housing and would remind us of the distance we still have to travel.

Mr. Speaker, in light of this long battle for fair housing, I ask the House to pass this bill.

#### SUPPORTING FILIPINO AMERICAN HISTORY MONTH

### HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Ms. HIRONO. Mr. Speaker, October is Filipino American History Month, giving us opportunity to remember the storied history of Filipinos in Hawaii.

From the barrios of the Philippines, Filipinos boarded ships and sailed across the Pacific.

Upon reaching Hawaii, they worked on sugarcane plantations where life was hard but filled with hope and the dream of a brighter future.

Today, generations later, Filipinos represent the largest and fastest growing ethnic minority in the islands. Through hard work, they continue to make steady strides in all professions. They are our doctors and lawyers, our teachers, small business owners, and community leaders. The next generation of Filipino Americans will build upon this legacy of accomplishment. I had the pleasure of meeting with members of the Kabatak Filipino Club at the University of Hawaii—Maui College in Kahului. Their primary goal is to raise an awareness of Filipino culture and to encourage the recruitment, retention, and achievement of Filipino students on the Maui campus. This is a noble endeavor.

For more than a century, Filipino Americans have left their mark on America. Let us reflect, celebrate, and honor this cherished heritage.

#### HONORING THE ROCK BRIDGE HIGH SCHOOL LADY BRUINS TENNIS TEAM

### HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in con-

gratulating the Rock Bridge High School Lady Bruins tennis team for its second straight state title.

The young women and their coaches should be commended for all their hard work throughout their flawless season and on bringing home another Class 2 State Tennis Championship to their school and community.

Making its 12th state appearance in 13 years, the Rock Bridge Lady Bruins once again showed their tremendous talent. Their competition was fierce, but the ladies battled through to their last 5-1 victory over Parkway Central.

I ask that you join me in recognizing the Rock Bridge High School Lady Bruins for a job well done.

#### TRIBUTE TO RIVERSIDE COUNTY'S RECIPIENTS OF OPERATION RECOGNITION

### HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to a group of individuals—heroes—who are receiving the recognition and honor they deserve for their service to our country. Operation Recognition is operated by the Riverside County Office of Education with assistance from the Riverside County Department of Veterans' Services. The program awards high school diplomas to veterans who missed completing high school due to military service in World War II, the Korean War, or the Vietnam War, or due to internment in WWII Japanese-American relocation camps.

A recognition ceremony will be held on November 9, 2011, for the following individuals who received their high school diplomas through Operation Recognition:

Juan Abarca, Alfred Aguilar; Virgil Edward Archer; George Van Ashley; Clayton M. Babbitt; Thomas Jones Barber; Webster W. Brahams, Jr.; Claude Chastain, Jr.; Lonny Ross Ciinklaw; Willie B. Exson; Rick Farrell; Michael J. Federico; Jack Garvin Gale; Dwayne L. Gallo; Raul P. Garcia; Daniel Keith Gibson; William Onicent Gutierrez; Clarence Weldon Hart; Harley James Henson; Drexal Q. Jackson; Joseph F. Laturno; Gordon Peter Martens; Charles E. Murphy; Johnnie D. Riley; Loid B. LeRoy Sadler; Eric Schlitz; Mark D. Switzer; Larry Joe Wade; William Franklin Williams; and Otis Lee Wilson.

Our country owes a debt of gratitude to all the above recipients for their service and sacrifice. I salute all the above individuals and congratulate them on receiving their high school diploma.

IN HONOR OF MR. TOM BERES

### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Mr. Tom Beres, a reporter for Cleveland's WKYC, who is being honored by the Press Club of Cleveland and inducted into the Cleveland Journalism Hall of Fame, Class of 2011.

Tom was born and raised Ashtabula, Ohio. He graduated from Westlake High School and earned bachelor's and master's degrees in broadcast journalism from Northwestern University. During his last year at Northwestern, Tom worked as a radio correspondent covering Watergate for WMAQ in Chicago.

Before returning to his hometown of Cleveland, Tom worked as an anchor/reporter for WDTN and WLWD TV in Dayton, Ohio for four years. He has been working for WKYC in Cleveland since July 1979 and is the longest tenured reporter with one station in the City of Cleveland. He worked for many years as a general assignment reporter before being promoted to senior political reporter in May of 1998. Throughout his career Tom has garnered several awards including the Best Broadcast Writing award from the Ohio Associated Press in 1984 and three local Emmys. His 1989 Emmy for Investigative Reporting was for his coverage of ticket abuse by Cleveland police officers.

In addition to his storied career with WKYC, for the past eight years Tom has hosted the political discussion show, *Between the Lines*. He has moderated countless local and state wide political debates. Tom is on the Board of Directors for the local chapter of the American Federation of Television and Radio Artists and Camp Ho Mita Koda, a camp for diabetic children. He has also served on the boards of the Diabetes Association of Greater Cleveland.

Mr. Speaker and colleagues, please join me in congratulating WKYC's Mr. Tom Beres as the Press Club of Cleveland inducts him into the Cleveland Journalism Hall of Fame, Class of 2011.

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#### PERSONAL EXPLANATION

### HON. MICHAEL G. GRIMM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. GRIMM. Mr. Speaker, on rollcall No. 808 I had district work that required my presence. Had I been present, I would have voted "nay."

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#### HONORING THE BRIDGE, INC.

### HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor The Bridge, Inc. located in Caldwell, Essex County, New Jersey on the occasion of its 40th anniversary.

The Bridge, Inc. is a private, nonprofit, community agency that has been helping children and families in the Essex County area since 1971 regardless of their ability to pay. All services are designed to strengthen and support the family and promote the personal growth of children, adolescents, adults and seniors.

The Bridge offers a variety of high quality, cost effective, professional mental health and addiction assessment and treatment services. Every day it works with individuals and families facing marital problems, parent/child conflicts, grief and loss, depression, anxiety, substance abuse and more.

The Bridge's compassionate staff is always ready and willing to assist those in need of help. Among the programs they offer are counseling services, adult and adolescent substance abuse services, school based substance abuse services, family crisis intervention counseling and the Family Preservation Program. Through its school based substance abuse services, The Bridge offers primary prevention/early intervention services to contacting local schools as a first defense to substance abuse.

Also offered, is a unique women's service called Stepping Stones, Women's Addiction Services. This program is an intensive outpatient service aimed at empowering women to take control of their lives and plan for their futures. Through the use of continuing care groups, women are counseled on parenting skills, healthy relationships and how to deal with their addictions, giving them the first steps to a healthier lifestyle.

For the past 40 years, The Bridge, Inc. has dedicated itself to the prevention and care of those struggling with a wide range of mental health and addiction issues. I commend the caring staff for their unwavering support to those in need.

Mr. Speaker, I ask you and my colleagues to join me in congratulating The Bridge, Inc. on its 40th anniversary.

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#### A TRIBUTE IN HONOR OF THE LIFE OF MICHELE DASCHBACH FAST

### HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Ms. ESHOO. Mr. Speaker, I rise today to honor the extraordinary life of Michele Daschbach Fast who entered into eternal life on October 12, 2011, at the young and vital age of 47. A brutal, senseless act took the life of this beautiful, loving, talented and selfless wife, mother, daughter, sister, aunt and friend.

Michele was blessed with extraordinary qualities, and she blessed everyone in her life in return. She was generous and loving, welcoming and joyful, a sports fan, a swimmer, a tennis player, a Giants fan and the most ardent supporter of the sports teams of her family and her wide circle of friends. She was quick, clever, and had a great sense of humor and she will never be forgotten.

Michele leaves her devoted husband of 24 years, Patrick, and her three beloved children, Patrick, 20, Laura, 18, and Lisa, 16. She also leaves her parents Leonore and Howard Daschbach of Atherton, and her brothers and sisters, Mark Daschbach, Rooney Daschbach, Laura Pitchford, LeeLee Cusenza, and Lisa Fuerst, as well as her faithful companion, Otis, a Black Labrador. Michele also played a wonderful, enthusiastic role in the lives of her many nieces and nephews, in-laws, scores of friends and the entire community of Seal Beach, California.

I am privileged to have known the Daschbach family for many decades. They are deeply faith filled and one of the most respected families in our community. May their faith, and the love and support of so many be sources of comfort to them during the difficult days ahead.

Mr. Speaker, I ask the entire U.S. House of Representatives to join me in honoring Michele Daschbach Fast's life, and extend our deepest condolences to her entire family.

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#### VETERANS CO-OP HOUSING

### HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mrs. MALONEY. Mr. Speaker, as we honor and thank all who bravely served in the United States Armed Forces on Veterans Day, we also must ensure that our returning veterans can fully use programs that aid veterans' homeownership. Across the U.S., there are more than 1.2 million families of all income levels in homes owned and operated through cooperative associations. In New York City, co-ops make up about one-third of the housing stock and are often a less expensive option than condo units.

In 2006, Congress passed legislation I authored allowing veterans to use the Veterans Affairs' (VA) Home Loan Guaranty Program to purchase cooperative housing using their low interest loan benefits. These loan benefits allow veterans to buy homes with no down payment and limited closing costs. However, the program to allow loans for co-op housing will sunset at the end of 2011. In order to allow our nation's veterans to use the VA loan for all forms of home ownership, I am reintroducing legislation that would permanently extend the co-op program. To ensure that veterans are aware they can utilize the loans for co-op housing units, we have added a provision so that the Secretary of the VA can advertise the program to eligible veterans, participating lenders, and interested realtors.

By permanently extending these VA loan benefits to include co-ops, we can honor and thank all who bravely served in our Armed Forces by giving them the tools and resources they need to pursue their dreams of homeownership wherever they live.

Thank you to original cosponsors Reps. EDOLPHUS TOWNS, LAURA RICHARDSON, CHARLES RANGEL, JERROLD NADLER, and JESSE JACKSON, JR.

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#### HONORING THE ST. ELIZABETH HIGH SCHOOL LADY HORNETS

### HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the St. Elizabeth High School Lady Hornets Softball team for winning the Class 1 Missouri State Championship on October 22, 2011.

The young women and their coaches should be commended for all their hard work throughout the regular season and for bringing home the state softball championship to their school and community. In their final championship game against the Jefferson Eagles, every team member made important contributions that led to their 5-2 win.

The Lady Hornets have carried on the school's proud tradition of excellence by bringing home the St. Elizabeth High School's fourth state softball championship.

I ask that you join me in recognizing the St. Elizabeth Lady Hornets for a job well done.

IN HONOR OF MR. BOB PAYNTER

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Mr. Bob Paynter, who is being honored by the Press Club of Cleveland and inducted into the Cleveland Journalism Hall of Fame, Class of 2011.

Bob was born and raised in Kirkwood, Missouri. He attended the University of Missouri—Columbia School of Journalism and graduated with a bachelor's degree in 1975. He first worked for the Akron Beacon Journal from 1981 to 1985 on crime, parole policies and political corruption. During his first period with the Journal he wrote a number of stories that helped free a man wrongly convicted of a child-murder case and led indirectly to conviction of the real killer.

Bob left the Greater Cleveland area and worked as a general assignment and projects reporter for The Dallas Morning News during 1986. He covered local courts and government and investigating the effects of lead pollution on inner-city children. Bob returned to Ohio working for the Akron Beacon Journal in January 1987. He worked as an investigative reporter and editor with the newspaper for the next 13 years. He covered topics such as campaign-finance abuses, failed drug-enforcement policies, illegal awarding of county sewer contracts, wrongful conviction of college student for date rape and evolution of race relations in the Akron area. In December of 1999 Bob began working for The Cleveland Plain Dealer as a projects editor and investigative reporter. During his 9 years with the Plain Dealer, Bob wrote on misconduct by the Parma police and the priests of the Cleveland Diocese and the "Cold-Blooded Liar" series. He is now the principal of Investigative Communications, LLC.

Throughout his career, Bob has been the recipient of some of journalism's most prestigious awards. As a result of his work on race relations in Akron Bob was awarded a Pulitzer Prize Gold Medal for Public Service. He received Worth Bingham and Sigma Delta Chi awards because of his work on the Ohio legislature's "Pay to Play" system and American Society of Newspaper Editors Local Watchdog Award while he was with the Plain Dealer.

Mr. Speaker and colleagues, please join me in congratulating Mr. Bob Paynter as the Press Club of Cleveland inducts him into the Cleveland Journalism Hall of Fame, Class of 2011.

PERSONAL EXPLANATION

**HON. MICHAEL G. GRIMM**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. GRIMM. Mr. Speaker, on rollcall No. 809, I had district work that required my presence.

Had I been present, I would have voted, "yea."

DOMESTIC VIOLENCE AWARENESS MONTH

**HON. DONNA F. EDWARDS**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Ms. EDWARDS. Mr. Speaker, I rise today to recognize October as Domestic Violence Awareness Month, designated as such in 1987. Since then, victims and their advocates have come together each October to shed light on this insidious and still far too pervasive social ill.

As co-founder of the National Network to End Domestic Violence and its first Executive Director, I worked with domestic violence advocates and policymakers to bring about critical programming and changes in national public policy through the Violence Against Women Act (VAWA) of 1994 for victims of domestic abuse.

Since passage, great strides have been made to call attention and provide resources to address domestic violence. But the fight is far from over. Millions of women continue to suffer from assaults and rapes that cause long-term physical and mental health problems. According to the Centers for Disease Control and Prevention, each year, victims experience about 7.7 million intimate partner related physical assaults and rapes at a cost of \$5.8 billion, including \$4.1 billion in direct health care expenses.

As our economy recovers, it is important to appreciate the impact that the economic downturn has had on services providers due to increased demand, but limited resources. According to the National Network to End Domestic Violence, domestic violence is more than three times as likely to occur when couples are experiencing high levels of financial strain. The sad truth is service providers struggle to serve victims with constrained budgets. According to the National Center for Victims of Crime, 92% of victim service providers have seen an increased demand, but 84% reported that cutbacks in funding were directly affecting their work.

This past Tuesday, October 25th, I was joined by the Prince George's County State's Attorney Office, Congressional staffers, victims' rights advocates, law enforcement, and providers on a tour of the Domestic Violence and Sexual Assault Center (DV/SAC) at the Prince George's Hospital in Cheverly, Maryland. The tour not only commemorated Domestic Violence Awareness Month, but provided all participants with a better understanding of the vital work being done by victim advocates in my State of Maryland and across our country, as well as the growing demand for special services for victims in this economic climate.

Established in 1973 and expanded in 2010, DV/SAC is located in the 4th Congressional District of Maryland, which I have the honor of representing in this Chamber. It offers a full range of hospital-based domestic violence services. The Center operates 24 hours a day and includes crisis intervention, crisis and follow-up counseling, safety planning, danger assessment, referral services, and victim advocacy. In 2010, DV/SAC provided sexual assault forensic exams and counseling to over 300 new victims, 1,700 individual and group counseling sessions, and over 1,000 crisis line inquiries answered, in addition to training medical staff and collaborating with community partners.

It is vitally important that we quickly reauthorize the life-saving and essential programs that protect so many women and families across our country. These programs save lives, contribute to our Nation's economic well-being, and break the devastating cycle of violence for future generations. We also need to maintain and even increase critical Family Violence Prevention and Service Act (FVPSA) and VAWA funding in these challenging economic times for not only our Nation, but also all the families across the United States.

The prevention of domestic violence and sexual assault throughout the country takes the work of a community and a commitment to providing women and men with resources and information to protect themselves. I look forward to continue working with victims, advocates, providers, and other Members of Congress in obtaining the necessary funding for these vital programs, while also working to strengthen VAWA through its reauthorization.

H.R. 3271, THE SECURITY AND FINANCIAL EMPOWERMENT ACT

**HON. LUCILLE ROYBAL-ALLARD**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise to introduce the Security and Financial Empowerment Act, better known as the SAFE Act.

Domestic violence, dating violence, sexual assault and stalking are widespread problems that affect Americans from every background, ethnicity, and race. The prevalence of this violence is highlighted by the fact that nearly one in four women are beaten or sexually assaulted by a partner during adulthood and advocates are reporting an increase in the severity of these violent incidents.

These crimes have serious societal costs and gave physical and psychological impacts on their victims. Credible research has found that many women are trapped in abusive relationships due to their economic circumstances. As a result, victims often face the terrifying choice of living with abuse or leaving without the ability to support themselves and their children.

Under the SAFE Act, victims can take limited leave from work for safety planning and necessary court appearances without fear of losing their job. The SAFE Act also provides job protection when reasonable workplace safety modifications are requested.

The recent tragedy in Seal Beach, California—where a salon employee's ex-husband

allegedly opened fire and killed 8 people—vividly illustrates how disputes at home can lead to violence in the workplace. To help employers address this issue, the bill reauthorizes the National Workplace Resource Center grant program. These grants will be made available to qualified organizations to establish and operate resource centers that assist employers on how to protect all their employees as well as those who are victims of domestic and sexual abuse.

The SAFE Act also protects victims of domestic abuse by prohibiting employers from making hiring decisions and insurance companies from refusing coverage based on an individual's history of abuse.

Finally, the SAFE Act makes it possible for a victim of domestic violence, dating violence, sexual assault or stalking eligible for unemployment insurance if it is necessary for an employee to leave a job to escape the abuse.

The SAFE Act is a critical step towards helping victims of domestic violence and sexual assault to become survivors by giving them the financial security they need to seek help and end their dependence on abusive partners and ultimately break the cycle of violence in their lives.

I want to thank the many dedicated advocates and organizations who work tirelessly every day to empower victims of physical and sexual abuse. They face daunting challenges as the demand for their services continues to increase even as their funding sources at the local, state, and federal levels are being slashed. Their input, expertise, and support have been invaluable in crafting the SAFE Act.

Mr. Speaker, I urge my colleagues to join me and Congressman TED POE in co-sponsoring and helping to pass the SAFE Act. For far too many people, the safety nets in this bill are literally the difference between life and death. The time to act is now.

ON THE OCCASION OF THE TWENTIETH ANNIVERSARY OF THE TROY COMMUNITY COALITION

**HON. GARY C. PETERS**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. PETERS. Mr. Speaker, I rise today on the auspicious occasion of the Troy Community Coalition's twentieth year of service to the residents of Troy to recognize the profound impact of its members on efforts of communities across the Nation to combat and prevent substance abuse.

Born out of grass roots organizing by residents concerned with the rising incidence of underage drinking, the Troy Community Coalition, TCC, and its sister coalitions across the country have become the chief advocates in promoting the importance of preventing substance abuse. Like many of its younger counterparts, when the TCC was organized in 1991, its members focused on the need to educate area residents on the deleterious effects of substance abuse on their community. As the TCC grew, it assembled a broad alliance of community stakeholders and gradually shifted its mission from education to changing the environment and public policy of Troy to prevent substance abuse.

As one of the first community coalitions, the TCC has been a model for coalitions across

the country. Thanks to the advocacy of its members, in 1998 federal legislation was passed creating the Drug Free Communities program, which provides important resources to seed developing coalitions. Recognizing the innovation and knowledge base created by the TCC, its Executive Director at the time, Ms. Mary Ann Solberg, was tapped to be Deputy Director of the Executive Office of National Drug Control Policy in 2002.

Being a model coalition, the TCC has been the originator of many novel and innovative programs that have been implemented by its sister coalitions. The TCC's staff has even been tapped by the Community Anti-Drug Coalitions of America, a national advocacy group, to provide instruction to coalitions from around the country. Locally, the TCC has also gone on to mentor other area coalitions that are now recipients of Drug Free Communities resources.

Mr. Speaker, as families across my state of Michigan and the Nation feel the increasing pressures of our current economic environment, the work of community coalitions, like the TCC has become increasingly important to prevent individuals in crisis from turning to illicit substances. The TCC regularly engages thousands of members in the Troy community in activities which promote the strength of families and mold our youth into independent leaders of their generations. I congratulate the Troy Community Coalition and its members on twenty years of success in the fight to save the lives of youth across our community and I know its members will continue to lead the national dialogue in this important endeavor.

IN HONOR OF MR. PHILLIP MORRIS

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Mr. Phillip Morris, a columnist with the Cleveland Plain Dealer, who is being honored by the Press Club of Cleveland and inducted into the Cleveland Journalism Hall of Fame, Class of 2011.

Born and raised in Columbus, Ohio, Phillip attended Ohio Wesleyan University and graduated with a Bachelor of Arts in journalism. After graduating in 1987, he began working as a police and courts reporter for the Dayton Daily News. He would eventually work as an editorial writer for the paper.

In October of 1990, Phillip joined the Cleveland Plain Dealer's Editorial page. His responsibilities included editorial coverage of Cleveland city government, Ohio state government, the state and federal penal systems, education and children's issues. In 1995, Phillip began writing a weekly column for the Plain Dealer's Forum page and continued to do so for eleven years. In April of 2007, he became a metro columnist and gained national recognition in this role. Currently, Phillip is working as a Knight-Wallace Fellow at the University of Michigan; he will return to the Plain Dealer in the spring of 2012.

Despite being at the Plain Dealer for less than twenty years, Phillip has garnered local and national recognition based on his work on criminal justice issues. He has been awarded

a National Association of Black Journalists award, a National Headliner Award and has been a finalist for a Pulitzer Prize twice. He is also a finalist for a second Association of Black Journalists award this year.

Mr. Speaker and colleagues, please join me in congratulating the Cleveland Plain Dealer's Mr. Phillip Morris as the Press Club of Cleveland inducts him into the Cleveland Journalism Hall of Fame, Class of 2011.

PERSONAL EXPLANATION

**HON. MICHAEL G. GRIMM**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. GRIMM. Mr. Speaker, on rollcall No. 810, I had district work that required my presence. Had I been present, I would have voted "yea."

THE WORSENING PLIGHT OF EGYPT'S COPTS

**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. WOLF. Mr. Speaker, I submit for the record a copy of Chuck Colson's recent Breakpoint Commentary which movingly speaks of the worsening conditions facing Egypt's Coptic community.

According to an October 25 Washington Post article, "Attacks on Christians have significantly increased since the uprising. The violence on October 9 began when about 1,000 Christians tried to stage a peaceful sit-in outside the state television building." The Egyptian military forcefully broke up their protest leaving at least 21 Christians dead in the single deadliest incident since the end of the Mubarak regime.

This carnage is evidence of an ancient faith community which is increasingly under siege. Not only are Coptic Christians not reaping the promise of the so-called "Arab Spring" but as Colson writes, "It's getting clearer for parts of the Arab world, its going to be a long, cold winter."

The Obama administration must press Egypt's ruling generals to uphold the rights of the country's vulnerable minority communities. Their sustained presence in the region is crucial.

[Oct. 24, 2011]

IONIC COPTIC WINTER: DEMOCRACY AND CHRISTIANS IN EGYPT

On October 9, at least two dozen Christians were killed by Egyptian police. Their only "crime" was in insisting that they be treated in a manner consistent with what the "Arab Spring" was supposed to be about.

It's getting clearer that for parts of the Arab world, it's going to be a long, cold winter.

The killings happened during a march organized by Coptic leaders to protest a church-burning by Islamists. The military regime responded lackadaisically to this outrage, just as it has to other outrages perpetrated against Egypt's Christian minority.

The junta's response to peaceful protest was a combination of tear gas, live ammunition, and armored vehicles ramming into the

crowd. A few protestors threw rocks in response to the attacks, which gave state-controlled media a chance to claim that protestors started the violence and urge “honorable,” that is, Muslim, Egyptians to help the soldiers.

While I expect that kind of deception from Egyptian state-run media, I am appalled by The New York Times’ characterization of the killings as “sectarian violence.” For the Times, Christians are only victims if they endure violence without uttering the merest peep in protest. If they protest or try to defend themselves, however feebly, the Times paints them as the moral equivalent of their persecutors.

The situation in Egypt has become so dire that one Coptic bishop compares it to a “dark tunnel of violence.” Quoting the Apostle Paul, he writes that he and his flock are “hard pressed on every side, yet not crushed . . . perplexed but not lost, persecuted but not forsaken, struck down but not destroyed.”

While they pray for the victims and the offenders, it’s our task to make sure they are not forsaken, which is what all the euphoria over the “Arab Spring” threatens to do.

Lost in the buzz over democracy, Twitter, and Facebook, was any recognition that ousting dictators and establishing democracy are means, not ends. In other words, it doesn’t matter if you replace the rule of dictators with popular rule if, in the end, Christians and other minorities become targets for persecution and violence.

Our founding fathers, when they set out to “establish justice, insure domestic tranquility . . . [and] promote the general welfare,” knew the dangers of an unchecked majority. That’s why our Constitution is filled with checks and balances—between the people and the government, and between branches of government.

The “Arab Spring” has not resulted in greater justice and increased tranquility for Middle Eastern Christians. As John L. Allen wrote in the National Catholic Reporter, “many analysts wonder whether Christianity will be the first victim of the new order taking shape” in the Middle East.

There’s no reason, as writer Rod Dreher reminds us, to assume that democracy and religious tolerance go hand-in-hand. On the contrary, recent history suggests that what the so-called “people” often want is to mistreat the “others” in their midst.

Now, there is little standing between them and what they want. If Christians resist, they are run over by armored vehicles and blamed for their fate. While God has not forsaken them, the world that cheered on the Arab crowds last Spring seems intent on doing so.

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#### NATIONAL INFANT MORTALITY AWARENESS MONTH

**HON. DONNA F. EDWARDS**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Ms. EDWARDS. Mr. Speaker, last month was National Infant Mortality Awareness Month and was established to highlight the tragic occurrences of infant deaths across the nation and to raise awareness about those programs that can help save lives and ensure our children are healthy. As we know, infant mortality, the rate at which babies die before their first birthday, is an important measure of the nation’s health and a worldwide indicator of health status and social well-being.

Although the overall infant mortality rate (IMR) in the United States (U.S.) steadily declined for several decades, it has leveled off for the past several years. In 2009, the rate of infant deaths before age one for the U.S. was 6.4 per 1,000 live births. Unfortunately, the U.S. IMR is higher than the Organization for Economic Cooperation and Development (OECD) average and that of most European countries.

Though the rate for Maryland has dropped from 7.2 to 6.7, the rates throughout the state remain astoundingly high. Last year, the infant mortality rate for Prince George’s County was 9.0 or 22% of all infant deaths in the state of Maryland. Montgomery County realized a decline from 5.5 the previous year to 4.3 this year, but still had the fourth highest number of deaths in Maryland (behind Baltimore City, Prince George’s County, and Baltimore County).

In our nation, minority communities are especially affected by higher IMR. For example, across the country African Americans have higher incidences of infant mortality than do their white counterparts. In Maryland, the IMR for African American mothers was 11.8 compared to 4.1 for white mothers. These statistics bring to light the staggering disparities between race, ethnicity, age, education, and socio-economic levels.

National Infant Mortality Month gives us an opportunity to raise public awareness about the levels at which this problem continues to affect our communities, and to educate women about ways they may reduce infant mortality with good health care during the mother’s pregnancy and the early years of the child’s life. Research indicates that a number of federal programs may reduce the IMR. Programs such as the Maternal and Child Health Block Grant and Healthy Start are vital programs tasked with bringing awareness to factors that contribute to the nation’s high infant mortality rate, including low birth weight, congenital abnormalities, and sudden infant death syndrome. With the support of local organizations and clinics like the Montgomery County Department of Health and Human Services and the Suitland Health and Wellness Center, we can advance a number of strategies to reduce infant mortality and help mothers and children live long and healthy lives.

I will continue to support and bring awareness to programs that increase access to health care and improve the quality of prenatal and newborn care to prevent the causes of infant mortality. As our nation recovers from these difficult economic times and families may experience gaps in health coverage due to job loss, transitions, and financial instability, it is especially vital that we continue to support adequate funding for these programs. We need to ensure that our babies get a healthy start to celebrate their first birthday and beyond.

I am pleased that even though the House of Representatives did not recognize National Infant Mortality Awareness Month by passing a resolution, the Senate did. By doing so, it brought much needed attention and awareness to the importance of reducing our infant mortality rate.

ROBERT B. COWDREY TRIBUTE

**HON. SCOTT R. TIPTON**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. TIPTON. Mr. Speaker, it is a great privilege to rise in commendation of Sgt. Robert B. Cowdrey who served our country with great honor and pride. Sgt. Cowdrey gave his life for our country on October 13, while attempting a helicopter rescue of his fellow soldiers under fire.

Sgt. Cowdrey was raised in La Junta, Colorado. He graduated from La Junta High School in 1990. He was a devoted outdoorsman, who enjoyed bow hunting. Cowdrey enlisted in the Army in 2003 and was serving his third tour of duty in Afghanistan at the time of his death. Sgt. Cowdrey’s duties included flying into active combat zones to deliver medical assistance and rescue troops while under fire. He was highly decorated for his heroic service, earning the Bronze Star and two army commendations for valor.

Mr. Speaker, I rise today to pay tribute to Sgt. Cowdrey, a selfless American hero whose bravery and sacrifice are examples of what makes this country great. My thoughts and prayers are with his wife, Jill, their three sons, Justin, Jacob and Nathan, and the entire Cowdrey family.

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#### COMMEMORATING FILIPINO AMERICAN HISTORY MONTH

**HON. ZOE LOFGREN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise today in recognition of Filipino American History Month. We have, as a nation, commemorated October as Filipino American History month since 1988. The legislature in my home state of California also recognizes this month. California has long historical ties with Filipino Americans, and our state is home to over half of the Filipino population of the United States.

This month is a wonderful opportunity to celebrate the rich culture and history of Filipino Americans, who have contributed so much both to California and to the United States. I’m pleased that recently there has been some legislative acknowledgment of their military contributions. Just this month in California, Governor Jerry Brown signed Assembly Bill 199 into law, which would encourage the inclusion of the role of Filipinos in World War II in social studies curricula. Over 250,000 Filipinos fought with the U.S. in World War II. Their valiant service was largely uncompensated and unrecognized until recently.

I’m hopeful that my colleagues will take a moment to recognize the Filipino American community. This country is a nation of immigrants, and we are so much richer for the contributions that Americans of every background have made, and will continue to make as we move forward.

HONORING THE LIFE OF JERRY  
WORKMAN

**HON. FRANCISCO "QUICO" CANSECO**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. CANSECO. Mr. Speaker, I rise today to honor the life of Jerry Workman. Brother Workman, as he was called by the almost 5,000 students he taught, was a beloved science teacher for over 40 years at Pecos High School in Pecos, Texas. After battling colon and abdominal cancer, Mr. Workman passed away on October 6, 2011. However, his memory will live on through the thousands of students he mentored and inspired through his love of teaching.

Jerry Samuel Workman, Sr. was born on March 7, 1940 in Angel-Flatts, Texas. Mr. Workman moved to Pecos in 1965 to pursue a job opportunity after serving in the U.S. Army and the National Guard. Unable to find the job he was seeking, he was invited to apply for an opening as a teacher at Pecos High School and teach "for a year or two." Forty-six years later, he was still teaching. Over the years Mr. Workman selflessly taught thousands of students and coached numerous UIL Science teams; drove countless miles in a school bus, and helped students find scholarships to attend college.

When Jerry Workman was diagnosed with cancer, his family set up a Facebook page to update past and present students on his health. The page called, "Jerry Workman taught me more than Chemistry," has become populated with friends, family, and former students sharing memories of Brother Workman. Jerry Workman dedicated his life to serving the youth of Pecos, Texas. His passing is a great loss to not only the community, but the entire State of Texas.

IN HONOR OF MR. HERB THOMAS

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Mr. Herb Thomas, a photojournalist and news videographer for Cleveland's WJW, who is being honored by the Press Club of Cleveland with the 2011 Chuck Heaton Award.

Herb attended Thomas Edison High School in Cleveland, Ohio before joining WJW in 1969 as a set designer. Throughout the years Herb has worked in a number of capacities for the station including director of print operations, member of the studio camera crew, photojournalist and videographer. He is also responsible for creating WJW's sign off programs "Meditation" and "Celebration."

Herb is a local celebrity in Cleveland and played "Soul Man" on the Big Chuck and Little John Show for many years. He has been featured in PM Magazine, listed in the "Who's Who" in Success Magazine and named "One of Cleveland's Most Interesting People" in Cleveland Magazine. Herb is also the founder and president of thomasvisions and of the performing arts choir, "Prayer Warriors."

Herb has been honored in the past as well for his quality of work and dedication to jour-

nalism. He has won 12 Emmys, two International Gabriel awards and documentary honors by the Ohio Society of Professional Journalists. Herb was also inducted in the Ohio Broadcasters Hall of Fame in 2000.

In addition to being inducted in the Cleveland Journalism Hall of Fame, Class of 2011, Herb is this year's recipient of the Chuck Heaton Award. The Chuck Heaton Award honors an individual who best exemplifies the qualities of the Plain Dealer's longtime sports writer and columnist, Chuck Heaton. Mr. Heaton was known for his dedication to journalism and community.

Mr. Speaker and colleagues, please join me in congratulating WJW's Herb Thomas as the Press Club of Cleveland names him the 2011 Chuck Heaton Award recipient.

PERSONAL EXPLANATION

**HON. MICHAEL G. GRIMM**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. GRIMM. Mr. Speaker, on rollcall No. 812, I had district work that required my presence. Had I been present, I would have voted "yea."

HONORING MR. MAURICE VEISSI

**HON. MARIO DIAZ-BALART**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. DIAZ-BALART. Mr. Speaker, I rise today to honor Mr. Maurice "Moe" Veissi, an outstanding realtor and person who has supported the Miami community for over 40 years. Having known Moe for several years, I can attest to his exemplary character and his commitment to his profession and the people he serves.

Moe is the 2011 President-Elect of the National Association of Realtors (NAR), and broker-owner of Veissi & Associates located in Miami, FL. He served on the Strategic Investment Reserve Advisory Board for NAR, also serving as a regional vice president for Region V in 2005. Moe has served on NAR's Board of Directors since 1999, along with numerous NAR committees.

Moe was also elected president of the Florida Association of Realtors (FAR) in 2002, and in 2003 was named "Realtor of the Year". On the local level, he has served as president of the Realtor Association of Greater Miami and The Beaches, and was twice appointed to as the Economic Development Chairman. Active in his community, Moe founded the Silent Angels Charitable Foundation, has coached several youth sports teams and also volunteers for numerous organizations such as Habitat for Humanity.

Mr. Speaker, I am honored to pay tribute to Mr. Maurice Veissi for his continued service to the Miami community. It will be great to have a model South Floridian representing such a well-respected national organization. He is an exceptional leader for the community, and I am privileged to call him my friend. I ask my colleagues to join me in recognizing this outstanding individual.

IN HONOR OF U.S. ARMY SER-  
GEANT FIRST CLASS HOUSTON  
M. TAYLOR

**HON. KAY GRANGER**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Ms. GRANGER. Mr. Speaker, I rise today to honor the service of Army Sergeant First Class Houston M. Taylor who was killed on October 13, 2011 in Kunar Province, Afghanistan. He was working in support of Operation Enduring Freedom while serving with Delta Company, 2nd Battalion, 27th Infantry Regiment, 25th Infantry Division based at Schofield Barracks, Hawaii. Sergeant First Class Taylor was posthumously promoted to Sergeant First Class and awarded a Bronze Star and Purple Heart for his actions.

Sergeant First Class Taylor was 25 years old, attended Azle High School, in Azle, Texas, and enlisted in the Army in 2005. His first assignment was to Fort Lewis, Washington, with Alpha Company, 1st Battalion, 23rd Infantry Regiment, 2nd Infantry Division. Sergeant First Class Taylor deployed to Iraq in 2006 and 2008 before deploying to Afghanistan in early 2011. Sergeant Taylor was killed during his third combat tour. He leaves behind his high school sweetheart and wife, Kelsey Rae Taylor, and two young children, Rylan, and Avery.

Sergeant First Class Taylor gallantly and selflessly gave his life in the service of his country when insurgents attacked his unit with small arms fire while they were on foot patrol in Afghanistan. Major Dave Eastburn, a spokesman for the brigade in which Sergeant First Class Taylor served, said Sergeant First Class Taylor "was a warrior, a great leader, and will be truly missed." This affirmation only confirms what his family and friends already knew about Sergeant First Class Taylor. His mother knew from an early age that he was destined for the service and his wife said that "he never complained about anything he had to do" in the Army.

I wish to extend my condolences to Sergeant First Class Taylor's wife, Kelsey Rae, his children, Rylan and Avery, his parents, and all of his family and friends. I hope they continue to find solace in his lasting impact on both this grateful nation and his fellow soldiers.

MAKING PROGRESS ON PAID SICK  
LEAVE

**HON. JIM McDERMOTT**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. McDERMOTT. Mr. Speaker, I rise to support employers and businesses that provide paid sick leave to American workers across the country. Workers should be able to take care of themselves or family members who are sick without risking losing their jobs or a day's wages. The businesses in my district have worked closely with the City of Seattle, and particularly Seattle City Councilmember Nick Licata, to be leaders on this issue. I want to commend the City of Seattle for recently adopting paid sick leave for workers, demonstrating direct support for working families

and protecting public health. Seattle joins with San Francisco, Milwaukee, Washington, DC and Connecticut in taking a big step to ease some of the burden on working families. I also applaud the work of the many coalitions across the country that are building support for implementing paid sick leave for the forty-four million workers who cannot take the time off they need.

Representative ROSA DELAURO of Connecticut recently sponsored H.R. 1876, The Healthy Families Act, which I support. This piece of legislation requires certain employers to allow workers to earn an hour of paid sick leave for every 30 hours they work. The Healthy Families Act provides workers with the flexibility to address their own health needs as well as those of their family members. This Act also keeps public and private health care costs low by enabling workers and their families to seek early and routine medical care. This creates a vital safety net for working parents who shouldn't have to risk a day's wages or losing their jobs when they or their family members get sick. Thank you Mr. Speaker.

RECOGNIZING SHEKEMA SILVERI,  
WINNER OF THE 2011 NATIONAL  
MILKEN EDUCATOR OF THE  
YEAR AWARD

**HON. DAVID SCOTT**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. DAVID SCOTT of Georgia. Mr. Speaker, it is with great pleasure that I rise today to honor a hard-working and talented educator in my district, Ms. Shekema Silveri.

Ms. Silveri teaches Language Arts at Mount Zion High School in Jonesboro, Georgia, and she received the Milken Educator Award on Friday, October 21, 2011 at a surprise ceremony held at the school. This award is one of the most prestigious national honors an educator can receive. The Milken Educator Award recognizes extraordinary educational talent, models of excellence, and great potential for professional and policy leadership.

Ms. Silveri is an outstanding example of excellence in teaching. She continues to innovate and strives to motivate her students to become visionaries. At a school with a large at-risk student population, Ms. Silveri's students are doing exceptionally well—all of her students passed the Georgia American Literature End of Course Test. She is also a leader outside the classroom, mentoring fellow teachers and leading the implementation of a remediation program for seniors.

Ms. Shekema Silveri is an inspirational role model not only to her students, but also to her fellow teachers. Mr. Speaker, honorable colleagues, I invite you to join me today in recognizing this exemplary educator for all of her achievements. I look forward to hearing news of her future success.

RECOGNIZING THE RETIREMENT  
AND SERVICE OF DANIEL E.  
MULLINS

**HON. JEFF MILLER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize Daniel Mullins, upon his retirement from the University of Florida Institute of Food and Agricultural Sciences (IFAS), Santa Rosa County Extension Office. For over 40 years, Daniel Mullins has dedicated his career to educating and serving the Gulf Coast region through his passion for horticultural science.

A graduate of Mississippi State University, Daniel Mullins joined the University of Florida IFAS Extension office in Escambia County in 1970 and became the first horticulture agent in the Florida Panhandle and west of Tallahassee. He established a weekly gardening clinic, local nursery association chapter, published a weekly gardening column in the Pensacola News Journal, and served as part of a team documenting Northwest Florida beach dune plants. He also visited Europe to study cut flower production in Holland and applied those lessons to Florida. After seven years in Escambia County, he returned home to his native Mississippi to open his own landscape business, The Country Gardener.

Returning to Florida in 1989, Mr. Mullins began work with the Santa Rosa County Extension Office as the Commercial Horticulture Agent. Mr. Mullins was responsible for Extension educational programs for specialty crop producers of fruits and vegetables and the horticultural services industry, including nurseries, garden centers, and landscape professionals.

In Santa Rosa County, Mr. Mullins helped establish the Florida Digital Diagnostic System, designed a diagnostic lab that was included in the Santa Rosa County's Extension facility, taught plant grafting to nursery personnel and 4-H youth for more than 15 years and helped establish the Panhandle Butterfly House. He was the first person to identify chestnut blight on Chinquapin in Florida, and established a low-chill apple demonstration orchard to teach the importance of variety selection.

Throughout the course of his career, Mr. Mullins has received over fifty awards and honors, most at the state, Southeast regional, or national levels. Mr. Mullins also wrote over 1,200 newspaper columns, conducted over 3,000 field visits, and served as the National Horticulture Chair for the National Association of County Agricultural Agents in 2002, as well as both the Audit Committee Chair and Communications Committee Chair for the Florida Association of County Agricultural Agents. As he begins retirement, he leaves behind a remarkable career full of accomplishments and one through which he has touched the lives of thousands in Northwest Florida.

Mr. Speaker, on behalf of the United States Congress, I am privileged to congratulate Daniel Mullins on his retirement and thank him for his service to the Gulf Coast. My wife Vicki and I wish him and his wife Vickie, and their three children, Katie, Sarah, and Jackson, all the best.

SOUTHEAST ARIZONA LAND EX-  
CHANGE AND CONSERVATION  
ACT OF 2011

SPEECH OF

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 26, 2011*

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 1904) to facilitate the efficient extraction of mineral resources in southeast Arizona by authorizing and directing an exchange of Federal and non-Federal land, and for other purposes:

Mr. PAUL. Mr. Chair, I rise reluctantly to oppose this legislation that authorizes a land exchange between the federal government and a private company to benefit that company's commercial interests. The bill conveys 2,400 acres of federal lands to Resolution Copper, an Australian mining company, in exchange for 5,300 acres of Resolution Copper's land to the federal government. In principle, I am strongly in favor of the privatization of federal government land and I only wish we would do more of it. This is not the way to privatize federal land, however. Rather than determine the real market value of the land, such as through a public auction process, the legislation names the company to receive the land with the stipulation that a yearly assessment of the land may result in a value adjustment payment to the federal government by that company. This additional fee would be paid to a special fund controlled by the Department of the Interior.

Absent any free market mechanism to determine the real value of the land being conveyed, this looks like a special deal for one company. Even with the best intentions and intelligence on the part of the government, only free market mechanisms can accurately determine value.

Also, doing the math on this bill it will result in the federal government controlling more land than before the bill! So rather than a privatization program it is an anti-privatization program.

I am all for privatization of federal lands, and I am all for private industry profiting from this country's labor and natural resources. However, setting up these public/private partnerships and special deals is not the way to go about it. I sincerely hope that we will rethink this approach in favor of an open and public auction where as many companies may compete as might have an interest, even if we must change existing laws to do so.

IN HONOR OF KELLY O'DONNELL

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Kelly O'Donnell, a political reporter for NBC, who is being honored by the Press Club of Cleveland and inducted into the Cleveland Journalism Hall of Fame, Class of 2011.

Born and raised in Euclid and Cleveland's University Heights neighborhoods, Kelly attended Northwestern University. After graduating in 1987 from Northwestern's School of



Education and Social Policy, Kelly returned to Cleveland and began working with the then CBS affiliate WJW-TV8 as a reporter and part-time anchor. She gained national recognition while covering the Southern Ohio Correctional riots in Lucasville, Ohio in 1993. She eventually won a regional Emmy based on her work of the riots.

Less than a year after the Lucasville prison riots, Kelly was working as an NBC reporter. During the past seventeen years with NBC, Kelly has covered stories including the September 11th attacks, the passing of Pope John Paul II, Queen Elizabeth's 50th Jubilee, the Shuttle *Columbia* disaster, the CIA Leak trial, the Columbine school shooting, John F. Kennedy Jr.'s plane crash, the Oklahoma City bombing and trials of Timothy McVeigh and Terry Nichols, the O.J. Simpson saga and numerous Olympic Games. She has also been embedded with the Third Infantry Division in Fallujah, worked several presidential campaigns, and served as the NBC News' White House Correspondent from May 2005 to December 2007. Today she can be found as a contributor to NBC Nightly News with Brian Williams, TODAY, and on MSNBC.

In addition to her local Emmy, Kelly has been nominated for several national Emmy Awards. She was inducted into the Ohio Radio/Television Broadcasters Hall of Fame in 2004 and received two first place awards from the Los Angeles Press Club. Kelly was twice part of NBC Nightly News' teams to be awarded the Edward R. Murrow Award, and in 2007 she was named Capitol Hill Correspondent.

Mr. Speaker and colleagues, please join me in congratulating NBC's Kelly O'Donnell as the Press Club of Cleveland inducts her into the Cleveland Journalism Hall of Fame, Class of 2011.

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PERSONAL EXPLANATION

**HON. MICHAEL G. GRIMM**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. GRIMM. Mr. Speaker, on rollcall No. 811, I had district work that required my presence. Had I been present, I would have voted "yea."

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RECOGNIZING THE RETIREMENT  
AND DEDICATED SERVICE OF  
TOMMIE SPEIGHTS

**HON. JEFF MILLER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 27, 2011*

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize Tommie Speights, upon his retirement from the Florida Department of Transportation (FDOT) as District 3 Public Information Director, after 22 years of service to the State of Florida.

Born in Panama City, Florida and raised in Marianna, Mr. Speights worked in a number of

different capacities prior to joining FDOT. A true patriot, he chose to serve his country during the Vietnam era and wore the uniform of the United States Army. Upon being honorably discharged from the Army, he attended Chipola Junior College and Florida A&M University. After completing his studies in Broadcast Journalism, he worked as a television news reporter for CBS affiliate WTVY-TV 4 News in Dothan, Alabama. During his 15 years there, he received several awards, including one from the Associated Press for "Best Investigative Reporting."

In 1989, Mr. Speights began his impressive career with FDOT as Public Information Director for District 3. This district includes 16 counties in Northwest Florida, stretching from Jefferson County in the east to Escambia County in the west. For the last 22 years he has devoted his professional life to helping those in need. Serving others brings him great satisfaction, and co-workers and supervisors alike applaud Mr. Speights for his dependability and unwavering commitment.

My wife Vicki and I wish him; his wife, the former Lillie Kendall of Marianna; their three children, Sheilah, Ron, and Marisa; and four grand-children, Alexis, NyAsia, Amarion, and Kensley all the best.

Mr. Speaker, on behalf of the United States Congress, I am honored to congratulate Mr. Speights on his retirement and thank him for his service to Northwest Florida and our great nation.

# Daily Digest

## Senate

### Chamber Action

The Senate met at 11:00:10 a.m. in pro forma session, and adjourned at 11:00:36 a.m. until 3 p.m., on Monday, October 31, 2011.

### Committee Meetings

(Committee not listed did not meet)

No committee meetings were held.

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## House of Representatives

### Chamber Action

**Public Bills and Resolutions Introduced:** 12 public bills, H.R. 3269–3280; and 1 private bill, H.R. 3281 were introduced. **Pages H7159–60**

**Additional Cosponsors:** **Page H7161**

**Reports Filed:** There were no reports filed today.

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Womack to act as Speaker pro tempore for today. **Page H7137**

**Amending the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities:** The House passed H.R. 674, to amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, by a yea-and-nay vote of 405 yeas to 16 nays, Roll No. 815. **Pages H7139–43, H7149–51**

Rejected the Andrews motion to recommit the bill to the Committee on Ways and Means with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 183 ayes to 235 noes, Roll No. 814. **Pages H7149–50**

Pursuant to the rule, the amendment printed in H. Rept. 112–261 shall be considered as adopted. **Page H7139**

H. Res. 448, the rule providing for consideration of the bills (H.R. 2576) and (H.R. 674) was agreed to yesterday, October 26th.

Pursuant to section 3 of the rule, in the engrossment of H.R. 674 the Clerk shall (1) add the text

of H.R. 2576, as passed by the House, as new matter at the end of H.R. 674; (2) conform the title of H.R. 674 to reflect the addition of the text of H.R. 2576, as passed by the House, to the engrossment; (3) assign appropriate designations to provisions within the engrossment; and (4) conform provisions for short titles within the engrossment. Upon the addition of the text of H.R. 2576 to the engrossment of H.R. 674, H.R. 2576 shall be laid on the table.

**Amending the Internal Revenue Code of 1986 to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs:** The House passed H.R. 2576, to amend the Internal Revenue Code of 1986 to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs, by a yea-and-nay vote of 262 yeas to 157 nays, Roll No. 813. **Pages H7143–49**

H. Res. 448, the rule providing for consideration of the bills (H.R. 2576) and (H.R. 674) was agreed to yesterday, October 26th.

**Meeting Hour:** Agreed that when the House adjourns today, it adjourn to meet at 1 p.m. on Monday, October 31st. **Pages H7151, H7158**

**Quorum Calls—Votes:** Two yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H7148–49, H7150, H7151. There were no quorum calls.

**Adjournment:** The House met at 9 a.m. and adjourned at 12:58 p.m.

## Committee Meetings

### DOD'S ENTERPRISE RESOURCE PLANNING

*Committee on Armed Services:* Panel on Defense Financial Management and Auditability Reform held a hearing on DOD's Enterprise Resource Planning (ERP) system implementation efforts. Testimony was heard from Elizabeth McGrath, Deputy Chief Management Officer, Department of Defense; Mark Lewis, Deputy Chief Management Officer, U.S. Army; Eric Fanning, Deputy Undersecretary of the Navy and Deputy Chief Management Officer, U.S. Navy; David Tillotson III, Deputy Chief Management Officer, U.S. Air Force; and Asif A. Khan, Director, Financial Management and Assurance, Government Accountability Office.

### READINESS IN THE AGE OF AUSTERITY

*Committee on Armed Services:* Subcommittee on Readiness held a hearing on readiness in the age of austerity. Testimony was heard from General Peter W. Chiarelli, Vice Chief of Staff, U.S. Army; Admiral Mark E. Ferguson III, Vice Chief of Naval Operations, U.S. Navy; General Joseph F. Dunford, Jr., Assistant Commandant of the Marine Corps, U.S. Marine Corps; and General Philip M. Breedlove, Vice Chief of Staff, U.S. Air Force.

### NONRESIDENT ALIEN DEPOSIT INTEREST INCOME

*Committee on Financial Services:* Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled "Proposed Regulations to Require Reporting of Nonresident Alien Deposit Interest Income." Testimony was heard from public witnesses.

### AFGHANISTAN AND PAKISTAN

*Committee on Foreign Affairs:* Full Committee held a hearing entitled "Afghanistan and Pakistan: Transition and the Way Forward." Testimony was heard from Hillary Rodham Clinton, Secretary, Department of State.

### EUROZONE CRISIS

*Committee on Foreign Affairs:* Subcommittee on Europe and Eurasia held a hearing entitled "The Eurozone Crisis: Destabilizing the Global Economy." Testimony was heard from public witnesses.

### TRAFFICKING IN PERSONS

*Committee on Foreign Affairs:* Subcommittee on Africa, Global Health, and Human Rights held a hearing entitled "The Trafficking in Persons Report 2011: Truth, Trends, and Tier Rankings." Testimony was heard from Luis CdeBaca, Ambassador-at-Large, Office to Monitor and Combat Trafficking in Persons, Department of State; Robert O. Blake, Assistant Sec-

retary of State, Bureau of South and Central Asian Affairs, Department of State; and Joseph Y. Yun, Principal Deputy Assistant Secretary of State, Bureau of East Asian and Pacific Affairs, Department of State.

### MISCELLANEOUS MEASURES

*Committee on the Judiciary:* Full Committee held a markup of H.R. 3012, the "Fairness for High-Skilled Immigrants Act". The bill was ordered reported, as amended.

### GULF COAST RECOVERY

*Committee on Natural Resources:* Full Committee held a hearing entitled "Gulf Coast Recovery: President Obama's BP Compensation Fund, How Is It Working?" Testimony was heard from public witnesses.

### MARRIAGE PENALTY AND ITS IMPACT ON THE DEFICIT

*Committee on Oversight and Government Reform:* Subcommittee on Health Care, District of Columbia, Census and the National Archives held a hearing entitled "Examining Obamacare's Hidden Marriage Penalty and Its Impact on the Deficit." Testimony was heard from public witnesses.

### DEPARTMENT OF HOMELAND SECURITY

*Committee on Oversight and Government Reform:* Subcommittee on Government Organization, Efficiency and Financial Management held a hearing entitled "Internal Control Weaknesses at the Department of Homeland Security." Testimony was heard from Peggy Sherry, Deputy Chief Financial Officer, Department of Homeland Security; Robert West, Chief Information Security Officer, Department of Homeland Security; and John McCoy, Deputy Assistant Inspector General for Audits, Office of the Inspector General, Department of Homeland Security.

### BLUE RIBBON COMMISSION ON AMERICA'S NUCLEAR FUTURE

*Committee on Science, Space, and Technology:* Subcommittee on Investigations and Oversight; and the Subcommittee on Energy and Environment held a joint hearing entitled "Review of the Blue Ribbon Commission on America's Nuclear Future Draft Recommendations." Testimony was heard from public witnesses.

### SMALL BUSINESS PROCUREMENT PROGRAMS

*Committee on Small Business:* Subcommittee on Investigations, Oversight and Regulations held a hearing entitled "Misrepresentation and Fraud: Bad Actors in the Small Business Procurement Programs." Testimony was heard from Peggy E. Gustafson, Inspector

General, Small Business Administration; and Brian Miller, Inspector General, General Services Administration.

#### **SUPPLEMENTAL SECURITY INCOME (SSI) BENEFITS FOR CHILDREN**

*Committee on Ways and Means:* Subcommittee on Human Resources held a hearing on Supplemental Security Income (SSI) benefits for children. Testimony was heard from Daniel Bertoni, Director, Education, Workforce, and Income Security, Government Accountability Office; and public witnesses.

#### **ONGOING INTELLIGENCE ACTIVITIES**

*House Permanent Select Committee on Intelligence:* Full Committee held a hearing on ongoing intelligence activities.

## *Joint Meetings*

### **DISCRETIONARY OUTLAYS**

*Joint Select Committee on Deficit Reduction:* On Wednesday, October 26, 2011, Committee concluded a hearing to examine an overview of discretionary outlays, security and non-security, after receiving testimony from Doug Elmendorf, Director, Congressional Budget Office.

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### **COMMITTEE MEETINGS FOR FRIDAY, OCTOBER 28, 2011**

*(Committee meetings are open unless otherwise indicated)*

#### **Senate**

No meetings/hearings scheduled.

#### **House**

No hearings are scheduled.

## Next Meeting of the SENATE

3 p.m., Monday, October 31

## Next Meeting of the HOUSE OF REPRESENTATIVES

1 p.m., Monday, October 31

## Senate Chamber

**Program for Monday:** After a period of morning business (not to extend beyond 4:30 p.m.), Senate will begin consideration of the nomination of Stephen A. Higginson, of Louisiana, to be United States Circuit Judge for the Fifth Circuit, with a vote on confirmation of the nomination at 5:30 p.m.

## House Chamber

**Program for Monday:** The House will meet in pro forma session at 1 p.m.

## Extensions of Remarks, as inserted in this issue

## HOUSE

Blackburn, Marsha, Tenn., E1948, E1950, E1952  
 Calvert, Ken, Calif., E1947, E1949, E1952, E1954  
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 Diaz-Balart, Mario, Fla., E1959  
 Dingell, John D., Mich., E1952  
 Edwards, Donna F., Md., E1956, E1958  
 Eshoo, Anna G., Calif., E1955  
 Fitzpatrick, Michael G., Pa., E1948  
 Frelinghuysen, Rodney P., N.J., E1955  
 Granger, Kay, Tex., E1959

Grimm, Michael G., N.Y., E1948, E1950, E1953, E1955,  
 E1956, E1957, E1959, E1961  
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 E1956, E1957, E1959, E1960  
 Levin, Sander M., Mich., E1950  
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 E1955  
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Miller, Jeff, Fla., E1960, E1961  
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 Peters, Gary C., Mich., E1957  
 Rahall, Nick J., II, W.Va., E1951  
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 Tipton, Scott R., Colo., E1958  
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