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No. 187

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,

December 7, 2011.

I hereby appoint the Honorable ROBERT E. LATTI to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

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

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

FLAWED DRAFT ENVIRONMENTAL ASSESSMENT IN PUERTO RICO

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

Mr. GUTIERREZ. Today I'm sending a letter to Colonel Alfred A. Pantano, the commander of the U.S. Army Corps of Engineers in Jacksonville, Florida, the district that oversees, among other things, the permitting process for the construction of a massive gas pipeline that will cross the mountains in Puerto Rico. The 92-mile gas pipeline, which does not make any sense environmentally, economically, or ethically, is

moving forward in part because Colonel Pantano's office issued a Draft Environmental Assessment that clearly favors the eventual issuance of the permit.

I would like to read an excerpt from my letter:

"I was intensely angered, but sadly not entirely surprised, when I read the report issued by your office regarding the gasoducto in Puerto Rico. From the start, people in Puerto Rico have been telling me that they suspect all the regulatory oversight is nothing more than show and this process has been assured of passage because of insider cozy relationships between the Army Corps Jacksonville staff and the very industry they are supposed to be overseeing and regulating.

"Further, having sunk millions of dollars in this project already, the ruling party in Puerto Rico's very credibility is at stake on this massive construction project going forward.

"The Draft Environmental Assessment is so slanted and flawed that it adds more evidence to the growing view that there will be no meaningful oversight for this project and no meaningful input from the residents of Puerto Rico.

"I believe your decision, Colonel Pantano, shows a complete disregard for compelling evidence demonstrating little need for the project. It shows disregard for the opinion of other Federal agencies who have looked at the project. The decision disregards evidence of potential safety hazards to the people of Puerto Rico. This woefully slanted decision also gives credence to the suggestion of impropriety in matters related to this project and the inability of the U.S. Army Corps of Engineers to oversee this project.

"I believe this process should begin again in an open and transparent manner, that the process that has led to the decision should be fully investigated, and further efforts should be

supervised by new leadership. I ask for a U.S. Army Office of Inspector General investigation immediately into the relationship between the government of Puerto Rico, the Army Corps of Engineers Jacksonville office, and the power companies and its contractors.

"Lobbyists who used to work for the Army Corps of Engineers should not be allowed to line their pockets at the expense of the safety of the people of Puerto Rico. Your boss, President Obama, stated 'the cozy relationship between the regulators and the industry they regulate must come to an end.'

"I strongly support the President and agree with him completely. However, my misgivings about the pipeline project multiplied substantially when the project was abruptly removed from Army Corps' office in Puerto Rico and transferred to the Jacksonville office in Florida.

"There is clearly a cozy relationship between current Jacksonville staff that you supervise and former Jacksonville staff who now supervise and work for the private company consulted by and hired by the government of Puerto Rico to lobby and provide technical assistance for the project."

The result: The Army Corps of Engineers appears to have adopted all the power company's wholesale argument for moving forward. What a surprise. These include ignoring the advice of other Federal agencies that do not seem to have any cozy connections and relationships to the moneyed interests behind the pipeline, including warnings from the Fish and Wildlife Service—ignored; the Environmental Protection Agency—ignored.

Finally, I point out that it is an insult to the people of Puerto Rico to have released the Army Corps' report in the manner it was released. The report is exclusively in English, whereas the common language in Puerto Rico is

☐ 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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Spanish. English is a language that hundreds of thousands of Puerto Ricans whose lives will be directly affected by the pipeline do not speak and cannot read. How are they supposed to give advice and consent?

It is also personally insulting that the 30-day comment period occurred during the holiday season when the residents of Puerto Rico are especially focused on their family, and interestingly enough, Congress will be in recess.

The people of Puerto Rico, including those who live humbly in the mountains and those who have derived their livelihoods from the land, deserve a government that protects their interest. They deserve to know when their safety and way of life are threatened, the government will protect them. This case reveals the opposite. It reveals a government agency that ignores the warnings of other government agencies and a wealth of facts regarding safety concerns and environmental impact. It reveals a government agency that responds more to well-connected lobbyists than advocates for the people of Puerto Rico. It reveals a government agency that is doing nothing—not doing the job that it was mandated to do.

Mr. Speaker, I would like to include in the RECORD this petition, on behalf of many individuals and environmental groups from the Legal Assistance Clinic at the Law School at the University of Puerto Rico, to have the environmental assessment translated into Spanish.

ESCUELA DE DERECHO,
UNIVERSIDAD DE PUERTO RICO,
San Juan, PR, December 6, 2011.

Re Petition to Translate into Spanish the Draft Environmental Assessment, Statement of Findings, Public Notice, and Joint Permit Application for the Via Verde Natural Gas Pipeline Project, Permit Application No. SAJ 2010-02881 (IP-EWG).

Colonel ALFRED A. PANTANO,
District Commander, U.S. Army Corps of Engineers, Jacksonville District, San Marco Boulevard, Jacksonville, FL.

DEAR COLONEL PANTANO: The United States Army Corps of Engineers (USACE) has recently published a Draft Environmental Assessment and Statement of Findings (collectively, Draft EA) as part of its environmental review process under the National Environmental Policy Act (NEPA) for the Via Verde Natural Gas Pipeline project proposed by applicant Puerto Rico Electric Power Authority (PREPA) under permit application SAJ-2010-2881 (IP-EWG). This project involves the construction of a 92-mile natural gas pipeline that would cross the island of Puerto Rico, starting at the municipality of Peñuelas in the south coast, to Arecibo in north coast and then east to San Juan. According to the Draft EA, the purpose of the pipeline is to supply natural gas to three power plants located in the north coast. The project will have temporary and permanent impacts on 235 river and stream crossings; 1,500 acres of land; 369 acres of wetlands (including various types of important aquatic resources); the biodiversity-rich and underground water-abundant northern karst zone; private and public forested lands; natural reserves; archaeological sites; areas

of critical habitat for endangered and/or threatened species; rural areas; densely populated urban areas; and coastal areas. In all, the project may affect over 40 endangered or threatened species, and will put at permanent risk the lives of over 200,000 residents. The majority of the people of Puerto Rico are against this project, as shown by various polls, the 6,000 comment letters your agency has received so far, and the public demonstrations against the project involving tens of thousands of Puerto Rican citizens. In addition, this project has been the subject of vivid presentations on the floor of Congress, as well as hundreds of news articles, including attention from the New York Times, Washington Post, and other national media. Not surprisingly, your agency has acknowledged that this project is one of very high public interest.

We are submitting this letter on behalf of various environmental groups and individuals. The conservation groups include the Puerto Rico Chapter of The Sierra Club; Center for Biological Diversity; Ciudadanos del Karso; Asociación Nacional de Derecho Ambiental; Comité Bo. Portugués Contra el Gasoducto; Comité Utuadeño en Contra del Gasoducto; Sociedad Ornitológica Puertorriqueña; Vegabajeños Impulsando Desarrollo Ambiental Sustentable; Iniciativa para un Desarrollo Sustentable; and Comité Toabajeño en Contra del Gasoducto. These groups all share a common purpose: to promote the general welfare of the communities they serve through education and capacity building of its residents concerning the adverse impacts of human activities on the ecologic balance of natural systems and the importance of restoring the environment and promoting conditions under which human beings and the environment can exist in harmony to fulfill economic, social and other needs of present and future generations.

Likewise, the individual clients of the environmental law clinics of Vermont Law School, University of Puerto Rico School of Law, and the Inter American University School of Law; and of the Puerto Rico Legal Services, Inc. support this petition as well. These individuals include Juan Cortés Lugo; Sofía Colón Matos; Luis Guzmán Meléndez; Ana Oquendo Andújar; Iván Vélez González; Francisca M. Montero Colón; Sol María De Los Angeles Rodríguez Torres; Iván Carlos Belez Montero; Aristides Rodríguez Rivera; Ada I. Rodríguez Rodríguez; Alex Noel Natal Santiago; Miriam Negrón Pérez; Francisco Ruiz Nieves; Silvyva Jordán Molero; Ana Serrano Maldonado; Félix Rivera González; William Morales Martínez; Trinita Alfonso Vda. De Folch; Alejandro Saldaña Rivera; Dixie Vélez Vélez; Dylia Santiago Collaso; Ernesto Forestier Torres; Miriam Morales González; Fernando Vélez Vélez; Emma González Rodríguez; Samuel Sánchez Santiago; Raquel Ortiz González; Maritza Rivera Cruz; Virginio Heredia Bonilla; Lillian Serrano Maldonado; Yamil A. Heredia Serrano; Jean Paul Heredia Romero; Pablo Montalvo Bello; Ramona Ramos Dias; Virgilio Cruz Cruz; Cándida Cruz Cruz; Amparo Cruz Cruz; Gilberto Padua Rullán; Sabrina Padua Torres; Maribel Torres Carrión; Hernán Padín Jiménez; Rosa Serrano González; Jesús García Oyola; Sucesión de Ada Torres, compuesta por Carmen Juarbe Pérez, Margarita Forestier Torres y Ernesto Forestier Torres; María Cruz Rivera; Cristóbal Orama Barreiro; Haydee Irizarry Medina; Miguel Baéz Soto; and Gustavo Alfredo Casaldic Torres.

We anticipate that more groups and individual citizens will join this petition in the coming days or weeks.

The purpose of this letter is to formally request that the USACE prepare a Spanish version of Draft EA and other key docu-

ments, particularly the most recent Public Notice and Joint Permit Application. In order for the public comment period to provide a meaningful opportunity for public input on a project of tremendous local interest and concern, it is important that these translations are prepared and distributed to the public *before* the commencement of the public comment period. Once the USACE provides an official Spanish version of the Draft EA and other key documents, the USACE should provide a public comment period of at least 60 days in light of the complexity and magnitude of this proposed project. In addition, we respectfully request that the USACE provide public hearings in Puerto Rico with translators available.

There are ample statutory and regulatory provisions as well as executive orders and judicial precedents which support our requests, as discussed further below. Furthermore, compliance with these requests is necessary if USACE intends to provide affected communities and interested individuals throughout the island of Puerto Rico with an adequate opportunity to comment on the project, considering that less than 19% of island residents consider themselves to be bilingual. The residents of these communities often have valuable information about places and resources that they value and the potential environmental, social, and economic effects that the proposed federal actions may have on those places and resources. NEPA and other federal statutes, regulations, and executive orders require USACE to provide concerned citizens and organizations with access to enough information to allow them to provide meaningful comments, and these laws require USACE to take their comments into account. If the key documents to be evaluated remain available only in a foreign language, however, it will be too difficult for the affected and concerned citizens and groups alike to meaningfully and adequately comment on the project. In fact, the Draft EA and other key documents include so much technical and difficult to grasp information that even an English-speaking layperson would have difficulty reading, analyzing, and commenting in just 30 days.

Fundamental principles of environmental justice warrant that the Draft EA for a project of such magnitude must be translated in the Spanish language and that the public comment period be restarted and extended to 60 days once the Spanish version of the EA is available to the public. The USACE is bound to these principles by NEPA, the Council on Environmental Quality Guidelines (CEQ guidelines), the Executive Order on Federal Actions to Address Environmental Justice, the Department of Defense Strategy on Environmental Justice pursuant to the Executive Order, the U.S. Constitution, and other legal authorities and precedents.

Security issues also warrant a translation. The pipeline is a safety risk to various thousands of people who will live, work or commute daily near the pipeline's ROW. The Draft EA recognizes this fact when it states that "the addition of the pipeline in the community decreases public safety." Likewise the value of property might be affected depending on the proximity to the ROW of the pipeline. Basic fundamental principles of justice require that people put in harm's way or whose property, may be affected be able to read and understand the Draft EA which contains the basic findings of the USACE regarding the risks of the proposed action to their lives and property.

NEPA AND CEQ REGULATIONS

The Draft EA for the proposed Via Verde Pipeline project was prepared by the USACE pursuant to an environmental review process

required under NEPA. NEPA's environmental review process has two major purposes: (1) for agencies to make better informed decisions; and (2) for other interested agencies and citizens alike to have an opportunity to participate and provide input in the review process. Courts have repeatedly interpreted the statute as requiring agencies to grant meaningful and adequate participation to the public by disclosing all non-exempted documentation the agency used and by allowing the public to submit comments in a process that guarantees that the agency will take into account the public's comments.

In light of these obligations, USACE has repeatedly promised that it will take into account all the comments submitted by the people of Puerto Rico. A 30-day period is not enough time to give the people of Puerto Rico a meaningful opportunity to read, analyze, evaluate and then comment on this 110-page long Draft EA for this highly complex and controversial project. Moreover, the USACE has overlooked the fundamental fact that Puerto Rico is a Spanish-speaking nation and the Draft EA, a highly technical document, and other key documents are written in the English language. If affected and concerned citizens are not able to read the key documents under review, their participation will not be meaningful and adequate as the statute requires.

Through NEPA, Congress ordered the Council on Environmental Quality (CEQ) to issue regulations governing federal agency implementation of the NEPA environmental review process. These CEQ regulations are binding on all federal agencies. Section 1506.6 of the CEQ regulations, regarding public involvement, states that agencies shall:

(a) Make diligent efforts to involve the public in preparing and implementing their NEPA procedures.

(b) Provide public notice of NEPA-related hearings, public meetings, and the availability of environmental documents so as to inform those persons and agencies who may be interested or affected.

1. . . .

2. . . .

3. In the case of an action with effects primarily of local concern the notice may include:

(i) . . .

(ii) . . .

(iii) Following the affected State's public notice procedures for comparable actions.

(iv) . . .

(c) . . .

(d) Solicit appropriate information from the public.

(e) . . .

(f) Make environmental impact statements, the comments received, and any underlying documents available to the public . . . [emphasis added]

When a Federal provision requires "diligent efforts to involve the public", to "inform those persons [. . .] who may be interested or affected", and to "solicit appropriate information from the public" in a Spanish-speaking nation like Puerto Rico, regarding a project so controversial and of such a scope and magnitude as Va Verde, the only way to comply with the provision is by providing the information in the common language spoken. Likewise, in the case of an action with effects primarily of local concern, as in the case of Va Verde, section 1506.6 (b)(3)(iii) orders the agency to follow "the affected State's public notice procedures for comparable actions" which for Puerto Rico would be a draft EA in the Spanish language.

CEQ regulations offer additional reinforcement in order to guarantee an adequate public participation. For instance, section 1502.8

of the CEQ guidelines state that "[e]nvironmental impact statements shall be written in plain language and may use appropriate graphics so that decisionmakers and the public can readily understand them" [emphasis added]. Courts have interpreted this "plain language" provision as to require Federal agencies to provide the public with comprehensive information regarding environmental consequences of a proposed action and to do so in a readily understandable manner. See *Klamath-Siskiyou Wildlands Center v. Bureau of Land Management*, 387 F.3d 989 (2004), "While the conclusions of agency expert are entitled to deference, National Environmental Policy Act (NEPA) documents are inadequate if they contain only narratives of expert opinions, and the documents are unacceptable if they are indecipherable to the public"; *Earth Island Institute v. U.S. Forest Service*, C.A.9 (Cal.), 442 F.3d 1147 (2006), *certiorari denied* 127 S.Ct. 1829, 549 U.S. 1278, 167 L.Ed.2d 318 (emphasis added), "A final environmental impact statement (FEIS) must be organized and written so as to be readily understandable by governmental decisionmakers and by interested non-professional laypersons likely to be affected by actions taken under the FEIS" [emphasis added]; *Oregon Environmental Council v. Kunzman* 817 F.2d 484 (1987), "Readability requirement of Council on Environmental Quality regulation mandates that environmental impact statement be organized and written so as to be readily understandable by governmental decision makers and by interested nonprofessional laypersons likely to be affected by actions taken under the environmental impact statement" [. . .] "Upon review of environmental impact statement, parties may introduce evidence concerning reading level of affected public and expert testimony concerning indicia of inherent readability. National Environmental Policy Act of 1969, §102, 42 U.S.C.A. §4332; 5 U.S.C.A. §706(2)(A, D)" [emphasis added]. See also *National Resources Defense Council, Inc. v. United States Nuclear Regulatory Comm'n*, 685 F.2d 459, 487 n. 149 (D.C.Cir.1982); *Baltimore Gas & Elec. Co. v. NRDC*, 462 U.S. 87 (1983); and *Warm Springs Dam Task Force v. Gribble*, 78 F.Supp. 240, 252 (N.D.Cal.1974), *aff.*, 621 F.2d 1017 (9th Cir.1980). These requirements for EISs apply equally to EAs, as indicated in the CEQ regulations' use of the term "environmental documents" rather than EISs alone.

In the case of Puerto Rico, a Draft EA that is highly technical and written in the English language is "undecipherable" and not "readily understandable" in order to be properly assessed and commented by lay persons whom in their wide majority are not fluent in the English language.

ATTORNEY GENERAL ERIC HOLDER MUST RESIGN

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

Mr. BOUSTANY. Mr. Speaker, U.S. Attorney General Eric Holder must resign immediately. After months of evading tough questions and giving unclear answers about Operation Fast and Furious, it now appears the Justice Department's top official has contradicted his own testimony given before Congress.

Under Operation Fast and Furious, the Bureau of Tobacco, Alcohol, and Firearms allowed "straw" purchasers to buy at least 1,400 weapons, despite the fact it knew that these weapons

would likely end up in the hands of violent Mexican drug cartels. The ATF lost track of the guns after they were sold to criminals. Since then, many have been used in hundreds of crimes on both sides of the border, including the murders of a Border Patrol agent in Arizona and an immigration officer at the U.S. embassy in Mexico City.

Why did the Attorney General allow for the transfer of guns across the border without working in conjunction with Mexican authorities when he knew the ATF was unable to trace them? That's a very important question that must be answered. This botched program should never have been authorized in the first place. Attorney General Holder should resign over his failure and his evasive and contradictory testimony to the United States Congress.

THE REINS ACT AND MINE SAFETY

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

Mr. GEORGE MILLER of California. Mr. Speaker, Members of the House, later today, the House will consider the REINS Act, which is legislation designed to make sure that in a Republican-controlled Congress, no new regulations would be put into effect, whether they deal with clean drinking water, clean air, child safety, the safety of children when they play with their toys, the drugs that so many citizens need to take to maintain their health, or occupational safety at the workplace. All of that would be destroyed under the REINS Act.

You might ask yourself what would society look like? Well, we had a preview of what that society looks like yesterday when the Mine Safety and Health Administration released its report on the Upper Big Branch mine. What that society looked like to these miners and to their families was 29 dead coal miners, because the Massey Corporation was basically allowed by its board of directors to evade the basic regulations that were in place to protect the miners.

Although the miners don't have whistleblower protections, we saw that Massey was able to intimidate the workers every day not to report safety violations, not to write up safety violations, not to report things that needed to be repaired, because the chairman of the board told them the priority was the production of coal, not the safety of the workers.

□ 1010

Produce the coal or get out is what he told them. So they were not able to participate in their own safety when they saw a violation or they saw a problem that caused danger in the mine.

They also were able to circumvent the right of the mine safety inspections

in the mines because they gave advance warnings. They were told if a Federal mine inspector comes onto the property, you must give advance warning to the people in the mine so they can divert the mine inspector away from the problems in the mine, take up their time while we can fix them, or he'll run out of time to inspect the mine. There's regulations against that. There's laws against. They avoided those.

Then they kept two sets of books so that the mine regulators couldn't see the real level of violations in the mines. That's what it looks like when you don't have regulations. That's what it looks like when you don't have enforcement.

And it's the conclusion of the mine safety report that mirrors one that was done by the State government. The conclusion is that the tragic death of 29 miners and serious injuries of two others in the Upper Big Branch mine were entirely preventable—entirely preventable—had regulations been enforced in that mine, had this company not been allowed to go rogue and ignore the regulations that are there to protect the miners' lives.

We must now understand what that means to the American public, what it means to these families.

What could have been contained, what could have been contained as a mine or a coal dust explosion or a localized methane gas explosion became an explosion that traveled 2,000 feet per second—2,000 feet per second. There is no miner that could get out of the way of that act.

And what happens at the end of that world without regulation, where you don't have to put up with paying fines, where you can clog the courts with appeals? When the Massey Company was sold, the board of directors that allowed this to happen, the executive officers that directed this to happen, the officers walked away with \$90 million in bonuses; the board of directors walked away with \$19 million in bonuses. And Don Blankenship, the CEO of the company that wrote the memo that said it's production of coal or get out, it's not safety, walked away with \$86 million.

And now get this: Don Blankenship, the CEO, now wants to go back into the coal business after killing 29 miners. And whether it's the State of Virginia or the State of West Virginia or Kentucky or anywhere else, the suggestion is that they might be able to give him a permit to open up a mine. Twenty-nine miners are dead, violations of law, a criminal corporate culture, and somebody else says that they might be able to go back into the mines.

You will not reignite the American Dream for workers in this country if you take away their rights at work. You will not reignite the American Dream for the middle class if they have no rights at work, if they're subjected to this. For these families who lost the 29 members of their families, they're

crushed. They're crushed. But you can't do that by eliminating the regulations. It's the regulations in place that have saved miners' lives; but it's the avoidance of the regulations, the ignoring of the regulations, and it's the failure of this Congress to introduce tough sanctions.

When you obstruct a Federal safety investigation, it should be a felony. Somebody should go to jail. When you obstruct the right of a worker to blow the whistle on an unsafe procedure, there's got to be a strict fine for that. That's how we reignite the American Dream.

We've got a lot of work to do in this Congress, but you can't do it by stopping all regulations that protect our families, that protect our communities, that protect the workers in America today.

PEARL HARBOR

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

Mr. POE of Texas. Mr. Speaker, the sun was lazily rising on the horizon. It was around breakfast time on a stunning Sunday morning. It was quiet, peaceful, calm. People felt secure. There was a small tropical breeze as the American flag was being raised on a nearby flagpole.

It was this day that Luke Trahin, a 22-year-old sailor from southeast Texas, noticed large formations of aircraft darkening the glistening sky. He kept watching in awe until suddenly the aircraft broke formation, dove from the sky, and unleashed a fury of deadly, devastating bombs and torpedoes on a place called Pearl Harbor in the Pacific. It was this day, 70 years ago this morning, when Luke Trahin and his fellow sailors, soldiers, and marines saw war unleashed upon America. It was December 7, 1941.

The Japanese had caught America by surprise and took advantage of an unprepared nation. And after the smoke cleared on that morning of madness, 98 Navy planes and 64 Army aircraft were destroyed. Luke's unit, Patrol Wing One, lost all but three of its 36 aircraft. 2,471 Americans, servicemen, and civilians, were killed by this unwarranted invasion of terror from the skies.

The pride of the United States Navy, the battleships—West Virginia, California, Oklahoma, Tennessee, Utah, Maryland, Nevada, and Arizona—were trapped in the harbor. They made easy targets for the Japanese pilots. The sailors onboard these battle wagons fought with the courage of an entire legion of warriors when they were attacked by a skillful, fanatical, and tyrannical enemy. All of these fierce U.S. Navy battleships were sunk or damaged. Their guns, Mr. Speaker, are now silent.

The hull of the USS Arizona became the sacred graveyard in the peaceful Pacific for more than 1,177 American sailors and marines. I have seen, Mr.

Speaker, the oil that still seeps to the surface from the hull of the battleship Arizona.

Luke Trahin and his Navy buddies in Patrol Wing One quickly got organized, prepared, and waited for 2 days for the expected land invasion by the Japanese. It never came. But America was at war. It was World War II, and the war was long. It spread from the Pacific to Europe to Africa to the Middle East to Asia. The Japanese, then the Nazis, seemed undefeatable. But even the Japanese were concerned about the spirit of America. The Japanese commander of the Pearl Harbor invasion remarked that what Japan had done was wake a sleeping giant.

World War II was hard. Millions served in uniform overseas; millions served on the home front; all sacrificed for the cause of America. The Nation woke from a somber sleep of neutrality and, with our allies, defeated the tyrants that would rule over the world. That was a time when Americans put aside all differences and united to defend freedom in our Nation. When the war was won, over 400,000 Americans had given their lives for this nation.

Mr. Speaker, I'm always intrigued by the stories of those war heroes and the folks of that generation. There isn't one of them that cannot recall the exact moment and place they were when they heard the news of Pearl Harbor. Both of my parents, barely teenagers at the time, still talk about what they were doing when they heard on the radio that broadcast that Sunday morning about the invasion.

Until September 2011, this was the deadliest attack on American soil. "December 7, 1941, a date that will live in infamy." Those were the words of President Franklin Roosevelt that became forever embedded in the minds of patriots across our land igniting and launching a nation into the fiery trenches of battle throughout the world.

Those of that Greatest Generation proved that when freedom of this Nation is threatened, our people will stand and fight. They will bring the thunder of God upon our enemies. Defending freedom and liberty was the battle cry of the sailors, marines, and soldiers that died 70 years ago at Pearl Harbor.

We remember December 7, 1941, and the Americans who stood tall and kept the flame of America burning brightly. They were a remarkable bunch of people. They were the Americans.

My friend, Petty Officer Luke Trahin, stayed in the United States Navy for 38 years, either on active or reserve status. He wore his uniform every Memorial Day, every Veterans Day, and spent a lot of time speaking proudly about this country. He died 4 years ago on December 5, 2007. He was 89 years of age.

And that's just the way it is.

UNEMPLOYMENT INSURANCE
EXTENSION

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

Ms. FUDGE. Mr. Speaker, I rise to address the urgent need to extend unemployment insurance for struggling Americans. Forty-five percent of all unemployed workers—more than 6 million people—have been out of work for more than 6 months.

Karen, from Cleveland, was laid off in March. She was laid off from a law firm due to budget constraints. She is 62 years old and unable to find a job in this economy. Unemployment insurance is helping her to get by with just the basic necessities. It is allowing her to pay for expensive but necessary prescriptions. She is actively looking for work, but she is afraid that if her unemployment benefits are cut, she will lose her house. Karen's State unemployment benefits can run out at the end of December.

□ 1020

If Congress fails to act to renew the Federal unemployment insurance program, she'll become just another statistic, one of the millions of Americans who identify themselves with the 99 percent. Karen, along with 6 million Americans, will be cut off from emergency lifeline saving resources unless Congress acts.

Sandra, of Cleveland Heights, lost her job in April 2011. It's her third lay-off. She is 59 years old. She never thought she would find herself in this position at this age.

Rather than defaulting on her mortgage, she has used up all of her retirement savings. Now she is deeper into debt. When her unemployment funds run out, it's likely she will default. And being an older worker, it makes it even harder.

We see this scenario all too often across this Nation, hardworking Americans getting laid off, using up their savings, and then losing their homes. We've seen foreclosure rates soar, and Americans are falling behind on their mortgage payments at a very rapid rate. In my district, more than 13 percent of homeowners are 90 or more days behind on their mortgage.

In 2010, unemployment benefits kept 3 million Americans, including nearly 1 million children, from falling into poverty. Extending unemployment insurance can prevent the loss of over 500,000 jobs, according to the Economic Policy Institute—500,000 jobs.

You know why? Because UI payments go directly into the economy. They support local businesses. They help create jobs and reduce the demand for public services. If we don't extend unemployment insurance, it would be the equivalent of pulling nearly \$90 billion out of the economy in 2012.

There's one more story I'd like to tell you. It's from Molly in Toledo. I tell Molly's story because it embodies the frustration felt by thousands upon

thousands of American across this country.

Molly has battled unemployment since October 2008. She wonders how the rich and powerful expect people like her to survive without good-paying jobs. "Are we just supposed to die," she asks? "Commit suicide? Starve to death while we are homeless and on the streets?"

Molly says: "The deck really seems to be stacked against ordinary Americans. No one with any real power seems to care, except Warren Buffett."

"I'm trying to find a good job," she says, "or any job for that matter. We, the unemployed are demonized by the right and discriminated against for being out of work. We're too old or overqualified or underqualified, or we're the wrong color. What has happened to my country?" she asks.

These are the stories of everyday Americans who are struggling to get by. This is not about Democrats and Republicans. This is about coming together to help millions of unemployed Americans get through the worst economic recession since the Great Depression. It's about helping our economy grow and about creating jobs.

Americans are frustrated with the decline of the middle class and the lack of good-paying jobs. But these honorable citizens haven't given up, and neither can we. We must act now. We must extend unemployment insurance.

WHY ARE WE STILL IN
AFGHANISTAN?

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

Mr. JONES. Mr. Speaker, when we were home during the Thanksgiving break, like all my colleagues, I did as much as I could to be with the people of the Third District of North Carolina. The Third District is the home of Camp Lejeune Marine Base, Cherry Point Marine Air Station, and Seymour Johnson Air Force Base, and over 60,000 retired veterans in the Third District.

Since coming back to Washington, I've done two town meetings by phone. What I heard while I was home during Thanksgiving and the two town meetings: Why are we still in Afghanistan?

When I hear my colleagues in both parties talking about the problems facing the American people—unemployment benefits, extending the tax cuts for middle class America—we all grapple with, both parties, how we are going to pay for it.

Well, there is a man in Afghanistan that is a crook and corrupt, who gets \$10 billion a month that he doesn't have to worry about. Poor Americans are out here doing the best they can in a very difficult economy, and we can't help them, but we can help a corrupt leader in Afghanistan. It makes no sense. I hope that this Congress will come together and say to the President, let's not wait till 2014.

How many more American boys and girls will have to die and give their legs in the next 3 years for a corrupt leader? I've asked the Department of Defense, and I wrote Secretary Panetta and asked him that question. Give me your projections of how many more young men and women will have to die and lose their legs. I hope that I get that response soon.

That brings me to the point of a young marine I saw at Walter Reed/Bethesda about 3 weeks ago. There were four marines from the Third District of North Carolina. Three have lost both legs, and the one that had lost only one leg, a corporal, mom sitting in the room, said to me, Sir, may I ask you a question? I said certainly you may. Why are we still in Afghanistan? And I looked at him and I said, I don't know why we're still there.

Mr. Speaker, it makes no sense. The American people and the people of the Third District of North Carolina are saying, we have won; bin Laden is dead; al Qaeda has been dispersed all over the world.

Mr. Speaker, it is time, as we debate these very difficult, complex issues for our Nation, that we get smart with our foreign policy. And smart means, let's don't try to police the world.

History has proven you will never change Afghanistan. It will never change, no matter what we do or any other country tries to do.

So, Mr. Speaker, beside me is a poster with a flag-draped coffin coming off the plane at Dover. And with humility I tell you today, Mr. Speaker, I've signed over 10,400 letters to families and extended families who've lost loved ones in Afghanistan and Iraq.

I thank God that He has allowed me to have a heart large enough to feel the pain of war, because I've never been to war. But when I sign those letters, I feel the pain of the families, and I lick every envelope that I send.

Mr. Speaker, with that, I want to close my comments by asking God to please bless our men and women in uniform, God to please bless the families who've lost loved ones fighting in Afghanistan and Iraq. God, please bless the House and Senate that we will do what's right for the American people. Bless Mr. Obama that he will do what is right for the American people.

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

UNEMPLOYMENT INSURANCE
EXTENSION

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

Mr. ELLISON. Mr. Speaker, before I begin my remarks, I want to publicly associate myself with everything WALTER JONES just said. He is absolutely right.

Mr. Speaker, this holiday season Congress has chances, a couple of chances right in front of them to do

what's right for the American people and to side with the overwhelming percentage of Americans suffering out there in this economy.

For an entire year, the majority in the House has not offered a single bill to create a single job. In fact, the only thing that the Congress has been doing is creating an environment where public sector jobs are cut, and where private sector jobs, though they have been growing, are offset by those public sector cuts, leaving us with an unemployment rate which we're happy to have at 8.6 percent, but within the historical context is still a national disgrace and an outrage to have unemployment at 8.6 percent for so very long. But we're happy to have it because it has been as high as 10.

And now we're threatening to leave more than 2 million Americans, including 13,000 in my home State of Minnesota, out in the cold during the holiday season by taking away their unemployment insurance.

Right now, 14 million people are unemployed, and companies really aren't hiring. For most of these people, unemployment insurance is the only thing that's keeping them in their homes and not out on the street.

According to the Census Bureau, unemployment insurance has pulled 3.2 million Americans out of poverty last year. And that's why Congress needs to make sure that all Americans, Mr. Speaker, continue to have this vital lifeline available.

Any credible economist will tell you that unemployment insurance creates jobs. Every dollar invested in unemployment insurance yields a return of \$1.52 in economic growth.

At least 200,000 jobs would be lost if Congress fails to pass the extension of unemployment insurance benefits. Congress must not leave Washington for the holidays without extending unemployment benefits that create jobs and put money into the pockets and on the tables of millions of Americans.

□ 1030

Both Democrat and Republican politicians, we together have not passed that jobs bill. While the Republicans are in the majority, and I believe bear the weight of the responsibility, it's a responsibility of every Member of Congress to call for the extension of unemployment insurance benefits and jobs at this critical time.

America can't wait. We shouldn't be leaving hardworking Americans high and dry this holiday season. This holiday season, we can spur economic growth, create jobs, and strengthen the middle class by doing the right thing of extending unemployment insurance benefits.

On behalf of the good people who play by the rules and lost their jobs because of Wall Street greed, and while this majority looked the other way, I urge all of my colleagues to support the extension of unemployment insurance benefits.

AFGHANISTAN

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

Mr. KINZINGER of Illinois. There has been a lot of talk lately about Afghanistan. You hear it every day. You heard it just a little bit ago about why are we in Afghanistan? What are we fighting for? Isn't it time to go home?

I've got to tell you the easy thing to do is to stand up and say let's just declare victory and let's leave, and then whatever happens after we're gone, that's not our fault anymore. It's not our problem. That's the easy thing to do.

You know, the America I grew up in and continue to grow in and live in is not the country that always picks the easy thing. The thing about the American DNA is, I believe we do typically the right thing.

Now, let me tell you, I'm still a pilot in the military. I still fly for the Air National Guard, and I've had the privilege and honor of serving overseas with my fellow men and women in uniform. Although most of my experience was in Iraq, I remember in Iraq a time when Members of this House stood up and said that the war in Iraq is lost, that there is no way to win, and it's time to just come home.

And we see today that now the American troops are coming home from Iraq but under a condition of victory. And while I have concerns about that timetable for withdrawal, I think anybody would agree that that's better than had we just in 2006 and 2007 folded up and taken the easy way.

So let me ask my fellow Members of Congress and let me ask the American people, what is it we're fighting for in Afghanistan?

I have here a very disturbing but a very appropriate picture of what it is that we're fighting for.

The young girl you see on the top, her name is BiBi. BiBi is 17 years old. When BiBi was 12 years old, she was sold to somebody basically as a slave as a result of a member of her family committing a crime and selling her as reparations for that crime. For 5 years she was beaten by her husband until one day she decided to run away to seek freedom.

Well, she was caught. Her husband caught her, drug her back to his house, and the Taliban, as a way to enact justice, forced him, with his brother holding her down, forced him to cut off her nose and to cut off her ears. She then proceeded to basically crawl to her uncle's house, and her uncle ignored her. And somebody finally called the hospital, and they said go to an American forward-operating base. They'll take care of you.

You hear the stories of the major who took care of her talking about how she showed up and talking about the fright that she had in her eyes.

I took a trip to Afghanistan recently and saw a village where I saw a man who was standing on a berm with an

AK-47. And I talked to him through a translator, and he informed me that not 2 days ago his daughter fell into a well and drowned. But yet he still believes that his village needs protecting. And he could be sitting at home mourning the loss of his daughter, and I'm sure he mourned the loss, but he was standing out defending his village because he wants what Americans want, what anybody around the world wants. They want security. They want to be able to raise their family. BiBi just wants to live her life without being beaten and sold into slavery.

Today, because of the American presence in Afghanistan and that of our coalition partners, you see the picture at the bottom of this, the best part of this picture, and that is girls in school learning to read and write, learning that there is a world out there, learning that despite where they were raised and born, they, too, can have some of the freedoms and some of the privileges that folks in the rest of the world and especially in the United States have.

So let me say this. It is so easy to stand up and say this is not worth it. But I'm going to tell you the second verse of the Star Spangled Banner has a line that says "Oh conquer we must, when our cause it is just."

Ladies and gentlemen, what we're doing in Afghanistan is not extending an empire. It's bringing freedom to millions of people, taking out jihadists that would kill people simply because you believe differently than them, and we are standing up for freedom around the globe. The greatest disinfectant to terrorism is freedom.

Ladies and gentlemen, the fight in Afghanistan, though difficult, is worth it, and I come in today and stand up and say "God bless you" to those that have gone over there and put on the uniform, and I say "thank you" for your service to your country. The fight is worth it.

TAKING CARE OF THOSE AT HOME

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

Mr. RANGEL. I have been so moved by the preceding gentleman's remarks about the good work that Americans can do, especially when the argument is which side are we on, terrorism or freedom.

I don't know how many cases in the world that the United States of America can intercede in, but I do know that, as we see these horrible examples of what people can do to their own people, that we have thousands of Americans who have volunteered to support our flag and the integrity of the United States who have been killed. And it just seemed to me that when we're talking about the protection of a human body, whether it's losing a limb or your sight or your face, no matter what it is—and especially your life—that if America is going to take this

position, all Americans should be prepared to make the sacrifices as the gentleman before me has.

I think it's so unfair and borders on corrupt when people talk about where our American men and women should be, defending freedom in foreign countries, when America hasn't spoken. Presidents haven't declared war. And we find ourselves talking about volunteers when it's abundantly clear that everybody does not assume the same sacrifices, whether we're talking about taxes or loss of life.

So whether we're talking about Australia, Afghanistan, Iraq, before the people make a decision—and that's what we're for in the House—before they make a decision, at least say that everyone has to participate in that decision and not those who, for economic reasons, find themselves in communities with the highest, the very highest unemployment.

And I laud what happens to all of us who volunteered, because when that flag goes up, you salute the flag. The President becomes the Commander in Chief, and there is only one thing to do. And that's win and protect the integrity of the United States.

But I submit that we have to have a draft that's a part of—what?—the United States, and not a plea for those people, for economic reasons, who will have to protect themselves. I don't think I've ever said this before, but I was thinking that my brother volunteered long before Pearl Harbor, which today we commemorate, and so he was unable to say, nor I, that he volunteered because we were being attacked.

□ 1040

Several years later, in 1948, when the war was over, I volunteered, and that was before the North Koreans invaded South Korea. I would like to walk away by saying how patriotic we both were; but really what motivated me was the excitement my mother would get in receiving a check from my older brother. It wasn't a question of whether she loved him more; it was that she needed it.

I was a teenager—11, 12 years old. The one thing I knew, I wanted to make my mother as happy as my brother did and send her that allotment check. Yet, today, I have medals, and I've been lorded by the Koreans and everyone else; but when I think about it, there were economic reasons that made me a "hero," and there are economic reasons that make the heroes that we have who defend our country and our flag so well.

I didn't expect to talk about that; but in hearing that, 70 years ago, we were attacked and of the American lives that were lost and then of coming back to what has happened in Afghanistan, I am reminded of how unfair this system is for the greatest country in the world and of the hope and division that we're losing and of what separates us from so many other countries in which you can be born into the pits of

poverty, and yet you can always dream that, in this great country, you can succeed.

So many Members of Congress and so many members of the Congressional Hispanic Caucus are the first ones who ever went to college—their parents were the first ones in generations who were able to become professionals—and then had the great honor to represent the United States of America in this Congress.

I am sorry to have deviated from why I came to the well. What I can say to other Members is: God bless America. We have to keep fighting for equality and justice for all.

IN HONOR OF THE BLUE STAR MOTHERS OF AMERICA

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

Mr. TIPTON. Yesterday, legislation that I sponsored, along with Senator MICHAEL BENNET from Colorado, passed the House floor. This bill for the Blue Star Mothers of America updated their congressional charter for the modern era.

Mr. Speaker, I am privileged today, particularly on this day as we commemorate the attack on Pearl Harbor 70 years ago, to be able to rise to honor the Blue Star Mothers of America—the people, the women of America, who have been providing much needed assistance to our Nation's active duty servicemen and -women, veterans, and military families since 1942.

Founded during the height of World War II, the Blue Star Mothers are a nonpartisan veterans' service organization, composed of mothers of current and former servicemembers. Today, over 5,000 dedicated women perform a wide variety of important volunteer services for our troops, providing transportation, supplies, food, and emotional support. More than 225 local chapters across the United States carry out the mission of supporting our troops, our veterans, and the families of our fallen heroes, as well as developing individual projects to assist the specific needs of the military in their own communities. Last month alone, thousands of care packages were sent to our troops overseas, and chaplains and commanders across the military received boxes of supplies and gifts to be able to be distributed to the comrades.

The Blue Star Mothers were originally formed to bring their children home, to ensure that they were given the benefits that they deserved, and to provide them with a vast support network upon their arrival. The organization has since expanded to include other forms of assistance, including rehabilitation, family services, and civil defense. This was chartered by Congress in 1960.

Mr. Speaker, it is an honor to be able to recognize the Blue Star Mothers of America, and I rise today to thank

these patriotic women for their commitment to serving the needs of America's military community and for making a difference in the lives of those who sacrifice the most.

Several years ago, I had the opportunity to be at the graduation at the United States Air Force Academy. My son-in-law was graduating, and Secretary Gates delivered the commencement address. At that time, he noted that that freshman class was the first to enter the academy after 9/11, knowing full well that they would be putting themselves in harm's way.

We have the finest volunteer military that the world has ever seen. May God continue to bless this country with such men and women who will always stand for freedom.

WALL STREET AND MF GLOBAL

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

Ms. KAPTUR. Mr. Speaker, numerous stories have come out over the last few weeks, all detailing the corruption and outright fraud on Wall Street.

First, there was the recent news about former Secretary of the Treasury Hank Paulson's inappropriately tipping off a few key friends from Goldman Sachs and other Wall Street tycoons about the impending collapse of Fannie Mae and Freddie Mac so that those friends could hedge and make money on that insider knowledge. Then a judge in New York threw out one of the orchestrated settlements between Citigroup, which was a bank at the center of the wrongdoing, and the Securities and Exchange Commission, which allowed that bank to walk away from cases of fraud without admitting any wrongdoing.

This past weekend, "60 Minutes" interviewed a former executive vice president at Countrywide Financial, a giant and duplicitous player in the U.S. mortgage business. This woman was in charge of fraud investigations at the company before the financial crisis.

According to her, "Countrywide loan officers were forging and manipulating borrowers' income and asset statements to help them get loans they weren't qualified for and couldn't afford." She went on to say that all of the recycle bins, wherever they looked in that company, were full of signatures that had been cut off of one document and put onto another and then photocopied or faxed. According to her, the fraud she witnessed was systemic, taking place in Boston, Chicago, Miami, Detroit, Las Vegas, Phoenix, and elsewhere. She was fired before she could speak to government regulators about the extent of fraud she had documented.

What is most troubling is that these stories are not isolated. The FBI testified before Congress as early as 2004 that they were seeing an epidemic in white collar crime. They stated the FBI did not have anywhere near

enough agents to investigate major white collar crime like the financial crisis. There are moments when I do wonder if the FBI has the will to prosecute; but still, today, the FBI has nowhere near enough special agents or forensic experts to properly investigate the level of corruption that we know occurred.

Frankly, the Congress has shorted the FBI—some might say purposely—of the resources it needs to do the job. I have a bill, which I invite my colleagues to support, H.R. 3050, the Financial Crisis Criminal Investigation Act, authorizing an additional 1,000 FBI agents to aggressively investigate the kind of fraud that has destroyed the economic future of millions of our people and that has upset the global financial system.

Back when we had the S&L crisis in the 1990s, we had 1,000 agents. Do you know how many were working when this financial crisis started? Forty-five. The others had all been reassigned to terrorism. We're only up a little over 200 agents now investigating white collar crime. Think about that, America. Why do you think these financial wrongdoers aren't in jail? Frankly, this Congress has not taken its responsibility to investigate seriously.

Despite the robust public reporting of misdeeds on Wall Street, it has not been until the MF Global case, one of the top 10 bankruptcies in this country, that Congress has shown some mild interest in the magnitude of the inquiry required. In November, we got an inside look into the stunning misdeeds—and let's be blunt—outright thievery that occurred at MF Global in the days before it declared bankruptcy. The total amount missing from private accounts has fluctuated over the weeks. As much as \$1.2 billion could be missing from private customer accounts.

Congress is finally having hearings on this subject tomorrow, and we'll see how seriously an investigation is pursued. Let me say that the public has a right to know on what specific dates throughout 2011 money from customer accounts was wire-transferred in order to meet MF Global's margin calls.

□ 1050

This is the key question. Members should ask, probe, and exact the truth. The public has a right to know on what specific dates through 2011 was money from private customer accounts at MF wire-transferred in order to meet MF's global margin calls.

If Mr. Corzine authorized the taking of those funds, then this body should remind him that no one is above the law, not even someone who was a former Goldman Sachs CEO, former Governor and U.S. Senator. Whichever friends and associates aided his actions in that company should be brought into full sunlight, as well as other companies that were likely involved in those wire transfers.

The fact that hundreds of millions of dollars, if not over a billion dollars,

can simply be stolen from a major banking institution from the inside requires full investigation, not just by the Congress, but by the FBI. I'm reminded of that book, written by Professor William Black, "The Best Way To Rob a Bank is To Own One." Well, I wonder how much of that applies in this case.

It's time that Wall Street, white collar crimes, be prosecuted seriously, that this Congress do its job. Let's provide the FBI the resources it needs to fully investigate and prosecute, and the committees of this Chamber use their full authority to do no less. We surely owe this to the American people and the cause of justice toward all.

SUPPORT REINS ACT AND GOP REGULATORY REFORM AGENDA

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

Mr. SMITH of Nebraska. Mr. Speaker, I am pleased to speak today about the Regulations from the Executive in Need of Scrutiny, or the REINS, Act.

This bill, which I have cosponsored, restores accountability to the regulatory process by requiring an up-or-down vote in Congress and the President's signature on any new major rule before it is enforced on the American people.

Over-regulation, Mr. Speaker, is devastating our economy and hindering job growth. Of the current administration's new regulations, 200 are expected to cost more than \$100 million each. Seven of those new regulations, however, will cost the economy more than \$1 billion each. At the current pace, the current regulatory burden for 2011 alone will exceed \$105 billion.

And the Federal Government has created more than 81.9 million hours' worth of paperwork this year alone, costing employers \$80 billion just in compliance. It's no wonder a recent Gallup Poll found small business owners citing "complying with government regulations" as "the most important problem" they face.

Nebraskans have not been immune to the reams of red tape being handed down by Federal regulators. Just yesterday it was reported the city of Grand Island, Nebraska, population 51,000, will be saddled with a \$3.2 million compliance cost due to a new Federal emissions regulation. This EPA Cross-State Air Pollution Rule was finalized June 1 and will be enforced January 1.

But this is only one example. There are additional, even more costly rules and unworkable timelines coming down the pike, all of which mean a much longer winter for Americans struggling with high energy costs.

But it doesn't stop there. Recently, the Department of Labor proposed a misguided rule which would restrict youth involvement in agriculture work. Yes, Mr. Speaker, anything from milking cows and feeding calves to

hauling and detassling corn would come under fire under the Department's current rule.

Everyone agrees the safety of these young people and workers everywhere is of the utmost importance; but by allowing such heavy-handed thoughtless regulation, we're greatly restricting opportunities for rural youth. These jobs, often seasonal, teach young people responsibility and the value of hard work; and they're able to earn a little spending money in the process.

I'm also a proud cosponsor of the Farm Dust Regulation Prevention Act of 2011, H.R. 1633, which the House is slated to consider later this week. This bill would prevent the EPA from regulating farm dust, or the type of dust which naturally occurs in rural areas.

Farmers and ranchers already are subject to strict Federal and State regulations to control dust. It makes no sense for the EPA to impose costlier requirements on top of the existing standards. While the EPA has backed off without legislative action, nothing certainly prohibits the agency from regulating farm dust in the future.

During a time of economic hardship, keeping the door open for additional regulatory overreach is not the answer. Actually, I'm often reminded of a meeting I had in southeastern Nebraska with representatives from a Federal agency, good people they are. One of them said it had been more than 20 years since he'd ridden on a gravel road.

For me, this meeting certainly emphasized the disconnect between Washington and rural America. These are only a few examples of the regulatory burden and uncertainty facing Nebraskans who recognize economic growth ultimately depends on job creators, not regulators.

Mr. Speaker, I encourage my colleagues on both sides of the aisle to support commonsense regulatory reforms like the REINS Act.

This is yet another step towards increased accountability, improving the regulatory process, and providing certainty for job creators in my home State of Nebraska and in States all across this country.

SMART: MORE SECURITY AT A FRACTION OF THE COST

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

Ms. WOOLSEY. Mr. Speaker, the violence rages on in Afghanistan. Earlier this week, suicide bombers struck in three different cities, in each case targeting Shiite worshippers who are observing a religious holiday.

The death toll is at least 63, according to a news report; and a Pakistani extremist group has claimed responsibility for the attacks. One eyewitness told The New York Times: "We saw 30 or 40 people on the ground missing arms or legs." Another said the Kabul

blast was timed to wreak the maximum havoc, as the bomber detonated at the moment that the crowd was largest, when one group was going into a mosque and another was exiting.

In the 10 years of this war, it's the first attack specifically against Shiites, adding a sectarian angle and religious tension that hadn't previously been prevalent in the Afghanistan conflict.

Mr. Speaker, how can we call our occupation of Afghanistan a success when, after 10 years of attacks like this and making a young woman like BiBi who was talked about on the other side of the aisle earlier this morning, make her victimization and her terrorization commonplace. When this is commonplace, we cannot be having success in Afghanistan.

The truth is our continued military presence is aggravating the violence, not containing it, and certainly not stopping it. I'm not saying that Afghanistan will be magically transformed when the last of our troops leaves; but our best hope for peace, for security and stability there is a swift end to this war.

But here's another important thing, Mr. Speaker. If we do this right and have an end to the war that is meaningful, it would mean the beginning of an even more robust engagement with Afghanistan, an engagement based on the principles of SMART Security, in other words, a peaceful partnership based on mutual respect, assistance to strengthening Afghanistan's democratic infrastructure, not with military force, but with civilian support.

SMART Security would empower the Afghan people investing in their hopes and dreams, instead of bringing further violence to their country. Military redeployment out of Afghanistan can't and won't mean a complete withdrawal from Afghanistan.

So I hope that every single one of my colleagues who has eagerly rubber-stamped war spending year after year, even while complaining about the United States budget deficits, will show the same enthusiasm and the same support for a humanitarian surge in Afghanistan.

I have to shake my head, Mr. Speaker, every time I hear someone say we can't afford such generous foreign aid. Talk about penny wise and pound foolish. Last fiscal year we spent roughly \$2.5 billion on development assistance in Afghanistan. Mr. Speaker, we go through that much war spending in Afghanistan every single week. The bottom line is that smart investments provide more security at a fraction of the cost, pennies on the dollar compared to waging war.

Allowing extreme poverty and widespread unemployment to prevail throughout Afghanistan imperils our national security as much as anything else. Where there's hopelessness, that's where insurgents get a foothold. Nothing breeds terrorism like hardship, deprivation, and despair.

□ 1100

Mr. Speaker, because it's the right thing to do and because it's the best way to protect America, let's bring our troops home and make the transition to SMART Security. And let's do it now.

REGS AGENDA

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

Mr. BERG. Mr. Speaker, as I talk with North Dakotans, it's clear we're all frustrated with Washington.

ObamaCare is a disastrous law that 70 percent of North Dakotans do not want. Unemployment remains unacceptably high, making it clear that President Obama's government stimulus did not work. Washington bailed out Wall Street while Main Street continues to suffer. And Washington persistently fails to uphold its responsibility to balance the budget.

Meanwhile, the Obama administration continues to pursue overreaching regulations that create more redtape and uncertainty for North Dakota's families, farms, and small businesses. These burdensome regulations threaten job creation, and they are the biggest challenge facing our economy. We need to take serious steps today to halt the Obama administration's regulatory overreach.

That's why I announced my REGS Agenda: Reduce the redtape; Empower the States; Grow the economy, and Stop President Obama's overreach.

This agenda is the result of talking with North Dakotans and learning about the impact of senseless regulations on North Dakota's farmers, ranchers, and small businessmen.

During my recent regulations tour, I spoke with energy providers who are concerned about the EPA's regional haze requirements that could cost North Dakota over \$700 million just to comply. Farmers told me about the forever-changing fuel storage mandates that added new costs. And I heard how the new EPA regulations on gas generators could cost a North Dakota school district a quarter of a million dollars. This cost is not because they are using generators more than allowed; the cost is because the EPA simply doesn't like which hours they're using it.

The REGS Agenda is also the product of feedback I've received from North Dakotans at 10 public town hall hearings I've held this year and through the countless emails, letters, and phone calls. The message was clear: Washington is not the solution, it's the problem.

To get our economy moving again and our country back on track, President Obama and congressional leaders could learn a lot about how we do things in North Dakota. The REGS Agenda is also the product of legisla-

tion I've been working on. Last month, I introduced a bill that would rein in the Obama administration's Federal takeover of the State regional haze management, which threatens to create more business uncertainty and stifle job creation. It will also increase the energy costs for American families and small business. And today, I will proudly vote in support of the REINS Act, which is a much-needed measure to rein in this regulatory overreach.

But this agenda is not simply the sum of this past year; it's also a path moving forward to rein in the overreaching, out-of-touch government regulations that burden small business, farms, and ranches each and every day. I will continue to add to this agenda to fight against the job-killing regulations that threaten small businesses' ability to create jobs and grow our economy.

The number one thing we can do to get our economy back on track, to give small business certainty, to grow and create jobs, is to rein in President Obama's overbearing regulations. They're burdening job creation, and it adds more cost and more redtape. Through the REGS Agenda, I'll continue fighting to bring regulatory relief to the American people.

VOTER SUPPRESSION LAWS

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

Ms. LEE of California. Mr. Speaker, first let me take a moment to thank the gentlelady from Ohio, Congresswoman MARCIA FUDGE, for her fearless and tireless leadership in protecting our democracy and the bedrock, of course, of our country, and that is the right to vote. She has done an amazing job keeping us very focused and pointed with all of the information we need to try to address this in a big way.

Once again, I am here today to sound the alarm because, make no mistake about it, the fundamental right to vote which is at the heart of our democracy, it is under attack. Republican legislators and governors are proposing partisan laws that require voters to show government-approved photo IDs before voting.

Now, I came to this floor years ago after the stolen Presidential elections in Florida and in Ohio to protest the results of those two elections that were filled with voter suppression. It worked for the Republicans before, and so legislators in 42 States on this map of shame have doubled down on these strategies to make it harder for certain communities to vote.

These proposals would disenfranchise 21 million Americans. That's over 1 in 10 eligible voters in America who do not have adequate identification. Now, how in the world, for example, would my 100-year-old aunt get her birth certificate to prove who she is to get a government ID to vote? She wouldn't know where to start, nor how to pay

for it. And it's no coincidence that a disproportionate number of these disaffected voters come from communities of color as well as the poor, the elderly, and students.

Fully one in four otherwise qualified African Americans would be unable to vote under these voter-ID laws. Around one in five Asian Americans, Latinos, and young adults between the ages of 18 to 24 would be blocked.

In my home State of California, a voter-ID bill was introduced to suppress voter participation. It would cost \$26 just to get the required documents to qualify for a government-issued ID. Now, having been born and raised in Texas, this certainly looks like a poll tax to me, which those of us remember as a way to prevent African Americans from voting. These voter-ID laws have a partisan agenda seeking to disenfranchise and deny specific populations of voters before they have the opportunity to elect their representatives in government. These partisan laws are shameful, and they're a disgrace to our country.

If these Republican lawmakers were truly concerned with fighting voter fraud, they would take on actual documented problems such as distributing fliers with false information meant to trick voters, improperly purging voters, or tampering with election equipment and forms.

Instead, they are pushing laws designed to change election outcomes by reducing voting, repressing turnout, and turning the clock back to the days of Jim Crow. This is the exact opposite of where our country needs to go. With almost 40 percent of eligible voters regularly staying away from voting booths, we need to be expanding participation in our democracy, making the ballot more accessible, not less. We cannot and we must not allow democracy to be undermined, especially while we're promoting democracy abroad.

We must unmask these shameful attempts to disenfranchise voters. Let's stop this partisan effort that strikes at the very core of our country. Let's win this war against voters. We should be about dismantling and reducing barriers so that we can really begin to reignite the American Dream for those who have lost hope.

So I want to thank my colleagues, especially Congresswoman FUDGE, for their calls to protect the right to vote on behalf of all the citizens across this great Nation.

ENTREPRENEUR STARTUP GROWTH ACT

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

Ms. CHU. America doesn't have a small business problem; it has a start-up problem. That was the title of a recent Washington Post article. It pointed to the fact that self-employed startup businesses have been the chosen al-

ternative for millions of Americans, but we must do more to help them. Today, one out of every three new jobs is created by self-employed startup businesses.

□ 1110

But we can do better. Compared to other wealthy countries, the U.S. ranks 23rd in new businesses formed per thousand working adults. These entrepreneurs take risks to make it on their own, but they could do better if we help them be competitive. That is why yesterday I introduced the Entrepreneur Startup Growth Act.

One of the most intimidating times of the year for new owners is tax season, as they learn and navigate the different tax standards for businesses. My bill turns this tough time into an opportunity by offering not only affordable business tax assistance but business development services so that these companies can get the advice they need in order to grow.

This bill builds on the Self-Employment Tax Initiative launched by CFED, the Corporation for Enterprise Development, a nonprofit economic opportunity organization. According to CFED, nearly two-thirds of all self-employed people are operating business startups.

Self-employed startups in their first year of existence create an average of 3 million jobs per year. In fact, without business startups, there would be no net job growth in the U.S. economy. Nearly all net job creation since 1980 has occurred in self-employed startups less than 5 years old. They are critical to our economy.

In my bill, community-based organizations, local governments, and higher education institutions are eligible to apply for grants up to \$75,000 to operate this program. The IRS will work with the Small Business Administration to ensure that the operators of the program have expertise in both tax assistance and business development assistance.

This is a program that works. With such a modest investment in this assistance, 62 percent of businesses were able to get refundable tax credits such as EITC and Making Work Pay, refunds that they might otherwise have missed out on. The Entrepreneur Startup Growth Act will help businesses grow and help low-income households build the assets that they need in order to survive. They will get the economic security they desire. With this, we will be able to help people climb up that ladder of opportunity and reach for that American Dream.

RAPE AND SEXUAL ASSAULT IN THE MILITARY

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

Ms. SPEIER. I rise again today for the 13th time to talk about a stain on the American people, a stain on the

American Government. I'm talking about military assault and rape. I'm talking about the 19,000 soldiers each year who are victims of sexual assault or rape in the military. Those are figures by the Department of Defense. Yet only 13 percent will report because they know that if they do report, they will be summarily removed from service. In fact, 90 percent of them are involuntarily honorably discharged from the military after they report a rape.

So what are we doing about it? Well, I have good news this morning to report. A few weeks ago, not far from here, a nonprofit organization, Protect Our Defenders, was born. It was launched to give voices to survivors of sexual assault in our military. More than 6,000 Americans have signed survivor Terry Odum's petition, whose story I've told here on the floor.

Terry's petition demands Congress take the reporting of sexual assault and rape outside the normal chain of command. I imagine many of my colleagues have received emails and tweets or Facebook messages from their constituents about this issue. This is a movement, and we must address it. Our troops protect us, and we must protect them. Both Republicans and Democrats should be able to agree that we need to fix this system.

Today, I'm going to tell you the story of Petty Officer Amber De Roche. Petty Officer De Roche served in the Navy from December 2000, to December 2005. In August of 2001, Petty Officer De Roche was raped by two shipmates in a hotel while on port of call in Thailand. One assailant ripped off Petty Officer De Roche's clothes and held her down while the other assailant raped her. The assailants repeatedly took turns holding her down while the other would rape her. After they had their way with her, one of the rapists threw her in the shower in an attempt to wash off the evidence. They then kicked her out of the room and onto the unfamiliar streets of Thailand.

The following day, Petty Officer De Roche, with the help of a friend, went to get a medical exam. Petty Officer De Roche was bruised and injured to such a degree during the assault that the physician had to stop the exam and began to cry.

Petty Officer De Roche decided to report her horrific experience to her command. What was her reward? She became the target of severe harassment, was imprisoned in the medical ward, and denied food. I know this sounds unbelievable, but this is going on in our military.

When Petty Officer De Roche was released from the medical ward, her command refused to let her leave the ship and forced her to be on call 24 hours a day without receiving any counseling to help her cope with having been raped. Petty Officer De Roche sought out the ship's chaplain and told him she was suicidal as a result of the rapes and her subsequent mistreatment. Petty Officer De Roche was finally permitted to leave her ship and serve out

the remainder of her duty on another ship.

As if the horrifying assault and subsequent mistreatment of Petty Officer De Roche is not heartbreaking enough, her predators didn't get the punishment they deserved. In fact, something very different. Instead of court-martialing the predators, her command decided to handle the rapes with so-called nonjudicial punishments. The punishment required the rapists to admit their crimes—so they admitted them. They got 6 months docked pay and a reduced rank for only one of the rapists. Both of the rapists were permitted to remain on active duty. When command informed Petty Officer De Roche of the outcome, they also advised her to "accept the situation" and refrain from speaking out against the lack of punishment or accountability.

Petty Officer De Roche's story, like many others, highlights a system that is unimaginable to so many of us and a system that is so clearly broken. In the military, a base commander has complete authority and discretion over how a degrading and violent assault under his command is handled. The commander can issue virtually any punishment for any reason. If they don't want a black mark on their record or their friends were accused or if they simply don't know the correct way of dealing with a case, they can issue just a simple slap on the wrist.

My bill, H.R. 3435, the Sexual Assault Training Oversight and Prevention Act, the STOP Act, takes this issue and puts it in the hands of others who can handle it appropriately.

RECESS

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

Accordingly (at 11 o'clock and 17 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

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

PRAYER

Reverend Roger Schoolcraft, Fayetteville, Arkansas, offered the following prayer:

Almighty and most high God, Father, Son, and Holy Spirit, You led our Forefathers to weave Your presence in the fabric of our Nation. Move us also to acknowledge and trust Your presence among us daily. And although we may face many obstacles and adversities, continue to shower us with Your mercy that we may recover.

Today, we thank You for healing our Nation from the attack on Pearl Harbor 70 years ago. We are grateful for all

those who sacrifice their lives to preserve our freedom. O Lord, may we not squander it. Bless all wounded warriors, veterans and their families. Fill them and us with Your peace and joy this Christmas season.

Give us wisdom, and lead us by Your Spirit that the choices made here would result in our country united, an economy restored, and hearts grateful for Your loving care through Jesus Christ, our Lord.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. QUIGLEY led the Pledge of Allegiance as follows:

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

WELCOMING REVEREND ROGER SCHOOLCRAFT

The SPEAKER. Without objection, the gentleman from Arkansas (Mr. WOMACK) is recognized for 1 minute.

There was no objection.

Mr. WOMACK. Mr. Speaker, today it is my privilege to introduce Reverend Roger Schoolcraft of Fayetteville, Arkansas.

Reverend Schoolcraft retired from the ministry in 2008 after nearly 40 years in the ministry, serving congregations in Iowa, Nebraska and, most recently, in northwest Arkansas, where he led St. John's Lutheran Church in Fayetteville, Arkansas.

Reverend Schoolcraft was called to the ministry in 1953 after accepting an invitation from a friend to attend a Sunday school class at St. John's Lutheran Church in Rochester, Michigan.

Mr. Speaker, Reverend Schoolcraft's service extends well beyond the walls of the church. He served as campus pastor of the Lutheran Student Center at the University of Arkansas. He was a circuit counselor for 11 years and was assistant dean and dean for two national campus missionary institutes. Locally, he was president of Cooperative Emergency Outreach, secretary-treasurer of the Fayetteville Ministerial Alliance, and treasurer for the Council of Religious Organizations.

Reverend Schoolcraft is married to Deborah Steen Schoolcraft; and they have two children, Andrea and Aaron.

On behalf of the United States House of Representatives, I want to thank Reverend Schoolcraft for his long-

standing devotion to the ministry, the churches he has served, and his fellow man.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The Chair will entertain up to 15 further requests for 1-minute speeches from each side of the aisle.

WHAT A GAME

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

Mr. JOHNSON of Ohio. Madam Speaker, I would like to congratulate the gentleman from Illinois, Congressman RANDY HULTGREN, on winning our friendly wager on the MAC football championship game last Friday. The participants in the game, Ohio University and Northern Illinois University, are located in the districts that we are privileged to represent.

The game was an instant classic. Both teams left everything on the field and gave it their all and, in the process, made their universities and their fans proud.

The OU Bobcats jumped out to an early lead, but the Huskies of Northern Illinois fought back. They showed their toughness and won the game on the game's final play. Another way to say it is that OU won the first half and that Northern Illinois won the second half. Both teams were worthy of participation in the game, but it's a shame that either team had to come out on the losing end.

I am very proud of the OU Bobcats, and I look forward to watching both teams compete in their bowl games and represent their schools in the same fashion they did last Friday night.

Congratulations to Congressman HULTGREN.

SUPPORT THE PAYROLL TAX EXTENSION

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

Mr. POLIS. A huge tax increase is looming unless this House takes action immediately. Unless this House takes action in the next few weeks, a typical American household earning \$50,000, \$60,000 a year will see a tax increase of \$1,000 a year on payroll taxes—yes, Madam Speaker, a \$1,000 tax increase for middle class families, many of whom have not seen any raises or increases for several years due to the recession.

People who are struggling to support their families will see a \$1,000 tax increase if this body does not act in the next several weeks. This is a tax increase that most families haven't budgeted for and haven't prepared for. They

haven't assumed that this Congress is as dysfunctional as it potentially is if we fail to renew this tax increase. We shouldn't let our dysfunction in this body harm the middle class and the American people.

I call upon my colleagues on both sides of the aisle to support renewing the payroll tax extension to make sure that middle class families are not slapped with a \$1,000-plus tax increase next year.

SIXTEEN DAYS AGAINST GENDER VIOLENCE

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

Mr. POE of Texas. Madam Speaker, Sehar, a Pakistani woman in an arranged marriage, was constantly raped and abused by her husband. He accused her of becoming a doctor only to attract men. He blamed her for the miscarriage that she had, and he constantly beat her. He was angry when she gave birth to two girls rather than to two boys, and he was an abuser of the girls and his wife.

Sehar and her daughters were able to escape to the United States to find safety. She will not go back to Pakistan because her former husband's family says they will kill her.

Violence against women, unfortunately, is too common of a plight for women throughout the world. My grandmother used to tell me that you never hurt somebody you claim you love. As the leader of the free world, it is critical that the United States promote this simple truth throughout this country and other countries:

Every person has the right to a life free of violence.

I want to thank the gentlelady from Illinois (Ms. SCHAKOWSKY) for bringing this to the attention of the Members of Congress as we reflect on this fact during these 16 days against gender violence.

And that's just the way it is.

THE DEFENSE OF MARRIAGE ACT, AN AFFRONT TO AMERICA'S VALUES

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

Mr. QUIGLEY. Madam Speaker, in 1996 Congress passed the so-called Defense of Marriage Act, or DOMA. It was then, as it still is today, an affront to our country's values—the values we hold true as established in the Declaration of Independence, those of life, liberty, the pursuit of happiness, and of equality and fairness for all.

On October 7 of this year, I held a field forum in Chicago, along with my colleague JAN SCHAKOWSKY, to hear from legal experts and gay and lesbian couples about the real-world harm caused by DOMA. The findings were startling. I ask that the clerk enter all of their testimony into the RECORD to

formally document this collection of unfairness and inequity, burdens that are imposed on normal Americans who are just trying to live normal lives.

It is incomprehensible that today we are still dealing with such injustice. Congress created this injustice, and Congress should correct it. Let the RECORD reflect these sentiments.

LET'S REIN IN THE REGULATORS

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

Mr. HULTGREN. Madam Speaker, \$1.75 trillion annually—America's job creators are buried under the regulatory burden of about \$1.75 trillion annually.

The cost of the regulatory burden from new regulations just this year is \$67.4 billion, which is larger than the entire State budget of Illinois, my home State. Studies and polls have shown us time and again that the regulations are a hidden form of taxation; and just as our Tax Code is in need of reform, so is our regulatory system.

That's why I'm proud to support the REINS Act. This commonsense bill will require that Congress approve every new major regulation proposed by the executive branch in order to ensure that Congress, not unelected bureaucrats, retain control and accountability for the impact of government on the American people.

Unless Congress acts decisively, this unchecked regulatory state will only grow bigger and make things more complicated. Let's pass the REINS Act, and let's give our job creators the certainty they need to grow, expand, and put Americans back to work.

□ 1210

TAXES

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

Mr. BACA. Madam Speaker, this year will be a very difficult holiday season for millions of Americans looking for jobs. Sadly, these families are not getting the help they deserve from the Republicans here in Congress.

We have now reached 337 days of Republican control here in the House, and we still do not have a jobs plan from the Republicans.

Benefits for over 6 million unemployed Americans are about to expire. And now, to make matters worse, Republicans are creating uncertainty for the 160 million middle class families by stalling and extending the payroll tax cut.

Why are these Americans forced to wait? Because Republicans refuse to ask those making more than a million dollars to pay their fair share. Millionaires are not paying their fair share.

We must act now on those lifelines of the middle class and allow the Bush tax cuts for the ultrarich to expire. No

new taxes, no jobs. No new taxes, no new jobs. We must pass a responsible tax plan that extends the unemployment benefits and gets the economy moving again.

IMPLICATIONS OF GOVERNMENT'S ADDING ADDITIONAL RED TAPE AND ADDITIONAL REGULATIONS

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

Mr. DOLD. Madam Speaker, as a small business owner, I understand firsthand the implications of the government adding additional red tape and additional regulations. One clear example of this is the Dodd-Frank bill.

The Dodd-Frank bill was supposed to impose clear rules and regulations on the financial industry so that another economic disaster could be averted. However, this single piece of legislation has imposed more uncertainty into the marketplace. The bill imposes literally hundreds of new rules and regulations, most of which haven't even been written yet. As a result, businesses are not growing and they're not creating jobs, and this is in large part because they don't understand what tomorrow will bring.

I did have an opportunity to talk to a smaller bank back in my district that said, We're not growing, with the exception of adding people into our compliance department to cross the T's and dot the I's, but not a single person was hired in order to try to get additional liquidity into the marketplace and help small businesses.

Rather than pile on rule after rule, we should implement smart regulations that truly protect consumers. The last thing we want is another financial disaster, so we should examine the implications of the rules and regulations and ensure that the right regulations are in place and get America back to work.

THE NEED TO PASS PAYROLL TAX CUT

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

Mr. SIREs. Madam Speaker, the majority has held 891 votes in this Chamber, and we still see no plan for job creation.

To make matters worse, my colleagues across the aisle have now focused their efforts on opposing a tax break for the middle class. They are opposing the extension of the Federal tax holiday enacted earlier this year that gave virtually all working Americans a much needed tax cut, reducing taxes for over 160 million American workers.

Economic uncertainty both here in the U.S. and abroad makes this a dangerous time to eliminate an important tax cut that is saving American families an average of \$1,000 a year. Failing

to extend the payroll tax holiday will raise taxes on millions of Americans, taking over \$120 billion out of the pockets of consumers and out of the economy.

Furthermore, at the same time the majority is working to raise taxes on the middle class, they are willing to cut off the unemployment insurance that has been keeping millions of Americans afloat.

Madam Speaker, let's ensure that millions of Americans enjoy this holiday season and are not forced to worry about raising taxes or losing essential assistance.

UNEMPLOYMENT HAS NOT BEEN THIS PERSISTENT SINCE 1948

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

Mr. WILSON of South Carolina. Madam Speaker, last Friday the U.S. Bureau of Labor Statistics announced November's unemployment rate remained above 8 percent. Over 13 million American families are now without jobs. Nearly 25 million people are looking for full-time employment. The number of unemployed Americans has not consistently remained at such a high percentage since 1948.

For the past 34 months, the American people have been depending upon Congress and the President to cut Washington's wasteful spending and enact policies targeting job creation and economic growth.

Since the Republicans regained the majority of the House in January, legislation has passed that allows small businesses to grow and create jobs. It is past time for the President and liberal-controlled Senate to change course to put our hardworking American families back to work.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism, as on December the 7th we honor the heroes of World War II.

BEYOND THE BORDER AGREEMENT

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

Mr. HIGGINS. Madam Speaker, today the United States and Canadian Governments will announce a Beyond the Border agreement to ease border trade and travel in this era of heightened security.

I support this goal because in western New York our future depends on integrating our economy with the booming economy of southern Ontario by expanding the Bridge Peace that connects our two communities. The Peace Bridge is the busiest passenger crossing at the northern border. Passengers using the bridge spend \$133 million in western New York annually in support of our retailers, sports franchises, air-

ports, educational and cultural institutions.

In western New York, Peace Bridge trade impacts \$9.1 billion in business sales, supporting 60,000 local jobs and generating \$2.6 billion in household income and \$233 million in local tax revenue. All of this economic activity depends on a Peace Bridge that is free of congestion, one that is safe, reliable, and predictable.

I applaud the efforts of this agreement and call on a renewed Federal focus on the northern border, generally, and the Peace Bridge, specifically.

MEDICARE PHYSICIAN PAYMENT SYSTEM

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

Mr. FITZPATRICK. Madam Speaker, for decades the fundamentally flawed Medicare physician payment system has created uncertainty and instability, not only in the health care system but in the larger economy.

Every year physicians face the threat of reimbursement cuts which, in turn, hinders their ability to provide the necessary care that patients need. The Sustainable Growth Rate rate formula has constantly called for negative updates to physician payments with the scheduled reductions accumulating year after year, but Congress has continually delayed the cuts.

Congress has a historic opportunity to implement sound fiscal policy in the Medicare program in the context of broad economic reforms. I believe we must pursue a fair, efficient, and affordable long-term solution to the Medicare SGR formula. I am committed to working with my colleagues to pass commonsense legislation that promotes efficiency, quality, and value and ensures access to medical services for Medicare beneficiaries.

MEDICARE TOWN HALL/DOUGHNUT HOLE CLOSURE

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

Ms. HOCHUL. Madam Speaker, yesterday I spoke with over 8,000 of my constituents during a telephone town hall to talk about the end of the open enrollment period for Medicare, which occurs at midnight tonight.

We also talked about the savings they are now receiving as a result of the closing of the legendary prescription drug doughnut hole. More than 2.5 million Medicare recipients across the Nation have saved \$1.5 billion on their prescription drugs this year alone. In New York, we had 175,000 Medicare recipients, and they received a 50 percent discount on prescription drugs, totaling over \$113 million in savings, an average of \$650 per family.

Yesterday's call was a reminder, when I was talking about Bill from

Williamsville and Joan from Livingston County, that we have to work hard to protect this absolutely critical program that ensures medical care for our seniors and allows them to live their later years in dignity.

As my seniors told me: Medicare is not an entitlement; it is a program we spent our entire lives paying into. And I, for one, plan to protect it.

□ 1220

CONGRATULATING ED SNIDER

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

Mr. MEEHAN. Madam Speaker, I rise to congratulate Ed Snider, the owner of the Philadelphia Flyers hockey club, on being inducted into the United States Hockey Hall of Fame. This is a special occasion, not only for the city of Philadelphia and the Delaware Valley as a whole, but particularly for those who love the game of hockey, myself included.

Ed's tremendous success with the Flyers franchise—winning two Stanley Cups and reaching the finals six times—contributed to making Philadelphia a Class A hockey town. However, the key is that he has really given back to communities.

Through his organization, the Ed Snider Youth Hockey Foundation, he teaches high-risk inner city boys and girls from Philadelphia the game of hockey. But it prepares them with life skills for success in school and life as well. Hard work, honest effort, teamwork, dedication, and a solid work ethic are instilled in these children as life lessons and values as part of participation in this program. It is through these lessons that his organization helps our children become good and productive citizens. His philanthropic cause is significant to our region and to these young children in our area.

Congratulations to Ed Snider on this recognition.

ENDING VIOLENCE AGAINST WOMEN

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

Ms. SCHAKOWSKY. Madam Speaker, I rise today to join thousands of activists participating in the 16 Days Campaign by speaking out against violence against women.

Violence against women is a violation of fundamental human rights. It is a global problem of epidemic proportions. One in three women worldwide is beaten, coerced into sex, or otherwise abused over the course of her lifetime.

That is why I am proud to be working with Congressman TED POE to reintroduce the International Violence Against Women Act. The important bill would require a comprehensive strategy to prevent and respond to violence against women and girls internationally.

Violence against women is not just a humanitarian tragedy; it is a global health menace and a threat to national security. The United States can play a significant role in protecting the human rights of all women and ending the violence against our sisters around the world.

COMMEMORATING DECEMBER 7

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

Mr. CARNEY. Madam Speaker, I rise today to commemorate two very important events in our Nation's history that occurred on December 7. As we know, today is National Pearl Harbor Remembrance Day. We pray for the more than 3,500 U.S. soldiers and civilians who were killed or wounded in defense of our Nation that day. The sacrifices they made 70 years ago are not unlike the sacrifices that our soldiers and their families are being asked to make today.

December 7 is also an important milestone for the founding of our Nation. Today is Delaware Day, the 224th anniversary of Delaware's ratification of the United States Constitution, making Delaware the first State to join the Nation.

Delaware's Founding Fathers saw the vision and genius of the form of government laid out in our Constitution. It is this vision and this document that continues to guide everything we do today.

So let us take time today to remember the contributions every generation has made to protect the values and freedoms upon which this great Nation was founded.

THE SEINFELD CONGRESS

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

Mr. DOYLE. Madam Speaker, the last time the Republicans controlled the House back in 2006, a newspaper columnist called it "the Seinfeld Congress," because like Seinfeld, which was a show about nothing, the 109th Congress was a Congress about nothing. Absolutely nothing got done.

Now the House Republicans have upped the ante. They have an agenda filled with Seinfeld legislation—a bunch of bills about nothing. Tomorrow, for example, we're considering the so-called farm dust bill. Now, ignore for a moment the fact that it's more about mines and smelters and concrete plants than it is about farms, House Republicans want to ban an EPA rule that the EPA administrator has said she has no intention of issuing.

Why are we wasting time prohibiting a rule that's not being issued when we've got real problems like a struggling economy and millions of people out of work.

As Seinfeld might say, yada, yada, yada.

HONORING TRINITY SHAMROCKS

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

Mr. YARMUTH. Madam Speaker, with an average margin of victory of more than 40 points, an undefeated season, and a win in the State championship that Sports Illustrated called the team's "finest offensive performance of the year," there can be no more debate: Trinity High School Shamrocks is the best high school football team in the country.

Friday's 62-21 victory over Scott County in the 6A final completed a 25-game win streak, secured a second straight State title, and capped a season in which Trinity didn't just beat the competition, they rocked them.

Over five playoff games, Trinity outscored its foes by more than 240 total points. They never trailed in the second half all season. They crushed top-tier out-of-state competition and avenged their only 2010 loss. After facing Trinity, Scott County's coach called the Shamrocks "the best team in Kentucky football history."

This was a true team effort, and thanks to the leadership and dedication of 40 seniors, these student athletes have achieved a perfect record and deserve to bring a national title home to Louisville. I ask my colleagues to join me today in congratulating Coach Beatty, the team, and the entire Trinity community on an incredible championship and an amazing 2011 season. Way to go Rocks.

EXTEND PAYROLL TAX CUT AND EMPLOYMENT ASSISTANCE

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

Mr. CICILLINE. Madam Speaker, we simply cannot leave Washington before extending the payroll tax cut and unemployment assistance. With our economy still struggling and unemployment remaining unacceptably high at 10.4 percent in my home State of Rhode Island, now is not the time to take more money out of the pockets of hardworking families.

Allowing the payroll tax cuts to expire at the end of this month will mean less money in the pockets of 600,000 hardworking Rhode Islanders. It is absolutely critical that we extend the payroll tax cut which is saving working families an average of \$1,000 per year and would add \$400 million to Rhode Island's economy next year. We have to do everything we can to strengthen our middle class families who are struggling to make ends meet and provide assistance to those families who need it most.

If Congress does not extend emergency unemployment assistance, thousands of Rhode Islanders, as well as

millions of Americans who rely on this critical safety net, will lose their assistance. This will have a devastating impact on these families and on our economy.

Rather than providing subsidies to Big Oil companies and arguing for more tax cuts for millionaires and billionaires, it's time for Congress to stand up for American families and to extend the payroll tax cut and unemployment compensation.

EXTEND PAYROLL TAX CUT

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

Ms. MCCOLLUM. Madam Speaker, the temporary payroll tax cut is putting money into the economy and the pockets of 160 million Americans. And now my Republican colleagues are demanding harmful cuts to working families and seniors to offset these middle class tax cuts.

A better idea is to cut from the \$1 trillion in special interest tax earmarks identified by the bipartisan Simpson-Bowles Commission. Let's cut the \$2 million earmark for wooden arrow manufacturers. Let's cut the \$40 million earmark for the owners of NASCAR racetracks. And let's cut \$235 million in earmarks for rum producers in Puerto Rico and the U.S. Virgin Islands. The earmarks are unfair and unaffordable.

To the 99 percent of Americans who don't have a lobbyist, sorry, you missed out on the special interest bonanza. Congress needs to protect working families. Let's pass President Obama's middle class payroll tax cut and help our families and our economy now.

SUPPORT REINS ACT

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

Mr. YODER. Madam Speaker, the American economy is crying out for certainty. Every day the instability created by new Washington rules, regulations, new taxes, et cetera makes it harder for the economy to recover and harder for small businesses to create jobs.

That's why today I stand in full support of the Regulations from the Executive in Need of Scrutiny Act, known as the REINS Act.

As our Federal agencies churn out regulations by the truckload, it's our small businesses, those very entities that we expect to create jobs and are struggling to survive, that are burdened with implementing them. In fact, regulations cost the economy \$1.75 trillion per year. New regulations this year alone will cost business over \$60 billion, all driving up the cost of doing business and putting more people out of work.

I'm supporting the REINS Act because this legislation will provide

Americans with an additional level of accountability when it comes to job-killing regulations from government agencies.

Madam Speaker, it's time we stand up for small business owners, and it's time we do all that we can to remove the barriers Washington is putting in their way. Let's come together as a Congress and help get America back to work again.

□ 1230

OPPOSITION TO THE REINS ACT

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

Mrs. CAPPS. Madam Speaker, later today the House will vote on the REINS Act. This is a terrible piece of legislation that will make it next to impossible to protect Americans' health or the environment. It would allow either Chamber of Congress to stop efforts to keep our water and air clean or to protect the public from unsafe food—by simply doing nothing.

This bill sets up a congressional approval requirement that is a recipe for more gridlock. It would mean more bureaucracy and more delay, generating uncertainty for businesses and weaker rules to protect consumers.

Sherwood Boehlert, the former Republican chairman of the House Science Committee and one of our most thoughtful former colleagues, recently wrote a scathing piece in *The Hill* about the REINS Act. He said the bill would result in "a virtual shutdown of the system that will leave the public exposed."

Madam Speaker, the REINS Act is an outrageous effort to throw out a system that has protected American families and communities for more than 100 years. I urge my colleagues to join me in voting down this irresponsible and misguided legislation.

VOTER SUPPRESSION

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

Mr. PETERS. Madam Speaker, I rise today to oppose nationwide efforts to suppress voter turnout for the 2012 election, including State legislation imposing strict photo ID requirements. These new regulations would disproportionately burden seniors, people with disabilities, the poor, and minorities.

In Michigan, we have seen aggressive purges of voter rules, which can disenfranchise low-income voters who have moved to a new address. Half a million Michiganders don't have a driver's license or State ID. How are they supposed to make their voices heard if these rules are passed?

Let's be clear. These efforts are about one thing and one thing only: silencing voters.

America is a beacon of democracy, and to limit voter access is hypo-

critical and wrong. Madam Speaker, I don't have to tell you about the shameful times in America's history where power and intimidation were used to prevent Americans from voting. We must learn from our past.

Fight voter suppression efforts in the courts, in State legislatures, here in Washington, and, most importantly, on election day.

REMEMBERING PEARL HARBOR

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

Ms. HANABUSA. December 7, 1941, "a date which will live in infamy," are the words of President Roosevelt.

I represent Pearl Harbor. On this day, let us not forget the brave people who gave their lives at Pearl Harbor. On this day, let us not forget this act of unprovoked, dastardly aggression which propelled us into a war. On this day, let us not forget how the people of this Nation were unmatched in their evidence of loyalty and patriotism.

Let us remember because we need to be that people again to continue our fight to maintain our position as the greatest Nation in the world. Let us remember because we need to show the compassion to those who are in need in these days.

MOTION TO INSTRUCT CONFEREES ON H.R. 2055, MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

Mr. ROGERS of Kentucky. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2055) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

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

There was no objection.

Mr. DICKS. Madam Speaker, I have a motion to instruct at the desk.

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

The Clerk read as follows:

Mr. Dicks moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill, H.R. 2055, be instructed to recede to the Senate on the higher level of funding for the "Department of Veterans Affairs—Medical and Prosthetic Research" account.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Washington (Mr. DICKS) and the gentleman from Kentucky (Mr. ROGERS) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. DICKS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the motion to instruct.

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

There was no objection.

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

The motion instructs conferees to provide the highest level of funding for medical and prosthetic research. This program helps the Department of Veterans Affairs develop cutting-edge treatments for veterans and their families. It is fully integrated throughout the medical community through partnerships with academic affiliates, nonprofits, and commercial entities, as well as other Federal agencies. It is unique because both the clinical care and research occur together.

The Medical and Prosthetic Research Program plays a vital role in advancing the health and care of our Nation's veterans. Some of the areas that the Medical and Prosthetic Research Program focus on include mental health research, prosthetics, traumatic brain injury, and posttraumatic stress disorder, or PTSD. The program has emphasized efforts to improve the understanding and treatment of veterans in need of mental health care.

We hear a lot about the casualties of war and soldiers who have sacrificed their lives in duty. However, over the past few years, the VA has begun to examine the psychological wounds of posttraumatic stress disorder. The motion will provide funding for the VA to care for veterans returning home from Iraq and Afghanistan who may suffer from depression, anxiety, and substance abuse.

Funding for medical and prosthetic research in the House-reported bill was inadequate, and during floor consideration the House majority agreed to increase funding by \$22 million. While I was pleased to see this increase, I believe we need to do more.

The Senate-passed bill funds this program at the FY2011 enacted level, which is \$51 million higher than the House-passed level. I believe the higher funding levels should be maintained because of the impact this research can have on the everyday life of our Nation's veterans.

This Nation must get its fiscal house in order. However, even in an austere budget, we need to make room to fully fund our priorities. The Medical and Prosthetic Research Program is a high priority.

I'm sure that all of my colleagues would agree we can never repay America's veterans for the sacrifice they have made for our country. As a first installment, we should make a substantial investment in health care research for our veterans, and I urge a "yes" vote on the motion to instruct.

I reserve the balance of my time.

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

This motion to instruct is well-intentioned but unnecessary. The motion would urge adoption of the Senate-passed level for VA medical research, which is \$50 million above the House-passed level.

We all support our veterans and honor their service and sacrifice. We, of course, support the important research work the VA is doing for our veterans in fields such as traumatic brain injury and posttraumatic stress disorder. We provided a robust level of funding for this research in the House-passed version of the bill at a time when our overall funding targets were constrained. In fact, the House bill provided a total of \$531 million for VA medical research, an increase of \$22 million above what the White House and the VA requested. In addition, the VA still has \$71 million in unobligated research funding left over from previous years that could be put to use. So even without the increase, the program level would still be well above the 2011 level.

We all agree that medical research at the VA is undeniably important and we want to do the best that we can for our veterans, particularly those in need of medical assistance. On that, there's no difference between the ranking minority member and myself and between the members of the subcommittee.

□ 1240

I can reassure the Members that we will work with our House and Senate colleagues to determine the appropriate level for VA research to continue to support and honor the service of our veterans.

While this motion is not necessary, I understand and agree with its intent; and I will work with the ranking member. And with reservations, I will accept the motion at this time.

Madam Speaker, I yield back the balance of my time.

Mr. DICKS. I would ask for a vote on my motion to instruct, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

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

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

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

The yeas and nays were ordered.

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

MOTION TO INSTRUCT CONFEREES ON H.R. 1540, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012

Mr. MCKEON. Madam Speaker, by direction of the Committee on Armed

Services, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1540) to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

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

There was no objection.

Mr. SMITH of Washington. Madam Speaker, I have a motion to instruct at the desk.

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

The Clerk read as follows:

Mr. Smith of Washington moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 1540 be instructed to insist on the amendments contained in subtitle I of title V of the House bill (sections 581 through 587 relating to improved sexual assault prevention and response in the Armed Forces).

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Washington (Mr. SMITH) and the gentleman from California (Mr. MCKEON) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

Mr. SMITH of Washington. Madam Speaker, I yield myself such time as I may consume.

This is a very important provision of the House bill dealing with better combating sexual assault within the military. Now, this is a significant problem that has been documented by many studies and many media reports. I want to particularly congratulate members of my committee, Ms. LORETTA SANCHEZ, Ms. TSONGAS, Ms. SPEIER, and Mrs. SUSAN DAVIS, who have taken a leadership role in this to try to implement policies to control sexual assault within the military. The provisions that we've put together in the House help move us forward towards addressing that issue, make sure that it takes on the importance that it deserves, and empower the military to make the decisions they need to better protect against sexual assault within the military.

I particularly applaud Ms. TSONGAS. This is her motion to stick to the House provisions in this area. I urge the conference committee to do that going forward.

With that, I reserve the balance of my time.

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

Mr. SMITH of Washington. Madam Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. I thank the gentleman for yielding. And, Madam Speaker, good afternoon.

Sexual assault in the military continues to be a serious problem. It impacts thousands of service women and men each year.

While I'm pleased with the recent improvements made by the Department of Defense, there remains much more to be done. It is vital that we do all we can to protect the men and women in the military who protect us.

I am very pleased that both the House and the Senate passed language improving the military's response to sexual assault in their respective versions of the National Defense Authorization Act.

□ 1250

Earlier this week, I, along with Representative TURNER and 45 colleagues, sent a letter to the House and Senate Armed Services Committees asking them to strongly consider the House-passed provisions dealing with military sexual assault.

The language contained in the House version makes necessary improvements to protect our service women and men. Specifically, the House-passed language strengthens the rights of sexual assault victims by clarifying victim access to legal counsel, and record maintenance and confidentiality, which are critically important. It also ensures expedited unit or station transfer when a servicemember has been victimized.

Imagine being a victim of rape, which one young soldier told me about at a hearing, while serving in the military, and every morning she had to salute her rapist. That's what the members of our Armed Forces have experienced and will continue to experience if we don't do something to change that situation.

The House-passed language also stresses the need for the NDAA to include comprehensive training and education programs for sexual assault prevention within the Department of Defense. The Senate version does not include this protection, which is part of H.R. 1709, the Force Protection and Readiness Act, which I introduced earlier this year.

I am pleased this motion to instruct conferees on the NDAA recognizes the importance of this issue, and I ask the conferees to seriously consider including the strongest possible language to prevent and appropriately respond to incidents of sexual assault in the military.

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

Mr. SMITH of Washington. Madam Speaker, I yield the balance of my time to the gentlewoman from Massachusetts (Ms. TSONGAS).

The SPEAKER pro tempore. Without objection, the gentlewoman from Massachusetts will control the balance of the time.

There was no objection.

Ms. TSONGAS. Madam Speaker, I yield myself such time as I may consume.

While one in six women will experience sexual assault in her lifetime, as

many as one in three women leaving military service report that they have experienced some form of military sexual trauma.

By the Pentagon's own estimate, as few as 13.5 percent of sexual assaults are reported. Additionally, while 40 percent of sexual assault allegations in the civilian world are prosecuted, this number is a staggeringly low 8 percent in the military.

The military has been slow to take the appropriate actions necessary to protect victims of sexual assault. For example, rape victims still do not yet have the right to a unit or duty location transfer following an assault. This means victims of sexual assault are often forced to live and work alongside their perpetrator, facing repeated stress and trauma due to the constant contact they may have with an assailant who is part of their unit.

As unbelievable as it sounds, this is exactly what happened to Marine Lance Corporal Maria Lauterbach, who accused her assailant of rape, and then spent the next 8 months exposed to the accused rapist, who later murdered her and buried her with the body of her unborn son in his backyard.

Although these events happened in 2007, the Department of Defense has not adopted provisions that would allow victims to escape constant contact with their assailant. We ask men and women who serve in the military to put their lives on the line for our country, and they shouldn't fear harm from their fellow servicemembers. We simply must do more to protect them.

In May, this House passed H.R. 1540, which included strong bipartisan provisions that would allow victims of sexual assault the right to transfer units, the right to counsel, the right to privileged communications between a victim and a victim advocate, and the right to get records of their sexual assault so they can be eligible for veterans' benefits. These provisions came from a bipartisan bill that I introduced with Mr. TURNER of Ohio.

Our language stipulates that confidential communications cannot be used by the defense attorney against a victim during court proceedings, and they remain actually confidential. These provisions will encourage more victims to come forward and get the help they need to heal, and will encourage more victims to participate in the legal process of prosecuting perpetrators of sexual assault, both of which are critical to maintaining readiness and unit cohesion in the military.

These provisions also establish full-time sexual assault response coordinators and victim advocates and ensure they are well trained for the job and able to properly serve victims of sexual assault. The 2009 Defense Task Force Report on Sexual Assault in the Military Services found that current victim advocates and sexual assault response coordinators are unprepared for the duties of the position.

In the words of a current unit victim advocate, "I would truly be unprepared

if a sexual assault were to occur and my services were needed. It is my opinion that active duty victim advocates are not prepared to deal with sexual assaults and could potentially deter individuals from coming forward."

Having full-time SARCs and VAs with extensive training and certification will ensure that they are truly a valuable resource to their unit and to victims who come forward.

This language also improves the retention of sexual assault records and guarantees that victims of sexual assault will have lifetime access to these records for a variety of purposes, such as being considered for veterans benefits and given priority consideration for counseling at Veterans Affairs.

Currently, survivors of sexual assault have to jump through multiple bureaucratic hurdles to prove that their symptoms are connected to an incident of sexual assault in the military in order to be prioritized for mental health counseling or be eligible for benefits. Servicemembers find it difficult to obtain documentation proving their sexual assault once they have left the services because many of these documents are destroyed at DOD after only a few years. This language ensures that the documents are maintained.

This language also requires DOD to prepare a record of all court proceedings in which a charge of sexual assault is adjudicated and provide a copy to the victim. Because victims of sexual assaults serve as a witness rather than an active participant in trials where their case is litigated, they often do not understand the outcome of their case. These records are prepared where convictions result, but when charges are dismissed, or when a perpetrator is found innocent, the victim has no reliable way to understand what happened and why his or her case was dismissed.

Making sure victims understand the outcome of their case is important to providing closure for victims and making sure they are an active, respected participant in the legal process.

□ 1300

It will help to alleviate much of the mistrust that servicemembers and victims of sexual assault in the military harbor when it comes to how a sexual assault case will be handled if they make a report.

Similar provisions were included in the Senate's version of the defense authorization, but these provisions do not clearly spell out a victim's right to counsel and do not provide for a comprehensive education and training program.

Yesterday a bipartisan group of 47 Members, led by Ms. SLAUGHTER and Mr. TURNER, sent a letter to the chairman and ranking member of both the House and Senate Armed Services Committees in support of the House's language. This motion simply instructs our conferees to insist on the House language, language that will protect our servicewomen.

I urge my colleagues on both sides of the aisle to support the motion to instruct conferees.

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

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

Ms. TSONGAS. Madam Speaker, I am pleased to yield 2 minutes to the gentlewoman from California who has taken such an interest in this very grave issue and played an important leadership role, Congresswoman SPEIER.

Ms. SPEIER. I thank Ms. TSONGAS and the ranking member, Mr. SMITH, for bringing this motion. Thank you, Madam Speaker, for the opportunity to say a few words here.

This is a cancer that is eating up our military. For 25 years, we have debated and discussed and reported on it, and yet the numbers are staggering. By DOD's own estimates, 19,000 men and women in the military each and every year are sexually assaulted or raped. Only 13 percent actually report these sexual assaults and rapes, and 90 percent of them are involuntarily honorably discharged.

There is a message in the military: Shut up, take an aspirin, go to bed, sleep it off. These very modest elements are really very important, but if we're really going to deal with this issue, if we're truly going to say that you are no longer going to be more likely to be a victim of violence in the military by a fellow officer than by the enemy, if we're really going to be able to change that construct, then we're going to have to take the reporting of these crimes away from the chain of command and put it in a separate office where we will have experts, both military and civilian, that will be able to prosecute these cases and actually investigate them.

Right now there's a huge conflict of interest. I spoke on the floor this morning about Petty Officer De Roche who was raped by two officers in Thailand when they were on port of call. She was raped twice by each of these men. She then went to report it and was told to leave it alone. She was then put in a medical hold for 24 hours, for days. And then what happened, she was eventually allowed to leave the ship and be put in another service setting.

But do you know what happened to those two assailants, both of whom admitted that they had raped her?

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

Ms. TSONGAS. I yield the gentlewoman an additional minute.

Ms. SPEIER. One of them had 6 months of reduction in pay; one of them got demoted, one of them did not; but neither of them served any time for having admitted that they had raped her. They got what was called non-judicial punishment.

What a joke that in this country we give a unit commander the authority to be judge and jury and then not even have these individuals who commit

these violent crimes have to pay anything. It doesn't go on a record; there is no sexual assault database. That's the way we've been running the military, and that must stop.

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

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

I just have to respond to the last speaker that we had.

We have this language in the bill. We have worked with Ms. TSONGAS. She's done great work with Mr. TURNER. We have been out of the majority for 4 years. We now have the majority. I'm not going to say that it shouldn't have been fixed before; it should have. But we have this in the bill. But to attack the military and make them like they are the worst people in the world—19,000 is excessive. It is something that never should have happened. This will take care of it.

We just had talk of a revered football coach we found right in their organization of a very upstanding university that we all have thought great things about, has all kinds of problems with sexual abuse.

I refuse to have the innuendo or the charge that the military is corrupt top to bottom, which is what you basically inferred in what you just said.

We support this. We put it in the bill. We think that it is very important to take care of this problem.

Ms. SPEIER. Will the gentleman yield?

Mr. MCKEON. I'd be happy to yield.

Ms. SPEIER. I did not say that the military was corrupt. What I did say was that the way—

Mr. MCKEON. Reclaiming my time, you did charge them with some very serious issues and besmirch the character of the military.

Ms. SPEIER. Will the gentleman yield?

Mr. MCKEON. I'd be happy to yield.

Ms. SPEIER. What I would say to the gentleman from California is this: that the Congress of the United States has, for almost a quarter of a century now, been looking at this issue. We have not done a good job—

Mr. MCKEON. Reclaiming my time, as the new chairman of the committee, the first bill that we have brought forward, we have it in the bill. We are moving to take care of it.

Ms. SPEIER. Will the gentleman yield?

Mr. MCKEON. No. I think we've probably said enough.

What I would say at this time is we do support this. The bill was overwhelmingly supported out of committee 60-1, 322-96 in the House. We're moving strongly on this issue. We will support it through the conference and do our best to see that it remains in the bill because it is such a very important issue.

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

Ms. TSONGAS. Madam Speaker, I did not mean to yield back my time; so I

ask unanimous consent to reclaim my time.

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

Mr. MCKEON. Reserving the right to object, I understand that I did that once myself, yield back my time inadvertently.

With that, I would be happy to see that my colleague has the balance of her time to close, and I withdraw my reservation.

The SPEAKER pro tempore. Without objection, the gentlewoman from Massachusetts is recognized.

There was no objection.

Ms. TSONGAS. I thank the chairman.

It has been my honor and pleasure to work in a bipartisan fashion on this legislation that seeks to address the great challenge of military sexual trauma. I think that we have incorporated into the House version of the bill some very significant reforms that will help to protect victims, unfortunate victims of this great affront to young people serving in our military; will seek to better protect them as they seek to bring to justice the perpetrators; will better train those who are put in a place designed and created—these are positions created to help victims deal with this tremendous trauma, seek out appropriate legal remedies and do it in a way that does not further victimize the victim.

Does that mean there is not always going to be additional work to do? Absolutely, always; otherwise, we would all be out of a job if we didn't have to simply come back and revisit and revisit and revisit these issues.

But I want to make it very clear that this has been a great bipartisan effort. I'm very thankful for the support we have received. The military has made tremendous efforts. But obviously we would not be here today discussing this if there were still not a long way to go.

I appreciate the fact that this has been recognized on both sides of the aisle, and I thank you for allowing me to reclaim my time.

I will now yield 1 minute to the gentlewoman from California, Congresswoman SPEIER.

Ms. SPEIER. I thank the gentlewoman from Massachusetts for yielding me the time.

I would just like to say to the gentleman from California and to my colleagues on the Armed Services Committee, I am very grateful that this language is in the motion to instruct the conferees.

My only point is that until we create an independent office to handle these cases, we continue to place the unit commanders and the base commanders in a conflict of interest. What happens when the unit commander is, in fact, the assailant? That means that the rape victim has to go to her rapist and seek to have help and to report that rape to her unit commander.

□ 1310

What we need to do is create an independent authority that will have the expertise, which a unit commander is not going to have, regarding sexual assault and rape and have investigators who have, again, the expertise to look at these cases so that the unit commanders and the base commanders are not flummoxed by the various issues surrounding this very, very serious subject.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

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

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

RECORDED VOTE

Mr. SMITH of Washington. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clauses 8 and 9 of rule XX, this 15-minute vote on the motion to instruct will be followed by 5-minute votes on the motion to permit closed conference meetings on H.R. 1540 and the motion to instruct on H.R. 2550.

The vote was taken by electronic device, and there were—ayes 421, noes 2, not voting 10, as follows:

[Roll No. 892]

AYES—421

Ackerman	Burton (IN)	DeFazio
Adams	Butterfield	DeGette
Aderholt	Calvert	DeLauro
Akin	Camp	Denham
Alexander	Campbell	Dent
Altmire	Canseco	DesJarlais
Amodel	Cantor	Deutch
Andrews	Capito	Dicks
Austria	Capps	Dingell
Baca	Capuano	Doggett
Bachmann	Cardoza	Dold
Bachus	Carnahan	Donnelly (IN)
Baldwin	Carney	Doyle
Barletta	Carson (IN)	Dreier
Barrow	Carter	Duffy
Bartlett	Cassidy	Duncan (SC)
Barton (TX)	Chabot	Duncan (TN)
Bass (CA)	Chaffetz	Edwards
Bass (NH)	Chandler	Ellison
Becerra	Chu	Ellmers
Benishiek	Cicilline	Emerson
Berg	Clarke (MI)	Engel
Berkley	Clarke (NY)	Eshoo
Berman	Clay	Farenthold
Biggart	Cleaver	Farr
Bilbray	Clyburn	Finler
Bilirakis	Coble	Fincher
Bishop (GA)	Coffman (CO)	Fitzpatrick
Bishop (NY)	Cohen	Flake
Bishop (UT)	Cole	Fleischmann
Black	Conaway	Fleming
Blackburn	Connolly (VA)	Flores
Blumenauer	Conyers	Forbes
Bonner	Cooper	Fortenberry
Bono Mack	Costa	Foxx
Boren	Costello	Frank (MA)
Boswell	Courtney	Franks (AZ)
Boustany	Cravaack	Frelinghuysen
Brady (PA)	Crawford	Fudge
Brady (TX)	Crenshaw	Gallegly
Braley (IA)	Critz	Garamendi
Brooks	Crowley	Gardner
Broun (GA)	Cuellar	Garrett
Brown (FL)	Culberson	Gerlach
Buchanan	Cummings	Gibbs
Bucshon	Davis (CA)	Gibson
Buerkle	Davis (IL)	Gingrey (GA)
Burgess	Davis (KY)	Gohmert

Gonzalez Luján
 Goodlatte Lummis
 Gosar Lungren, Daniel
 Gowdy E.
 Granger Lynch
 Graves (GA) Mack
 Graves (MO) Maloney
 Green, Al Manzullo
 Green, Gene Marchant
 Griffin (AR) Marino
 Griffith (VA) Markey
 Grijalva Matheson
 Grimm Matsui
 Guinta McCarthy (CA)
 Guthrie McCarthy (NY)
 Gutierrez McCaul
 Hahn McCollum
 Hall McCotter
 Hanabusa McDermott
 Hanna McGovern
 Harper McHenry
 Harris McIntyre
 Hartzler McKeon
 Hastings (FL) McKinley
 Hastings (WA) McMorris
 Hayworth Rodgers
 Heck McNeerney
 Heinrich Meehan
 Hensarling Meeks
 Herger
 Herrera Beutler Michaud
 Higgins Miller (FL)
 Himes Miller (MI)
 Hinojosa Miller (NC)
 Hirono Miller, Gary
 Hochul Miller, George
 Holden Moore
 Holt Moran
 Honda Mulvaney
 Hoyer Murphy (CT)
 Huelskamp Murphy (PA)
 Huizenga (MI) Napolitano
 Hultgren Neal
 Hunter Neugebauer
 Hurt Noem
 Inslee Nugent
 Israel Nunes
 Issa Nunnelee
 Jackson (IL) Olson
 Jackson Lee Olver
 (TX) Owens
 Jenkins Palazzo
 Johnson (GA) Pallone
 Johnson (IL) Pascrell
 Johnson (OH) Pastor (AZ)
 Johnson, E. B. Paul
 Johnson, Sam Paulsen
 Jones Payne
 Jordan Pearce
 Kaptur Pelosi
 Keating Pence
 Kelly Perlmutter
 Kildee Peters
 Kind Peterson
 King (IA) Petri
 King (NY) Pingree (ME)
 Kingston Pitts
 Kinzinger (IL) Platts
 Kissell Poe (TX)
 Kline Polis
 Kucinich Pompeo
 Labrador Posey
 Lamborn Price (GA)
 Lance Price (NC)
 Landry Quayle
 Langevin Quigley
 Lankford Rahall
 Larsen (WA) Rangel
 Larson (CT) Reed
 Latham Rehberg
 LaTourette Reichert
 Latta Renacci
 Lee (CA) Reyes
 Levin Ribble
 Lewis (CA) Richardson
 Lewis (GA) Rigell
 Lipinski Rivera
 LoBiondo Roby
 Loeb sack Roe (TN)
 Lofgren, Zoe Rogers (AL)
 Long Rogers (KY)
 Lowey Rogers (MI)
 Lucas Rohrabacher
 Luetkemeyer Rokita

Rooney
 Ros-Lehtinen
 Roskam
 Ross (AR)
 Ross (FL)
 Rothman (NJ)
 Roybal-Allard
 Royce
 Runyan
 Ruppersberger
 Rush
 Ryan (OH)
 Ryan (WI)
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Scalise
 Schakowsky
 Schiff
 Schilling
 Schmidt
 Schock
 Schrader
 Schwartz
 Schweikert
 Scott (SC)
 Scott (VA)
 Scott, Austin
 Scott, David
 Sensenbrenner
 Serrano
 Sessions
 Sewell
 Sherman
 Shimkus
 Shuler
 Shuster
 Simpson
 Sires
 Slaughter
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Southerland
 Speier
 Stark
 Stearns
 Stivers
 Stutzman
 Sullivan
 Sutton
 Terry
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiberi
 Tierney
 Tipton
 Tonko
 Towns
 Tsongas
 Turner (NY)
 Turner (OH)
 Upton
 Van Hollen
 Velázquez
 Baca
 Bachmann
 Bachus
 Baldwin
 Walsh (IL)
 Barletta
 Barrow
 Bartlett
 Barton (TX)
 Bass (CA)
 Waters
 Watt
 Becerra
 Benishek
 Berg
 West
 Westmoreland
 Berman
 Biggert
 Bilbray
 Bilirakis
 Wittman
 Wolf
 Bishop (GA)
 Bishop (NY)
 Black
 Blackburn
 Bonner
 Bono Mack
 Boren
 Boswell
 Boustany
 Brady (PA)
 Brady (TX)
 Braley (IA)

NOT VOTING—10
 Castor (FL)
 Diaz-Balart
 Fattah
 Giffords
 Hinchey
 Myrick
 Nadler
 Richmond
 Waxman
 Young (FL)
 □ 1338
 Messrs. CRENSHAW, CRAWFORD, BRADY of Texas, Mrs. CAPPS, Messrs. MCCARTHY of California, HUIZENGA of Michigan, Ms. CLARKE of New York, Messrs. ENGEL, and KING of Iowa changed their vote from “no” to “aye.”
 So the motion to instruct was agreed to.
 The result of the vote was announced as above recorded.
 A motion to reconsider was laid on the table.
 MOTION TO PERMIT CLOSED CONFERENCE MEETINGS ON H.R. 1540, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012
 Mr. McKEON. Madam Speaker, pursuant to clause 12 of rule XXII, I move that the managers on the part of the House on H.R. 1540 be permitted to close to the public any of the conference at such times as classified national security information may be broached, providing that any sitting Member of Congress shall be entitled to attend any meeting of the conference.
 The SPEAKER pro tempore. Pursuant to clause 12 of rule XXII, the yeas and nays are ordered.
 This will be a 5-minute vote.
 The vote was taken by electronic device, and there were—yeas 406, nays 17, answered “present” 1, not voting 9, as follows:
 [Roll No. 893]
 YEAS—406
 Ackerman
 Adams
 Aderholt
 Akin
 Alexander
 Altmire
 Amodei
 Andrews
 Austria
 Baca
 Bachmann
 Bachus
 Baldwin
 Walsh (IL)
 Barletta
 Barrow
 Bartlett
 Barton (TX)
 Bass (CA)
 Waters
 Watt
 Becerra
 Benishek
 Berg
 West
 Westmoreland
 Berman
 Biggert
 Bilbray
 Bilirakis
 Wittman
 Wolf
 Bishop (GA)
 Bishop (NY)
 Black
 Blackburn
 Bonner
 Bono Mack
 Boren
 Boswell
 Boustany
 Brady (PA)
 Brady (TX)
 Braley (IA)
 Brooks
 Brown (GA)
 Brown (FL)
 Buchanan
 Buchson
 Buerkle
 Burgess
 Burton (IN)
 Butterfield
 Calvert
 Camp
 Campbell
 Cansaco
 Cantor
 Capito
 Capps
 Capuano
 Cardoza
 Carnahan
 Carney
 Carson (IN)
 Carter
 Cassidy
 Chabot
 Chaffetz
 Chandler
 Chu
 Cielline
 Clarke (MI)
 Clay
 Cleaver
 Clyburn
 Coble
 Coffman (CO)
 Cohen
 Cole
 Conaway
 Connolly (VA)
 Cooper
 Costa
 Costello
 Courtney
 Cravaack
 Crawford
 Crenshaw
 Critz
 Crowley
 Cuellar
 Culberson
 Cummings
 Davis (CA)
 Davis (IL)
 Davis (KY)
 DeGette
 DeLauro
 Denham
 Dent
 DesJarlais
 Deutch
 Dicks
 Dingell
 Doggett
 Dold
 Donnelly (IN)
 Doyle
 Dreier
 Duffy
 Duncan (SC)
 Duncan (TN)
 Edwards
 Ellmers
 Emerson
 Engel
 Eshoo
 Farenthold
 Filner
 Fincher
 Fitzpatrick

Flake
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Foxx
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Garamendi
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Gutierrez
 Hahn
 Hall
 Hanabusa
 Hanna
 Harper
 Harris
 Hartzler
 Hastings (FL)
 Hastings (WA)
 Hayworth
 Heck
 Heinrich
 Hensarling
 Herger
 Herrera Beutler
 Higgins
 Himes
 Hinojosa
 Hirono
 Hochul
 Holden
 Holt
 Hoyer
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurt
 Inslee
 Israel
 Issa
 Jackson (IL)
 Jackson Lee
 (TX)
 Jenkins
 Johnson (GA)
 Johnson (IL)
 Johnson (OH)
 Johnson, E. B.
 Johnson, Sam
 Jones
 Jordan
 Kaptur
 Keating
 Kelly
 Kildee
 Kind
 King (IA)
 King (NY)
 Kingston
 Kinzinger (IL)
 Kissell
 Kline
 Kucinich
 Labrador
 Lamborn
 Lance
 Landry
 Langevin
 Lankford
 Larsen (WA)
 Larson (CT)
 Latham
 LaTourette
 Latta
 Lee (CA)
 Levin
 Lewis (CA)
 Lewis (GA)
 Lipinski
 LoBiondo
 Loeb sack
 Lofgren, Zoe
 Long
 Lowey
 Lucas
 Luetkemeyer
 Latta
 Levin
 Lewis (CA)
 Lipinski
 LoBiondo
 Loeb sack
 Lofgren, Zoe
 Long
 Lowey
 Lucas
 Luetkemeyer
 Lungren, Daniel
 Lynch
 Mack
 Maloney
 Manzullo
 Marchant
 Marino
 Markey
 Matheson
 Matsui
 McCarthy (CA)
 McCarthy (NY)
 McCaul
 McCollum
 McCotter
 McDermott
 McGovern
 McHenry
 McIntyre
 McKeon
 McKinley
 McMorris
 Rodgers
 McNeerney
 Meehan
 Meeks
 Michaud
 Miller (FL)
 Miller (MI)
 Miller (NC)
 Miller, Gary
 Miller, George
 Moore
 Moran
 Mulvaney
 Murphy (CT)
 Murphy (PA)
 Napolitano
 Neal
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee
 Olson
 Olver
 Owens
 Palazzo
 Pallone
 Pascrell
 Pastor (AZ)
 Paul
 Paulsen
 Payne
 Pearce
 Pelosi
 Pence
 Perlmutter
 Peters
 Peterson
 Petri
 Pingree (ME)
 Pitts
 Platts
 Poe (TX)
 Polis
 Pompeo
 Posey
 Price (GA)
 Price (NC)
 Quayle
 Quigley
 Rahall
 Rangel
 Reed
 Rehberg
 Reichert
 Renacci
 Reyes
 Ribble
 Richardson
 Rigell
 Rivera
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita

Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Ross (AR)
 Ross (FL)
 Rothman (NJ)
 Roybal-Allard
 Royce
 Runyan
 Ruppersberger
 Rush
 Ryan (OH)
 Ryan (WI)
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Scalise
 Schakowsky
 Schiff
 Schilling
 Schmidt
 Schock
 Schrader
 Schwartz
 Schweikert
 Scott (SC)
 Scott (VA)
 Scott, Austin
 Scott, David
 Sensenbrenner
 Serrano
 Sessions
 Sewell
 Sherman
 Shimkus
 Shuler
 Shuster
 Simpson
 Sires
 Slaughter
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Southerland
 Speier
 Stark
 Stearns
 Stivers
 Stutzman
 Sullivan
 Sutton
 Terry
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiberi
 Tierney
 Tipton
 Tonko
 Towns
 Tsongas
 Turner (NY)
 Turner (OH)
 Upton
 Peters
 Velázquez
 Vislosky
 Walberg
 Walden
 Walsh (IL)
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Webster
 Welch
 West
 Westmoreland
 Whitfield
 Wilson (FL)
 Wilson (SC)
 Wittman
 Wolf
 Womack
 Woodall
 Yarmuth
 Yoder
 Young (AK)
 Young (IN)

NOES—2

NAYS—17

Amash	Farr	McDermott
Blumenauer	Grijalva	Olver
Clarke (NY)	Honda	Paul
Conyers	Kucinich	Stark
DeFazio	Lee (CA)	Woolsey
Ellison	Lewis (GA)	

ANSWERED "PRESENT"—1

Bishop (UT)

NOT VOTING—9

Castor (FL)	Giffords	Nadler
Diaz-Balart	Hinchee	Richmond
Fattah	Myrick	Young (FL)

□ 1347

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

Mrs. LUMMIS changed her vote from "nay" to "yea."

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON H.R. 2055, MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on the bill (H.R. 2055) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, offered by the gentleman from Washington (Mr. DICKS), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 13, not voting 11, as follows:

[Roll No. 894]

YEAS—409

Ackerman	Blackburn	Cassidy
Adams	Blumenauer	Chabot
Aderholt	Bonner	Chaffetz
Akin	Bono Mack	Chandler
Alexander	Boren	Chu
Altmire	Boswell	Clarke (MI)
Amodei	Boustany	Clarke (NY)
Andrews	Brady (PA)	Clay
Austria	Brady (TX)	Cleaver
Baca	Braley (IA)	Clyburn
Bachmann	Brooks	Coble
Bachus	Brown (FL)	Coffman (CO)
Baldwin	Buchanan	Cohen
Barletta	Bucshon	Cole
Barrow	Buerkle	Conaway
Bartlett	Burgess	Connolly (VA)
Barton (TX)	Burton (IN)	Conyers
Bass (CA)	Butterfield	Cooper
Bass (NH)	Calvert	Costa
Becerra	Camp	Costello
Benishek	Campbell	Courtney
Berg	Canseco	Cravaack
Berkley	Cantor	Crawford
Berman	Capito	Crenshaw
Biggert	Capps	Critz
Bilbray	Capuano	Crowley
Bilirakis	Cardoza	Cuellar
Bishop (GA)	Carnahan	Culberson
Bishop (NY)	Carney	Cummings
Bishop (UT)	Carson (IN)	Davis (CA)
Black	Carter	Davis (IL)

Davis (KY)	Johnson, Sam	Peters
DeFazio	Jones	Peterson
DeGette	Jordan	Petri
DeLauro	Kaptur	Pingree (ME)
Denham	Keating	Pitts
Dent	Kelly	Platts
DesJarlais	Kildee	Poe (TX)
Deutch	Kind	Polis
Dicks	King (IA)	Pompeo
Dingell	King (NY)	Posey
Doggett	Kinzinger (IL)	Price (GA)
Dold	Kissell	Price (NC)
Donnelly (IN)	Kline	Quayle
Doyle	Kucinich	Quigley
Dreier	Labrador	Rahall
Duffy	Lamborn	Rangel
Duncan (SC)	Lance	Reed
Edwards	Landry	Rehberg
Ellison	Langevin	Reichert
Elmiers	Lankford	Reinacci
Emerson	Larsen (WA)	Reyes
Engel	Larson (CT)	Richardson
Eshoo	Latham	Rigell
Farenthold	LaTourette	Rivera
Farr	Latta	Roby
Filner	Lee (CA)	Roe (TN)
Fincher	Levin	Rogers (AL)
Fitzpatrick	Lewis (CA)	Rogers (KY)
Fleischmann	Lewis (GA)	Rogers (MI)
Fleming	Lipinski	Rohrabacher
Forbes	LoBiondo	Rokita
Fortenberry	Loeb sack	Rooney
Fox	Lofgren, Zoe	Ros-Lehtinen
Franks (AZ)	Long	Roskam
Frelinghuysen	Lowe	Ross (AR)
Fudge	Lucas	Ross (FL)
Gallely	Luetkemeyer	Rothman (NJ)
Garamendi	Luján	Roybal-Allard
Gardner	Lummis	Royce
Garrett	Lungren, Daniel	Runyan
Gerlach	E.	Ruppersberger
Gibbs	Lynch	Rush
Gibson	Mack	Ryan (OH)
Gingrey (GA)	Maloney	Ryan (WI)
Gohmert	Manzullo	Sánchez, Linda
Gonzalez	Marchant	T.
Goodlatte	Marino	Sanchez, Loretta
Gosar	Markey	Sarbanes
Gowdy	Matheson	Scalise
Granger	Matsui	Schakowsky
Graves (GA)	McCarthy (CA)	Schiff
Graves (MO)	McCarthy (NY)	Schilling
Green, Al	McCaul	Schmidt
Green, Gene	McClintock	Schock
Griffin (AR)	McCollum	Schrader
Griffith (VA)	McCotter	Schwartz
Grijalva	McDermott	Scott (SC)
Grimm	McGovern	Scott (VA)
Guinta	McHenry	Scott, Austin
Guthrie	McIntyre	Scott, David
Gutierrez	McKeon	Sensenbrenner
Hahn	McKinley	Serrano
Hall	McMorris	Sessions
Hanabusa	Rodgers	Sewell
Hanna	McNerney	Sherman
Harper	Meehan	Shimkus
Harris	Meeke	Shuler
Hartzler	Mica	Shuster
Hastings (FL)	Michaud	Simpson
Hastings (WA)	Miller (FL)	Sires
Hayworth	Miller (MI)	Slaughter
Heck	Miller (NC)	Smith (NE)
Heinrich	Miller, Gary	Smith (NJ)
Hensarling	Miller, George	Smith (TX)
Herger	Moore	Smith (WA)
Herrera Beutler	Moran	Southerland
Higgins	Murphy (CT)	Speier
Himes	Murphy (PA)	Stark
Hinojosa	Napolitano	Stearns
Hochul	Neal	Stivers
Holden	Neugebauer	Sullivan
Holt	Noem	Sutton
Honda	Nugent	Terry
Hoyer	Nunes	Thompson (CA)
Huizenga (MI)	Nunnelee	Thompson (MS)
Hultgren	Olson	Thompson (PA)
Hunter	Olver	Thornberry
Hurt	Owens	Tiberi
Inslee	Palazzo	Tierney
Israel	Pallone	Tipton
Issa	Pascrell	Tonko
Jackson (IL)	Pastor (AZ)	Towns
Jackson Lee	Paul	Tsongas
(TX)	Paulsen	Turner (NY)
Jenkins	Payne	Turner (OH)
Johnson (GA)	Pearce	Upton
Johnson (IL)	Pelosi	Van Hollen
Johnson (OH)	Pence	Velázquez
Johnson, E. B.	Perlmutter	Visclosky

Walberg	Webster	Wolf
Walden	Welch	Womack
Walz (MN)	West	Woodall
Wasserman	Westmoreland	Woolsey
Schultz	Whitfield	Stutzman
Waters	Wilson (FL)	Yoder
Watt	Wilson (SC)	Young (AK)
Waxman	Wittman	Young (IN)

NAYS—13

Amash	Flores	Schweikert
Broun (GA)	Huelskamp	Stutzman
Cicilline	Kingston	Walsh (IL)
Duncan (TN)	Mulvaney	
Flake	Ribble	

NOT VOTING—11

Castor (FL)	Giffords	Nadler
Diaz-Balart	Hinchee	Richmond
Fattah	Hirono	Young (FL)
Frank (MA)	Myrick	

□ 1354

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CICILLINE. Mr. Speaker, during rollcall vote No. 894 on H.R. 2055, I mistakenly recorded my vote as "no" when I should have voted "yes."

APPOINTMENT OF CONFEREES

THE SPEAKER pro tempore (Mr. WESTMORELAND). Without objection, the Chair appoints the following conferees:

Messrs. ROGERS of Kentucky, YOUNG of Florida, LEWIS of California, FRELINGHUYSEN, ADERHOLT, Mrs. EMERSON, Ms. GRANGER, Messrs. SIMPSON, CULBERSON, CRENSHAW, REHBERG, CARTER, DICKS, VISCIOSKY, Mrs. LOWEY, Mr. SERRANO, Ms. DELAURO, Messrs. MORAN, PRICE of North Carolina, and BISHOP of Georgia.

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 1540, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

From the Committee on Armed Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

Messrs. McKeon, Bartlett, Thornberry, Akin, Forbes, Miller of Florida, LoBiondo, Turner of Ohio, Kline, Rogers of Alabama, Shuster, Conaway, Wittman, Hunter, Rooney, Schilling, Griffin of Arkansas, West, Smith of Washington, Reyes, Ms. Loretta Sanchez of California, Messrs. McIntyre, Andrews, Mrs. Davis of California, Messrs. Langevin, Larsen of Washington, Cooper, Ms. Bordallo, Messrs. Courtney, Loeb sack, Ms. Tsongas and Ms. Pingree of Maine.

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X:

Mr. Rogers of Michigan, Mrs. Myrick and Mr. Ruppersberger.

From the Committee on Education and the Workforce, for consideration of secs. 548 and 572 of the House bill, and secs. 572 and 573 of the Senate amendment, and modifications committed to conference:

Messrs. Petri, Heck and George Miller of California.

From the Committee on Energy and Commerce, for consideration of secs. 911, 1099A, 2852 and 3114 of the House bill, and sec. 1089 of the Senate amendment, and modifications committed to conference:

Messrs. Upton, Walden and Waxman.

From the Committee on Financial Services, for consideration of sec. 645 of the House bill, and sec. 1245 of the Senate amendment, and modifications committed to conference:

Mr. Bachus, Mrs. Capito and Mr. Ackerman.

From the Committee on Foreign Affairs, for consideration of secs. 1013, 1014, 1055, 1056, 1086, 1092, 1202, 1204, 1205, 1211, 1214, 1216, 1218, 1219, 1226, 1228–1230, 1237, 1301, 1303, 1532, 1533 and 3112 of the House bill, and secs. 159, 1012, 1031, 1033, 1046, 1201, 1203, 1204, 1206–1209, 1221–1225, 1228, 1230, 1245, title XIII and sec. 1609 of the Senate amendment, and modifications committed to conference:

Ms. Ros-Lehtinen, Messrs. Chabot and Berman.

From the Committee on Homeland Security, for consideration of sec. 1099H of the House bill, and sec. 1092 of the Senate amendment, and modifications committed to conference:

Mr. Daniel Lungren of California, Mrs. Miller of Michigan and Mr. Thompson of Mississippi.

From the Committee on the Judiciary, for consideration of secs. 531 of subtitle D of title V, 573, 843 and 2804 of the House bill, and secs. 553 and 848 of the Senate amendment, and modifications committed to conference:

Messrs. Smith of Texas, Coble and Conyers.

From the Committee on Natural Resources, for consideration of secs. 313, 601 and 1097 of the House bill, and modifications committed to conference:

Messrs. Hastings of Washington, Bishop of Utah and Markey.

From the Committee on Oversight and Government Reform, for consideration of secs. 598, 662, 803, 813, 844, 847, 849, 937–939, 1081, 1091, 1101–1111, 1116 and 2813 of the House bill, and secs. 827, 845, 1044, 1102–1107 and 2812 of the Senate amendment, and modifications committed to conference:

Messrs. Ross of Florida, Lankford and Cummings.

From the Committee on Science, Space, and Technology, for consideration of secs. 911 and 1098 of the House bill, and secs. 885, 911, 912 and Division E of the Senate amendment, and modifications committed to conference:

Messrs. Hall, Quayle and Ms. Eddie Bernice Johnson of Texas.

From the Committee on Small Business, for consideration of sec. 804 of the House bill, and secs. 885–887 and Division E of the Senate amendment, and modifications committed to conference:

Mr. Graves of Missouri, Mrs. Ellmers and Ms. Velázquez.

From the Committee on Transportation and Infrastructure, for consideration of secs. 314, 366, 601, 1098 and 2814 of the House bill, and secs. 262, 313, 315, 1045, 1088 and 3301 of the Senate amendment, and modifications committed to conference:

Messrs. Mica, Cravaack and Bishop of New York.

From the Committee on Veterans Affairs, for consideration of secs. 551, 573, 705, 731 and 1099C of the House bill, and secs. 631 and 1093 of the Senate amendment, and modifications committed to conference:

Mr. Bilirakis, Ms. Buerkle and Ms. Brown of Florida.

From the Committee on Ways and Means, for consideration of secs. 704, 1099A and 1225 of the House bill, and sec. 848 of the Senate amendment, and modifications committed to conference:

Messrs. Camp, Herger and Levin.

There was no objection.

REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT OF 2011

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 10.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 479 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 10.

□ 1400

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 10) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law, with Mr. DENHAM in the chair.

The Clerk read the title of the bill.

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

The gentleman from Texas (Mr. SMITH) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.

The American people today have been hit by an onslaught of unnecessary Federal regulations. From the Obama administration's health care mandate to the increase of burdens on small businesses, government regulation has become a barrier to economic growth and job creation.

By its own admission, the administration is preparing numerous regulations that each will cost the economy \$1 billion or more per year. Its 2011 regulatory agenda calls for over 200 major rules which will affect the economy by \$100 million or more each every year.

Employers, the people who create jobs and pay taxes, are rightly concerned about these costs and the costs that regulations impose on their businesses. In a Gallup poll conducted last month, nearly one-quarter of small business owners cited compliance with government regulations as their primary concern. That should motivate us to take action today.

Rather than restrain its efforts to expand government, the administration now seeks to accomplish through regulatory agencies what it cannot get approved by Congress. The REINS Act gives the people's representatives in

Congress the final say over whether Washington will impose major new regulations on the American economy.

More than once this year, the President himself has talked about the dangers that excessive regulations pose to our economy. He has called for reviews of existing regulations. He has professed a commitment to more transparency. The President has stated that "it is extremely important to minimize regulatory burdens and avoid unjustified regulatory costs."

Unfortunately, the President's actions speak louder than his words. But rather than make good on its statements, the Obama administration has proposed four times the number of major regulations than the previous administration over a similar time period. And the White House has admitted to Congress that, for most new major regulations issued in 2010, government failed to analyze both the cost and the benefits.

It is time for Congress to take action to reverse these harmful policies. With the REINS Act, we can hold the administration accountable for its unjustified regulatory assault on America's job creators; and we can guarantee that Congress, not unelected agency officials, will be accountable for all new major regulatory costs.

The American people want job creation, not more regulation. The REINS Act reins in out-of-control Federal regulations that burden America's businesses and job creators.

I thank Mr. DAVIS of Kentucky for introducing this legislation. I urge all my colleagues to support the REINS Act, and I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield myself 2 minutes.

Ladies and gentlemen of the House, H.R. 10 is the mother of all antiregulatory bills. Since the House was in session during 2010 for 116 legislative days, under this bill—and I invite any of my colleagues to make any different analysis—the Congress would be required after 70 days after they receive a rule to act upon it. If you only have 116 days, legislative days a year, it would be literally impossible to handle the number of rules that we would get.

Namely, we got 94 rules last year, 116 days. If we were handling every rule—please, use your arithmetic skills, ladies and gentlemen. This bill would be unworkable, and it would be impossible for new regulations to be enacted. But then, maybe that's the whole thrust of the matter.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield 6 minutes to the gentleman from Kentucky (Mr. DAVIS), who is the sponsor of this legislation.

Mr. DAVIS of Kentucky. I thank the chairman.

Two years ago, I met with the a constituent who was concerned about the effects of unfunded EPA mandates on his water and sewer bills. He wanted to

know why Congress doesn't vote on new regulations. This simple question inspired the legislation that we're considering today, and it also begs a broader question: Who should be accountable to the American people for major laws with which they are forced to comply?

Since the New Deal, every Congress has delegated more of its constitutional lawmaking authority to unelected bureaucrats in administrative agencies through vaguely written laws. This is an abdication of Congress' constitutional responsibility to write the laws.

This practice of excessive delegation of legislative powers to the executive branch allows Members of Congress to take credit for the benefits of the law it has passed and then blame Federal agencies for the costs and requirements of regulations authorized by the same legislation. Members of Congress are never required to support, oppose, or otherwise contribute to Federal regulations that are major and finalized under their watch.

Even more troubling, this practice has enabled the executive branch to overstep the intent of Congress and legislate through regulation based on broad authorities previously given the agency. In recent years, we've seen examples of administrative agencies, regardless of party, going beyond their original grants of power to implement policies not approved by the people's Congress.

In several cases, such as net neutrality rules and the regulation of carbon emissions, agencies are pursuing regulatory action after Congress has explicitly rejected the concept. In fact, administrative officials publicly proclaimed the strategy after the results of the 2010 elections, going around Congress by forcing their agenda through regulation.

In February of last year, The New York Times quoted White House Communications Director Dan Pfeiffer as saying, "In 2010, executive actions will also play a key role in advancing the administration's agenda." True to their word, the administration continues using regulations as an end around Congress.

The lack of congressional accountability for the regulatory process has allowed the regulatory state to grow almost unchecked for generations. Federal administrative agencies issued 3,271 new rules in 2010, or roughly nine regulations per day.

These regulations have a profound impact on our economy. The Small Business Administration estimated that regulations cost the American economy \$1.75 trillion in 2008, and that's nearly twice the amount of individual income taxes paid in this country that year. Small businesses spend an estimated \$10,500 per employee to comply with Federal rules, a considerable burden on the private sector's ability to create jobs at a time of continued economic struggles.

Today, we can choose to continue on this path, or we can vote to restore our constitutional duty to make law and be held accountable for the details. The REINS Act effectively constrains the delegation of congressional authority by limiting the size and scope of rule-making permission.

Once major rules are drafted and finalized by an agency, the REINS Act would require Congress to hold an up-or-down vote on any major regulation. Major regulations are those with an annual economic impact of more than \$100 million, as determined by the Office of Information and Regulatory Affairs. The President would also have to sign the resolution before it could be enforced on the American people, job creators, or State and local governments. Every major regulation would be voted on within 70 legislative days.

The REINS Act was specifically written not to unnecessarily hold up the regulatory process. Rather, the bill prevents REINS resolutions from being filibustered in the Senate.

The point of the REINS Act is simply accountability. Each Congressman must take a stand and be accountable for regulations that cost our citizenry \$100 million or more annually. No longer would Congress be able to avoid accountability by writing vague laws requiring the benefits up front and leaving the unpopular or costly elements to the bureaucrats who will write those elements of the law at some later date. Whether or not Congress approves a particular regulation, there will be a clearly accountable vote on the subject that the American people can see and judge for themselves.

□ 1410

This ensures the greatest regulatory burdens on our economy are necessary to promote the public welfare, rather than simply sprouting from the minds of unelected bureaucrats.

The bill's name as a metaphor for the reins on a horse is fitting. The purpose of reins is not to keep a horse at a standstill. Reins are a tool to ensure that the horse knows what is expected of him and is acting according to the intent and will of the rider.

Likewise, the REINS Act would not stop the regulatory process. It would improve the regulatory process by ensuring that new major rules match the intent of Congress and the will of the American people. The REINS Act would foster greater upfront cooperation between agencies and future Congresses, resulting in better written legislation and regulation.

With greater accountability and transparency, regulatory agencies will have no choice but to write regulations that reflect the need for sensible standards and take into account the impact regulations have on American businesses and families.

Similarly, agencies would no longer be able to bypass Congress with regulations that don't match congressional intent or go too far.

Not all regulations are bad. Many provide needed public safeguards, help to keep the American people safe, and maintain a level playing field for businesses to compete. And so good regulations would be approved by future Congresses, and those that could not withstand the public scrutiny of a vote in Congress would not.

A commonsense regulatory system with appropriate checks and balances on the most economically significant rules will help to revive our stagnant economy and give more businesses the ability to hire thanks to a better sense of stability and what to expect from Washington going forward.

The question we're asked today is in effect the same I was asked by my constituent in August of 2009: Who should be accountable for the rules and regulations that have the greatest economic impact on our economy? My answer is the Congress. In an era of high unemployment, Congress can no longer avoid its responsibility to the American people for the regulatory burden. Passing the REINS Act today would be a major step forward in returning to a constitutional, responsible, legislative, and regulatory framework.

I want to thank Judiciary Chairman LAMAR SMITH for his countless efforts on behalf of the REINS Act and his leadership, as well as the more than 200 cosponsors of this bill in the House. I urge my colleagues to support this bill.

Mr. CONYERS. Mr. Chairman, I yield myself 15 seconds.

The REINS Act is the mother of all anti-regulatory bills in the Congress. The only problem, I say to the distinguished author, the gentleman from Kentucky, is that it won't work. There are only 116 legislative days.

I yield 2 minutes to the gentleman from Virginia, JIM MORAN.

Mr. MORAN. I thank the very distinguished former chairman of the Judiciary Committee.

This Republican bill is neither effective nor responsible. To paraphrase H.L. Mencken, eliminating Federal agency rulemaking as we know it is a solution that is simple, neat, and wrong.

Mr. Chairman, despite what the House majority would like you to believe, our Federal regulatory process is a model the world over. Delegations from other countries frequently visit our government agencies to learn how their governments can best ensure public involvement while maximizing government effectiveness and efficiency. Why? Because our regulatory system is the most open and the most fair system in the world.

Current law already guarantees that proposed regulations get widely published and receive extensive public participation. The proof of that is that proposed Federal regulations receive hundreds, thousands, even millions of public comments. The U.S. Forest Service, for example, received over 1.6 million comments on its roadless rule and held over 600 public meetings.

And public involvement doesn't stop there. Federal agencies are required by law to consider and respond to each comment received. Commenters frequently request and receive comment-period extensions. And when agencies learn of legitimate problems with their proposed regulations, they change or withdraw them to address those concerns.

As an additional check on Federal rulemaking, Congress passed the Congressional Review Act. This law already provides a 60-day waiting period before a final rule becomes effective. And during that delay, Congress can disapprove an agency rule by joint resolution.

The fact is that Federal agencies already have the right attitude about regulation. I think Federal Reserve Chairman Ben Bernanke summed up agency regulatory philosophy best: We seek to implement the will of Congress in a manner that provides the greatest benefit at the lowest cost to society as a whole.

This bill takes America in the wrong direction—one full of risk and cost that will put the public's health and safety at great risk.

I strongly urge my colleagues to join Chairman CONYERS in opposing this wrong legislation.

Mr. SMITH of Texas. Mr. Chairman, I yield 3 minutes to my friend and colleague from Texas (Mr. HENSARLING), the chairman of the House Republican Conference.

Mr. HENSARLING. I thank the gentleman for yielding.

Mr. Chairman, it was just a few weeks ago that our Nation celebrated Thanksgiving. Unfortunately, in the Obama economy, millions could not give thanks for having a job. In the Obama economy, unemployment remains mired at near or above 9 percent. In the Obama economy, one in seven are on food stamps. In the Obama economy, we have seen the fewest small business startups in 17 years.

That's why, Mr. Chairman, jobs are job number one for House Republicans.

That's why our jobs bills have been passed; but, unfortunately, 25 of them are stacking up like cord wood in the Democratic-controlled Senate. After today, it will be 26 because one of the most important pro-jobs bills is on the floor today, the REINS Act.

Mr. Chairman, whether I'm speaking to Fortune 50 CEOs out of Dallas, Texas, where I reside, or small business people in east Texas that I have the privilege of representing in this body, they all tell me the same thing: the number one impediment to jobs in America today is the Federal regulatory burden.

I hear from them each and every day. I heard from the Grasch family in the Fifth District of Texas:

"As a small business, I have to bring in an additional thousand dollars a month to break even." He's talking about his regulatory burden. "This is while consumers have less money to

purchase my services. I will not invest in any further expansion and therefore not hiring until smarter policies are being conveyed from Washington."

I heard from the Rossa family, also in the Fifth District, who talks about the regulatory burden from the President's health care plan:

"My company has laid off all staff, and I myself will file for unemployment on Monday. That's about 23 people added to the unemployment rolls next week," again due to Federal regulation.

I heard from the Nixon family in the Fifth District of Texas. Federal regulation, again:

"We are giving up this part of our business. One person's losing their job. This is just one small example of how excessive government regulation is stifling business."

It's the number one impediment, and all we're asking today with the REINS Act is that if a regulation is going to cost our economy jobs, if it's going to cost a hundred million dollars or more, let's have congressional approval. It's common sense. It forces accountability. It simply weighs the benefit of a regulation to be balanced with the cost to our own jobs.

Jobs ought to be number one in this House, and the number one jobs bill we can pass is the REINS Act. I ask for once that my colleagues on the other side of the aisle join me, and let's put America back to work.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Virginia, STEVE COHEN, a ranking subcommittee member in Judiciary.

Mr. COHEN. I appreciate the time, but I don't appreciate the relocation. I am from Tennessee, the Volunteer State, and from Memphis, in particular. But it is appropriate, I guess, that we be a little confused with States because listening to the debate on the floor, it's obvious we're a little confused about history and Presidents, too, for President Obama has been Bush-whacked here on the floor of the House.

It's not the Obama economy, it's the Bush economy that President Obama saved from going into the second Great Depression that this country would have suffered in 100 years, saved it from depression with great actions at a time of bipartisan action that helped save this country from the Great Depression that it was otherwise looking at. I think we need to commend President Obama and not Bush-whack him when we get the chance here in the partisan discussions.

□ 1420

This bill that has been brought up, H.R. 10, the REINS Act, would rein in government. It would rein in the opportunity for regulations that are promulgated by experts in our agencies, experts who have years of expertise in subject matters, in order to come up with rules and regulations to implement the laws that we pass.

Now, I am proud to be a Member of the United States Congress. I know that we have good men and women in this House and that most of the people are very good men and women. But right now, Congress has a 9 percent approval rating. This bill would tell the American public that it should take the expertise of the people who are in the agencies and in the administration and turn it over to the 435 Members of Congress—535 when including those in the Senate—the least approved government body that exists.

On the one hand, they decry Congress, and their candidate Mr. Perry wants us to work half time, but this bill would make us the super-regulatory commission. We would have to approve every regulation by a positive vote in the House and by a positive vote in the Senate. We would have to do it and have the President sign it within 70 days of promulgation. We'd only have every other Thursday to do this, and we'd only have debate of 30 minutes on each side. So you'd take the least respected body of government in the entire United States of America—maybe of the entire world—and give it a very limited amount of time to make all of the rules and regulations for the biggest government in the world.

Talk about clean air. We wouldn't have it. You'd have more dirty rain. The REINS Act—it should be called the Acid Rain Act. It's raining outside. It's raining prevarications, fabrications, and canards upon us, none of which are appropriate for this body or for the American people.

We've had several bills dealing with regulation in this session, all of which basically tend to emasculate government. These bills take away the people's rights to clean air, clean water, safe products, and to occupational safety and health hazard protection, all of which are almost second nature to the American public.

I'd ask us to defeat this bill and to protect our environment and our workers.

Mr. SMITH of Texas. Mr. Chairman, I yield 2 minutes to my friend and colleague from Texas (Mr. POE), a member of the Judiciary Committee.

Mr. POE of Texas. The mere phrase "the regulators" brings fear and trepidation down into the hearts and souls of small business owners throughout the fruited plain.

Mr. Chairman, the Code of Federal Regulations is 150,000-pages long. That's a lot of pages. Those are a lot of regulations. According to the Small Business Administration, the annual cost of all Federal regulations in this country was almost \$2 trillion in 2008.

Now, do we really need all of those expensive regulations? Good thing the Federal regulators weren't around when the Ten Commandments were written—no telling what additional regulations they would have added to those simple 10 phrases.

It is common sense that Congress should have a say on a regulation that

would have a drastic, expensive effect on our economy. So why do my friends on the other side, who are such big friends of regulations, not want the regulators to be regulated? I don't understand that.

Remember, we are elected.

The regulators are not.

Congress is the branch of government that is closely connected to the people, and if Congress approves unnecessary and burdensome regulations, we have to be accountable to our voters in our districts for that.

Who do the regulators answer to?

No one. They only answer to their supervisors, who are also regulators.

When the regulators go to work every day, like most people go to work, their work assignments are a little different. In my opinion, they sit around a big oak table, drinking their lattes, they have out their iPads and their computers, and they decide: Who shall we regulate today? Then they write a regulation, send it out to the masses, and make us deal with the cost of that.

All the REINS Act does is ask that the Congress be involved in these over-burdensome regulations.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to a valuable member of the Judiciary Committee, the distinguished gentleman from Georgia, HANK JOHNSON.

Mr. JOHNSON of Georgia. I rise in opposition to H.R. 10, the so-called REINS Act. It's a demonstration of the reign of terror that the Tea Party-Grover Norquist Republican Party has exacted on Americans insofar as their health and safety are concerned, and in terms of their ability as small businesses to compete with Wall Street and Big Business.

You see, this is a Christmas gift. It's a gift to those who installed this Tea Party reign in Congress, and this Tea Party reign, the Republicans in Congress, are doing everything they're supposed to do.

This is the anti-regulatory bill, as the chairman said, that is the mother of all anti-regulatory bills. In fact, these 25, 26 bills that have been misnamed "jobs bills" that the Republicans have passed are nothing more than anti-regulatory legislation, sprinkled with a little antiabortion legislation in there—with not one job to be created.

You're just simply kowtowing to the wishes of those who line your pockets with gold in order for you to get elected.

This anti-regulatory legislation is turning the clock back on progress in America. We want to turn it all over to Big Business. This is what the Wall Street occupation is all about. This is what the Tea Party is all about.

The CHAIR. The time of the gentleman has expired.

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

Mr. JOHNSON of Georgia. This bill will make it impossible to implement critical new regulations that will place

some restraints on the excesses of the business community, and I ask that it be defeated.

Mr. SMITH of Texas. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. QUAYLE), a member of the Judiciary Committee.

Mr. QUAYLE. I thank the gentleman for yielding.

Mr. Chairman, I rise today in strong support of H.R. 10 because greater congressional scrutiny of major regulations ensures that the Federal Government is more accountable to the American people.

Poll after poll of small business owners and of medium-sized business owners will show you that major regulations are holding back their expansions and the ability for them to hire more workers. Yet you don't have to rely on polls. You can just go down and talk to the local businesses in your districts. I had a job forum the other week. Time and time again, the constant refrain we heard from these business leaders was that the overly burdensome regulatory environment is holding back their expansions.

Several months ago, in the beginning of the 112th Congress, I had some hope because President Obama issued an Executive order that required agencies to review their regulations to see if we could have a less burdensome regulatory environment. Unfortunately, what happened was that those were just words, and were not followed up by actual action, for, since then, the administration has continued to introduce new regulations at a rapid rate.

In this year alone, over 73,000 pages of new regulations have been added to the Federal Register at a cost of \$67.4 billion. Mr. Chairman, I have right here the amount of paper that has been added to the Federal Register in one week. This is last week's regulations. It's pretty hefty. Actually, it's 8 pounds, 13 ounces. There are 2,940 brand new pages of Federal regulations that would stretch, if you laid them end to end, 2,695 feet.

At this time, there are more than 4,000 new regulations in the pipeline. Of those, 224 are major regulations that will have an economic impact exceeding \$100 million. So, at a minimum, the annual economic impact for these new regulations will be \$22 billion.

We need to change this. Some of these agencies act outside the statutory authority granted by Congress, and we must stop this. The REINS Act is the way to do it, and I strongly urge my colleagues to support this measure.

□ 1430

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to a senior member of the House Judiciary Committee, the gentlewoman from Texas, the Honorable SHEILA JACKSON LEE.

Ms. JACKSON LEE of Texas. I thank the gentleman.

I think it's important for our colleagues to understand just what is being asked of this body. I believe it is

a nullification of the Constitution, which I like to carry, and the very distinct definition of the three branches of government and their responsibilities.

Frankly, our friends are trying to equate this Congress and its do-nothing record to the work of the executives, and now to create a do-nothing pathway for the rulemaking process which, as I've indicated on many of the bills that have already passed, there is a Federal court process for anyone that wants to challenge the process of rule-making or whether or not due process has been denied. So I'd actually say that what we have here is a complete shutdown of the Federal Government, for it is asking this Congress to pass a joint resolution of approval for any major rule to be passed.

Now, Mr. Chairman, let me suggest to you what would happen: Warnings on cigarette packages would no longer exist; Medicare payments for those lying in psychiatric hospitals would not be able to be paid; and the emissions standards for boiler pollutants, hazardous pollutants out of industrial, commercial, and institutional emissions would go flat; and we would have a nation that small businesses, I believe, would argue would also be a distraction from the work that they do.

It is interesting that my friends would want to use the backs of small businesses to pretend that they are protecting them. First of all, if they look at their facts, they will note the Obama administration has passed less rules than the Bush administration.

As I indicated, they will also note that the 111th Congress passed more constructive bills to help small businesses than this Congress could ever do, and the fact that they would note that it has been recorded that this Congress is the largest do-nothing Congress that has ever existed. It would be helpful if we could pass the payroll tax cut for 160 million Americans, allow them to infuse dollars, 1,000 or \$1,500, into the small businesses of America.

I will tell you that my small businesses will celebrate that. In visiting a medical clinic owned by a doctor that had thousands of feet that he wanted to rehab and expand, he said that payroll tax that was part of the jobs bill that the President wanted to pass through this do-nothing House of Representatives would have helped him greatly.

Then we have millions of Americans, 6 million, who are trying to get unemployment insurance. Here we are down to the last wire telling those in this blessed holiday season, whatever your faith, that you have to wait at the door and, in fact, there may not be any room at the inn for 6 million who don't have their unemployment insurance.

I don't want to shut down the government.

The CHAIR. The time of the gentleman has expired.

Mr. CONYERS. I yield the gentlewoman an additional 15 seconds.

Ms. JACKSON LEE of Texas. I thank the distinguished gentleman.

I don't want to shut down the government. I want a government that works. Rulemaking is not the demon here; and the process of rulemaking, if you read it, provides the input and assessment of those who are concerned.

What this does is involve the President, the Congress, in a scheme that is so dilatory that we will never do any work in this Congress. I beg of you to defeat this legislation.

Ms. JACKSON LEE of Texas. Mr. Chair, I rise today to debate H.R. 10 Regulations from the Executive in Need of Scrutiny (REINS). REINS would amend the Congressional Review Act (CRA) and require Congressional approval of all major rules (rules with an economic impact that is greater than \$100 million). If Congress fails to act within 70 days the rule cannot be implemented. This change is targeted directly at executive agencies and does nothing to create jobs.

In other words, this bill is calling for Congressional oversight of Executive branch activities and functions. I have been serving as a member of this governing body since 1995, and oversight of the Executive branch is exactly what Congress does. One of the main functions of the Congressional Committees is oversight.

If Congress were required to proactively approve every federal rule, it would be extremely time consuming. The Federal agencies of the Executive branch are made up of experts in their respective fields. Many of the regulations that Federal agencies enact are very specific and require a high level of familiarity with the minute details of certain issues. The time it would take members of Congress to become adequately acquainted with each issue being proposed by each Federal agency would certainly be more productive if channeled into efforts to effect the change that Americans want. For example extending unemployment insurance, job creation, and encouraging job growth. Yet, here we are again wasting time on a measure that will not help our economy.

There is no credible evidence that regulations depress job creation. The Majority's own witness at the legislative hearing (on H.R. 3010 a bill based on the same false premise) clearly debunked the myth that regulations stymie job creation. Christopher DeMuth, who appeared on behalf of the American Enterprise Institute, a conservative think tank, stated in his prepared testimony that the "focus on jobs . . . can lead to confusion in regulatory debates" and that "the employment effects of regulation, while important, are indeterminate."

If anything, regulations may promote job growth and put Americans back to work. For instance, the BlueGreen Alliance notes: "Studies on the direct impact of regulations on job growth have found that most regulations result in modest job growth or have no effect, and economic growth has consistently surged forward in concert with these health and safety protections. The Clean Air Act is a shining example, given that the economy has grown 204% and private sector job creation has expanded 86% since its passage in 1970."

Regulation and economic growth can go hand in hand. Regarding the Clean Air Act, the White House Office of Management and Budget ("OMB") recently observed that 40 years of success with this measure "have demonstrated that strong environmental protections and strong economic growth go hand

in hand." Similarly, the Natural Resources Defense Council and the United Auto Workers cite the fact that increased fuel economy standards have already led to the creation of more than 155,000 U.S. jobs.

REGULATORY UNCERTAINTY IS NOT WHY BUSINESSES ARE NOT HIRING WORKERS

The claim that regulatory uncertainty hurts business has been debunked as political opportunism. Bruce Bartlett, a senior policy analyst in the Reagan and George H.W. Bush Administrations observed "[R]egulatory uncertainty is a canard invented by Republicans that allows them to use current economic problems to pursue an agenda supported by the business community year in and year out. In other words, it is a simple case of political opportunism, not a serious effort to deal with high unemployment."

Regulatory uncertainty does not deter business investment. A lack of demand, not uncertainty about regulation, is cited as the reason for not hiring.

At a legislative hearing on regulatory reform (H.R. 3010), Professor Sidney Shapiro similarly noted, "All of the available evidence contradicts the claim that regulatory uncertainty is deterring business investment."

A July 2011 Wall Street Journal survey of business economists found that the "main reason U.S. companies are reluctant to step up hiring is scant demand, rather than uncertainty over government policies."

The most recent National Federation of Independent Business survey of its members likewise shows that "poor sales"—not regulation—is the biggest problem. Of those reporting negative sales trends, 45 percent blamed faltering sales, 5 percent higher labor costs, 15 percent higher materials costs, 3 percent insurance costs, 8 percent lower selling prices and 10 percent higher taxes and regulatory costs."

Small businesses reject the argument that deregulation is what they need. The Main Street Alliance, an alliance of small businesses, observes: "In survey after survey and interview after interview, Main Street small business owners confirm that what we really need is more customers—more demand—not deregulation. Policies that restore our customer base are what we need now, not policies that shift more risk and more costs onto us from big corporate actors. . . . To create jobs and get our country on a path to a strong economic future, what small businesses need is customers—Americans with spending money in their pockets—not watered down standards that give big corporations free rein to cut corners, use their market power at our expense, and force small businesses to lay people off and close up shop."

Mr. SMITH of Texas. Mr. Chairman, I yield myself 15 seconds.

I want to set the record straight. The bill is not antiregulatory but pro-accountability. It will enable both Republican and Democratic majorities in Congress to make the final calls on major regulations that come from administrations of either party. Majorities of either party can be expected to approve regulations whenever appropriate, but the key is that Congress always be held accountable.

Mr. Chairman, I yield 2 minutes to the gentleman from Nevada (Mr. AMODEI), a member of the Judiciary Committee.

Mr. AMODEI. I thank my distinguished chairman from Texas.

Mr. Chairman, 85 percent of the land in Nevada is controlled by the Federal Government. Perhaps no other State in the Nation lives with a more daily, direct impact of the presence of the Federal Government and its regulatory regime than the Silver State.

Community-driven development proposals that would generate economic growth often take years longer than they should because of layer upon layer of regulatory, mandatory gymnastics. Home builders, agribusiness, mining, manufacturers, retailers, the resort and hospitality industries, small business in general all lament the gymnastics that they have to go through to get a permit or even to comply with existing regulations.

All of that effort in a State, which I am sorry to have to sit up here and remind you, 85 percent of the land controlled by the Federal Government, highest unemployment rate in the Nation, highest foreclosure rate in the Nation. We are trying to generate economic development, and it's taking years to get a permit because of regulatory regimes. There is no one that will indicate that that is not the case.

So when we talk about this issue before us today—and I congratulate my colleague from Kentucky. When we talk about the job of Congress in an oversight sense, I think it is entirely appropriate that you revisit the regulations that are promulgated not out of thin air, but as a result of the statutes that pass these two Houses. And to revisit that point and make sure that those regulations bear resemblance to both sides of the aisles' legislative intent where they're supported is something we ought to guard zealously; because, the last time I checked, the Federal-elected officials in the executive branch numbered two. And it doesn't matter what side of the aisle they come from, I think it's appropriate for those 535 who send those measures to those folks, check back to make sure that's being done appropriately.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 2 minutes to a senior member of the Education Committee, the gentleman from New Jersey, ROB ANDREWS.

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

Mr. ANDREWS. Mr. Chairman, 25 days from now, if the Congress doesn't act, every middle class family in this country is going to have a \$1,000 tax increase. Twenty-five days from now, if the Congress doesn't act, doctors who take care of our Medicare patients are going to have a 23 percent cut in the fee they get to see Medicare patients. During those 25 days, several million Americans who are out there looking for a job every day are going to receive their last unemployment benefits check.

These are the issues confronting America today, and what are we doing?

We're debating a bill that says that some regulation the government might do someday in the future should have a procedure where Congress can reject it. There already is such a procedure.

And for all these terrible regulations we keep hearing about that have been introduced this year, do you know how many times the majority has brought to the floor a resolution to reject one of those regulations? Once.

So this is such a grave threat to the country's economy that the majority that controls the floor has chosen on one occasion to bring a regulation to the floor.

What we ought to be doing is canceling out this \$1,000-a-year tax increase on the middle class. What we ought to be doing is making sure our seniors can see the doctor come January 1. What we ought to be doing is making sure Americans who are diligent in looking for work don't run out of employment benefits. But that's not what we're doing.

This is not only the wrong bill, it's the wrong time. Let's put on the floor a bill that puts Americans back to work and focuses on the real priorities of the country.

Mr. SMITH of Texas. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. PENCE), a senior member of the Judiciary Committee.

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

□ 1440

Mr. PENCE. Mr. Chairman, with so many American families struggling, with so many Americans struggling to find work, and businesses struggling to hire unemployed Americans, it's time to rein in the Federal Government. It's time to rein in the avalanche of red tape cascading out of Washington, D.C. and stifling our recovery. It's time to enact the Regulations from the Executive in Need of Scrutiny Act of 2011, the REINS Act.

I rise to commend the gentleman from Kentucky, Congressman GEOFF DAVIS, for his visionary and tireless efforts in moving the REINS Act to the floor today and for his leadership in this Congress.

You know, small businesses are the lifeblood of our economy. They represent 99.7 percent of employer firms, and have generated 65 percent of net new jobs over the past 17 years. Yet today, as most American small businesses know, our job creators are saddled with too many regulations and too many regulatory authorities. According to the Small Business Administration, the average small business faces a cost of \$10,585 in Federal regulation per employee each and every year. The REINS Act will address that. It will protect jobs and promote small business growth by ensuring that the legislative branch has the final say on major regulations before they take effect.

This legislation reforms the rule-making process by requiring that Con-

gress approve any regulation that would have an annual economic impact of \$100 million or more. For too long, Congress has delegated its legislative authority to unelected bureaucrats and agency officials to determine the rule-making process. It's time to bring that authority back into the Congress where the Framers of the Constitution intended it to be, especially with regard to major rulemaking.

The American people are hurting. The American economy is struggling. It's time to rein in Big Government and release the inherent power of the American economy. Again, I urge my colleagues to join with me in a bipartisan fashion, I hope and trust, in support of this important legislation.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 2 minutes to a member of the Financial Services Committee, the gentleman from Connecticut, the Honorable JIM HIMES.

Mr. HIMES. I thank the ranking member.

Mr. Chairman, I rise this afternoon, as I frequently do in this Chamber, a little incredulous at what it is that I'm hearing. I'm hearing stories about east Texas. I'm hearing about lattes, and I'm hearing that the number one reason American businesses are not hiring is because of regulations. It's baloney. There's not a fact in there.

Here's some facts. I wish I had more time to get into these facts. The Bureau of Labor Statistics, which studies this stuff, asked businesses that have been laying people off, why? Regulations was a negligible answer.

I would love to talk about Bruce Bartlett, financial adviser to President Reagan, Republican, who said that the notion that regulation is why this economy is on its back was just plain made up.

If I had more time, I would like to talk about our former colleague, Sherwood Boehlert of New York, who said the House is moving forward with bills that would cripple the regulatory system, but they show how far a party enthralled by its right-most wing is willing to veer from what has long been the mainstream.

I've got deep problems with this crazy idea that we should have Congress sign off on every regulation. But my biggest problem, Mr. Chairman, is that we're standing here today talking about this. I hear endlessly about the uncertainty associated with these regulations. Mr. Chairman, I was shocked to look at my schedule tomorrow to see that the Republican majority is sending me home. And I'm going to talk to people in Connecticut tomorrow who are uncertain if after next month they're going to have unemployment insurance available to them because they don't have a job and they don't have money. And they may not have food on their table.

Small businesses and an awful lot of Americans with jobs in my district are uncertain about whether they will see an extension of the payroll tax that we passed in bipartisan fashion.

Except we're here talking about this, a fraudulent idea followed by a terrible legislative proposal, instead of dealing with the imminent expiration of unemployment insurance and payroll tax. Let's talk about those things. Let's remove the uncertainty for the people we represent. We represent people who have a lot of uncertainty about whether they'll have unemployment insurance or the payroll tax cut. Let's deal with that.

Mr. SMITH of Texas. Mr. Chairman, I yield 1½ minutes to the gentleman from Minnesota (Mr. PAULSEN), a member of the Ways and Means Committee.

Mr. PAULSEN. I thank the gentleman for yielding.

I rise as a cosponsor and a strong supporter of the REINS Act. This is legislation that will bring forward reform, accountability, and transparency to the Federal rulemaking process. You know what, it's time for Congress to act more like a board of directors where we will have to oversee proposed rules and regulations, especially those that have a significant economic impact. This bill will absolutely force accountability. It allows regulations to go forward, but it's also going to force Congress to analyze, to pay attention, and then finally to act.

So no longer are we going to see agencies and unelected bureaucrats being able to promulgate these rules and regulations without having an appropriate check and balance. There are thousands and thousands and thousands of these rules and regulations in the pipeline, and over 200, 224 specifically, that have that major economic impact threshold that would be affected by the REINS Act. That's a cost of over \$22 billion, at a minimum, to the economy.

If we want to help small businesses grow, if we want to grow jobs, if we want to help our economy get going and jump start it, we need to remove that cloud of uncertainty that is hanging over the heads of small and medium-sized businesses in that regulatory environment.

I want to thank my colleague from Kentucky for his leadership in leading this reform. I ask for its passage.

Here's an example of a proposed guideline that is of particular concern to me. The FTC, the Department of Agriculture, the FDA, and the CDC have a proposal which seeks to restrict advertising, marketing and sales of food products. As drafted, it would affect 88 of the top 100 most consumed food and would have devastating effects. If this were to go through, one study estimates it could affect more than 74,000 jobs in the first year alone.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 2 minutes to the distinguished gentlelady from Colorado, DIANA DEGETTE, who serves on the Energy and Commerce Committee.

Ms. DEGETTE. Mr. Chairman, do we really want to bind Congress to more votes so we can play Monday morning quarterback for the executive branch every time it tries to finalize a rule? Don't we have enough gridlock around here?

Look around. The REINS Act would grind our government to a halt and stymie the implementation of regulations to protect consumers and protect public health and well-being.

Now, look, this bill would add a feedback loop to require Congress to approve major rules that it has already specifically directed an agency to promulgate. What we really need are smart people and streamlined regulations regardless of which party is in charge of Congress.

In 2010 alone, Federal agencies finalized important rules related to energy efficiency, community disaster loans, weatherization assistance for low-income people, truth in lending, and better pay for teachers. All of those rules would be considered major rules under the REINS Act, and all of those rules would have required congressional approval. Good luck there with this Congress.

Who would oppose final approval of these rules that protect everyday Americans? Well, based on the track record of the 112th Congress, some special interest group would find a way. In fact, the REINS Act would allow special interests a back-door entrance to have their way and weaken laws that protect the American people.

Mr. Chairman, we all know standing here today this bill won't become law; and the majority knows it, too. Why? Because it's a bad idea.

In these last days of the year, what we should be doing is finding a way to help the millions of unemployed Americans who are looking for a job by extending their unemployment insurance. We should be helping middle class Americans by helping extend their payroll tax cuts so that they can pay for the food and everything else they're putting on their table. That's what the focus of this Congress should be, not passing ill-conceived legislation that will only slow down the process even more.

Mr. SMITH of Texas. Mr. Chairman, I yield 1½ minutes to the gentleman from New York (Mr. GIBSON).

Mr. GIBSON. I thank the chairman.

I rise today in strong support of the REINS Act. This bill is about representative democracy, transparency, and accountability. The concept is simple: any new proposed regulatory rule written by the Federal bureaucracy that has an estimated economic impact greater than \$100 million must first come here before the Congress for an up-or-down vote before implementation.

To get our economy moving, to create jobs, to strengthen the jobs we have now, and to raise the standard of living of all, we need to address the impediments to growth—taxes, regulations, health care costs, and energy costs. The simple truth is Federal regulations have increased the cost of doing business and contributed to job loss and stifled new job creation. Even the President has acknowledged this when he appeared in this Chamber to speak to the American people.

□ 1450

According to the Small Business Administration, Federal regulations cost our economy \$1.75 trillion a year.

This negative impact is something small business owners, including farmers, have told me time and again as I have traveled across the 137 towns in my district. Something must be done. It really comes down to judgment. We want to get these key decisions right. It's about balancing competing priorities. In the process, certainly we want to hear the advice of our subject matter experts in the bureaucracy, but the decision should fall to the people's representatives who can be held accountable to them, not unelected, faceless bureaucrats.

It's far past time for some transparency and accountability. It's far past time for the REINS Act. I'm proud to be an original cosponsor of this bill, and urge my colleagues to join me in voting for it.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 2½ minutes to the gentleman from Virginia, a member of the Government Oversight Committee, Mr. GERRY CONNOLLY.

Mr. CONNOLLY of Virginia. I thank my good friend from Michigan.

Mr. Chairman, for the 173rd time this year our friends on the other side have brought another anti-environmental, anti-public health bill to the floor. For good reason, this House majority has been identified as the most stridently anti-environmental Congress in history in a tragic refutation of Republicans' heretofore historic commitment to conservation and public safety.

The REINS Act, like the Regulatory Accountability Act passed last week, has a poetic finality as it would block any and all progressive regulations largely the legacy of Republican Teddy Roosevelt. Under Teddy Roosevelt's administration, in response to appalling food processing conditions described in Upton Sinclair's "The Jungle," Congress reacted and passed the first comprehensive food safety regulation. One hundred years later, the REINS Act, on the floor today, would block even the most commonsense regulations which Congress mandated just last session—new standards to protect Americans from deadly contamination by Chinese and Mexican imported foods. The REINS Act is a worthy piece of legislation for those among us who actually believe that Chinese factory farms should ship contaminated, uninspected food directly to American dinner tables.

President Teddy Roosevelt used the Antiquities Act, written by a Republican Congressman, Congressman Lacey of Ohio, to protect the Grand Canyon—and thank God they did—when Congress at that time refused to designate it as a National Park. The REINS Act would prevent Federal land management agencies from issuing regulations to protect America's greatest places from degradation by mining and off-road vehicles.

The REINS Act also would block all regulations issued subsequent to Teddy Roosevelt's administration, including such landmark bills as the Clean Air Act, the Clean Water Act, the Wagner Labor Relations Act, and the Occupational Safety and Health Act. Along with the Regulatory Accountability Act, which the House approved last week, the REINS Act is the most comprehensive, radical assault on American safety and public health in the last century.

If REINS passes, it will replace the rule of law with the rule of the jungle. Our friends on the other side know full well that in commonsense language they have masked the inability of the Federal Government ever again to issue commonsense regulation to protect public health and safety in this country. And that would be a tragedy.

Mr. SMITH of Texas. Mr. Chairman, I yield 1 minute to gentleman from Pennsylvania (Mr. FITZPATRICK).

Mr. FITZPATRICK. I thank the chairman.

Over the past year, I've met with hundreds of businesses throughout the Eighth District of Pennsylvania, and from each of them I've heard a common theme: uncertainty from constant new government regulation is impeding their ability and willingness to invest in our economy, expand their businesses, and to create jobs. In fact, just last night during a town hall, one of my constituents, Gallus Obert, lamented at the fact that new and burdensome regulations have driven small businesses—and with them, jobs—from Bristol Township in Bucks County.

This should come as no surprise to any of us. Even President Obama admitted on January 18 that his administration's rules have placed unnecessary strain on businesses and stifled innovation and stifled job growth.

Today, small businesses spend more than \$10,000 per employee to comply with Federal regulation. Compliance leads to higher consumer costs, lower wages, and reduced hiring. At the same time, the number of new rules and regulations continues to grow with each passing year. Just as our Tax Code is in need of reform, so is our ballooning regulatory system. The REINS Act will provide the American people with both congressional oversight and congressional accountability for regulations stemming from legislation.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 3 minutes to the former chairman of the Education and Labor Committee, the gentleman from California, the Honorable GEORGE MILLER.

Mr. GEORGE MILLER of California. I want to thank the ranking member for yielding.

The legislation before us today would really destroy the ability of the Congress to create new regulations, to create laws to protect the health and safety of the American citizens. It would also provide a great second bite at the apple for every special interest in this

country that doesn't like the regulations to protect clean water and safe drinking water and the health and safety of our workers and our children at play.

If you're wondering what it would look like when we wipe out the health and safety protections for Americans, you need to look no further than the Upper Big Branch Mine in West Virginia, where an explosion ripped through the mine and killed 29 miners in April of this year. That mine was operated as if there were no safety regulations. They treated their workers as if there were no mine safety rules at all because they overruled all of those regulations through criminal activity, through illegal activity, and those miners were forced to work with essentially none of the value of health and safety regulations designed to protect their lives.

And what happened in that mine without those regulations and without the benefit of those safety protections? An explosion ripped through that mine, traveling 2,000 feet per second, and it consumed the lives of 29 miners. Twenty-nine workers died, and their families will never be the same.

That's what happens when you take away the basic worker protections intended to make our economy function and to keep our workers safe. And that's what this bill on the floor today would do.

Now it's even more interesting that the man who broke the laws, created that system of no regulations for the miners in the Upper Big Branch Mine for his own personal benefit and the benefit of that of the corporation and at the expense of his workers, may be getting back into the mining business. Donald Blankenship got an \$86 million "golden parachute" after 29 mine workers died in West Virginia. And now he wants to open a new mine. People who live in coal-mining States like Kentucky should be aware that a serial violator of basic mine safety laws is coming to your State soon seeking to operate a mine. Mine companies under his leadership have engaged in dangerous and deadly practices that would pose a threat to mine workers in your State.

In the 2 years preceding the explosion of the Massey Company mines, they were cited over 10,000 times a year for violations. Under this provision, the coal mines come into Congress, they get the regulations, they cease to exist, and they can go on their way, and there won't be 10,000 citations for the violation of occupational health and safety to protect those miners, and other miners will lose their lives like those in the Upper Big Branch Mine.

I say to my colleagues in this House, you must defeat this incredibly offensive bill for every American, and you must do so in the name of these 29 mine workers who were killed in the Upper Big Branch Mine in West Virginia. They died because a ruthless mine owner gamed the system. Let us

not have them game the system in the Congress of the United States.

Mr. SMITH of Texas. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN of Tennessee. Mr. Chairman, I rise in strong support of this bill, and I thank the gentleman from Texas, Chairman SMITH, for yielding me this time and I commend both him and the gentleman from Kentucky (Mr. DAVIS) for bringing this bill to the floor to us at this time.

Thomas Donohue, president of the U.S. Chamber of Commerce, in his speech to the Jobs Summit a few months ago said, "Taken collectively, the regulatory activity now underway is so overwhelmingly beyond anything we have ever seen that we risk moving this country away from a government of the people to a government of regulators."

I want to straighten out one thing, Mr. Chairman. This bill does not do away with any of the thousands and thousands of laws and regulations that are already on the book. It applies only to new regulations, which will cost businesses and the consumer over \$100 million each. I think the American people would be very surprised if they thought the Congress did not already act on legislation and laws that would cost our economy that much money.

We've heard estimates today by the SBA that rules and regulations cost small businesses almost \$2 trillion a year, and anywhere from \$8,000 to \$10,000 per employee. We have so many thousands and thousands of laws and rules and regulations on the books today, Mr. Chairman, that they haven't even designed a computer that can keep up with them, much less a human being. People are out there every day violating laws that they didn't even know were in existence.

□ 1500

The thousands and thousands of rules and regulations that we have today make it more difficult to run and maintain a business than at any other time in this country's history, and they're the cause of why so many small businesses and medium-size businesses are going under or being forced to merge and why the big keep getting bigger in almost every industry.

The REINS Act is a very modest attempt to end Washington's almost unchecked regulatory power. And it would apply only to regulations which cost over \$100 million annually, so there is nothing even close to being radical about this bill.

I hope my colleagues will join me in supporting this bill, this very moderate and reasonable bill.

Mr. CONYERS. Mr. Chairman, I am honored at this time to recognize the former Speaker of the House, the leader, the gentlewoman from California, the Honorable NANCY PELOSI.

The CHAIR. The gentlewoman from California is recognized for 1 minute.

Ms. PELOSI. Thank you, Mr. Chairman.

I rise today to oppose this bill, the so-called REINS Act, and to urge my colleagues to act now on behalf of jobs for America's workers. Jobs are the lifeblood of our economic growth and that of the middle class, which is the backbone of our democracy.

Mr. Chairman, for more than 330 days the Republican majority has failed to put forward a clear jobs agenda, choosing instead to propose initiatives that undermine job creation and only benefit the special interests. Today, as we approach the end of this year, Republicans have again refused to vote to expand the payroll tax cut for the middle class and unemployment benefits for those who have lost their jobs through no fault of their own. They risk the economic security really of all of us—certainly the 99 percent—but we're all in this together, as our President has said.

Democrats have been clear: We must not go home for the holidays without extending the payroll tax cut and unemployment insurance benefits. We shouldn't be leaving hardworking Americans high and dry over this holiday season without doing their work.

This challenge poses a question: Why are we here? Republicans have chosen to be here for massive tax cuts for people making over \$1 million a year—not having \$1 million; making over \$1 million a year—300,000 Americans. Democrats are here for the 160 million Americans facing tax cut uncertainty because of Republican inaction. But Democrats are here for everybody, for all Americans, because we all benefit from a strong middle class with demand injected into our economy to create jobs.

Indeed, if we fail to act now on the payroll tax cut and unemployment insurance, consider the consequences of that reduced demand to our economy. At least 600,000 jobs will be lost. Don't take it from me. Respective independent economists have stated that. Over 6 million out-of-work Americans would lose assistance in the beginning of next year.

Now, consider if we do act—and act we must—putting more than \$1,500 in the pockets of the typical middle class family. And every dollar invested in unemployment insurance yields a return of more than \$1.50 in economic growth. What's important about that is what it does to inject demand into the economy.

Money in the pockets of hardworking Americans, that's what we want this Congress to pass, instead of being so completely wedded to the idea that if we give tax cuts to the top 1 percent there will be a trickle-down effect. It hasn't happened.

As we approach the end of this year, Congress has a responsibility to address America's top priority—job creation and economic growth. It's time for us to put the interests of working people ahead of the special interests. We must act now to reignite the American Dream and build ladders of success

for anyone willing to work hard and play by the rules, to remove obstacles to participation for those who wish to do that. We must spur our economy, put people to work, and strengthen our middle class.

Now, we should not go home for the holidays without passing the middle income tax—the payroll tax cut and unemployment insurance and SGR. And there are other issues that need to be addressed that affect America's great middle class.

Mr. Chairman, Christmas is coming; the goose is getting fat; please to put a dollar in a worker's hand.

I urge my colleagues to vote “no” on this REINS Act and to get to work to extend the payroll tax cut and unemployment insurance for the American people. Only then will we increase demand in our economy, create jobs, promote economic growth, and put money into the pockets of 160 million Americans. Think of the difference that will make instead of putting forth legislation that has no impact on our economic growth, is not in furtherance of job creation, is not in furtherance of strengthening the middle class, which is the backbone of our democracy. We can't go home without the payroll tax cut and unemployment benefits for all Americans who need them, who have lost their jobs through no fault of their own.

Mr. SMITH of Texas. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. I thank the gentleman for yielding.

I rise in strong support of H.R. 10, the REINS Act, because America's job creators are buried in red tape and need certainty from the Federal Government in order to create jobs. This bill would provide that.

You know, when I travel up and down eastern and southeastern Ohio, I hear a recurring theme from the businesses that I meet with: Government overregulation is strangling their ability to hire new employees, expand their businesses, innovate, and compete.

Today it costs a business over \$10,000 per employee just to comply with current Federal regulations. This administration that claims it believes in reducing the burden on small business is in the process of adding another \$67 billion worth of new regulations this year alone.

This administration is burying small businesses, and enough is enough. The REINS Act will simply return control of the regulatory process to the American people, who are fed up with unelected bureaucrats stopping job creation and delaying true economic recovery.

I strongly urge my colleagues to support this legislation.

Mr. CONYERS. Mr. Chairman, I yield the balance of my time to our final speaker, Representative LYNN WOOLSEY of California, who is finishing out a brilliant career.

The CHAIR. The gentlewoman from California is recognized for 4½ minutes.

Ms. WOOLSEY. I thank our great ranking member for allowing me this time.

It is ironic; we're here today debating a bill supported by those in the Congress who won't cut taxes for the middle class, but won't budge when it comes to making permanent the tax cuts for the very wealthy.

Why are we not here today talking about extending the payroll tax cuts? Why are we not here talking about extending employment benefits? Why are we not working on a jobs bill? That's what we should be doing.

This Congress cannot—and I echo the words of our leader. This Congress cannot leave for the holidays without ensuring jobless Americans have the security of unemployment benefits that will make their Christmas, their holiday, the rest of their year livable.

I know firsthand what it's like to fall on hard times and need a hand up.

□ 1510

Forty years ago, when I was a single mother raising three young children—my children were 1, 3, and 5 years old—I was lucky enough to have a job; so I didn't need unemployment benefits. But I did need Aid for Families With Dependent Children just to make ends meet. My family needed the compassion of the government and my fellow citizens just to survive. Without that safety net, I don't know what we would have done.

We cannot abandon people who have been victimized by this sluggish economy. These are proud people, who aren't just willing to work; they're desperate to work. There are roughly five unemployed Americans for every available job. These folks need a life preserver.

Extending unemployment benefits is not just a moral imperative. It will pump life back into the economy. It will give people money for their pockets that they can spend in their local communities and in the shops and grocery stores and other businesses that they will inhabit and support if they have some money in their pockets.

And I can't believe that there are some on the other side of the aisle who have been resisting this extension, sticking their finger in the eye of jobless Americans, while protecting lavish tax cuts for millionaires and for billionaires. That flies in the face of common sense and does violence to the very values of who we are as American people.

One Republican Member even said just recently that, and I quote him, he said, “Congress ought to concentrate on paying people to work, not paying people not to work.” Except his party hasn't lifted a single finger to do a single thing about creating jobs in this country. You can't pay them to work when there is no work.

So I ask you, having experienced what it means to have little kids that depend on you during hard times, I ask you, do not let these families down. Ex-

tend unemployment benefits. Pass a big, bold jobs bill. Put Americans back to work, and stop wasting time on the REINS bill.

Mr. SMITH of Texas. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. GERLACH), a member of the Ways and Means Committee.

Mr. GERLACH. I thank the chairman. I also want to thank Congressman DAVIS of Kentucky for his great leadership on this important legislation.

While our small business owners are focused on meeting payroll, and their employees are working hard making products and delivering for customers, unelected bureaucrats in Washington are putting in overtime coming up with new rules and regulations.

In 2010 alone, the Federal Government issued 3,200 new regulations and rules. That's roughly nine rules per day. Complying with all these regulations costs small business owners, as was mentioned, an estimated \$10,500 per employee each year. At a time when we are trying to create jobs, we need to have better accountability and transparency in Congress for the regulatory burdens the Federal Government places on businesses as we try to rejuvenate our economy.

The REINS Act is a commonsense measure that would do just that, giving workers and small business owners and others a voice in the process of approving regulations that will ultimately affect their jobs, their families, and their communities. This legislation would make sure that job creators don't have to worry about unelected bureaucrats imposing regulations on them without the approval of their elected Representatives.

I urge my colleagues to support this legislation.

Mr. SMITH of Texas. Mr. Chairman, I yield the balance of my time to the gentleman from Georgia (Mr. KINGSTON).

The CHAIR. The gentleman from Georgia is recognized for 2 minutes.

Mr. KINGSTON. I thank the Chairman.

The REINS Act provides powerful, commonsense regulatory reform. It reins in the costly overreach of Federal agencies that stifles job creation and slows economic growth.

If we want to have jobs, we have to help the job creators. This bill restores the authority to impose major regulations on those who are accountable to the voters, their elected Representatives in Congress.

Opponents of the bill resist it for two primary reasons. They say, number one, it takes too much time for Congress to approve or disapprove major regulations. Secondly, they say Congress isn't expert enough to understand whether major regulations should be approved or disapproved. Both objections amount to one thing: their belief that Congress cannot be responsible and accountable for major decisions that affect America's economic life.

Fortunately, the Framers of the Constitution saw things differently, and so do most Americans. The Constitution gives Congress the Federal authority to regulate the economy, not the unelected bureaucrats. If the Constitution gives the authority to Congress, then Congress should be willing to accept the responsibility and the accountability for these decisions.

We should and we will take the time. We should and we will hold hearings. We should and we will allow amendments on the floor and votes and, most importantly, Mr. Chairman, transparency, something that the job creators are not being allowed right now.

This administration has admitted its failure to consider the costs and the benefits when it imposes major new regulations. This administration clearly intends to force through the regulatory process things that they cannot achieve in the people's Congress. They do not want the transparency. They do not want the constituent input, and they do not want to have the hearings where experts from all over the country can give balanced testimony.

The American people struggle enough under the Obama administration's failed economic policy. It's time for Congress to say, Enough.

I urge my colleagues to vote for the REINS Act. Let's help the job creators and vote "yes."

Mr. HOLT. Mr. Chair, I rise in opposition to the so called Regulations from the Executive in Need of Scrutiny Act. Just as the authors went through contortions to generate names with a cute acronym, so this bill is very . . . This misguided legislation would undermine the ability of federal agencies to promulgate and enforce safeguards that protect public health and our environment.

Today again the Majority is showing the American public that they don't think we have a jobs crisis in America, and that getting Americans back to work is not their top priority. Getting the American economy back on track and helping to create jobs is my first, second and third priority. Unlike the Majority, I remain committed to creating jobs immediately and expanding educational opportunity for all Americans.

The so called REINS Act is legislation in search of a problem. Federal agencies cannot create rules and regulations without statutory authority that is granted by Congress, and Congress already has the ability to overturn agency rules. The REINS Act would require Congress to vote within seventy days on all major rules, creating an unprecedented level of uncertainty for the vast number of businesses, organizations, and other entities that already comply with government protections affecting food and drug safety and air and water pollution.

The REINS Act puts politics above the safety and health of the American people. We should let the scientists and experts in the agencies develop and enforce rules like the Clean Air and Clean Water Acts that protect all Americans from toxic air pollution and water-borne illness. I urge my colleagues to vote no on this dangerous bill.

Mr. WAXMAN. Mr. Chair, today, December 7th, is the 70th anniversary of the brutal sneak

attack by the Imperial Empire of Japan on Pearl Harbor, which unleashed America's involvement in World War II. Victory over Fascism would come four years later. On this day recalling Pearl Harbor, the House Republicans are bringing to the floor their own sneak attack on America's government, and how it works to protect the safety, security, health and welfare of the American people.

We already have in place today an effective mechanism by which Congress can overturn regulations by government agencies that are judged to be unjustified, overly broad, too harsh, excessively expensive or not in the public interest. There is in place today a court of appeal for bad regulations. That process is called the Congressional Review Act, and it provides expedited consideration by Congress of a measure to veto an offending rule. If Members of Congress have issues with regulatory overreach by an agency, there is a constitutional remedy in place today to stop that agency. Moreover, Congress can pass limits on the agency funding to curtail unwise activities.

But that is not enough for the House Republicans. They want to cripple the Executive Branch and its regulatory agencies altogether. They do so in this bill, by changing the burden of proof in the ability of agencies to develop and implement rules that are developed, in the first instance, pursuant to laws enacted by Congress. These are not rogue agencies; they are implementing policy and directives that Congress has passed and the President has signed into law.

But H.R. 10 says that no major rule can become law unless and until Congress passes—and the President signs—a joint resolution approving the specific regulation. In other words, nothing happens unless Congress says it is OK—and that means nothing will happen.

Congress is an institution where we cannot even pass all the individual bills funding the government by the start of the fiscal year. The last time that happened was in 1994, and it has happened only three times since 1948. With that track record, it is not credible to assert that Congress can process hundreds of major rules by government agencies in a timely fashion.

The deadlock that we see in Congress this year will become perpetual gridlock for the functioning of the Executive Branch and independent regulatory agencies.

One suspects, in fact, that this is the true intent of those supporting H.R. 10: to destroy the workings of our government. And it is for this reason that I wholeheartedly oppose this bill.

No special interest should be powerful enough to eclipse the public interest—but this bill lets the special interests who are being regulated win every time.

If this bill were law, all of the historic legislation we passed into law during the Obama presidency would be vulnerable to re-litigation by powerful special interests as agencies work to put into place the rules to implement those laws. Just this year alone, at risk would be rules that prevent health insurance companies from discriminating against people with pre-existing conditions; rules that ban the marketing of tobacco products to children; rules that improve toy safety and reduce lead in products; and rules that require higher fuel economy standards for cars and reduce mercury and other toxic emissions from power plants.

These are the protections the authors of H.R. 10—and their corporate backers—want to stop.

I believe profoundly that government is a positive force that serves its people—and this is what H.R. 10 is really attacking. This is why H.R. 10 is so offensive to our constitutional system.

In the great debate over the size and scope and role of government—which is a very legitimate and important discussion—the rhetoric from the Republicans that has gained the most traction is that regulations from Washington are "job killers," and that these agencies must be stopped before they kill more jobs again.

But this is a lie. David Brooks, a very conservative columnist, assessed these issues this week in the *New York Times*:

Over the past 40 years, small business leaders have eloquently complained about the regulatory burden. And they are right to. But it's not clear that regulations are a major contributor to the current period of slow growth.

The Bureau of Labor Statistics asks companies why they have laid off workers. Only 13 percent said regulations were a major factor. That number has not increased in the past few years. According to the bureau, roughly 0.18 percent of the mass layoffs in the first half of 2011 were attributable to regulations.

Some of the industries that are the subject of the new rules, like energy and health care, have actually been doing the most hiring. If new regulations were eating into business, we'd see a slip in corporate profits. We are not.

There are two large lessons here. First, Republican candidates can say they will deregulate and, in some areas, that would be a good thing. But it will not produce a short-term economic rebound because regulations are not a big factor in our short-term problems.

Second, it is easy to be cynical about politics and to say that Washington is a polarized cesspool. And it's true that the interest groups and the fund-raisers make every disagreement seem like a life-or-death struggle. But, in reality, most people in government are trying to find a balance between difficult trade-offs. Whether it's antiterrorism policy or regulatory policy, most substantive disagreements are within the 40 yard lines.

Obama's regulations may be more intrusive than some of us would like. They are not tanking the economy.

H.R. 10 is a dangerous bill. It is a direct attack on how our government works to protect the public interest. It is based on a completely false premise.

H.R. 10, a bill to veto regulations, deserves its own special veto by Congress and, if necessary, by the President of the United States.

Mr. DINGELL. Mr. Chair, I rise in strong opposition to H.R. 10, the REINS Act. This misguided piece of legislation would do nothing to put people back to work, it would do nothing to reinvigorate the economy, and it would do nothing to rein in our debt and excessive deficit. Worse yet, it would serve to make our government even more dysfunctional. By prohibiting all major regulations from going into effect unless Congress enacts a joint resolution of approval, the REINS Act would put up a major roadblock for implementing important consumer protections, including regulations which help keep our food safe and prevent Wall Street from rascality that could bring our economy to its knees again.

Supporters of this legislation claim that the Obama administration's excessive regulations are crippling our economy. However, the conservative columnist David Brooks of *The New York Times* recently pointed out that in a recent poll by the Bureau of Labor Statistics, only 13 percent of companies said regulations were a major factor in why they laid off workers. Interestingly, this number has stayed steady over time. If overregulation is what is hampering our economy, you would expect a big spike in this number. This leads Mr. Brooks to conclude that "Obama's regulations may be more intrusive than some of us would like. They are not tanking the economy." I would urge all members to read this column to help dispel some common myths about the impact regulations are having on our economy today.

It is important to note that Congress already has the authority to review regulations before they go into effect. The Congressional Review Act of 1996 allows Congress to pass a joint resolution to overturn a regulation to block its implementation. Additionally, all regulations must be subject to a public comment period, giving this body and members of the general public ample time to weigh in with their concerns. Given that these safeguards are already in place, it makes you wonder if the supporters of the bill seek simply to kill all regulations, including those that keep pollution out of our air and water, our armed forces safe, our commerce uninterrupted and our foods safe to eat.

H.R. 10 is a crass attempt to stop important consumer protections by those who are fundamentally opposed to any government intervention in the private sector. I urge all members to oppose this flawed legislation, and get back to work doing the business of the American people—producing a balanced plan to reduce our deficit, invest in our infrastructure, and put the American people back to work.

Ms. JACKSON LEE of Texas. Mr. Chair, I rise today in support of my amendment #6, to H.R. 10, "Regulations from the Executive in Need of Scrutiny" (REINS). This bill amends the Congressional Review Act (CRA) to require Congressional approval of all major rules (rules with an economic impact that is greater than \$100 million). If Congress fails to act within 70 days the rule cannot be implemented. This change is targeted directly at executive agencies and does nothing to create jobs. Under current law Congress can provide oversight and disapprove of a promulgated bill.

My amendment would exempt all rules promulgated by the Department of Homeland Security. As a Senior Member of the Homeland Security and Ranking Member of the Transportation Security Subcommittee, I am very concerned about any legislation that would hinder the Department of Homeland Security's ability to respond to an emergency.

The bill would add new review requirements to an already long and complicated process, allowing special interest lobbyists to second-guess the work of respected scientists and staff through legal challenges, sparking a wave of litigation that would add more costs and delays to the rulemaking process, potentially putting the lives, health and safety of millions of Americans at risk.

The Department of Homeland Security simply does not have the time to be hindered by frivolous and unnecessary litigation, especially

when the safety and security of the American people are at risk.

According to a study conducted by the Economic Policy Institute, public protections and regulations "do not tend to significantly impede job creation", and furthermore, over the course of the last several decades, the benefits of federal regulations have significantly outweighed their costs.

There is no need for this legislation, aside from the need of some of my colleagues to protect corporate interests. This bill would make it more difficult for the government to protect its citizens, and in the case of the Department of Homeland Security, it endangers the lives of our citizens.

In our post 9/11 climate, homeland security continues to be a top priority for our nation. As we continue to face threats from enemies foreign and domestic, we must ensure that we are doing all we can to protect our country. DHS cannot react to the constantly changing threat landscape effectively if they are subject to this bill.

Since the creation of the Department of Homeland Security in 2002, we have overhauled the government in ways never done before. Steps have been taken to ensure that the communication failures that led to 9/11 do not happen again. The Department of Homeland Security has helped push the United States forward in how protect our nation. Continuing to make advance in Homeland security and intelligence is the best way to combat the threats we still face.

The Department of Homeland Security is tasked with a wide variety of duties under its mission. One example of an instance where DHS may have to act quickly to establish new or emergency regulations is the protection of our cyber security.

In the past few years, threats in cyberspace have risen dramatically. The policy of the United States is to protect against the debilitating disruption of the operation of information systems for critical infrastructures and, thereby, help to protect the people, economy, and national security of the United States.

We are all affected by threats to our cyber security. We must act to reduce our vulnerabilities to these threats before they can be exploited. A failure to protect our cyber systems would damage our Nation's critical infrastructure. So, we must continue to ensure that such disruptions of cyberspace are infrequent, of minimal duration, manageable, and cause the least possible damage.

Like other national security challenges in the post 9/11 era, the cyber threat is multifaceted and without boundaries. Some cyber attackers are foreign nations that utilize their military or intelligence-gathering operations, whereas others are either operating alone or are connected to terrorist groups. In addition, there are cyber threats that are international or domestic criminal enterprises.

According to the Government Accountability Office (GAO), the number of cyber incidents reported by Federal agencies to US-CERT has increased dramatically over the past four years, from 5,503 cyber incidents reported in FY 2006 to about 30,000 cyber incidents in FY 2009 (over a 400 percent increase).

The four most prevalent types of cyber incidents and events reported to US-CERT during FY 2009 were malicious code; improper usage; unauthorized access and incidents warranting further investigations (unconfirmed malicious or anomalous activity).

Critical infrastructure in the Nation is composed of public and private institutions in the sectors of agriculture, food, water, public health, emergency services, government, defense industrial base, information and telecommunications, energy, transportation, banking and finance, chemicals and hazardous materials, and postal and shipping.

With cyberspace as their central nervous system—it is the control system of our country. Cyberspace is composed of hundreds of thousands of interconnected computers, servers, routers, switches, and fiber optic cables that allow our critical infrastructures to work. Thus, the healthy, secure, and efficient functioning of cyberspace is essential to both our economy and our national security.

In light of an attack that threatens the United State's cyber protection, Homeland Security officials may need to issue emergency regulations quickly. Attacks can be sent instantly in cyber space, and the protection of our critical infrastructure cannot be mitigated by cumbersome bureaucracy.

As the Representative for the 18th District of Texas, I know about vulnerabilities in security firsthand. Of the 350 major ports in America, the Port of Houston is the one of the busiest.

More than 220 million tons of cargo moved through the Port of Houston in 2010, and the port ranked first in foreign waterborne tonnage for the 15th consecutive year. The port links Houston with over 1,000 ports in 203 countries, and provides 785,000 jobs throughout the state of Texas. Maritime ports are centers of trade, commerce, and travel along our Nation's coastline, protected by the Coast Guard, under the direction of DHS.

If Coast Guard intelligence has evidence of a potential attack on the port of Houston, I want the Department of Homeland Security to be able to protect my constituents, by issuing the regulations needed without being subject to the constraints of this bill.

The Department of Homeland Security deserves an exemption not only because they may need to quickly change regulations in response to new information or threats, but also because they are tasked with emergency preparedness and response.

Take for example U.S. Immigration and Customs Enforcement (ICE) which identifies prosecutorial discretion as "the authority of an agency charged with enforcing a law to decide to what degree to enforce the law against a particular individual." When ICE favorably exercises prosecutorial discretion, it "essentially decides not to assert the full scope of the enforcement authority available to the agency in a given case."

In the civil immigration enforcement context, prosecutorial discretion may take the form of a broad range of discretionary enforcement decisions, including: focusing enforcement resources on particular administrative violations or conduct; deciding whom to stop, question, or arrest for an administrative violation; deciding whether a suspect will be detained or released on bond; and granting deferred action, granting parole, staying a final order of removal, or other alternative to obtaining a formal order of removal.

Let me be clear; prosecutorial discretion is not amnesty; it is done on a case by case basis to ensure that the limited resources ICE has to work with are put toward removing those who pose a threat to the safety and security of the American people. Allowing ICE to

identify and focus on priorities strengthens immigration enforcement by targeting the right individuals.

Furthermore, ICE Director John Morton issued a memorandum in March of 2011 that outlined the enforcement policies for the agency. Among the priority enforcement cases were aliens posing a risk to national security or public safety, recent illegal entrants, and those who are fugitives or have a history of violating U.S. immigration law.

Director Morton's memorandum indicates that prosecutorial discretion is by no means widespread, blanket amnesty for undocumented aliens; it is a law enforcement method used by many agencies, including ICE, under Republican and Democratic administrations. In fact, prosecutorial discretion allows ICE to allocate its resources to ensure their enforcement efforts provide for the safety and security of the nation. Why would this rule need additional scrutiny?

And another major impact rule deals with the U.S. Citizenship and Immigration Services Fee Schedule the final rule will provide DHS with an average of \$209 million in FY2010 and FY2011 annual fee-paying volume of 4.4 million immigration benefit requests and 1.9 million requests for biometric services, over the fee revenue that would be collected under the current fee structure. The increased revenue will be used to fund the full cost of processing immigration benefit applications and associated support benefits; the full cost of providing similar benefits to asylum and refugee applicants; and the full cost of similar benefits provided to others at no charge. These are the sorts of rules that are going to be needlessly hindered by this Legislation.

Again, instead of focusing on jobs we are focusing on regulations that Congress already has the power to review and prevent its implementation if and when necessary.

There are many challenges our communities face when we are confronted with a catastrophic event or a domestic terrorist attack. It is important for people to understand that our capacity to deal with hurricanes directly reflects our ability to respond to a terrorist attack in Texas or New York, an earthquake in California, or a nationwide pandemic flu outbreak.

On any given day the city of Houston and cities across the United States face a widespread and ever-changing array of threats, such as: terrorism, organized crime, natural disasters and industrial accidents.

Cities and towns across the nation face these and other threats. Indeed, every day, ensuring the security of the homeland requires the interaction of multiple Federal departments and agencies, as well as operational collaboration across Federal, State, local, tribal, and territorial governments, nongovernmental organizations, and the private sector. We can hinder the Department of Homeland Security's ability to protect the safety and security of the American people.

I urge my colleagues to support the Jackson Lee amendment in order to ensure that regulations that save lives that are promulgated by the Department of Homeland Security are not unnecessarily delayed by this legislation.

Mr. STARK. Mr. Chair, I rise in opposition to H.R. 10, the Regulations from the Executive in Need of Scrutiny Act (REINS Act). It is unfortunate but not surprising that we are voting on this legislation today. We are just weeks away

from millions of people being kicked off unemployment insurance and Medicare providers having their payments cut by 27% making it difficult for seniors to find a doctor or get access to care. Instead of dealing with those pressing issues we are voting on another ideological Republican message bill. More false promises from the Republican House Leadership that jobs will miraculously appear if we just eliminate rules that keep our food safe to eat, our air and water clean, and our cars safe to drive.

The REINS Act is aimed at making government less efficient and less responsive to the issues facing our country. The legislation would make it nearly impossible for the government to pass regulations. Any rule developed by an agency through the extensive notice and comment process that we currently use would now be forced through both houses of Congress, where majorities would have to affirmatively vote within 70 days or the rule would disappear. Under the REINS Act, proposed rules would be subject to even more rounds of approval in a new system biased to ensure that these rules fail to be adopted.

Did any one of the Republican cosponsors of this legislation ever take a class in government or civics when they were in high school? Passing a law requires approval of the House, Senate, and then the President. Congress then delegates the relevant rulemaking to the agencies because these agencies have the manpower, time and expertise to develop the appropriate rules. This legislation turns the relationship between the three branches of government, and our entire regulatory system, on its head.

Our economy needs a level playing field that protects consumers and small business from corporate and other special interests. Science-based regulation helps to create a stable and fair marketplace for consumers and businesses alike. The REINS Act would further empower big business to challenge regulations that they disagree with regardless of the benefits to the public health and welfare. This is yet another Republican attack on the American middle class intended to please their corporate benefactors. I cannot support this legislation and I urge my fellow members to join me in voting "no."

Mr. RYAN of Wisconsin. Mr. Chair, I rise in support of the Regulations from the Executive in Need of Scrutiny Act of 2011 (REINS Act), which will ensure that major policy decisions are made by the people's representatives in Congress and not by unelected bureaucrats.

The bill requires that major regulations cannot go into effect until approved by Congress. Under current law, these economically significant regulations go into effect without further action by Congress. This legislation's sensible reform has important implications for the consideration of legislation that authorizes regulations that result in mandatory spending or other budgetary effects. The Congressional Budget Office's (CBO) longstanding policy is to score legislation providing such regulatory authority with the full budgetary effects of implementing that legislation. The rule governing consideration of H.R. 10 added a provision to the bill, titled the Budgetary Effects of Rules Subject to Section 802 of Title 5, United States Code, that ensures this practice continues.

Absent this provision, CBO has indicated that once the REINS Act is enacted, it would

no longer score the budget authority, outlays, or receipts authorized by a statute to that statute if those budgetary effects are contingent on the adoption of a major regulation. Instead, those budgetary effects would be charged to the joint resolution approving the major regulation. While this approach would maintain the principle that the legislation that actually causes the budgetary effects would be charged with the costs incurred, in practice it would create potential problems. Because the REINS Act waives all points of order against the approval resolutions, there would be a potential circumstance where new mandatory spending or other budgetary effects would escape Congressional budget enforcement. This provision retains the current practice of scoring the budgetary impact to the legislation that creates the rulemaking authority and ensures new spending created by that legislation would be fully subject to budget enforcement.

I am pleased that this potential problem has been addressed, and I strongly support this effort to restrain Washington's regulatory overreach and create a more conducive environment for job creation.

DESCRIPTION OF THE RYAN AMENDMENT TO THE REINS ACT

The Ryan Amendment self-executed in the rule governing debate for H.R. 10 amends section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. §907) (BBEDCA) in order to ensure that any budgetary costs associated with approving or disapproving regulations authorized by legislation are properly accounted for under the congressional budget process. Section 257 of BBEDCA defines the budgetary baseline calculated by the Congressional Budget Office and the Office of Management and Budget. This amendment requires that the baseline include any changes in budget authority, outlays, or receipts resulting from regulations necessary to implement a law. Consistent with this requirement, the Congressional Budget Office and the Office of Management and Budget will continue to score legislation that provides the legal authority to promulgate implementing regulations with the budgetary implications resulting from the regulations.

Absent this provision, CBO has indicated that once the REINS Act is enacted, it would no longer score the budget authority, outlays, or receipts authorized by a statute to that statute if those budgetary effects are contingent on the adoption of a major regulation. Instead, those budgetary effects would be charged to the joint resolution approving the major regulation. This amendment maintains the current law practice for scoring the original authorizing legislation.

Mr. RAHALL. Mr. Chair, in recent weeks, the House of Representatives has taken up three major bills designed to address concerns about executive agency overreach in regulatory proposals.

I supported the first two bills—H.R. 3010, the Regulatory Accountability Act, and H.R. 527, the Regulatory Flexibility Act. I believe they would have improved the current regulatory approval scheme. The bills alternatively would have codified the use of critical cost-benefit analyses and the consideration of less costly regulatory alternatives, and helped to ensure the opportunity for additional public participation, especially in regard to small businesses. Both bills contained provisions

that would have helped to address the concerns of my State, which has felt under siege in recent months by a raft of regulatory actions affecting the coal industry and emanating from the Environmental Protection Agency.

Today, the House is considering H.R. 10, the Regulations in Need of Scrutiny Act. This bill would require the Congress to approve all major rules projected to cost \$100 million or more. I believe this is, at the very least, an impractical idea, given the number of rules that would have to be considered in the midst of other legislative business. It also raises serious questions about the legal status of rules promulgated by the executive agencies and approved by the Congress, subjecting even the least controversial rules to potential litigation in the courts. In addition, it subjects the Congressional schedule to the whims of the executive agencies and their regulatory agenda.

But worse still, I believe such a requirement could be detrimental to the functions of government, the certainty required by business, and the stability desired for the economy. Considering the inability of the current Congress to pass important and even popular legislation, the requirements of this bill would almost certainly put rules, even rules supported by the business community that endorses this bill and rules that may be promulgated by future Administrations more favorable to business, in complete limbo.

In this Congress, bipartisan efforts like the surface transportation reauthorization have become mired in partisan squabbles; the Federal Aviation Administration suffered a partial shutdown when a mere extension of its authority was tangled in a partisan mess. When matters of such importance to our nation, matters that are clearly necessary to get our country back on the right economic track, are sidelined indefinitely, I question whether it is wise to subject so many rules to the uncertainty of the Congressional approval process. What's more, when one of the most stringent complaints about the current regulatory process centers on concerns that proposed regulations are politically motivated, it makes no sense to further subject them to the whims of an inherently political institution.

So, while I support critical Congressional oversight of executive agency rules, more public input in the rulemaking process, better cost-benefit analyses of the impact on businesses large and small, and the consideration of less costly regulatory alternatives, I must decline to support H.R. 10.

Mrs. CHRISTENSEN. Mr. Chair, the REIN Act is the culmination of all of the anti-regulation, anti-government and especially anti-President Obama legislation that has been brought to this body since January 2009.

All of the political gymnastics we and the White House have been put through has made it extremely difficult for our President who tried very hard to craft bipartisan solutions to be able to pass much of his agenda. I am glad that he is now doing whatever he can through executive orders, because yes—our country cannot wait.

Even today, with only a few weeks before the deadlines, our Republican colleagues are blocking extending the payroll tax to keep families from losing about 1,000 badly needed dollars next year, they are blocking the extension of unemployment benefits which not only helps families, including children, but is clearly

one of the best stimuli for our struggling economy; and they are blocking even just a temporary fix to cuts in fairer payments to the doctors who take care of our elderly and people with disabilities.

But that was not bad enough, now comes the REIN Act to prevent government from fulfilling its critical role to provide services, and to protect the safety, health and wellbeing of people of this country.

They claim they are doing this to get Congress to do their job. Well as far as I can see Congress was doing their job pretty well in the recent Congresses, but that all ground to a halt with this one.

In all of the over 9 months of this Congress the Republican leadership has talked a lot about jobs but done absolutely nothing to create even one and they have held up or weakened laws that would have created the jobs the American people need.

In fact they have wasted these nine months by insisting on bringing legislation to the floor with rhetoric that would keep the fringe elements of their party happy, but go absolutely nowhere and do absolutely nothing.

This is yet another bad bill, with a bad intent that has wasted our time.

The people of this country want government to be there to protect their homes, their money and their retirement, to keep them safe at work and in their neighborhoods, to provide them with access to quality health care, to ensure that their children will have a sound education and meaningful opportunities.

I ask my colleagues to do what the people are calling on us to: create jobs, extend the payroll reduction and unemployment insurance and pay our doctors a fairer fee for their services; and to stop attacking these necessary functions of government. They not only undermine the role of government, but they are weakening our country and making us the laughing stock of the world.

They should withdraw the REIN Act, but since they won't, we need to vote it down and get on with the important issues our fellow Americans want us to address.

Mr. VAN HOLLEN. Mr. Chair, I rise in opposition to H.R. 10, the so-called "Regulations from the Executive in Need of Scrutiny (REINS) Act of 2011."

Federal agencies issue rules based on statutes created when Congress and the President enact legislation. These agencies devote months and even years conducting research, gathering expertise from skilled professionals, and seeking public input when crafting major rules. Congress relies on these agencies to promulgate these rules, because they have expertise in a given area. However, this bill would require that congressional politics play a part in deciding complicated rules and regulations. By preventing agencies from enacting rules, this bill could undermine the ability of agencies to protect the public's health and safety.

Supporters of this legislation make the anecdotal claim that this bill is needed to stop a plethora of regulations. They forget that Congress currently has considerable power, even the responsibility at times, to alter and influence federal rulemaking. Congress has the power under various means to review and reject rules issued by executive agencies. Under the Congressional Review Act, Congress may pass a joint resolution disapproving any rule within 60 days of receiving the rule. If the

President signs the resolution of disapproval, the regulation is not implemented. Additionally, it is important to note that federal agencies are only issuing rules to implement statutes that have been enacted by Congress. Federal agencies must adhere to the statute when promulgating a rule. Congress can also impose restrictions on agency rulemaking through the appropriations process by preventing agencies from using funds to implement or enforce certain rules. Congress may also revamp rule-making procedures. In addition to the Congressional Review Act, Congress has enacted the Unfunded Mandates Reform Act, the Regulatory Flexibility Act, and the Paperwork Reduction Act. All of these bills reform the procedures for federal rulemaking by federal agencies.

This bill before us today is unnecessary and potentially harmful to the public health and safety. I urge my colleagues to oppose this bill.

Mr. BLUMENAUER. Mr. Chair, as an administrator and policymaker at the local, state, and federal levels, I have often seen the value of common-sense regulations that save lives. I have also seen the challenges associated with cumbersome regulations that can sometimes appear to be bureaucracy at its worst. However, in my experience, regulations tend to be less stringent than necessary rather than overly strict. While I am very open to discussing how we can make regulations more effective and efficient, I am extremely disappointed with the anti-regulatory agenda of the House leadership.

Congress today considers yet another attack on our government's basic ability to enforce laws that protect public health and the environment. Every major law requires enforcement by the executive branch of government, and enforcement requires agencies to write regulations that explain and make public how that agency is going to enforce the law. The bills under consideration by the House will stop the regulatory process in its tracks. Agencies will not be able to enforce new laws or complete updates to regulations as required by existing laws, such as the Clean Air Act.

H.R. 10, the REINS Act, requires both the House and the Senate to vote on every major regulation before that regulation can be enforced, providing only seventy days to do it. This will allow either house of Congress to effectively veto any major regulation that would enforce a law already passed by Congress merely by taking no action.

H.R. 3010, the Regulatory Accountability Act, adds additional requirements to the regulatory process and overrides standards in existing laws that protect public health and safety. This bill would require agencies to analyze not only the direct costs of regulatory changes, but also vaguely defined indirect costs, as well as costs and benefits of potential alternative rules. The bill requires agencies in nearly every case to use the least costly rule, instead of balancing costs and benefits as required in existing laws. This standard will make it nearly impossible for an agency to regulate at all, because there is always an alternative that could be less costly, even if the public at large bears the much higher cost of less protective rules.

H.R. 527, the Regulatory Flexibility Act, expands the review that agencies must conduct before issuing new regulations to include an evaluation of all reasonably foreseeable "indirect" costs of regulations, especially to small

businesses. Virtually any proposed agency action—even a guidance document designed to help a business comply with a rule—could be subject to a lengthy regulatory process. The additional analysis would make any change to a regulation even more difficult. There are already more than 110 separate procedural requirements in the rulemaking process; additional review and analysis will not improve regulations, but merely add to delay.

These bills add additional steps on top of the current process. For major regulations the process, from writing a regulation to its enforcement, can already take four to eight years. If Congress feels at the end of that process that a regulation is inappropriate in any way, it already has the authority to vote to overturn that regulation and direct the agency to start over. These bills are unnecessary.

It's time for Congress to move beyond a debate about repealing regulations and focus instead on how to make them more effective and efficient. I strongly oppose these three bills that do not make any changes for the better, but instead jeopardize important progress on protecting health and safety.

The CHAIR. All time for general debate has expired.

In lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary, printed in the bill, the amendment in the nature of a substitute recommended by the Committee on Rules, printed in the bill, modified by the amendment printed in part A of House Report 112-311 shall be considered as adopted, shall be considered as an original bill for purpose of further amendment under the 5-minute rule, and shall be considered read.

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

H.R. 10

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 "Regulations From the Executive in Need of Scrutiny Act of 2011".

SEC. 2. PURPOSE.

The purpose of this Act is to increase accountability for and transparency in the federal regulatory process. Section 1 of article I of the United States Constitution grants all legislative powers to Congress. Over time, Congress has excessively delegated its constitutional charge while failing to conduct appropriate oversight and retain accountability for the content of the laws it passes. By requiring a vote in Congress, the REINS Act will result in more carefully drafted and detailed legislation, an improved regulatory process, and a legislative branch that is truly accountable to the American people for the laws imposed upon them.

SEC. 3. CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.

Chapter 8 of title 5, United States Code, is amended to read as follows:

“CHAPTER 8—CONGRESSIONAL REVIEW OF AGENCY RULEMAKING

“Sec.

“801. Congressional review.

“802. Congressional approval procedure for major rules.

“803. Congressional disapproval procedure for nonmajor rules.

“804. Definitions.

“805. Judicial review.

“806. Exemption for monetary policy.

“807. Effective date of certain rules.

“§ 801. Congressional review

“(a)(1)(A) Before a rule may take effect, the Federal agency promulgating such rule shall submit to each House of the Congress and to the Comptroller General a report containing—

“(i) a copy of the rule;

“(ii) a concise general statement relating to the rule;

“(iii) a classification of the rule as a major or nonmajor rule, including an explanation of the classification specifically addressing each criteria for a major rule contained within sections 804(2)(A), 804(2)(B), and 804(2)(C);

“(iv) a list of any other related regulatory actions intended to implement the same statutory provision or regulatory objective as well as the individual and aggregate economic effects of those actions; and

“(v) the proposed effective date of the rule.

“(B) On the date of the submission of the report under subparagraph (A), the Federal agency promulgating the rule shall submit to the Comptroller General and make available to each House of Congress—

“(i) a complete copy of the cost-benefit analysis of the rule, if any;

“(ii) the agency's actions pursuant to sections 603, 604, 605, 607, and 609 of this title;

“(iii) the agency's actions pursuant to sections 202, 203, 204, and 205 of the Unfunded Mandates Reform Act of 1995; and

“(iv) any other relevant information or requirements under any other Act and any relevant Executive orders.

“(C) Upon receipt of a report submitted under subparagraph (A), each House shall provide copies of the report to the chairman and ranking member of each standing committee with jurisdiction under the rules of the House of Representatives or the Senate to report a bill to amend the provision of law under which the rule is issued.

“(2)(A) The Comptroller General shall provide a report on each major rule to the committees of jurisdiction by the end of 15 calendar days after the submission or publication date as provided in section 802(b)(2). The report of the Comptroller General shall include an assessment of the agency's compliance with procedural steps required by paragraph (1)(B).

“(B) Federal agencies shall cooperate with the Comptroller General by providing information relevant to the Comptroller General's report under subparagraph (A).

“(3) A major rule relating to a report submitted under paragraph (1) shall take effect upon enactment of a joint resolution of approval described in section 802 or as provided for in the rule following enactment of a joint resolution of approval described in section 802, whichever is later.

“(4) A nonmajor rule shall take effect as provided by section 803 after submission to Congress under paragraph (1).

“(5) If a joint resolution of approval relating to a major rule is not enacted within the period provided in subsection (b)(2), then a joint resolution of approval relating to the same rule may not be considered under this chapter in the same Congress by either the House of Representatives or the Senate.

“(b)(1) A major rule shall not take effect unless the Congress enacts a joint resolution of approval described under section 802.

“(2) If a joint resolution described in subsection (a) is not enacted into law by the end of 70 session days or legislative days, as applicable, beginning on the date on which the report referred to in section 801(a)(1)(A) is received by Congress (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), then the rule described in that resolution shall be deemed not to be approved and such rule shall not take effect.

“(c)(1) Notwithstanding any other provision of this section (except subject to paragraph (3)), a major rule may take effect for one 90-cal-

endar-day period if the President makes a determination under paragraph (2) and submits written notice of such determination to the Congress.

“(2) Paragraph (1) applies to a determination made by the President by Executive order that the major rule should take effect because such rule is—

“(A) necessary because of an imminent threat to health or safety or other emergency;

“(B) necessary for the enforcement of criminal laws;

“(C) necessary for national security; or

“(D) issued pursuant to any statute implementing an international trade agreement.

“(3) An exercise by the President of the authority under this subsection shall have no effect on the procedures under section 802.

“(d)(1) In addition to the opportunity for review otherwise provided under this chapter, in the case of any rule for which a report was submitted in accordance with subsection (a)(1)(A) during the period beginning on the date occurring—

“(A) in the case of the Senate, 60 session days, or

“(B) in the case of the House of Representatives, 60 legislative days,

before the date the Congress is scheduled to adjourn a session of Congress through the date on which the same or succeeding Congress first convenes its next session, sections 802 and 803 shall apply to such rule in the succeeding session of Congress.

“(2)(A) In applying sections 802 and 803 for purposes of such additional review, a rule described under paragraph (1) shall be treated as though—

“(i) such rule were published in the Federal Register on—

“(I) in the case of the Senate, the 15th session day, or

“(II) in the case of the House of Representatives, the 15th legislative day, after the succeeding session of Congress first convenes; and

“(ii) a report on such rule were submitted to Congress under subsection (a)(1) on such date.

“(B) Nothing in this paragraph shall be construed to affect the requirement under subsection (a)(1) that a report shall be submitted to Congress before a rule can take effect.

“(3) A rule described under paragraph (1) shall take effect as otherwise provided by law (including other subsections of this section).

“§ 802. Congressional approval procedure for major rules

“(a)(1) For purposes of this section, the term ‘joint resolution’ means only a joint resolution addressing a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii) that—

“(A) bears no preamble;

“(B) bears the following title (with blanks filled as appropriate): ‘Approving the rule submitted by _____ relating to _____.’;

“(C) includes after its resolving clause only the following (with blanks filled as appropriate): ‘That Congress approves the rule submitted by _____ relating to _____.’; and

“(D) is introduced pursuant to paragraph (2).

“(2) After a House of Congress receives a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii), the majority leader of that House (or his or her respective designee) shall introduce (by request, if appropriate) a joint resolution described in paragraph (1)—

“(A) in the case of the House of Representatives, within three legislative days; and

“(B) in the case of the Senate, within three session days.

“(3) A joint resolution described in paragraph (1) shall not be subject to amendment at any stage of proceeding.

“(b) A joint resolution described in subsection (a) shall be referred in each House of Congress to the committees having jurisdiction over the provision of law under which the rule is issued.

“(c) In the Senate, if the committee or committees to which a joint resolution described in subsection (a) has been referred have not reported it at the end of 15 session days after its introduction, such committee or committees shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar. A vote on final passage of the resolution shall be taken on or before the close of the 15th session day after the resolution is reported by the committee or committees to which it was referred, or after such committee or committees have been discharged from further consideration of the resolution.

“(d)(1) In the Senate, when the committee or committees to which a joint resolution is referred have reported, or when a committee or committees are discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

“(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

“(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

“(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

“(e) In the House of Representatives, if any committee to which a joint resolution described in subsection (a) has been referred has not reported it to the House at the end of 15 legislative days after its introduction, such committee shall be discharged from further consideration of the joint resolution, and it shall be placed on the appropriate calendar. On the second and fourth Thursdays of each month it shall be in order at any time for the Speaker to recognize a Member who favors passage of a joint resolution that has appeared on the calendar for at least 5 legislative days to call up that joint resolution for immediate consideration in the House without intervention of any point of order. When so called up a joint resolution shall be considered as read and shall be debatable for 1 hour equally divided and controlled by the proponent and an opponent, and the previous question shall be considered as ordered to its passage without intervening motion. It shall not be in order to reconsider the vote on passage. If a vote on final passage of the joint resolution has not been taken by the third Thursday on which the Speaker may recognize a Member under this subsection, such vote shall be taken on that day.

“(f)(1) If, before passing a joint resolution described in subsection (a), one House receives

from the other a joint resolution having the same text, then—

“(A) the joint resolution of the other House shall not be referred to a committee; and

“(B) the procedure in the receiving House shall be the same as if no joint resolution had been received from the other House until the vote on passage, when the joint resolution received from the other House shall supplant the joint resolution of the receiving House.

“(2) This subsection shall not apply to the House of Representatives if the joint resolution received from the Senate is a revenue measure.

“(g) If either House has not taken a vote on final passage of the joint resolution by the last day of the period described in section 801(b)(2), then such vote shall be taken on that day.

“(h) This section and section 803 are enacted by Congress—

“(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution described in subsection (a) and superseding other rules only where explicitly so; and

“(2) with full recognition of the Constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

“§803. Congressional disapproval procedure for nonmajor rules

“(a) For purposes of this section, the term ‘joint resolution’ means only a joint resolution introduced in the period beginning on the date on which the report referred to in section 801(a)(1)(A) is received by Congress and ending 60 days thereafter (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: ‘That Congress disapproves the nonmajor rule submitted by the ___ relating to ___, and such rule shall have no force or effect.’ (The blank spaces being appropriately filled in).

“(b)(1) A joint resolution described in subsection (a) shall be referred to the committees in each House of Congress with jurisdiction.

“(2) For purposes of this section, the term submission or publication date means the later of the date on which—

“(A) the Congress receives the report submitted under section 801(a)(1); or

“(B) the nonmajor rule is published in the Federal Register, if so published.

“(c) In the Senate, if the committee to which is referred a joint resolution described in subsection (a) has not reported such joint resolution (or an identical joint resolution) at the end of 15 session days after the date of introduction of the joint resolution, such committee may be discharged from further consideration of such joint resolution upon a petition supported in writing by 30 Members of the Senate, and such joint resolution shall be placed on the calendar.

“(d)(1) In the Senate, when the committee to which a joint resolution is referred has reported, or when a committee is discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

“(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

“(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

“(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

“(e) In the Senate the procedure specified in subsection (c) or (d) shall not apply to the consideration of a joint resolution respecting a nonmajor rule—

“(1) after the expiration of the 60 session days beginning with the applicable submission or publication date, or

“(2) if the report under section 801(a)(1)(A) was submitted during the period referred to in section 801(d)(1), after the expiration of the 60 session days beginning on the 15th session day after the succeeding session of Congress first convenes.

“(f) If, before the passage by one House of a joint resolution of that House described in subsection (a), that House receives from the other House a joint resolution described in subsection (a), then the following procedures shall apply:

“(1) The joint resolution of the other House shall not be referred to a committee.

“(2) With respect to a joint resolution described in subsection (a) of the House receiving the joint resolution—

“(A) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

“(B) the vote on final passage shall be on the joint resolution of the other House.

“§804. Definitions

“For purposes of this chapter—

“(1) The term ‘Federal agency’ means any agency as that term is defined in section 551(1).

“(2) The term ‘major rule’ means any rule, including an interim final rule, that the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget finds has resulted in or is likely to result in—

“(A) an annual effect on the economy of \$100,000,000 or more;

“(B) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

“(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

“(3) The term ‘nonmajor rule’ means any rule that is not a major rule.

“(4) The term ‘rule’ has the meaning given such term in section 551, except that such term does not include—

“(A) any rule of particular applicability, including a rule that approves or prescribes for the future rates, wages, prices, services, or allowances therefore, corporate or financial structures, reorganizations, mergers, or acquisitions thereof, or accounting practices or disclosures bearing on any of the foregoing;

“(B) any rule relating to agency management or personnel; or

“(C) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties.

“§805. Judicial review

“(a) No determination, finding, action, or omission under this chapter shall be subject to judicial review.

“(b) Notwithstanding subsection (a), a court may determine whether a Federal agency has completed the necessary requirements under this chapter for a rule to take effect.

“(c) The enactment of a joint resolution of approval under section 802 shall not be interpreted to serve as a grant or modification of statutory authority by Congress for the promulgation of a rule, shall not extinguish or affect any claim, whether substantive or procedural, against any alleged defect in a rule, and shall not form part of the record before the court in any judicial proceeding concerning a rule except for purposes of determining whether or not the rule is in effect.

“§806. Exemption for monetary policy

“Nothing in this chapter shall apply to rules that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.

“§807. Effective date of certain rules

“Notwithstanding section 801—

“(1) any rule that establishes, modifies, opens, closes, or conducts a regulatory program for a commercial, recreational, or subsistence activity related to hunting, fishing, or camping; or

“(2) any rule other than a major rule which an agency for good cause finds (and incorporates the finding and a brief statement of reasons therefore in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest, shall take effect at such time as the Federal agency promulgating the rule determines.”

SEC. —. BUDGETARY EFFECTS OF RULES SUBJECT TO SECTION 802 OF TITLE 5, UNITED STATES CODE.

Section 257(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by adding at the end the following new subparagraph:

“(E) BUDGETARY EFFECTS OF RULES SUBJECT TO SECTION 802 OF TITLE 5, UNITED STATES CODE.—Any rules subject to the congressional approval procedure set forth in section 802 of chapter 8 of title 5, United States Code, affecting budget authority, outlays, or receipts shall be assumed to be effective unless it is not approved in accordance with such section.”

The CHAIR. No further amendment to the bill, as amended, is in order except those printed in part B of the report. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. SESSIONS

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 112-311.

Mr. SESSIONS. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 25, line 18, insert “, including an analysis of any jobs added or lost, differentiating

between public and private sector jobs” before the semicolon.

The CHAIR. Pursuant to House Resolution 479, the gentleman from Texas (Mr. SESSIONS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SESSIONS. Mr. Chairman, I yield myself such time as I may consume.

I want to first thank, if I can, the author of this piece of legislation, the gentleman from Kentucky, GEOFF DAVIS. Mr. DAVIS has distinguished himself among, not only our colleagues, but also, I believe, his strong support of free enterprise and the people of Kentucky in doing his job, and I appreciate the opportunity to be here to help in that endeavor today.

I believe that excessive government regulations are a significant barrier to the creation of private sector jobs in America today. This Congress has made job creation a priority. As a matter of fact, we had the minority leader down talking just a few minutes ago about job creation and the priority that it needs to represent. And as a result, we must review regulations which stand in the way of not only having more jobs, but also the overuse of rules and regulations that prohibit and add to jobs and job creation.

□ 1520

That proposal that I believe we need to look at is whether the benefits outweigh any potential economic harm that might come.

My amendment requires the agencies submitting the report on a proposal Federal rule to include an assessment of anticipated jobs gained or lost as a result of its implementation and to specify whether those jobs will come from the public or the private sector.

This assessment would be part of the cost benefit analysis. It would be required to be submitted to the Comptroller General and made available to each Member of the House prior to our consideration of the rule.

I believe that what we are doing here today is positive, not only a benefit to the country in terms of recognizing that rules and regulations are burdening our economic engine, but also we are doing something about it here today, and I'm very, very proud to be here in support of this.

Earlier this year, I introduced House Resolution 72, and the House passed it with a strong bipartisan vote in February. My bill required authorizing committees in the House to review existing, pending, and proposed regulations through hearings this year and to report back to the House with their findings.

The REINS Act today before us is an extension, I believe, of H. Res. 72 and is an important measure to ensure that the government does not compete against the free enterprise system. And if it does, Congress should understand that at the time that we pass our laws.

Mr. Chairman, I ask my colleagues to support this important addition.

I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I rise in opposition to this amendment.

The CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. CONYERS. I want to merely start off by recognizing that somewhere buried in this amendment is the gentleman from Texas' recognition that regulations could or might create jobs. I want to thank him for that.

There's no credible evidence that regulations depress job creation. Now, we've talked about this for 2 days. But at our hearing in the Judiciary Committee, one of the anti-regulatory bills that we considered, we had an American Enterprise Institute witness, Christopher DeMuth, from the conservative think tank that AEI is, and he stated in his prepared testimony that focus on jobs can lead to confusion in regulatory debates and that the employment effects of regulation, while important, are indeterminate.

I must say to my colleagues that that is exactly the same impression that I came out of my Judiciary Committee hearing with, and it's the same impression that I've come to realize is probably accurate in the debate for the last few days on the floor of the House itself.

I'm concerned about this amendment because it would add to the analytical burdens of agencies, the speculative assessment of jobs added or lost, and how many of those jobs would be added or lost in the public and private sectors.

For these reasons, I conclude that this amendment would not be helpful, and I am unable to support it.

I yield back the balance of my time.

Mr. SESSIONS. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. Mr. Chairman, I thank my Texas colleague for yielding me time, and I also thank him for offering this amendment.

The bill restores to Congress the accountability for the regulatory decisions that impose major burdens on our economy. As Congress makes those decisions, one of the most important facts to consider is whether new regulations produce jobs or destroy them.

The amendment guarantees that when agencies submit new regulations to Congress, their cost benefit analyses will be made available.

The amendment also assures that agencies will specifically identify regulations' impact on private and public sector jobs. With that information, Congress will be in a position to determine whether to approve the rules. And the American people will be in a position to hold Congress accountable for those decisions.

I urge my colleagues to support the amendment.

Mr. SESSIONS. Mr. Chairman, I yield myself the balance of my time.

I believe that the case which we're bringing forth today to Congress is

that we believe that jobs should be priority number one for this United States Congress and for the American people—not just the middle class, but investors and people who want to have great jobs in this country, for us to be competitive with the world. For us to do that, we need to recognize that people in Washington, D.C., who probably wouldn't recognize the free enterprise system if they saw it put rules and regulations on people; they don't understand the business; they don't understand how they operate; and they sure as heck don't understand why it's important to have a free enterprise system, one which is nimble and prepared and ready for competition.

I spent 16 years without missing a day of work in the private sector prior to coming to Congress. During those 16 years, I learned firsthand about how rules and regulations by the Federal Government and others can impede not only us and our ability to add jobs but perhaps more importantly, for us to be competitive. And I want to know today those people who will support us making sure that we look at a rule and regulation and understand what the impact on jobs would be.

That's what this vote will be. All Members will have an opportunity to come down to say, We think that there should be a consideration or should not be a consideration, at the time a rule will be written by an agency, what will be the impact of that rule. It would elude me to understand why someone would not want to include that as part of a cost benefit analysis.

Thus, Mr. Chairman, I rest my case.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. SESSIONS).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. JOHNSON OF GEORGIA

The CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 112-311.

Mr. JOHNSON of Georgia. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 45, line 22, insert after the first period the following:

“§ 808. Exemption for certain rules

“Sections 801 through 807 of this chapter, as amended by the Regulations from the Executive in Need of Scrutiny Act of 2011 shall not apply in the case of any rule that the Director of the Office of Management and Budget determines will result in net job creation. This chapter, as in effect before the enactment of the Regulations from the Executive in Need of Scrutiny Act of 2011, shall continue to apply, after such enactment, to any such rule, as appropriate.”

Page 24, in the matter preceding line 10, add after the item relating to section 807 the following new item:

808. Exemption for certain rules.

The CHAIR. Pursuant to House Resolution 479, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield myself such time as I may consume.

I rise to support my amendment to this dangerous bill, the REINS Act.

My amendment is simple. It would exempt any rule that the Office of Management and Budget determines would promote job growth from the bill's congressional approval requirement, which is very cumbersome.

The Republican majority claims that job growth is its top priority, and if that's the case, then my Republican friends should support this amendment. In reality, we all know this bill will not create a single job, and as part of the majority's anti-regulatory agenda, will make it virtually impossible to implement rules for our health and safety.

This bill does not fine-tune the regulatory process, as the Republicans say. It will do nothing but make the regulatory process more bureaucratic and impose unnecessary hurdles for the agencies seeking to enact rules that protect our health and safety.

The majority has a scare tactic—that is that regulations kill jobs, and that's nothing but a myth. The National Federation of Independent Businesses, which describes itself as the leading small business association representing small and independent businesses, does a regular survey of small businesses. And it found that the single most important problem facing small businesses is poor sales, not regulations.

The REINS Act would delay, if not halt, regulations that are necessary for the health and safety of our constituents. Further, the bill would slow down regulations that may actually foster job growth. Thus, if my colleagues on the other side of the aisle are truly concerned about job growth, I would encourage them to support this amendment.

I hope all of my colleagues will support this amendment because the regulations that will help put unemployed Americans back to work should take effect without unnecessary delay.

I reserve the balance of my time.

□ 1530

Mr. SMITH of Texas. I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Texas. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky (Mr. DAVIS), the sponsor of the legislation.

Mr. DAVIS of Kentucky. Thank you, Mr. Chairman.

I could not disagree with the gentleman from Georgia more. It's obvious which one of us has run a business and which one is talking about a business.

The reality of the regulatory impact on businesses is huge. All you have to do is ask small business owners in any of our congressional districts if they can get credit because of the newly im-

proved FDIC rules on lending. They will tell you they can't. They can't get credit because of the new regulations, and banks are being consolidated and are going under now. We're finding a rash of environmental regulations throughout the Ohio Valley. Machine tool operators, steel mill operators and other manufacturers say over and over that they will be out of business if the cap-and-trade carbon regulations are imposed by the EPA. These are facts. Health care right now is imposing hiring freezes with the Affordable Care Act.

Once again, there is no reason under any circumstances that we should exempt major regulations that do, indeed, have a real impact on hiring, investment, job creation, and especially on an individual who wants to take the risk to start a business.

Congress should not abdicate its authority any longer regarding these rules. We should step up to the plate and be accountable. If we do so, jobs will be created as a result.

Mr. JOHNSON of Georgia. In response, no, I've never operated a business on Wall Street, and I'm not really concerned about Wall Street as Wall Street has been getting all of the breaks. This party, the Tea Party Republicans, seem hellbent on shifting everything in their direction.

I yield the balance of my time to the distinguished gentlewoman from Texas, SHEILA JACKSON LEE.

The CHAIR. The gentlewoman is recognized for 1½ minutes.

Ms. JACKSON LEE of Texas. I am pleased to join my dear friend and colleague on the Judiciary Committee, the gentleman from Georgia, in offering this amendment as the Johnson-Jackson Lee amendment.

I hold a sign that, I think, speaks to the gist of this amendment, “Make It In America.” A number of us have been on the floor of the House on a regular basis talking about creating jobs and about making it in America. My good friend from Texas just passed an amendment without opposition, and I see no reason why the Jackson Lee-Johnson or Johnson-Jackson Lee amendment cannot be accepted in the very same way.

Bruce Bartlett, one of the senior policy analysts in the Reagan and George H.W. Bush administrations, observed that regulatory uncertainty is a canard, an invented canard, that allows those who use it to use current economic problems to pursue an agenda supported by the business community year in and year out. In other words, it is a simple case of opportunism because regulations don't stop you from creating jobs. In actuality, they provide cleaner air; they provide clean food; they provide the opportunity of a roadmap so that small and large businesses can do their work.

The Clean Air Act is a shining example. A lot of regulations came out of the Clean Air Act. Given that the economy since the Clean Air Act was passed

in 1970 under Richard Milhous Nixon, a Republican, it shows that the economy has grown 204 percent and that private sector job creation has expanded 86 percent.

I would ask my colleagues to join us in supporting the Johnson-Jackson Lee amendment. Let's make it in America. Let's ensure there is a regulatory process that exempts any regulation that creates jobs. I ask my colleagues to support the amendment.

Mr. Chair, I rise today in support of amendment #2, that I offered along with my esteemed colleague Mr. JOHNSON, to H.R. 10 Regulations from the Executive in Need of Scrutiny (REINS). Our amendment would exempt the Office of Management and Budget once it is determined that the rules they offer will result in net job creation.

REINS would amend the Congressional Review Act (CRA) and require Congressional approval of all major rules (rules with an economic impact that is greater than \$100 million). If Congress fails to act within 70 days the rule cannot be implemented. This change is targeted directly at executive agencies and does nothing to create jobs.

In other words, this bill is calling for Congressional oversight of Executive branch activities and functions. I have been serving as member of this governing body since 1995, and oversight of the Executive branch is exactly what Congress does. One of the main functions of the Congressional Committees is oversight.

If Congress were required to proactively improve every federal rule, it would be extremely time consuming. The Federal agencies of the Executive branch are made up of experts in their respective fields. Many of the regulations that Federal agencies enact are very specific and require a high level of familiarity with the minute details of certain issues. The time it would take members of Congress to become adequately acquainted with each issue being proposed by each Federal agency would certainly be more productive if channeled into efforts to effect the change that Americans want. For example extending unemployment insurance, job creation, and encouraging job growth. Yet, here we are again wasting time on a measure that will not help our economy.

As we consider REINS, it is important that we not forget that federal agencies have their own oversight process in place to ensure that proposed regulations are thoroughly vetted.

For every proposed regulation, agencies are required to issue notice of proposed rulemakings to the industry and market over which they regulate. Those entities then comment on the rules, and they go through many rounds of changes before a final order is enacted.

Furthermore, rules enacted by Federal agencies are subject to Congressional oversight and review, and must meet standards of judicial review. Arguably, rules and regulations issued by Federal agencies go through just as much, if not more, review as bills considered and passed by Congress.

Implementing this rule would put a tremendous burden on Congress, and to be frank, as members elected by our constituencies to represent their interests, our time could be utilized in a much more effective manner.

Instead of debating about oversight authority that Congress already has, we should be fo-

cus on the issues that most concern the American people, particularly, creating jobs. As our country rebounds from one of the most severe economic downturns in our history, it is imperative that we make decisions that will enable our economy to grow and, most importantly, create jobs. We should be using our judgment in a manner that would create American jobs by comprehensively reforming our broken immigration system. We should be working to implement an orderly process for immigration that eases the burden on employers, improves documentation, and complements our enforcement efforts to make them more effective.

Healthy market competition not only protects consumers, but will help our economy to prosper. Congress should be examining the consolidation taking place in certain industries to ensure healthy competition is alive and thriving.

America is a free enterprise society, and small businesses are part of the backbone of our economy, employing a vast portion of Americans. We should be ensuring that any consolidation taking place in the marketplace does not push out small businesses and render them unable to compete.

In the last couple of years, some sweeping mergers and acquisitions have taken place. Just recently, it was reported that 500 jobs are being cut as a result of last year's United-Continental merger. As we face a high unemployment rate, and Americans struggle to make ends meet, every job counts. We should be investigating the outcomes of mergers such as United-Continental, amongst others, to ensure that no more precious jobs are being lost.

Many of my colleagues on the other side of the aisle have stood up here and emphasized the importance of jobs for American workers—especially in the context of immigration debates. However, one of the largest contributors to the lack of employment opportunities here in American is the outsourcing of jobs to other countries where the labor is less expensive. We should be focusing our efforts on ways to return outsourced jobs to American soil.

Bottom line, Congress has a large responsibility. We carry on our shoulders the needs of the American people. Our time here is valuable and our work load is great. We should not further burden this body with the work that an entire branch of government has already been commissioned to do, especially since Congress still has oversight authority.

For each one of us, the needs of the constituents in our districts should be our priority. The needs of the American people as a whole should be our priority.

There is no credible evidence that regulations depress job creation. The Majority's own witness at the legislative hearing clearly debunked the myth that regulations stymie job creation. Christopher DeMuth, who appeared on behalf of the American Enterprise Institute, a conservative think tank, stated in his prepared testimony that the "focus on jobs . . . can lead to confusion in regulatory debates" and that "the employment effects of regulation, while important, are indeterminate."

If anything, regulations may promote job growth and put Americans back to work. For instance, According to the BlueGreen Alliance, notes: "Studies on the direct impact of regulations on job growth have found that most regulations result in modest job growth or have

no effect, and economic growth has consistently surged forward in concert with these health and safety protections. The Clean Air Act is a shining example, given that the economy has grown 204% and private sector job creation has expanded 86% since its passage in 1970."

Regulation and economic growth can go hand in hand. Regarding the Clean Air Act, the White House Office of Management and Budget ("OMB") recently observed that 40 years of success with this measure "have demonstrated that strong environmental protections and strong economic growth go hand in hand." Similarly, the Natural Resources Defense Council and the United Auto Workers cite the fact that increased fuel economy standards have already led to the creation of more than 155,000 U.S. jobs.

The claim that regulatory uncertainty hurts business has been debunked as political opportunism. Bruce Bartlett, a senior policy analyst in the Reagan and George H.W. Bush Administrations observed "[R]egulatory uncertainty is a canard invented by Republicans that allows them to use current economic problems to pursue an agenda supported by the business community year in and year out. In other words, it is a simple case of political opportunism, not a serious effort to deal with high unemployment."

Regulatory uncertainty does not deter business investment. A lack of demand, not uncertainty about regulation, is cited as the reason for not hiring.

At a legislative hearing on regulatory reform (H.R. 3010), Professor Sidney Shapiro similarly noted, "All of the available evidence contradicts the claim that regulatory uncertainty is deterring business investment."

A July 2011 Wall Street Journal survey of business economists found that the "main reason U.S. companies are reluctant to step up hiring is scant demand, rather than uncertainty over government policies."

The most recent National Federation of Independent Business survey of its members likewise shows that "poor sales"—not regulation—is the biggest problem. Of those reporting negative sales trends, 45 percent blamed faltering sales, 5 percent higher labor costs, 15 percent higher materials costs, 3 percent insurance costs, 8 percent lower selling prices and 10 percent higher taxes and regulatory costs."

Small businesses reject the argument that deregulation is what they need. The Main Street Alliance, an alliance of small businesses, observes: "In survey after survey and interview after interview, Main Street small business owners confirm that what we really need is more customers—more demand—not deregulation. Policies that restore our customer base are what we need now, not policies that shift more risk and more costs onto us from big corporate actors . . ."

I urge my colleagues to support this amendment to create jobs and get our country on a path to a strong economic future, what small businesses need is customers—Americans with spending money in their pockets—not watered down standards that give big corporations free reign to cut corners, use their market power at our expense, and force small businesses to lay people off and close up shop."

Mr. SMITH of Texas. Mr. Chairman, I yield such time as he may consume to

the gentleman from Kentucky (Mr. DAVIS).

Mr. DAVIS of Kentucky. I thank the gentleman for yielding.

I would point out that Gallup has released a survey that shows that one in three small business owners is worried about going out of business; and overwhelmingly, the response to this survey across the United States points to the uncertainty and the unpredictability caused by regulations.

This bill, the REINS Act, is not antiregulation. It is about more transparency and accountability in regulation, and it is about having Congress step up to the plate. It's important that we work together to restore that trust and confidence in the Congress—that we do our jobs, that we stand firm, and that we exercise restraint over the executive branch so that it cannot act in scoring itself on whether jobs are created.

Let that be done by the Congress, which is held accountable. Let us stand for the vote and be accountable to our citizens.

Mr. SMITH of Texas. Mr. Chairman, I yield myself the balance of my time.

The amendment carves out of the bill regulations that the Office of Management and Budget (OMB) determines will lead to net job creation.

The danger in the amendment is the strong incentive it gives OMB to manipulate its analysis of a major regulation's jobs impacts. Far too often, OMB will be tempted to shade the analysis to skirt the bill's congressional approval requirement.

In addition, regulations alleged to create net new jobs often do so by destroying real, existing jobs and "creating" new, hoped-for jobs associated with regulatory compliance. For example, some Environmental Protection Agency (EPA) Clean Air Act rules will shut down existing power plants. EPA and OMB may attempt to justify that with claims that more new, "green" jobs will be created as a result.

In the end, that is just another way in which government picks the jobs winners and the jobs losers. And there is no guarantee that all of the new, "green" jobs will ever actually exist.

The REINS Act is not intended to force any particular outcome. It does not choose between clean air and dirty air. It does not choose between new jobs and old jobs.

Instead, the REINS Act chooses between two ways of making laws. It chooses the way the Framers intended, in which accountability for laws with major economic impacts rests with Congress. It rejects the way Washington has operated for too long, where there is no accountability because decisions are made by unelected agency officials.

The amendment would undermine that fundamental choice.

I urge my colleagues to oppose the amendment.

I yield back the balance of my time. The CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. JOHNSON).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. SCHRADER

The CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 112-311.

Mr. SCHRADER. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 25, line 9, strike "and".

Page 25, insert after line 9 the following (and redesignate provisions accordingly):

"(v) a cost-benefit analysis of the rule; and".

Page 26, insert after line 11 the following:

"(D) Not later than the later of January 1, 2013 or the date that is 1 year after the date of enactment of the Regulations from the Executive in Need of Scrutiny Act of 2011, each Federal agency shall submit to Congress appropriate criteria for conducting cost-benefit analyses under subparagraph (A)(v) for each rule for which that agency may be required to submit such an analysis."

The CHAIR. Pursuant to House Resolution 479, the gentleman from Oregon (Mr. SCHRADER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. SCHRADER. Mr. Chairman, I yield myself such time as I may consume.

This amendment is pretty straightforward. The goal here is to actually codify some of what has been done here just by Executive order to make sure Congress' intent is actually done regardless of what the executive branch is considering.

It basically codifies the cost-benefit analysis in statute that we would like to have. As we all know, a lot of times some of our agencies get a little overzealous, and some of the cost-benefit analyses that they do or don't do do not actually reflect a lot of the real-world criteria by which American men and women in businesses actually operate. So our goal here is to actually follow through on what is already existing law but to just codify it so it's not a huge change.

There is a little bit more to it. Right now a lot of the independent Federal agencies are not subject to this Executive order. Of course, this amendment would actually codify that they should be. There is no reason any Federal agency should be exempt from giving Americans the idea of what it's going to cost and what sort of benefit we're going to get out of this at the end of the day.

Last but not least, I think one of the big pieces that is very, very important to know as a veterinarian, a man of science a little bit, are the assumptions by which these cost-benefit analyses are done. That oftentimes influences the outcome. It's important for the agencies, the businesses and, again, others in this country to look at what

assumptions are being made when these cost-benefit analyses are being done. Sometimes they deserve to be challenged, and sometimes questions need to be raised. So I think it's extremely important that any cost-benefit analysis assumptions should be made public and transparent.

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

Mr. SMITH of Texas. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Texas. I yield such time as he may consume to the gentleman from Kentucky (Mr. DAVIS).

Mr. DAVIS of Kentucky. I thank the gentleman for yielding.

I also oppose the amendment. The amendment leaves it to each agency to determine how we will conduct the cost-benefit analyses of any regulations. This is regrettable. Each agency will be tempted to design rules that it can manipulate to claim that benefits routinely outweigh costs. In past administrations when we've seen this attempt done, there was a divergence of standard; there was no continuity and virtually no reduction in the regulations or understanding of this across the whole of government.

The Regulatory Accountability Act, which the House passed on December 2, 2011, calls for agencies to follow uniform guidelines for cost-benefit analyses. This improves quality, and it prevents deceptive actions by rogue agencies. The amendment undercuts that effort. Similarly, under executive order 12866, the President has long required agencies to follow uniform guidelines for cost-benefit analyses. The amendment undermines that requirement, too.

I urge my colleagues to oppose the amendment.

Mr. SMITH of Texas. Mr. Chairman, I yield myself the balance of my time.

The amendment leaves it to each agency to determine how it will conduct cost-benefit analyses of new regulations. This is regrettable. Each agency will be tempted to design rules that it can manipulate to claim that benefits routinely outweigh costs.

The Regulatory Accountability Act, which the House passed on December 2, 2011, calls for agencies to follow uniform guidelines for cost-benefit analyses. This improves quality and prevents deceptive actions by rogue agencies. The amendment undercuts that effort.

Similarly, under Executive Order 12866, the President has long required agencies to follow uniform guidelines for cost-benefit analyses. The amendment undermines that requirement, too.

I urge my colleagues to oppose the amendment.

I yield back the balance of my time. The CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. SCHRADER).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. SCHRADER. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon will be postponed.

□ 1540

AMENDMENT NO. 4 OFFERED BY MR. MCKINLEY

The CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 112-311.

Mr. MCKINLEY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 42, line 23, strike "\$100,000,000" and insert "\$50,000,000".

The CHAIR. Pursuant to House Resolution 479, the gentleman from West Virginia (Mr. MCKINLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. MCKINLEY. Mr. Chairman, I rise today to offer an amendment that would reduce the threshold for a major rule from \$100 million or more to \$50 million. This would ensure greater accountability.

Let's keep this in perspective. I base this amendment on legislation that has already been adopted by the House—in 1995—with bipartisan support which lowered the threshold to \$50 million. It passed with a vote of 277-141 with much of today's leadership who were here at the time supporting it.

Also, in perspective, in fiscal year 2011, only 2.6 percent of all the rules were classified as "major," and in 2010 it was only 3 percent that met that criteria. Keep that in consideration. Would you be satisfied with only 2 or 3 percent of your food being inspected or 2 or 3 percent of the aircraft which we fly?

According to the Small Business Administration, in 2008 it cost the economy \$1.75 trillion in regulations. We just went through a gut-wrenching supercommittee that tried to reduce \$1.5 trillion, but yet we let, every year, hundreds of billions of dollars pass through without involvement of Congress.

Since January of this year, we have already seen 67,000 more pages of regulation, 88 million hours, man-hours, have been lost by businesses and employers trying to respond to the regulatory reform. None of this has had congressional oversight or approval.

Canada realizes there needs to be more accountability, and they require all rules and regs of \$50 million or more to come before their legislative body.

Congress, having jurisdiction of only 2 or 4 percent may be better than nothing, but I believe America deserves better. We need a system of checks and balances. No wonder the American people have lost their confidence in Congress and the Federal Government. I'm hopeful that the chairman will see the issues that I have raised here today and work with me on future legislation to correct that.

With that, I yield 30 seconds to the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. I thank the gentleman from West Virginia for yielding me time.

I share my colleague's desire to bring more congressional scrutiny to major regulations and appreciate his interest in the subject.

I know that recent major regulations have hit West Virginia and the gentleman's constituents particularly hard. The Environmental Protection Agency's major regulations that affect energy sources and power production are among the most troubling.

I look forward to continued discussions with the gentleman on these and other issues of interest to him.

Mr. MCKINLEY. Thank you, Mr. Chairman. I appreciate your willingness to work with me on these issues.

Since Congress deserves to have more specific numbers that have not been available from GAO and the CBO relative to lowering this threshold from \$100 million to \$50 million, I ask unanimous consent, for now, to withdraw my amendment, Mr. Chairman.

The CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 5 OFFERED BY MRS. MCCARTHY OF NEW YORK

The CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 112-311.

Mrs. MCCARTHY of New York. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 45, line 22, strike the quotation marks and second period.

Page 45, insert the following after line 22:

“§ 808. Exemption for certain rules

“Sections 801 through 807, as amended by the Regulations From the Executive in Need of Scrutiny Act of 2011, shall not apply in the case of any rule that relates to the safety of food, the safety of the workplace, air quality, the safety of consumer products, or water quality. The provisions of this chapter, as in effect before the enactment of the Regulations From the Executive in Need of Scrutiny Act of 2011, shall continue to apply, after such enactment, to any rule described in the preceding sentence.”

Page 24, in the matter preceding line 10, add after the item relating to section 807 the following new item:

“808. Exemption for certain rules.

The CHAIR. Pursuant to House Resolution 479, the gentlewoman from New York (Mrs. MCCARTHY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield myself such time as I may consume.

I rise today to offer an amendment to the deeply flawed bill before us right now.

Today we continue the majority's politically motivated attacks on regulations. For the past 2 weeks, we have

considered bills designed to slow down and stop the regulatory process.

The bill before us today doesn't target just the rules that the majority might like you to believe are problematic; it would hamper all rulemaking, even those rules that are essential to public health and safety.

My amendment today seeks to address that issue by exempting the REINS Act regulations relating to food safety, workplace safety, air quality, consumer product safety, or water quality.

These issue areas are too important to be impeded by the majority's need to generate political talking points. Consumers can't be put at risk because one House of Congress can't get its act together to pass food safety regulations.

Children at risk from being exposed to toxic substances in toys can't wait for 535 new regulators to weigh in—that's us, the Members of Congress. People getting sick from tainted water supplies shouldn't be put further at risk by a legislative vote from one half of one-third of the branches of the government.

Today's bill, the REINS Act, would amend the Congressional Review Act to prohibit a majority rule from going into effect unless Congress enacts a joint resolution of approval, specifically approving the rule.

This is a bizarre, backwards, and unnecessary piece of legislation. The majority claims to be aiming to streamline the regulatory process and reduce the negative effects of a bureaucracy on the American people and on American businesses.

Ironically, however, this bill has the effect of growing the regulatory process by effectively adding 535 of us additional regulators to the process. Each Member of Congress will now have to perform the role of a regulator. Congress will be forced to review the rules and regulations regarding highly technical matters currently handled by subject area experts.

This technical complexity is precisely why we have professionals in the executive branch with subject matter expertise to work on these rules and regulations. This divide has been the fundamental cornerstone of the principal of separation of powers.

But Congress is intended to represent the people and enact laws. The executive branch is intended to implement those laws. That implementation takes the form of issuing rules, regulations, and specific guidance on how the law will be implemented.

The REINS Act inappropriately puts Congress into duties that should be carried out only by the executive branch. Congress does have oversight responsibility and a duty to monitor implementation, but we currently have methods to address the problems when they do occur, and we do not need this bill. The bill also will lead to confusion, uncertainty, and more gridlock.

Thanks to the REINS Act requirement that Congress affirmatively approve of every major rule, one House of

Congress will essentially have a legislative veto over any major regulation issued.

The worst time for businesses is uncertainty, and the REINS Act increases it in the regulatory process. After engaging in the process of helping to shape the regulations through the rule-making process, citizens will have to wonder what actions will Congress take. What legislative deal-making will occur? Will Congress approve of the regulation? When will Congress approve the regulation?

This uncertainty keeps businesses from investing and from hiring new workers. More uncertainty under the REINS Act is the opposite of what we need. Congress should spend more of its time thoroughly considering enacting legislation. We should have the implementation where it belongs, in the executive branch. We should continue to monitor implementation and exercise proper oversight. And in the cases where correction is needed, use the current legislative tools that we have at our disposal to address those issues.

I do urge all of our Members to vote for my amendment to protect the American people.

We don't need more gridlock here in Washington. That's why everybody back at home is mad at everybody. We need to go on with our work. We have to make sure that there is a streamlined process so that we can get small businesses growing again, get people back to work. That's what the American people want from all of us.

I urge my colleagues to vote for this amendment.

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

□ 1550

Mr. DAVIS of Kentucky. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. DAVIS of Kentucky. Mr. Chairman, I yield myself such time as I may consume.

The amendment carves out of the bill essential categories of major regulations. These include all major rules on food safety, workplace safety, consumer product safety, clean water, and clean air.

In many cases, these are precisely the agency actions that impose the most cost, do not produce enough benefits, and do not faithfully implement the intent of the people's representatives in the Congress and in the Senate.

A good example is the Environmental Protection Agency's recent proposal to control mercury emissions from coal and oil-fired power plants. EPA estimated that the rule would cost \$11 billion annually to achieve at most just \$6 million in total mercury reduction benefits. That is an 1,833 to 1 cost-benefit ratio. Most of the benefits EPA identified to justify the rule had nothing to do with the control of hazardous

air pollution. Proponents of the regulation have nothing to fear from the REINS Act. When agencies prepare good major regulations, Congress will be able to approve them. This provides agencies with a powerful incentive to get major regulations right the first time.

Think about this from the perspective of the mercury regulation that had the 1,833 to 1 cost-benefit ratio. Who do you think is going to pay for that? The mistake that is made in the arguments saying that it's the rich on Wall Street who benefit are entirely wrong. It's hardworking taxpayers. It's the middle class, the working poor, and the elderly whose utility rates will be driven through the roof as a result of a regulation that was imposed against the intent of the Congress.

When an agency prepares a bad regulation, however, Congress will be able, under the REINS Act, to correct the agency and send it back to the drawing board. In the end, the agency will find a way to issue a good regulation that Congress will approve.

It will improve the dialogue between the executive branch and the Congress. But until it does, those who must pay for regulations will not have to pay for the cost of a misguided major rule made by people who are not accountable to our voters.

I urge my colleagues to oppose the amendment, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chair, I oppose the amendment.

The amendment carves out of the bill essential categories of major regulations. These include all major rules on food safety, workplace safety, consumer product safety, clean water and clean air.

In many cases, these are precisely the agency actions that impose the most costs, do not produce enough benefits and do not faithfully implement Congress' intent.

A good example is the Environmental Protection Agency's (EPA) recent proposal to control mercury emissions from coal- and oil-fired power plants. EPA estimated that the rule would cost \$11 billion annually to achieve at most just \$6 million in total mercury reduction benefits. That is a 1,833:1 cost-benefit ratio.

Most of the benefits EPA identified to justify the rule had nothing to do with the control of hazardous air pollution.

Proponents of regulation have nothing to fear from the REINS Act. When agencies prepare good major regulations, Congress will be able to approve them. This provides agencies with a powerful incentive to get major regulations right the first time.

When an agency prepares a bad regulation, however, Congress will be able to correct the agency and send it back to the drawing board.

In the end, the agency will find a way to issue a good regulation that Congress approves. But until it does, those who must pay for regulations will not have to pay for the costs of a misguided major rule.

I urge my colleagues to oppose the amendment.

The CHAIR. The question is on the amendment offered by the gentlewoman from New York (Mrs. MCCARTHY).

The question was taken; and the Chair announced that the noes appeared to have it.

Mrs. MCCARTHY of New York. I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New York will be postponed.

AMENDMENT NO. 6 OFFERED BY MS. JACKSON
LEE OF TEXAS

The CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 112-311.

Ms. JACKSON LEE of Texas. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 45, line 22, insert after the first period the following:

“§ 808. Exemption for certain rules

“Sections 801 through 807 of this chapter, as amended by the Regulations from the Executive in Need of Scrutiny Act of 2011 shall not apply in the case of any rule made by the Secretary of Homeland Security. This chapter, as in effect before the enactment of the Regulations from the Executive in Need of Scrutiny Act of 2011, shall continue to apply, after such enactment, to any such rule, as appropriate.”.

Page 24, in the matter preceding line 10, add after the item relating to section 807 the following new item:

808. Exemption for certain rules.

The CHAIR. Pursuant to House Resolution 479, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

What America wants and what I believe is important to the institution that we have such great respect for is for Members to work together. There are a number of amendments that were allowed by the Rules Committee, and I thank them; and the idea should be that these amendments improve a bill.

It is obvious that I disagree with this bill because I think it will literally shut down government. If you cannot pass simple bills that have been passed out of the House of Representatives to the other body and they have not yet passed, we've finished one year of the 112th Congress, how do you think we can manage what is called major rule-making? Eighty different rules would have to be approved by the President, the House, and the Senate. Literally, the American people would be held hostage.

So this amendment is a cooperative amendment. I think it makes the bill better. The reason why, we have our soldiers, most likely on the front lines of Afghanistan. On account of a heinous act of terrorism on 9/11, our soldiers were dispatched to defend this Nation in Afghanistan. In doing so, they had as their backup the Department of Homeland Security, a Department whose responsibility is to secure

the homeland. Simply ask the 9/11 families how serious it is to secure the homeland.

My amendment would simply say that Homeland Security regulations or regulations dealing with securing the homeland, making America safe, would be exempt from this dilatory, long-winded process of approval. We need urgency when we speak of securing the homeland.

For example, it is well known that we deal not only with a terrorism potential from around the world, but it is also possible to have a catastrophic event that deals with a domestic terrorist attack.

I cannot believe that my colleagues would not want to act in a bipartisan manner and, in particular, with the REINS Act that requires a voted-on resolution of approval, otherwise the security amendment does not go into place. I cannot believe that we would not in a bipartisan way accept the Jackson Lee amendment.

With that, I reserve the balance of my time.

Mr. DAVIS of Kentucky. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. DAVIS of Kentucky. I would point out, first of all, that in a national emergency, the President of the United States does have the ability to enact an emergency rule. But what this amendment seeks to do is shield the Department of Homeland Security from Congress's authority to approve regulations under the REINS Act. That shield should be denied.

For example, take the Department's rule to extend compliance deadlines for States to issue secure driver's licenses under the REAL ID Act. Ten years after 9/11 when hijackers used fraudulent licenses to board airplanes to murder 3,000 innocent Americans, DHS continues to extend the deadline.

Another example is the Department's 2009 rule to recall the Bush administration's no-match rule. That regulation helped companies to identify illegal workers and comply with Federal immigration law. When the Obama administration issued its rule to repeal no match, it put the interests of illegal immigrants above those of millions of unemployed Americans and legal immigrants.

This is the kind of decisionmaking that takes place at the Department of Homeland Security. Congress should use every tool it can use to reassert its authority over the legislation rule-making functions it has delegated to DHS. The result will be to streamline communication, to improve communication in crisp and focused pieces of legislation and regulation. The REINS Act is available to do that.

The point of the REINS Act is accountability, and each Congressman must take a stand to be accountable for regulations that cost our citizenry \$100 million or more annually.

I reserve the balance of my time.

Ms. JACKSON LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

I thank the gentleman for his explanation, but I think he plays right into the reason why he should join me and make this a bipartisan amendment.

Frankly, I don't think we would want to throw out or delay any process of rulemaking dealing with securing the homeland. I think when the gentleman was citing licenses, he was speaking 9/11. It is now 11 years, and we have passed a number of rulemakings that have improved securing the homeland. As a member of the Homeland Security Committee, I'm quite aware of the progress we've made, such as not having to address that kind of, if you will, mishap—more than a mishap—but that kind of lack of communication that we had on 9/11.

The point I want to make is our soldiers are on the front line in Afghanistan. They are asking, as someone would say on the playing field, Have you got my back? The Department of Homeland Security is that Department created from the Select Committee on Homeland Security which I was on, now in the Homeland Security Committee, to in fact provide for the security of the Nation. With that in mind, I think it is untenable to think of thwarting that process.

What we have here in the REINS Act is truly the REINS Act. It is a stranglehold on moving the Nation forward on good regulations, clean air, clean water, but in this instance securing the homeland. I believe that having the President, the Senate, and the House come together in a reasonable period of time to approve a rule dealing with securing the homeland while soldiers are on the front line defending us is an atrocious position to put the securing of the Nation in.

Let me just say this, Bruce Bartlett is a Republican. He said that the regulatory uncertainty that Republicans talk about is a canard invented by Republicans that allows them to use current economic problems to pursue an agenda supported by the business community year in and year out. That's from a Republican.

The question is let's separate the special interests. The REINS Act is here. They have the majority. More than likely it will pass. But they're going to ignore our war and our fight to secure the homeland.

□ 1600

Here on the front line, what are we doing? We're putting a stranglehold on the rulemaking that will come forward that's attempting to help the American people. If we have to do something for the Transportation Security Administration and the security checkpoints and we need a rule, it's going to be held back because of this process.

I ask for the support of the Jackson Lee amendment, and I yield back the balance of my time.

Mr. DAVIS of Kentucky. Mr. Chairman, I yield myself the balance of my time.

I would like to reiterate that the point of the REINS Act is accountability. It would not impinge, but I believe it would actually improve our ability to manage rulemaking and regulation that relates to security, indeed. The strongest authority in the House of Representatives who could speak on that very issue spoke in favor of this bill earlier, Congressman CHRIS GIBSON from New York, who commanded a brigade in Afghanistan, where that picture was taken, and also a battalion in Iraq in 2005. And I would defer to his authority and military experience on that fact.

The real issue is accountability and restoring transparency and checks and balances to the executive branch so that the American people do not have the reach of government into their back pockets, into their personal lives, into their schools, into their communities, and frankly, in northern Kentucky, even into our sewer pipes, without the consent of the governed.

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

Mr. SMITH of Texas. Mr. Chair, I oppose the amendment.

The amendment seeks to shield the Department of Homeland Security (DHS) from Congress' authority to approve regulations under the REINS Act. That shield should be denied.

For example, take the Department's rule to extend compliance deadlines for States to issue secure drivers' licenses under the REAL ID Act. Ten years after 9/11 hijackers used fraudulent licenses to board airplanes used to murder 3,000 innocent Americans, DHS continues to extend the deadline.

Another example is the Department's 2009 rule to recall the Bush Administration's "no-match" rule. That regulation helped companies to identify illegal workers and comply with Federal immigration law.

When the Obama Administration issued its rule to repeal "no-match," it put the interests of illegal immigrants above those of millions of unemployed Americans and legal immigrants.

This is the kind of decision making that takes place at the Department of Homeland Security. Congress should use every tool it can to reassert its authority over the legislative rulemaking functions it has delegated to DHS. The REINS Act is available to do that.

I urge my colleagues to oppose the amendment.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Ms. JACKSON LEE).

The question was taken; and the Chair announced that the noes appeared to have it.

Ms. JACKSON LEE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 7 OFFERED BY MS. MOORE

The Acting CHAIR (Mr. WOMACK). It is now in order to consider amendment No. 7 printed in part B of House Report 112-311.

Ms. MOORE. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 45, line 22, insert after the first period the following:

“§ 808. Exemption for certain rules

“Sections 801 through 807 of this chapter, as amended by the Regulations from the Executive in Need of Scrutiny Act of 2011 shall not apply in the case of any rule that relates to veterans or veterans affairs. This chapter, as in effect before the enactment of the Regulations from the Executive in Need of Scrutiny Act of 2011, shall continue to apply, after such enactment, to any such rule, as appropriate.”

Page 24, in the matter preceding line 10, add after the item relating to section 807 the following new item:

808. Exemption for certain rules.

The Acting CHAIR. Pursuant to House Resolution 479, the gentlewoman from Wisconsin (Ms. MOORE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Wisconsin.

Ms. MOORE. Mr. Chairman, I yield myself such time as I may consume.

My amendment is very straightforward. It would exempt our Nation's veterans from the burdensome layers and hurdles that H.R. 10 imposes and adds to the administrative rulemaking process and would specifically remove veterans from the bill's so-called “reining” provisions that require a joint resolution of Congress before an agency puts forth a major rule to help our men and women in uniform when they become veterans and after they return home from service.

Many of my colleagues and I disagree with this bill for a variety of reasons, including the author's premise that reducing the administration's ability to regulate and promulgate rules will result in job creation. But whether or not we agree on the direction and approach to best help and promote America's future, we all agree on some things. We all agree that the last thing we want to do is to pass legislation that will delay assistance to those veterans who have selflessly chosen to fight for our country and deserve every ounce of assistance we can provide them when they come back home.

Veterans deserve educational opportunity, rehabilitation for sometimes very severe disabilities, Mr. Chairman, mental health treatment for posttraumatic stress disorder, employment opportunities, and housing opportunities. Delaying rulemaking authority will have dire consequences for our veterans.

For example, Mr. Chair, one very disturbing issue for me has been the high rate of suicides among our servicemembers. We can't delay this kind of assistance. In fact, last year there were more deaths among our troops from suspected suicide than deaths from hostile combat.

We're facing an epidemic here at home, too. A recent report from the

Center for New American Security noted that 1 percent of the population has served in the military, and yet those servicemembers represent 20 percent of all of the suicides in the United States.

Resources for the military are sparse. According to a recent Veterans Health Administration survey of mental health providers, 40 percent responded that they could not schedule a new appointment at their clinic within 14 days; 70 percent of surveyed facilities cited an inadequate number of staff to treat veterans; and 70 percent said that they just simply lacked space.

We also know that there's a serious unemployment barrier among our veterans as they return to civilian life. The unemployment rate among vets who served in Iraq and Afghanistan since 9/11 is 12.1 percent, substantially higher than the national average that we're so concerned about now. Unemployment among vets will spike as we end the war in Iraq. The last 20,000 troops are expected to arrive by the end of the year from Iraq. We can expect about an additional 10,000 veterans from Afghanistan to come home before the end of the year, and 23,000 by the end of 2012.

We just can't delay assistance to our veterans. This has been an area, Mr. Chairman, where Democrats and Republicans have typically come together and agreed. Yet H.R. 10, the REINS Act, will have unintended consequences and dangerous consequences for veterans who, of course, have received our undying gratitude and support.

I ask my colleagues to consider this amendment and support my amendment because this is not an area where we want to delay services to them. We don't want to subject our vets to the politics of Washington and a gridlocked, hyperpartisan Congress that struggles even to extend unemployment insurance in a recession or the payroll tax to middle class people, let alone a credit default by something “so historically difficult” as raising the debt ceiling.

I just think that Americans will agree with me that our Nation's veterans deserve to be excluded from the gridlock that this will invariably cause. Let's come together once more to adopt this amendment, Mr. Chair, not just for the troops that need help, but for the troops that will be here in the near future.

I reserve the balance of my time.

Mr. DAVIS of Kentucky. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

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

I respect my friend from Wisconsin with whom I have worked on numerous pieces of legislation related to child homelessness and affordable housing; but in this case I'm going to respectfully disagree with the premise of the legislation, as a veteran, as a former

Army Ranger, as a flight commander of an assault helicopter unit in the 82nd Airborne Division and who served in the Middle East.

The one thing that I would say is that nothing in the REINS Act would in any way inhibit or impede the delivery of services to our veterans, of whom I have been a champion in my time in Congress on numerous pieces of legislation. What I would say is the REINS Act would provide a framework for discussion were there a rule to arise that hit that cost threshold to assure crisp, clear improvement, particularly in dealing with backlogs.

When we deal with the VA specifically, I have had area managers of the Veterans Administration point out specific rules that cause increased queuing and waiting time that were not being addressed. This amendment would actually prevent us from being able to address such things, were they to hit the threshold.

The amendment carves all regulations that affect veterans and veteran affairs out of the REINS Act congressional approval procedures. Frankly, the REINS Act supporters honor America's veterans. We have had America's veterans speaking in favor of this bill throughout the afternoon.

I believe that ultimately we are going to make decisions that will be in keeping with the will of the American people and in the best interests of those veterans as we move forward.

With that, I reserve the balance of my time.

Ms. MOORE. I thank the gentleman for responding, even though he doesn't agree with me. I'm just looking at about at least 14 rules that have been implemented very expeditiously on behalf of our veterans since September 11. It is chilling to think about the delays that may be caused by an extra process.

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

Mr. DAVIS of Kentucky. That's a point that the gentlewoman and I will agree to disagree on. I believe that we have seen the Congress move in an expedited manner in national security in dealing with our veterans, and there would be no difference under this legislation.

Ultimately, we know that Congress must approve all legislation relating to every agency of the Federal Government, and we'll be doing our constitutional duty, as I remind everybody listening, to restore transparency, accountability, and a check-and-balance so that our citizens and our voters can hold somebody in the government accountable instead of faceless bureaucrats.

□ 1610

It's a solution that everyone should support. Congress will be more accountable.

I ask all of my colleagues to oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Wisconsin (Ms. MOORE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. MOORE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Wisconsin will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 112-311 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. JOHNSON of Georgia.

Amendment No. 3 by Mr. SCHRADER of Oregon.

Amendment No. 5 by Mrs. MCCARTHY of New York.

Amendment No. 6 by Ms. JACKSON LEE of Texas.

Amendment No. 7 by Ms. MOORE of Wisconsin.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. JOHNSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 187, noes 236, not voting 10, as follows:

[Roll No. 895]

AYES—187

Ackerman	Clarke (MI)	Doyle
Altmire	Clarke (NY)	Edwards
Andrews	Clay	Ellison
Baca	Cleaver	Engel
Baldwin	Clyburn	Eshoo
Bass (CA)	Cohen	Farr
Bass (NH)	Connolly (VA)	Fattah
Becerra	Conyers	Filner
Berkley	Cooper	Frank (MA)
Berman	Costa	Fudge
Bishop (GA)	Costello	Garamendi
Bishop (NY)	Courtney	Gonzalez
Blumenauer	Critz	Green, Al
Boswell	Crowley	Green, Gene
Brady (PA)	Cuellar	Grijalva
Braley (IA)	Cummings	Gutierrez
Brown (FL)	Davis (CA)	Hahn
Butterfield	Davis (IL)	Hanabusa
Capps	DeFazio	Hastings (FL)
Capuano	DeGette	Heinrich
Cardoza	DeLauro	Higgins
Carnahan	Dent	Himes
Carney	Deutch	Hinojosa
Carson (IN)	Dicks	Hirono
Chandler	Dingell	Hochul
Chu	Doggett	Holden
Cicilline	Donnelly (IN)	Holt

Honda	Meehan	Sarbanes
Hoyer	Meeks	Schakowsky
Insliee	Michaud	Schiff
Israel	Miller (NC)	Schrader
Jackson (IL)	Miller, George	Schwartz
Jackson Lee	Moore	Scott (VA)
(TX)	Moran	Scott, David
Johnson (GA)	Murphy (CT)	Serrano
Johnson, E. B.	Napolitano	Sewell
Kaptur	Neal	Sherman
Keating	Olver	Shuler
Kildee	Owens	Sires
Kind	Pallone	Slaughter
Kissell	Pascrell	Smith (WA)
Kucinich	Pastor (AZ)	Speier
Langevin	Payne	Stark
Larsen (WA)	Pelosi	Sutton
Larson (CT)	Perlmutter	Thompson (CA)
Lee (CA)	Peters	Thompson (MS)
Levin	Pingree (ME)	Tierney
Lewis (GA)	Polis	Tonko
Lipinski	Price (NC)	Towns
Loeb sack	Quigley	Tsongas
Lofgren, Zoe	Rahall	Van Hollen
Lowe y	Rangel	Velázquez
Lujan	Reyes	Richardson
Lynch	Richardson	Richmond
Maloney	Ross (AR)	Rothman (NJ)
Markey	Ross (ND)	Royal-Allard
Matheson	Rothman (NJ)	Ruppersberger
Matsui	Roybal-Allard	Rush
McCarthy (NY)	Ruppersberger	Ryan (OH)
McCollum	Rush	Sánchez, Linda
McDermott	Ryan (OH)	T.
McGovern	Sánchez, Linda	Sanchez, Loretta
McIntyre	T.	
McNerney	Sanchez, Loretta	

NOES—236

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

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

NOT VOTING—10

Bachmann	Gohmert	Wilson (FL)
Castor (FL)	Hinche y	Young (FL)
Diaz-Balart	Myrick	
Giffords	Nadler	

□ 1637

Messrs. BILBRAY, HERGER, CANTOR, FITZPATRICK, STIVERS, and SCHOCK changed their vote from “aye” to “no.”

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. SCHRADER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. SCHRADER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 183, noes 238, not voting 12, as follows:

[Roll No. 896]

AYES—183

Ackerman	Cleaver	Fudge
Altmire	Clyburn	Garamendi
Andrews	Cohen	Gibson
Baca	Connolly (VA)	Gonzalez
Baldwin	Cooper	Green, Al
Bass (CA)	Costa	Green, Gene
Bass (NH)	Costello	Gutierrez
Becerra	Courtney	Hahn
Berkley	Critz	Hanabusa
Berman	Crowley	Hanna
Bishop (GA)	Cuellar	Hastings (FL)
Bishop (NY)	Cummings	Heinrich
Blumenauer	Davis (CA)	Higgins
Boswell	Davis (IL)	Himes
Brady (PA)	DeFazio	Hinojosa
Braley (IA)	DeGette	Hirono
Brown (FL)	DeLauro	Hochul
Butterfield	Deutch	Holden
Capps	Dicks	Holt
Capuano	Dingell	Honda
Cardoza	Doggett	Hoyer
Carnahan	Donnelly (IN)	Insliee
Carney	Doyle	Israel
Carson (IN)	Edwards	Jackson (IL)
Chandler	Ellison	Jackson Lee
Chu	Engel	(TX)
Cicilline	Eshoo	Johnson (GA)
	Farr	Johnson, E. B.
	Fattah	Jones
	Filner	Kaptur
	Frank (MA)	Keating

Kildee
Kind
Kissell
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McClintock
McCollum
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Murphy (CT)

Napolitano
Neal
Oliver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes

Schakowsky
Schiff
Schrader
Schwartz
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Van Hollen
Velázquez
Visclosky
Walz (MN)
Waters
Watt
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—238

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Billray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming

Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis

Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McCotter
McDermott
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Mulaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock

Schwiebert
Scott (SC)
Scott (VA)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns

Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberti
Tipton
Tsongas
Turner (NY)
Turner (OH)
Upton
Walberg
Walden

Walsh (IL)
Waxman
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

Wasserman
Schultz
Young (FL)

NOT VOTING—12

Bachmann
Castor (FL)
Conyers
Diaz-Balart
Giffords

Gohmert
Hinchee
Myrick
Nadler
Paul

□ 1642

Mr. AL GREEN of Texas changed his vote from “no” to “aye.”

Mr. SCOTT of South Carolina changed his vote from “present” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MRS. MCCARTHY OF NEW YORK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Mrs. MCCARTHY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 177, noes 246, not voting 10, as follows:

[Roll No. 897]

AYES—177

Ackerman
Altmire
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Chandler
Chu
Ciocline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Coburn
Cohen
Connolly (VA)
Conyers
Cooper

Costello
Courtney
Critz
Crowley
Cueellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn

Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack

Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Napolitano
Neal
Oliver
Owens
Pallo
Pascrell
Pastor (AZ)

Payne
Pelosi
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David

Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Waters
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—246

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Billray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming

Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.

Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)

Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan

Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Wasserman
Schultz
Webster

West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Napolitano
Neal
Oliver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Peters
Pingree (ME)
Polis
Price (NC)

Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman

Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)

Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
West
Westmoreland
Whitfield
Wilson (SC)

Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOT VOTING—10

Bachmann
Brady (TX)
Castor (FL)
Diaz-Balart

Watt
Young (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1645

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 6 OFFERED BY MS. JACKSON
LEE OF TEXAS

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentlewoman from Texas (Ms. JACKSON
LEE) on which further proceedings were
postponed and on which the noes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 177, noes 242,
not voting 14, as follows:

[Roll No. 898]

AYES—177

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

Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins

Himes
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Insee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Markey
Matheson
Matsui
McCarthy (NY)
McCollum

NOES—242

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachus
Barletta
Barrow
Bartlett
Bass (NH)
Benishek
Berg
Biggart
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Cansco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Forbenberry
Foxy
Franks (AZ)

NOES—242

Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Maloney
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock

McCotter
McHenry
McKeon
McKinley
McMorris
Rogers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renauci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schradler
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns

NOT VOTING—14

Bachmann
Barton (TX)
Castor (FL)
Diaz-Balart
Giffords

Hinchey
Hirono
Kind
Myrick
Nadler

Watt
Webster
Woolsey
Young (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1649

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 7 OFFERED BY MS. MOORE

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentlewoman from Wisconsin (Ms.
MOORE) on which further proceedings
were postponed and on which the noes
prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 183, noes 240,
not voting 10, as follows:

[Roll No. 899]

AYES—183

Ackerman
Altmire
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Davis (CA)
Davis (IL)
DeFazio

DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)

Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Napolitano
Neal
Oliver
Owens
Pallone

Pascrell
 Pastor (AZ)
 Payne
 Pelosi
 Perlmutter
 Peters
 Pingree (ME)
 Polis
 Price (NC)
 Quigley
 Rahall
 Rangel
 Reyes
 Richardson
 Richmond
 Ross (AR)
 Rothman (NJ)
 Roybal-Allard
 Ruppersberger
 Rush

Ryan (OH)
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schiff
 Schrader
 Schwartz
 Scott (VA)
 Scott, David
 Serrano
 Sewell
 Sherman
 Shuler
 Sires
 Slaughter
 Smith (WA)
 Speier
 Stark

Sutton
 Thompson (CA)
 Thompson (MS)
 Tierney
 Tonko
 Towns
 Tsongas
 Van Hollen
 Velázquez
 Scott (VA)
 Scott, David
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Welch
 Wilson (FL)
 Woolsey
 Yarmuth

West
 Westmoreland
 Whitfield
 Wilson (SC)

Wittman
 Wolf
 Womack
 Woodall

Yoder
 Young (AK)
 Young (IN)

NOT VOTING—10

ANNOUNCEMENT BY THE ACTING CHAIR
 The Acting CHAIR (during the vote).
 There is 1 minute remaining.

□ 1653

So the amendment was rejected.
 The result of the vote was announced
 as above recorded.

The Acting CHAIR (Mr. WEST). There
 being no further amendments, under
 the rule, the Committee rises.

Accordingly, the Committee rose;
 and the Speaker pro tempore (Mr.
 WOMACK) having assumed the chair,
 Mr. WEST, Acting Chair of the Com-
 mittee of the Whole House on the state
 of the Union, reported that that Com-
 mittee, having had under consideration
 the bill (H.R. 10) to amend chapter 8 of
 title 5, United States Code, to provide
 that major rules of the executive
 branch shall have no force or effect un-
 less a joint resolution of approval is en-
 acted into law, and, pursuant to House
 Resolution 479, reported the bill, as
 amended by that resolution, back to
 the House with a further amendment
 adopted in the Committee of the
 Whole.

The SPEAKER pro tempore. Under
 the rule, the previous question is or-
 dered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. 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.

MOTION TO RECOMMIT

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

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

Ms. DELAURO. I am opposed in its
 current form.

The SPEAKER pro tempore. The
 Clerk will report the motion to recom-
 mit.

The Clerk read as follows:

Ms. DELAURO moves to recommit the bill
 H.R. 10 to the Committee on the Judiciary
 with instructions to report the same back to
 the House forthwith, with the following
 amendment:

Page 45, line 22, insert after the first period
 the following:

**“§ 808. Protection of Food Safety and Con-
 sumer’s Right to Know through Country-of-
 Origin Labeling**

“Sections 801 through 807 of this chapter,
 as amended by the Regulations from the Ex-
 ecutive in Need of Scrutiny Act of 2011 shall
 not apply in the case of any rule regarding
 country of origin labeling. This chapter, as
 in effect before the enactment of the Regula-

tions from the Executive in Need of Scrutiny
 Act of 2011, shall continue to apply, after
 such enactment, to any such rule, as appro-
 priate.”.

The SPEAKER pro tempore. The gen-
 tlewoman from Connecticut is recog-
 nized for 5 minutes.

Ms. DELAURO. Mr. Speaker, I rise to
 offer a motion that would exempt
 country of origin labeling from the reg-
 ulations affected by this legislation.
 This is the final amendment to the bill,
 which will not kill it or send it back to
 committee. Instead, we will move to
 final passage on the bill, as amended.

We have had a heated debate over
 this act. I have very strong concerns
 about it. But however one feels about
 the legislation before us, we should all
 be able to agree on fundamental prin-
 ciples.

First, that it is the responsibility of
 this institution and of government to
 see that the health and the safety of
 American families are protected. This
 includes protecting Americans from
 unsafe and contaminated food. And,
 second, the consumer should be able to
 know where the food and products they
 buy come from so that they can make
 informed decisions about their pur-
 chases, as they should be able to in a
 free market.

That is what country of origin label-
 ing does, and it is why my final amend-
 ment simply exempts country of origin
 labeling from the underlying bill before
 us. It gives us an opportunity to come
 together in a bipartisan way to protect
 the health and safety of our constitu-
 ents and to give the American public
 the information they need and clearly
 want to make informed decisions for
 their families.

More than 40 other countries we
 trade with have a country of origin la-
 beling system in place, and the major-
 ity of American consumers continue to
 support country of origin labeling.

We know that food-borne illnesses
 are a major public health threat. They
 account for roughly 48 million ill-
 nesses, 100,000 hospitalizations and over
 3,000 deaths in this country every year.
 Every year one in every six Americans
 become sick from the food that they
 eat. Our youngest and oldest Ameri-
 cans are the most vulnerable to these
 illnesses, and right now roughly 80 per-
 cent of the seafood and 60 percent of
 the fruits and vegetables consumed in
 the United States have been produced
 outside our borders.

Amid all this imported food, our abil-
 ity to ensure that food products are
 safe and not contaminated is dwindle-
 ing. The FDA inspects less than 2
 percent of the imported food in its ju-
 risdiction. Yet, 70 percent of the apple
 juice we drink was produced in China,

NOES—240

Adams
 Aderholt
 Akin
 Alexander
 Amash
 Amodel
 Austria
 Bachus
 Barletta
 Barrow
 Bartlett
 Barton (TX)
 Bass (NH)
 Benishek
 Berg
 Biggert
 Bilbray
 Billirakis
 Bishop (GA)
 Black
 Blackburn
 Blumenauer
 Bonner
 Bono Mack
 Boren
 Boustany
 Brady (TX)
 Brooks
 Broun (GA)
 Buchanan
 Bucshon
 Buerkle
 Burgess
 Burton (IN)
 Calvert
 Camp
 Campbell
 Canseco
 Cantor
 Capito
 Carter
 Cassidy
 Chabot
 Chaffetz
 Coble
 Coffman (CO)
 Cole
 Conaway
 Cravaack
 Crawford
 Crenshaw
 Culberson
 Davis (KY)
 Denham
 Dent
 DesJarlais
 Dold
 Dreier
 Duffy
 Duncan (SC)
 Duncan (TN)
 Ellmers
 Emerson
 Farenthold
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Foxx
 Franks (AZ)
 Frelinghuysen
 Gallegly
 Gardner

Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hall
 Hanna
 Harper
 Harris
 Hartzler
 Hastings (WA)
 Hayworth
 Heck
 Hensarling
 Herger
 Herrera Beutler
 Huelskamp
 Huiזengא (MI)
 Hultgren
 Hunter
 Hurt
 Issa
 Jenkins
 Johnson (IL)
 Johnson (OH)
 Johnson, Sam
 Jordan
 Kelly
 King (IA)
 King (NY)
 Kingston
 Kinzinger (IL)
 Kline
 Labrador
 Lamborn
 Lance
 Landry
 Lankford
 Latham
 LaTourette
 Latta
 Lewis (CA)
 LoBiondo
 Long
 Lucas
 Luetkemeyer
 Lummis
 Lungren, Daniel
 E.
 Mack
 Manzullo
 Marchant
 Marino
 McCarthy (CA)
 McCaul
 McClintock
 McCotter
 McHenry
 McKeon
 McKinley
 McMorris
 Rodgers
 Meehan
 Mica
 Miller (FL)

Miller (MI)
 Miller, Gary
 Mulvaney
 Murphy (PA)
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee
 Olson
 Palazzo
 Paul
 Paulsen
 Pearce
 Pence
 Peterson
 Petri
 Pitts
 Platts
 Poe (TX)
 Pompeo
 Posey
 Price (GA)
 Quayle
 Reed
 Rehberg
 Reichert
 Renacci
 Ribble
 Rigell
 Rivera
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Ross (FL)
 Royce
 Runyan
 Ryan (WI)
 Scalise
 Schilling
 Schmidt
 Schock
 Schweikert
 Scott (SC)
 Scott, Austin
 Sensenbrenner
 Sessions
 Shimkus
 Shuster
 Simpson
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Southerland
 Stearns
 Stivers
 Stutzman
 Sullivan
 Terry
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Turner (NY)
 Turner (OH)
 Upton
 Walberg
 Walden
 Walsh (IL)
 Webster

roughly 90 percent of the shrimp that we eat was produced outside of the United States. Across this 2 percent, the FDA finds a frighteningly large number of shipments with dangerous food safety violations, including the presence of pathogens and chemical contamination.

Families should be able to know where their food is coming from. Just this morning, a Japanese food producer announced the recall of 400,000 cans of infant formula after traces of radioactive cesium were found in the company's milk powder. And after the Fukushima disaster earlier this year, Americans were concerned about the safety of seafood imports.

I do not want to single out any one country. Sadly, food-borne disease outbreaks are frighteningly normal, both here and abroad. We recently experienced a listeria outbreak in cantaloupes which sickened at least 139 people and killed 29 more. Germany saw an E. coli crisis this summer that killed dozens and sickened thousands. In 2010, we saw a salmonella outbreak in crushed pepper that sickened 272 people, and another salmonella outbreak that resulted in the recall of over half a billion eggs and almost 2,000 Americans becoming ill.

Country of origin labeling does not lead to American job losses or bankrupt the food industry; it simply lets consumers know where their food comes from.

That is particularly important in this economy, when not only food inspectors, but food producers are stretched thin. Consumers should be able to know when they are buying foods that were grown, raised, or produced right here in America.

□ 1700

They have the right to know where their food was produced and to make their own choices about the food that they buy.

In the past, there has been a bipartisan consensus that country-of-origin labeling is a good idea, that it keeps families safe, and that it supports American farmers. In fact, the chairman, my counterpart on the Labor-HHS-Education Appropriations Subcommittee, Congressman REHBERG of Montana, has been a leader in ensuring strong country-of-origin labeling. We should continue that bipartisan commitment today. Exempt country-of-origin labeling from the REINS Act.

I urge my colleagues to stand up for public health, consumers' right to know, and American businesses. Support this final amendment.

Mr. DAVIS of Kentucky. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. DAVIS of Kentucky. Mr. Speaker, this motion is a distraction. It misses the point of this legislation entirely. We are here today to restore accountability for the regulations with the biggest impact on our economy.

Good, bad or ugly—and our regulatory code includes all three—Congress should be accountable for regulations that cost the American people \$100 million or more annually.

The REINS Act simply says that Congress must vote on these regulations, these major rules, before they can be enforced on the American people. Essentially, this motion to recommit repeats part of an exclusion already attempted in the McCarthy amendment that the House just voted down. It's purely a political motion.

The REINS Act has been the subject of two hearings and a markup in the Judiciary Committee and was subject to an additional markup in the Rules Committee. Today, we have had a robust debate on the bill and seven amendments, five of which were offered by colleagues in the minority.

Congress has a bipartisan bad habit writing vague legislation that sounds nice, but leaves the dirty work to unelected bureaucrats in administrative agencies. This practice has allowed the Congress to claim credit for popular aspects of laws, and blame regulatory agencies for increased costs or the otherwise negative effects of the regulations.

Agencies are also starting to bypass Congress by writing regulations that stretch the bounds of their delegated authorities. The administration has declared an intent to pursue their agenda by pushing items they could not get through Congress through regulatory actions instead. Indeed, laws they could not pass in Democratic supermajorities in the last Congress are now being attempted, against the will of the Congress, to be implemented by regulation.

What we have proposed in the REINS Act is very simple: Congress should at the very least be accountable for regulations with \$100 million of annual economic impact or more. These rules are classified by the administration as major rules.

The REINS Act is not anti-regulation, and it is not pro-regulation. What we're saying is let's have a transparent and accountable process for implementing new regulations.

According to a recent Gallup Poll, small business owners cited complying with government regulation as the biggest problem facing them today. Public Notice did a poll recently that found that a majority of Americans believe Congress should approve regulations before they can be enforced.

Our economy is struggling to recover, and more than 13 million Americans are still out of work. Congress needs to do a much better job of creating a pro-growth environment that increases our competitiveness and rewards entrepreneurship and ingenuity.

Everyone agrees that regulations can have a significant and detrimental impact on jobs and our economy. Even President Obama described regulations that stifle innovation and have a chilling effect on growth and jobs in an

op-ed for The Wall Street Journal earlier this year.

The REINS Act lays down a marker to say that Congress should be directly accountable for the most expensive regulations that could stifle innovation and have a chilling effect on growth and jobs.

In the words of the great Speaker from Cincinnati, Ohio, Nicholas Longworth, I ask all of my colleagues to strike a blow for liberty, to vote for accountability. I oppose the motion to recommit. Vote against the motion to recommit. Support the REINS Act.

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

Ms. DELAURO. 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. 900]

AYES—183

Ackerman	Doggett	Levin
Altmire	Donnelly (IN)	Lewis (GA)
Andrews	Doyle	Lipinski
Baca	Duncan (TN)	Loeb sack
Baldwin	Edwards	Lofgren, Zoe
Barrow	Ellison	Lowey
Becerra	Engel	Luján
Berkley	Eshoo	Lynch
Berman	Farr	Maloney
Bishop (GA)	Fattah	Markey
Bishop (NY)	Filner	Matheson
Blumenauer	Frank (MA)	Matsui
Boren	Garamendi	McCarthy (NY)
Boswell	Gonzalez	McCollum
Brady (PA)	Green, Al	McDermott
Braley (IA)	Green, Gene	McGovern
Brown (FL)	Grijalva	McIntyre
Butterfield	Gutierrez	McNerney
Capps	Hahn	Meeks
Capuano	Hanabusa	Michaud
Cardoza	Hastings (FL)	Miller (NC)
Carnahan	Heinrich	Miller, George
Carney	Higgins	Moore
Carson (IN)	Himes	Moran
Chandler	Hinojosa	Murphy (CT)
Chu	Hirono	Napolitano
Cicilline	Hochul	Neal
Clarke (MI)	Holden	Olver
Clay	Holt	Owens
Clyburn	Honda	Pallone
Cohen	Hoyer	Pascarell
Connolly (VA)	Inslee	Pastor (AZ)
Cooper	Israel	Pelosi
Costa	Jackson (IL)	Perlmutter
Costello	Jackson Lee	Peters
Courtney	(TX)	Peterson
Critz	Johnson (GA)	Pingree (ME)
Crowley	Johnson, E. B.	Polis
Cuellar	Jones	Price (NC)
Cummings	Kaptur	Quigley
Davis (CA)	Keating	Rahall
Davis (IL)	Kildee	Rangel
DeFazio	Kind	Reyes
DeGette	Kissell	Richardson
DeLauro	Kucinich	Richmond
Deutch	Langevin	Ross (AR)
Dicks	Larsen (WA)	Rothman (NJ)
Dingell	Larson (CT)	Roybal-Allard

Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano

Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
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Waxman
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Wilson (FL)
Woolsey
Yarmuth

Diaz-Balart
Fudge
Giffords

Hinchee
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Myrick

Nadler
Payne
Young (FL)

Rogers (KY)
Rogers (MI)
Rohrabacher
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Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin

Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton

Turner (NY)
Turner (OH)
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Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOES—235

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggart
Billray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
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Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Buchshon
Buerkle
Burgess
Burton (IN)
Calvert
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Campbell
Cansaco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
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Cravaack
Crawford
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Ellmers
Emerson
Farenthold
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Flake
Fleischmann
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Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
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Gingrey (GA)
Gohmert

Goodlatte
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Johnson, Sam
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Herrera Beutler
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Rodgers
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Miller, Gary
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Murphy (PA)
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Price (GA)
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Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)

Ackerman
Altmire
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
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Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi

Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Doyle
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Napolitano
Neal
Olver
Owens

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

NOT VOTING—8

Bachmann
Castor (FL)
Diaz-Balart

Giffords
Hinchee
Myrick

Nadler
Young (FL)

□ 1730

So the bill was passed.
The result of the vote was announced as above recorded.
A motion to reconsider was laid on the table.

NOT VOTING—15

Bachmann
Bass (CA)

Castor (FL)
Clarke (NY)
Cleaver
Conyers

Emerson
Farenthold

Lance
Landry

Rogers (AL)

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1633, FARM DUST REGULATION PREVENTION ACT OF 2011

Mr. WEBSTER, from the Committee on Rules, submitted a privileged report (Rept. No. 112-317) on the resolution (H. Res. 487) providing for consideration of the bill (H.R. 1633) to establish a temporary prohibition against revising any national ambient air quality standard applicable to coarse particulate matter, to limit Federal regulation of nuisance dust in areas in which such dust is regulated under State, tribal, or local law, and for other purposes, which was referred to the House Calendar and ordered to be printed.

HOOR OF MEETING ON TOMORROW

Mr. WEBSTER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

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

Mr. BECERRA. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 486

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

COMMITTEE ON THE JUDICIARY.—Mr. Polis.

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

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

SYNTHETIC DRUG CONTROL ACT OF 2011

Mr. PITTS. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 1254) to amend the Controlled Substances Act to place synthetic drugs in Schedule I, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1254

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 "Synthetic Drug Control Act of 2011".

SEC. 2. ADDITION OF SYNTHETIC DRUGS TO SCHEDULE I OF THE CONTROLLED SUBSTANCES ACT.

(a) CANNABIMIMETIC AGENTS.—Schedule I, as set forth in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)) is amended by adding at the end the following:

"(d)(1) Unless specifically exempted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of cannabimimetic agents, or which contains their salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation.

"(2) In paragraph (1):

"(A) The term 'cannabimimetic agents' means any substance that is a cannabinoid receptor type 1 (CB1 receptor) agonist as demonstrated by binding studies and functional assays within any of the following structural classes:

"(i) 2-(3-hydroxycyclohexyl)phenol with substitution at the 5-position of the phenolic ring by alkyl or alkenyl, whether or not substituted on the cyclohexyl ring to any extent.

"(ii) 3-(1-naphthoyl)indole or 3-(1-naphthylmethane)indole by substitution at the nitrogen atom of the indole ring, whether or not further substituted on the indole ring to any extent, whether or not substituted on the naphthoyl or naphthyl ring to any extent.

"(iii) 3-(1-naphthoyl)pyrrole by substitution at the nitrogen atom of the pyrrole ring, whether or not further substituted in the pyrrole ring to any extent, whether or not substituted on the naphthoyl ring to any extent.

"(iv) 1-(1-naphthylmethylene)indene by substitution of the 3-position of the indene ring, whether or not further substituted in the indene ring to any extent, whether or not substituted on the naphthyl ring to any extent.

"(v) 3-phenylacetylindole or 3-benzoylindole by substitution at the nitrogen atom of the indole ring, whether or not further substituted in the indole ring to any extent, whether or not substituted on the phenyl ring to any extent.

"(B) Such term includes—

"(i) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP-47,497);

"(ii) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol

(cannabicyclohexanol or CP-47,497 C8-homolog);

"(iii) 1-pentyl-3-(1-naphthoyl)indole (JWH-018 and AM678);

"(iv) 1-butyl-3-(1-naphthoyl)indole (JWH-073);

"(v) 1-hexyl-3-(1-naphthoyl)indole (JWH-019);

"(vi) 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200);

"(vii) 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250);

"(viii) 1-pentyl-3-[1-(4-methoxynaphthoyl)]indole (JWH-081);

"(ix) 1-pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-122);

"(x) 1-pentyl-3-(4-chloro-1-naphthoyl)indole (JWH-398);

"(xi) 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM2201);

"(xii) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM694);

"(xiii) 1-pentyl-3-[(4-methoxy)-benzoyl]indole (SR-19 and RCS-4);

"(xiv) 1-cyclohexylethyl-3-(2-methoxyphenylacetyl)indole (SR-18 and RCS-8); and

"(xv) 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-203)."

(b) OTHER DRUGS.—Schedule I of section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)) is amended in subsection (c) by adding at the end the following:

"(18) 4-methylmethcathinone (Mephedrone).

"(19) 3,4-methylenedioxypropylvalerone (MDPV).

"(20) 3,4-methylenedioxyethylmethcathinone (methylo).

"(21) Naphthylpyrovalerone (naphyrone).

"(22) 4-fluoromethcathinone (flephedrone).

"(23) 4-methoxymethcathinone (methedrone; Bk-PMMA).

"(24) Ethcathinone (N-Ethylcathinone).

"(25) 3,4-methylenedioxyethylmethcathinone (ethylone).

"(26) Beta-keto-N-methyl-3,4-benzodioxolylbutanamine (butylone).

"(27) N,N-dimethylcathinone (metamfepramone).

"(28) Alpha-pyrrolidinopropiophenone (alpha-PPP).

"(29) 4-methoxy-alpha-pyrrolidinopropiophenone (MOPPP).

"(30) 3,4-methylenedioxy-alpha-pyrrolidinopropiophenone (MDPPP).

"(31) Alpha-pyrrolidinovalerophenone (alpha-PVP).

"(32) 6,7-dihydro-5H-indeno-(5,6-d)-1,3-dioxol-6-amine (MDAI).

"(33) 3-fluoromethcathinone.

"(34) 4-Methyl- α -pyrrolidinobutiophenone (MPBP)."

SEC. 3. TEMPORARY SCHEDULING TO AVOID IMMINENT HAZARDS TO PUBLIC SAFETY EXPANSION.

Section 201(h)(2) of the Controlled Substances Act (21 U.S.C. 811(h)(2)) is amended—

(1) by striking "one year" and inserting "2 years"; and

(2) by striking "six months" and inserting "1 year".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PITTS) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. PITTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD.

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

There was no objection.

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

H.R. 1254 was introduced by my friend and colleague from Pennsylvania, Representative CHARLIE DENT, in response to a frightening trend of synthetic drug use in our communities. These synthetic drug substitutes, made from chemical compounds that are sold legally in most States, mimic the hallucinogenic and stimulant properties of drugs like marijuana, cocaine, and methamphetamines. While these synthetic drugs are just as dangerous as their traditional counterparts, they are not illegal.

Many families and young people in our communities do not realize the destructiveness of these synthetic drugs because of their legal status and their

wide availability and often harmless-sounding names such as “Bath Salts” and “Plant Food,” both cocaine substitutes.

H.R. 1254 would, first, ban synthetic drugs that imitate marijuana, cocaine, and methamphetamines; and, second, allow the Drug Enforcement Administration to temporarily schedule a new substance for up to 3 years. Currently, DEA can only temporarily schedule a substance for up to 18 months.

I would like to thank Congressman DENT for working with the DEA on this important issue, and I would urge my colleagues to support this common-sense and bipartisanly supported legislation.

I reserve the balance of my time.

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

I am pleased to support H.R. 1254, the Synthetic Drug Control Act. This bill enjoys bipartisan support and is aimed to eliminate commercial availability of harmful synthetic narcotics. Under this proposal, hallucinogenic drugs would no longer be able to hide behind misleading aliases.

During committee consideration, I was quite alarmed to hear some of the stories shared by the bill’s sponsor, Representative CHARLIE DENT, as well as other Members. Around the country, constituents have been able to utilize synthetic products to the detriment of their mental and physical health and, in some cases, costing them their lives.

Unfortunately, these imitation drugs are not illegal, and there is a critical need to strengthen the Federal Government’s ability to keep these harmful and dangerous drugs off the street. The Synthetic Drug Control Act adds specific synthetic versions of drugs of abuse to Schedule I of the Controlled Substances Act. These designer drugs mimic some of the effects of drugs such as marijuana and can be very unsafe, causing convulsions, anxiety attacks, and dangerously elevated heart rates, among other conditions.

Under current authority, the Drug Enforcement Agency has difficulty taking action against these drugs because they’ve been designed to fall outside existing statutory descriptions of Schedule I drugs. H.R. 1254 will enable the Drug Enforcement Agency to take appropriate enforcement actions to get them off the street and away from our Nation’s youth.

Mr. Speaker, I urge my colleagues to vote in support of this legislation, and I hope the way we work together on it can prove a model for our efforts on future legislation.

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

Mr. PITTS. I yield 5 minutes to the prime sponsor of the legislation, the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. I certainly appreciate the support of Mr. PITTS and Mr. PALLONE for their leadership on this issue. It’s deeply appreciated.

This issue of synthetic or designer drugs was first brought to my atten-

tion by a woman, a mother in my district whose son had been abusing legal substitutes for marijuana. These synthetic cannabinoids, as they’re referred to, or synthetic marijuana, affect the brain in a manner similar to marijuana, but can actually be even much more harmful.

Synthetic marijuana, or cannabinoids, are just one category of designer drugs. Even more potent substances have properties similar to cocaine, methamphetamine, LSD, and other hard street drugs. These substances are marketed as innocent products like bath salts, plant food, incense, and they’re sold under brand names familiar to their users, such as K2 Spice, Vanilla Sky, or Ivory Wave. However, these are total misnomers designed to facilitate their legal sale. These drugs have no legitimate purpose, period.

H.R. 1254, the Synthetic Drug Control Act, drafted in consultation with Federal law enforcement, has three principal components:

First, a prohibition of broad structural classes of synthetic marijuana or the cannabinoids;

Two, a prohibition of synthetic stimulants and other designer drugs, such as bath salts, mephedrone, MDPV, C2E, et cetera, several of those;

Third, an expansion of the DEA’s existing authority to temporarily ban a new substance from 1½ to 3 years. Under current law, if the DEA and Department of Health and Human Services can prove that a substance is, one, dangerous and, two, lacking legitimate value while it is temporarily banned, the prohibition will become permanent.

Over the past year there’s been a sharp increase in the number of new reports detailing horrific stories of individuals high on synthetic drugs. A man in Scranton, Pennsylvania, stabbed a priest, and another jumped out a three-story window, both high on bath salts. Several deaths from West Virginia to Florida to Pennsylvania to Iowa have been attributed to abuse of synthetic drugs.

Senator CHUCK GRASSLEY of Iowa has introduced a companion bill with provisions very similar to H.R. 1254, named after one of his young constituents who tragically took his own life while high on synthetic marijuana.

□ 1740

A man in my district was arrested this past May for firing a gun out of his window in a university neighborhood. Police charges indicate that he injected himself with bath salts, and he later told police he thought there were people on the roof watching him.

Finally, I was approached by another distraught mother from my district whose son was hospitalized for over 2 weeks after suffering liver failure and other complications after injecting himself with bath salts. These substances pose a substantial risk, both to the physical health of the user as well

as to the safety of those around them when these drugs contribute to dangerous, psychotic behavior, suicide, and public endangerment.

The fact that these drugs are legal in many States contributes to the misconception that they are safe. And the use of easily recognizable brand names and logos on the packaging promotes the concept of a consistent product.

Significant variations of potency from one unit to the next have led recurrent users to inadvertently overdose. One of the major difficulties in combating these designer drugs is the ability of the producers to skirt the law with different chemical variations. By modifying the formula in some minor way, producers can generate a new compound which circumvents legal prohibitions but has similar narcotic events. DEA needs enhanced authority to temporarily schedule new variations when they hit the market, and they usually hit Europe first, and then they enter the United States.

A growing number of States, including Pennsylvania, have enacted bans on many forms of synthetic drugs, but Federal action is necessary to prevent these drugs from being obtained by simply crossing State lines or, increasingly, ordering them over the Internet.

I believe over 30 States have passed bans, if my memory serves me correctly. State-by-State differences in which individual substances are controlled and how strongly makes for a confusing legal patchwork, and Federal legislation certainly will facilitate enforcement.

The U.S. Department of Justice announced its support of H.R. 1254 as amended by the House Judiciary Committee in a letter dated September 30, 2011, and I would submit that for the RECORD.

I also want to point out, too, that the American College of Emergency Physicians, which notes the devastating physical and psychotic effects of these drugs, has also endorsed this bill, and I think that’s quite significant as well.

Finally, go to a hospital like Children’s Hospital of Philadelphia—they’ll tell you they get a case every day with individuals who are suffering from these particular drugs. A year ago at this time, they probably got no calls. And now every day, and that’s not just typical in Philadelphia but throughout the country. I urge my colleagues to support this legislation.

You will also hear some folks here today who might actually argue that medical research will somehow be impeded. Nothing could be further from the truth. This legislation does not in any way impede medical research. I would be happy to get into that at some point.

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF LEGISLATIVE AFFAIRS,
Washington, DC, September 30, 2011.

Hon. F. JAMES SENSENBRENNER, JR.,
Subcommittee on Crime, Terrorism, and Homeland Security, Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN. This letter provides the Department of Justice’s views on H.R.

1254, as amended by the Committee on Energy and Commerce, titled the "Synthetic Drug Control Act of 2011." The bill would amend the Controlled Substances Act (CSA) to address the growing use and misuse of synthetic drugs by placing a number of substances in schedule I and by extending the length of time that a drug may be temporarily placed in schedule I.

We support the bill as drafted, but believe it can be strengthened with the addition of the "2C family" of drugs listed in an appendix to this letter and in S. 839. The Department also supports the goals of S. 605, Dangerous Synthetic Drug Control Act of 2011 or the "David Mitchell Rozga Act"; S. 839, Combating Designer Drugs Act of 2011; and S. 409, Combating Dangerous Synthetic Stimulants Act of 2011. H.R. 1254 already contains many provisions included in S. 605 and S. 409, and we urge that the bill be expanded to include the provisions of S. 839.

THE THREAT OF SYNTHETIC DRUGS

In recent years, a growing number of dangerous products have been introduced into the U.S. marketplace. Products labeled as "herbal incense" have become increasingly popular, especially among teens and young adults. These products consist of plant materials laced with synthetic cannabinoids which, when smoked, mimic the deleterious effects of delta-9-tetrahydrocannabinols (THC), the principal psychoactive constituent in marijuana. To underscore the scope and breadth of the synthetic cannabinoid problem, a recent report prepared by the United Nations Office on Drugs and Crime (UNODC) notes that more than 100 such substances have been synthesized and identified to date."

There is also growing evidence demonstrating the abuse of a number of substances labeled as "bath salts" or "plant foods" which, when ingested, snorted, smoked, inhaled, or injected, produce stimulant and other psychoactive effects. These synthetic stimulants are based on a variety of compounds and are purported to be alternatives to the controlled substances cocaine, amphetamine, and Ecstasy (MDMA). These drugs have been distributed and abused in Europe for several years and have since appeared here in the United States. According to a recent National Drug Intelligence Center report, poison control centers and medical professionals around the country have reported an increase in the number of individuals suffering adverse physical effects associated with abuse of these drugs.

There are other newly developed drugs that also pose a significant threat to the public. This includes the "2C family" of drugs (dimethoxyphenethylamines), which are generally referred to as synthetic psychedelic/hallucinogens. Recently, a 19-year-old male in Minnesota died of cardiac arrest after allegedly ingesting 2C-E, one of the substances within this class of drugs. We note that the 2C substances listed in the attached Appendix are included in the list of substances covered by S. 839. The Department supports the addition of the 2C family of substances listed in the Appendix to H.R. 1254.

Products containing synthetic drugs are dangerous and represent a growing challenge to law enforcement. Apart from the wide array of harmful or even lethal side effects of many of the listed substances, neither the products nor their active ingredients have been approved by the Food and Drug Administration for use in medical treatment, and manufacturers and retailers of the products containing these substances do not disclose that there are synthetic drugs in their products. Synthetic drug abusers may endanger not only themselves but others: some be-

come violent when under the influence of these substances, and abusers who operate motor vehicles after using synthetic drugs likely present similar dangers as those under the influence of controlled substances.

With the exception of the five substances recently controlled by the Drug Enforcement Administration (DEA) pursuant to its temporary scheduling authority, the listed synthetic cannabinoids and synthetic stimulants are not currently in any schedule under the CSA.

EFFORTS TO CONTROL SYNTHETIC DRUGS

Congress created an interagency process for placing new and emerging drugs into one of five schedules of the CSA (21 U.S.C. 811 et seq.). One such mechanism, temporary scheduling (21 U.S.C. 811(h)), was specifically designed to enable the Department to act in an expeditious manner if such action is necessary to avoid an imminent hazard to the public safety. In response to the growing threat posed by known synthetic cannabinoids, on March 1, 2011, the DEA temporarily placed the following five synthetic cannabinoids in schedule I: JWH-018, JWH-073, JWH-200, CP-47, 497, and CP-47, 497 C8 homologue.

The DEA is currently gathering scientific data and other information about synthetic cathinones as well as evaluating their psychoactive effects to support administrative action to schedule these substances under the CSA. To temporarily schedule these stimulants, the DEA must find that placement in schedule I is necessary to avoid an imminent hazard to the public safety, a finding that requires the DEA to consider the following three factors: history and current pattern of abuse; the scope, duration, and significance of abuse; and what, if any, risk there is to the public health, including actual abuse; diversion from legitimate channels; and clandestine importation, manufacture, or distribution. Once data have been gathered to meet the statutory criteria to temporarily schedule these cathinones, the Department will initiate an action to temporarily place them into schedule I. In fact, on September 8, 2011, the DEA published a notice of intent in the Federal Register (21 FR 55616) to temporarily place mephedrone, methylone and MDPV in schedule I.

Unfortunately, however, the distribution and abuse of synthetic drugs cannot be fully addressed by temporary scheduling because as law enforcement investigates, researches, and develops evidence to support such action, illicit drug makers create new synthetic drugs for the purpose of evading federal law. Scheduling via legislation is an additional tool to promote public health and safety.

PURPOSE OF LEGISLATION

Placing synthetic cannabinoid and synthetic stimulant substances in schedule I would expose those who manufacture, distribute, possess, import, and export synthetic drugs without proper authority to the full spectrum of criminal, civil, and administrative penalties, sanctions, and regulatory controls. Unless authorized by the DEA, the manufacture and distribution of these substances, and possession with intent to manufacture or distribute them, would be a violation of the CSA and/or the Controlled Substances Import and Export Act.

H.R. 1254, as well as S. 409, would amend the CSA by expanding the list of substances in schedule I of the CSA (21 U.S.C. 812(c)). To address synthetic cannabinoid abuse, the bill names 15 unique substances that would be placed in schedule I; this list includes those temporarily scheduled by the DEA. Additionally, the bill creates five structural classes of substances collectively referred to as

"cannabimimetic agents." In order for a substance to be a cannabimimetic agent, the substance must: (1) bind to the CB1 receptor; and (2) meet any of the definitions for those structural classes. If both criteria are met, that substance will be a schedule I cannabimimetic agent controlled substance.

To address emerging synthetic stimulant abuse, H.R. 1254 names 17 unique substances that would be placed in schedule I. These substances have either been encountered by law enforcement here in the United States or are most likely to be encountered by law enforcement in the United States based on their use and misuse in Europe, which is likely where the use and misuse originated.

Finally, the bill seeks to double the amount of time allowed for the Department to temporarily schedule new and emerging drugs by amending 21 U.S.C. 811(h). In this regard, the bill seeks to enhance the tools available to the Department to combat the abuse of new drugs that will appear in the future.

For these reasons, the Justice Department supports H.R. 1254 and recommends that the Committee consider strengthening it in the ways we have proposed.

Thank you for the opportunity to present our views. The Office of Management and Budget has advised us that from the perspective of the Administration's program, there is no objection to the submission of this letter.

Sincerely,

RONALD WEICH,
Assistant Attorney General.

APPENDIX

Additional Synthetic Drugs for Inclusion in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)):

Redline of H.R. 1254, as amended by Energy and Commerce on July 28, 2011—

“(35) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine(2C-E).

(36) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D).

(37) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C).

(38) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I).

(39) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2).

(40) [4-(Isopropylthio)-2,5-dimethoxyphenyl

-]ethanamine (2C-T-4).

(41) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H).

(42) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N).

(43) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P).”

Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentleman from Maine (Mr. MICHAUD).

Mr. MICHAUD. I thank the gentleman for yielding.

Mr. Speaker, I rise today as a cosponsor and a strong supporter of this bill. The spread of synthetic drugs like bath salts has quickly reached crisis levels in many communities throughout our country. This year in Maine, the Bangor Police Department has responded to hundreds of bath salts-related incidents.

In October, I organized a meeting of local, county, State, and Federal law enforcement officials to discuss the spread of bath salts in our State. The message they shared with me was clear, and the message they shared with the ONDCP Deputy Director Ben Tucker was also clear: We need to give our law enforcement officers more tools to combat this epidemic.

While Maine has banned bath salts, a national law will build upon that good work and help make this a bigger impact all across the country. So I urge my colleagues to support the Synthetic Drug Act.

Mr. PITTS. Mr. Speaker, I yield 2 minutes to the gentlelady from Florida, Congresswoman SANDY ADAMS, who was formerly in law enforcement.

Mrs. ADAMS. Thank you, Congressman PITTS.

Mr. Speaker, in October 2010, a 31-year-old Texas man hanged himself in the bedroom. At the top of his suicide note the man wrote, "Thanks, bath salts."

January 2011 in Panama City, Florida, a daughter tried to attack her sleeping mother with a machete before fleeing the scene. Police said she had spent several days taking drug-altered bath salts.

June, 2011, a 38-year-old Army sergeant murdered his wife and killed himself following a police chase. Both had chemically altered bath salts in their systems. Later in the day, the couple's 5-year-old son was found dead with a plastic bag over his head and bruises on his body.

Horrible cases just like these have been documented across the country. These incidents led many States, including my home State of Florida, to outlaw these often dangerous and deadly substances.

Earlier this year, I introduced legislation to add MDPV and mephedrone, chemicals added to bath salts to induce a drug high, to Schedule I of the Controlled Substances Act. These substances are not marketed for human consumption.

It also is why I have joined Representative CHARLIE DENT in his work to bring H.R. 1254, which includes a bill I introduced in April, to the floor today. You have heard no research can be conducted if this passes, but those claims are false. It can be conducted. Research is being done and will continue to be done on Schedule I chemicals. Just listen to the ER doctors and the poison control centers that have both asked for this bill, that both want this bill to save lives.

Too many lives have been lost and too many violent acts have been already committed due to these drugs. These dangerous substances are being packaged and marketed to our children by using innocuous names like Ivory Snow, Bliss, and Vanilla Sky. Today I urge support for H.R. 1254. Let's get the substances off the streets and out of the hands of our children.

Mr. PALLONE. Mr. Speaker, I yield the balance of my time to the gentleman from Virginia (Mr. SCOTT), a member of the Committee on the Judiciary.

The SPEAKER pro tempore. Without objection, the gentleman from Virginia will control the time.

There was no objection.

Mr. SCOTT of Virginia. I thank the gentleman for yielding, and I yield myself 2½ minutes.

Mr. Speaker, this bill will place over 40 chemical compounds on Schedule I of the Controlled Substances Act at a time when only eight of these substances can even be found in the United States. And it does so in a way that circumvents the normal process, that skirts scheduling substances, and does so without any scientific or medical research or evidence to support it.

Congress has a process for placing substances on drug schedules. The Criminal Code sets forth a process that the Attorney General and the Secretary of Health and Human Services must engage in to determine the propriety of scheduling substances. The Secretary must conduct a scientific and medical evaluation and provide recommendations about whether the substances being analyzed need to be controlled. And this needs to be a scientific study, not a compilation of anecdotes.

In this there is a mechanism for addressing emergencies. In the case where the Attorney General on his own determines that there is an emergency, the Code provides that substances may be placed on Schedule I for up to 1½ years while the evidence is being developed to permanently schedule them.

Moreover, the Judiciary Committee during our consideration received numerous statements from pharmaceutical and medical researchers imploring us not to hamper their ability to determine possible medical uses of these substances by placing them on Schedule I, which makes it illegal to possess these substances without a permit even for research purposes.

This includes promising research on the cure for Parkinson's disease that would be compromised by this bill. Now, even with a permit, the restrictions placed on researchers once they are placed on Schedule I are unduly onerous. So there are legal uses of these substances.

Mr. Speaker, when Congress established a process for the Secretary and the Attorney General to do their due diligence and study the propriety of placing substances on Schedule I, we've had a very thoughtful process. And if we want to establish good crime policy, we need to follow that thoughtful process. H.R. 1254 circumvents that process. For these reasons, I urge a "no" vote on H.R. 1254.

I reserve the balance of my time.

□ 1750

Mr. PITTS. Mr. Speaker, I yield 4 minutes to the gentleman from Iowa, Congressman TOM LATHAM.

Mr. LATHAM. I thank the chairman and the ranking member for this opportunity today.

Mr. Speaker, I rise in support of H.R. 1254, the Synthetic Drug Control Act. This bill addresses an alarming danger to our kids that many American families may not be aware of.

Many American teenagers are experimenting with synthetic drugs that supposedly mimic the effects of marijuana

or other types of drugs. These products, known as K2, Pure Evil, Cloud Nine, and other names, can often be bought legally at convenience stores or at so-called "head shops" where they're passed off as incense or bath salts. In reality, the users of these substances can experience unexpected anxiety attacks, extreme paranoia, hallucinations, and thoughts of suicide; and the users are at serious risk of harming themselves.

Our experience with this issue in the State of Iowa illustrates why a Federal ban on these dangerous substances is so important. A year and a half ago yesterday, 18-year-old David Rozga, from Indianola, Iowa, shot himself after taking K2. In response to the tragedy, David's parents, Mike and Jan, have led a campaign to outlaw synthetic drugs like K2. They testified before Congress about the dangers of the drug and enlisted the help of their elected Representatives in cracking down on the sale and abuse of these substances.

My colleagues, we must act on this issue to protect our kids. And the time is now. The threat posed by synthetic drugs is dangerous, and it's growing. In the past 2 weeks alone, there have been several cases where teens have been injured or hospitalized after taking synthetic drugs. In Polk County, three teens were involved in a high-speed crash after smoking one of these substances. In central Iowa, a teenage boy was hospitalized after taking synthetic drugs. He became violently ill—having seizures, vomiting, and hallucinations.

I really want to thank the Rozga family for their selfless willingness to relive the tragedy they've experienced, and I want to thank them for their efforts to prevent other families from experiencing the same heartbreak. This legislation and other efforts to address this threat to our children would simply not have occurred without the Rozgas' courage, strength, and leadership.

I am heartened today that Congress has listened to their message and is taking action. It is time to recognize how dangerous these substances are and to ban their sale in the United States by clarifying their status as Schedule I controlled substances. As a cosponsor of H.R. 1254, I urge my colleagues to support the passage of this most important piece of legislation.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 2 minutes to the gentlelady from California (Ms. ZOE LOFGREN).

Ms. ZOE LOFGREN of California. We are all opposed to the damage that these drugs can do to the American people, but I have to express my opposition to this bill.

My concern about the bill is its effect on scientific research. When a drug is placed on Schedule I of the Controlled Substances Act, it becomes difficult to obtain not only for illegal purposes but for researchers who wish to study its pharmaceutical and medical potential. While this may be justified for some

drugs, it isn't a restriction that should be implemented rashly. That's because it becomes very difficult for scientists to get permission to obtain these molecules even for the scientific study that we need.

For example, in the United States, only 325 researchers have been able to obtain Schedule I licenses at this moment. Congress established the procedure for scheduling drugs, and it requires a scientific and medical evaluation. This bill would bypass that process rather than relying on scientific and medical experts. I've heard from faculty from a range of universities, and they've shared their concerns about the impact.

Here is what Warren Heideman, Ph.D., professor of pharmaceutical sciences and associate dean for Research, School of Pharmacy, at the University of Wisconsin-Madison writes:

"The bill is an irrational, simplistic response to a social problem of great complexity. As such, the world will get significantly less medical and technical help with a low probability of helping anyone with a substance abuse issue. The list is too broad and does seriously restrict what would otherwise be important and easy experiments. Paperwork problems are already a serious campus concern."

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

Mr. SCOTT of Virginia. I yield the gentlelady an additional minute.

Ms. ZOE LOFGREN of California. Here is what Dr. Neal Benowitz, M.D., the chief of the Division of Clinical Pharmacology at the University of California, San Francisco, writes:

"While we support restrictions on the sale of these chemicals for purposes of illicit use . . . scheduling so as to impede access to precursor chemicals in small quantities has the potential to seriously hamper medical research. On balance, the faculty are against this measure."

John Arnold, the faculty director of the Berkeley Center for Green Chemistry, writes:

"This effort is well-intentioned, but it will cause more problems than it solves."

We are all against drugs that harm our people; but we had no hearings in the Judiciary Committee on this, and I think the placing of these molecules on Schedule I is evidence of that lack of scholarship. These drugs need to be controlled, but they need to be controlled in such a way that there is no harm done to the vital scientific and medical research that we count on.

I join the gentleman from Virginia in urging a "no" vote on this bill in the hopes that we can come back with a measure that accomplishes the worthy goals without doing damage to scientific research, which will save so many lives.

Mr. PITTS. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania, a former prosecutor, Congressman PAT MEEHAN.

Mr. MEEHAN. I rise in support of H.R. 1254 for the very practical reason that, as a prosecutor, I have seen the impact of what can be done when children are lured into the false promise, into the sense that somehow, because it's synthetic, it doesn't present the same kind of danger as the drugs that are often believed to be the most dangerous—the heroins, the cocaines. These are luring kids into a false sense of security.

As has been suggested, this evidence isn't anecdotal. I have had the chance to visit an emergency department at one of the leading children's hospitals in the Nation where we have seen a dramatic rise in families who are being affected because their children are coming in and are under the control of these synthetic substances. For that reason, the American College of Emergency Physicians supports this bill.

Lastly, I think we have it backwards. If what we're trying to say is that somehow we've got to let these children be exposed while we wait with the potential that there could be research done, the fact of the matter is I have worked with pharmaceutical companies and with the DEA to be able to get access to drugs that have been held under control. That can be done in working with the DEA. That's the solution. It's not the solution to put our kids at risk.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. I appreciate the gentleman from Virginia for yielding the time.

I rise in opposition to this particular bill. It's not that I am, indeed, in favor of any of the particular drugs that are here; but just like Mrs. ADAMS, my colleague from Florida mentioned, the State of Florida has already criminalized it, as many States have, and it's really a State issue.

It seems interesting. When the subject du jour comes up, the item of the day, there is a rush to action and a rush to forget States' rights. There is a desire on gun bills to overlook the States and to have a Federal law on the interstate shipment of guns or on the interstate transportation of guns by people with permits. In this situation, drugs that should be criminalized are criminalized at the State level, but all of a sudden we're doing it more at the Federal level.

This bill would place more than 40 chemical compounds on Schedule I, the most punitive and restrictive schedule, without any independent scientific evidence that doing so is necessary or warranted. It is a rush to legislate before we know all the facts.

This bill essentially bans these substances without any study whatsoever. I've read the press reports of young people who have been harmed by these substances and by others, and I'm very sympathetic as that's certainly wrong; but we shouldn't legislate on the basis of anecdotal evidence. It's typical of

the "shoot first and ask questions later" approach that we have taken to drug policy in this country for decades.

Our national drug policy should be driven by science, not politics. We've already gotten a well-deserved reputation here as a do-nothing Congress; but bills like this and our attitudes towards clean air, clean water, global climate change, and other environmental issues have made this the no-respect-for-science Congress as well.

□ 1800

The DEA has already taken steps to temporarily place certain synthetic substances on Schedule I while it conducts a review. If there is an emergency that requires temporarily scheduling the other substances in this bill, the DEA can review them and do that just as well.

But we shouldn't circumvent the process established in law. I don't think this is a responsible way to legislate. I know the sponsors of this bill know about the emergency review process because the bill doubles the length of time a bill can be put on emergency review on a schedule from 18 months to 3 years; it doubles it. Yet there's been no hearings or evidence that 18 months was insufficient, none whatsoever. It was just a knee-jerk way to respond to the issue du jour.

This is a very serious issue and deserves serious study and consideration before we act, as all bills before Congress should. I fear that this bill continues the misguided policies that we've created towards drugs in this country.

Just look at our experience with marijuana, which Congress placed on Schedule I in 1970. According to the criteria of the Controlled Substances Act, it supposedly has a high potential for abuse, has no currently accepted medical use in treatment in the United States, and there is a lack of accepted safety for use of the drug under medical supervision.

Let's put aside for a minute the question of whether it has a potential for abuse. Certainly there's a lot of evidence that it does not. But I think thousands of people who depend on marijuana to treat the effects of such diseases as AIDS, cancer, glaucoma, and multiple sclerosis would take issue with the notion that it has no medical use, and 15 or so States have legalized it for medical use. It increases appetite and eases pain in a way that has helped countless people in the last stages of life.

But we treat our approach to drugs as a law enforcement matter, not a scientific matter, and we've placed marijuana in Schedule I, the most restrictive schedule. Meanwhile, the scientific community is urging that we reschedule marijuana so we can continue to conduct important research and make it available to those in need.

Recently, the California Medical Association called for cannabis to be legalized and regulated, primarily so

that scientists can gain access to it and conduct further research. They advocated wider clinical research with accountable and quality-controlled production of cannabis. None of this can happen with the tight restrictions we've placed on cannabis. That's exactly the situation we may find ourselves in with the substances named in this bill.

I know that licenses are available for research in the Schedule I drugs, but there's no reason to make researchers go through such hoops. It is nearly as easy to get permission to do research on a Schedule I drug as it would be to go to the Vatican and ask for a grant to study birth control.

We don't know what medical benefits these substances may contain and we don't know the true risk they pose. Perhaps they belong in a lower schedule. And Schedule II would certainly deter young people from using them and others and set a penalty stage. But we have no idea. We just decided to throw the book and make it Schedule I.

Perhaps they shouldn't be scheduled at all. I suspect they should be scheduled, maybe Schedule II. But the scientists should decide this and not politicians. We have no basis to believe they belong in Schedule I. Haven't we learned from this Nation's 40-year experiment with the war on drugs?

Prohibition does not work. It is an expensive and counterproductive policy that fills up our prisons and places a mark on our citizens that can make jobs, housing, and education nearly impossible to obtain. We should focus our efforts on educating young people about the substances and continue to do research about their benefits and risks.

Instead of basing our drug policy on science, we are letting it be driven by politics. This bill continues that trend, and regrettably I must urge its defeat. We need to send this bill back to committee and take a careful, considerable review so that we can have Congress make this decision on a scientific basis with help from the scientists.

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

Mr. SCOTT of Virginia. I yield the gentleman 1 additional minute.

Mr. COHEN. The DEA can use its emergency powers to temporarily schedule these substances while letting the scientific process play out. Let's put science first and politics second. Let's defeat this bill.

If we put science first and politics second, maybe we won't be in single figures in the public's mind as an organization that they support as an institution. Part of the 9 percent level is because we do things sometimes in a rush to judgment and politics and the issue du jour rather than allowing the scientific process and doing what is logically best for our Nation to prevail.

I urge the defeat of this bill.

Mr. PITTS. Mr. Speaker, may I inquire how much time remains on each side?

The SPEAKER pro tempore. The gentleman from Pennsylvania has 6½ minutes remaining, and the gentleman from Virginia has 6 minutes remaining.

Mr. SCOTT of Virginia. Mr. Speaker, I tell my colleague that I am prepared to close.

Mr. PITTS. I yield 1 minute to the gentleman from Pennsylvania (Mr. MARINO), a former prosecutor.

Mr. MARINO. Thank you, Chairman.

Mr. Speaker, I recently coauthored a letter with my colleagues, Representative SANDY ADAMS and Representative TREY GOWDY, concerning this very issue, and I'd like to read just a paragraph:

"As of October 4, 2011, the DEA has 325 researchers conducting research with Schedule I controlled substances. These researchers include research centers and universities who seek to better understand the effects of Schedule I controlled substances. Additionally, as of October 4, 2011, the DEA has 3,983 active registrants who manufacture, research, and conduct chemical analysis with Schedule I controlled substances.

"In fact, many researchers who would conduct research to better understand the compounds controlled in H.R. 1254 are already registered with the DEA, which means there would be virtually no impact on ongoing research."

Mr. Speaker, as a former prosecutor for 18 years at the State and local level, I have seen firsthand the disaster this drug causes.

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

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

Mr. MARINO. I have seen firsthand what this drug does. If it doesn't kill our children, it makes them suicidal; it makes them incredibly violent.

And I still get calls, as a former prosecutor, from hospitals and emergency service personnel telling me the violence that a child under this influence causes, not only on him- or herself, but emergency personnel. Therefore, I ask my colleagues to support this legislation.

Mr. SCOTT of Virginia. Mr. Speaker, I had another speaker that arrived unexpectedly.

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

Mr. SCOTT of Virginia. I yield 2 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. I want to thank the gentleman from Virginia for yielding.

I rise in opposition to the proposed multistate mortgage settlement currently being negotiated between the country's major mortgage servicers and the State attorney generals.

Before we haphazardly rush into a settlement, we need to pause for what I call station identification, so to speak.

I'm speaking on the wrong bill.

But I also rise in opposition to the synthetic drug bill. I think there is not

enough research. I think there's information still needed. I don't think that we are in a position to allow this action to take place, and so I join in opposition to passage of this legislation.

Mr. PITTS. I am prepared to close; so I continue to reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, in closing, this bill circumvents the normal thoughtful process for scheduling drugs. Most of the drugs in this bill can't even be found in the United States. And to the extent there is an emergency and a need to place these on a schedule, the Attorney General has the emergency process where he can just put a drug on the schedule for a year and a half.

Medical researchers have asked us not to pass the bill because it will disturb promising research, particularly on Parkinson's disease, and so they have asked us not to pass this bill.

We should follow the thoughtful process for scheduling drugs and defeat this bill.

I yield back the balance of my time.

Mr. PITTS. Mr. Speaker, I yield the balance of my time to the prime sponsor of the bill, the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. I do want to address a few of the statements I heard on the floor from my friends from Tennessee and Virginia.

My friend from Tennessee made some comments, but I want to be very clear, these drugs are dangerous, have a high potential for abuse and no accepted medical use, which is why they belong on Schedule I. Schedules II and V are reserved for drugs used in legitimate medical procedures.

So we're talking about Schedule I here, not Schedules II through V. Let me be very clear on that point.

□ 1810

Second, the FDA has stated that the drugs listed in H.R. 1254 have no medical use, and there are no INDs—that is, investigational new drug applications—for these substances pending with the FDA. This is from the FDA. H.R. 1254 will not prevent further research into synthetic drugs. It's simply false to say that it will.

DEA has a routine, well-established procedure in place to facilitate scientific study of Schedule I drugs, including marijuana, cocaine, and heroin. Currently the DEA has licensed nearly 4,000 individuals and other entities, including universities, manufacturers, researchers, and labs to handle Schedule I drugs for scientific and investigational purposes. These are facts.

I also want to point out, my friend from Virginia made some comments about I guess eight compounds having been found in the United States. Actually, dozens of compounds have been found in the United States. Many bath salt chemicals currently are in the United States, but only three synthetic stimulants and five synthetic cannabinoids have been emergency

scheduled by the DEA because they have to go chemical by chemical in order to act on this matter. They have to deal with this on a chemical-by-chemical basis.

We need Congress to give the DEA authority to be more effective and get ahead of this problem. We know that these drugs are coming into this country from Europe. That's where they're coming from, these compounds. There are some in Europe right now. Our goal is to get out in front of this before they have a chance to be exported into the U.S.

Another comment I heard about 325 researchers, well, 325 researchers because that's all who have applied to do this type of research. DEA is not in the business of turning researchers away, so I want to be clear on these points.

There's so much more that can be said on this. But again, research will not be impeded in any way. There is a mechanism, there is a process in place to do research on these Schedule I drugs. It's well established. This has nothing to do with the medical marijuana debate. I heard that argued earlier, too. We're talking about synthetic marijuana and synthetic cocaine. This stuff is dangerous. And, in fact, some would argue worse than the real stuff, so let's get to it.

This is about public safety. This is about the health of our constituents. We know what's going on. In fact, somebody pointed out to me today that a store in Washington, D.C., a few blocks from the Capitol, somebody is selling this stuff. My State and over 30 other States have seen this problem. They know what's happening across this country. We need to do something about it. DEA is alarmed by this. Justice is on board. DEA is on board. Let's do something for the good of the American people. Please pass H.R. 1254, the Synthetic Drug Control Act of 2011. It's in the best interest of the American people, and the best interest of our children. We're doing the right thing.

Mr. WAXMAN. Mr. Speaker, the Synthetic Drug Control Act adds specified synthetic versions of drugs of abuse to Schedule I of the Controlled Substances Act. These designer drugs generally mimic the effects of marijuana or of stimulants and can be unsafe, causing convulsions, anxiety attacks, dangerously elevated heart rates, and bizarre and dangerous behavior, among other conditions. Under current authority, the Drug Enforcement Administration (DEA) has difficulty taking action against these drugs because they fall outside existing statutory descriptions of Schedule I drugs. H.R. 1254 will enable DEA to take appropriate enforcement actions to get them off the street and away from our Nation's youth. I therefore believe it is critical that we deal with the threat these drugs pose.

I wish to note however that I have concerns with the basic underlying statute that would now apply to these listed substances through this legislation. In particular, I do not support the mandatory minimum sentencing provisions of the Controlled Substances Act for Schedule I drugs, provisions that under this legislation will apply to the listed synthetic drugs as they

apply to all Schedule I drugs. Mandatory minimum sentencing inappropriately applies a one size fits all approach, eliminating the ability of judges to exercise discretion in determining an appropriate sentence in light of individual circumstances. The sentencing judge is in the best position to determine a fair sentence, having considered all of the evidence and having heard from the parties and the defendant.

I also believe that the administrative process for scheduling controlled substances should be improved, so that the Attorney General, with the help of the Secretary of Health and Human Services, can make scheduling decisions without resorting to help from Congress. I do not know whether such improvement requires legislation or regulation. I do know, however, that it is rarely a good idea for Congress to make scientific determinations such as are required to make good scheduling decisions.

Additionally, I believe it is incumbent upon DEA to reevaluate the recordkeeping and other regulatory requirements it imposes upon scientists who use controlled substances for legitimate research. The agency should ensure that such research is not impeded or discouraged through unnecessarily onerous requirements.

I recognize that it is not a simple task to strike the right balance, to exercise enough control to discourage abuse but not so much as to discourage research that may lead to important therapeutic advances and treatments. I intend to send a letter to DEA Administrator Michele Leonhart asking for a report on the restrictions imposed upon researchers, particularly those in academia who work with amounts of scheduled substances too small to pose a serious risk of diversion. I would like to know what if any improvements can be effected to eliminate or modify those requirements whose costs in time and resources outweigh their potential benefits in hindering research scientists from becoming drug abusers. I hope the Chairman of the Energy and Commerce Committee and others will join me on the letter.

Finally, however, while I remain concerned about aspects of the underlying statute, the question before us is whether these substances should be controlled as would be accomplished through passage of this legislation. I believe the answer is yes, because of the danger to public health posed by the listed synthetic drugs.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and pass the bill, H.R. 1254, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

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

The point of no quorum is considered withdrawn.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 944, de novo;
S. 535, de novo;
H.R. 2360, de novo;
H.R. 2351, de novo;
H.R. 1560, de novo;
S. 683, de novo;
S. Con. Res. 32, de novo.

CALIFORNIA COASTAL NATIONAL MONUMENT CONSOLIDATION ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 944) to eliminate an unused lighthouse reservation, provide management consistency by incorporating the rocks and small islands along the coast of Orange County, California, into the California Coastal National Monument managed by the Bureau of Land Management, and meet the original Congressional intent of preserving Orange County's rocks and small islands, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FORT PULASKI NATIONAL MONU- MENT LEASE AUTHORIZATION ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (S. 535) to authorize the Secretary of the Interior to lease certain lands within Fort Pulaski National Monument, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PROVIDING FOR OUR WORKFORCE AND ENERGY RESOURCES ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 2360) to amend the Outer Continental Shelf Lands Act to extend the

Constitution, laws, and jurisdiction of the United States to installations and devices attached to the seabed of the Outer Continental Shelf for the production and support of production of energy from sources other than oil and gas, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

NORTH CASCADES NATIONAL PARK SERVICE COMPLEX FISH STOCKING ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 2351) to direct the Secretary of the Interior to continue stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ALLOWING YSLETA DEL SUR PUEBLO TRIBE TO DETERMINE MEMBERSHIP REQUIREMENTS

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 1560) to amend the Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act to allow the Ysleta del Sur Pueblo Tribe to determine blood quantum requirement for membership in that tribe.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

BOX ELDER UTAH LAND CONVEYANCE ACT

The SPEAKER pro tempore. The unfinished business is the question on

suspending the rules and passing the bill (S. 683) to provide for the conveyance of certain parcels of land to the town of Mantua, Utah.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CORRECTING ENROLLMENT OF H.R. 470, HOOVER POWER ALLOCATION ACT OF 2011

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and concurring in the concurrent resolution (S. Con. Res. 32) to authorize the Clerk of the House of Representatives to make technical corrections in the enrollment of H.R. 470, an Act to further allocate and expand the availability of hydroelectric power generated at Hoover Dam, and for other purposes.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and concur in the concurrent resolution.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

□ 1820

EXTENDING UNEMPLOYMENT INSURANCE

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

GENERAL LEAVE

Mr. LEVIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my Special Order.

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

There was no objection.

Mr. LEVIN. Mr. Speaker, today we're here to talk about the need to extend unemployment insurance. The numbers are staggering. If we do not act by the end of this month, in January well over a million people will lose their unemployment insurance, by mid-February the total will be well over 2 million, and by the end of next year, if we do

not act, over 6 million people. As I said, these numbers are staggering. But the people behind these numbers are overwhelming.

We're here today to talk about the numbers and also talk about the people who are involved. When we've had emergencies like this, we have never failed to act. Today, we face an emergency beyond any we've seen since the Great Depression, and it's absolutely vital as a result that we act.

I'm joined by some of my colleagues. I want to call on them. As I do so, I want to read stories. I'll start by reading just one story and then call on one or more of my colleagues.

Let me start by reading what came in from a person in Amherst, New Hampshire, Jackie: "Unemployment benefits helped me make ends meet while I was using my savings and 401(k) to keep up with everything. Now they are gone. My savings are long gone. My 401(k) is almost gone. I'm watching everything I worked so hard for my entire adult life slip away from me. I am 50. I will never recover from this."

I would now like to yield to the gentleman from Texas, if he would like to join me.

Mr. REYES. I want to thank my colleague for yielding and some time to speak on this very important issue here.

Mr. Speaker, recently, the Department of Labor reported that the national unemployment rate fell to 8.6 percent in November, its lowest point in nearly 3 years. Coincidentally, in El Paso in the 16th District of Texas, the unemployment rate has also declined. This is very good news and very positive news for not just our respective districts but for our country.

We have been told by economists that once our economy gets going and operating at full strength, it can literally drive the economies of the rest of the world. These positive signs make it evident that, in fact, our economy is moving forward and that we are on the road to recovery. However, as our economy continues to heal, we cannot afford to become complacent. Instead, we need to immediately pass legislation that will help create jobs and put more people back to work.

First, I believe, Mr. Speaker, that we must pass the American Jobs Act. My district, as well as the districts of my colleagues, in talking to them here, would greatly benefit from the President's Jobs Act. For instance, El Paso would receive over \$66 million to upgrade and modernize our schools to meet 21st-century needs. In addition, school districts in the El Paso region would receive funding to keep teachers from being laid off.

For example, our largest school district, the El Paso Independent School District, would receive an estimated \$45 million to keep teachers from being laid off and to perhaps hopefully continue to hire desperately needed teachers in our classrooms. These are smart investments on our part for the future

which will also boost our economy in the immediate future.

Second, we must extend unemployment benefits. I want to thank my colleague for highlighting this and make sure that we extend unemployment benefits to those that are in desperate need. In fact, these benefits are the only thing that stand between them and homelessness and going without. During this downturn, unemployment benefits have kept over 3 million people in food and clothing and the basic essentials. It has also served as a booster to our struggling economy. We must protect these families who are still struggling and help them by the Jobs Act to find a stable source of income.

I have heard, like many other of my colleagues here, many stories from those in my district that have had difficulty in the last months and years in finding a job. So today we cannot and we must not turn our backs on the American people—the American people that need our help and need the passage of the American Jobs Act. They also need for us to step forward, stand with them, and pass the unemployment insurance. Rather than being distracted and being misled by our colleagues on the other side of the aisle, we must focus on our priority, which should be the creation of jobs, the passage of the unemployment insurance, and getting this economy going.

So I pledge to my colleague and my colleagues here that we must continue to work together to create jobs not just for El Paso and not just for Texas, but for our country. And when we talk about the United States economy that literally drives all other economies, people around the world are waiting for us to work together to get this done. With that commitment, we can turn things around. We're seeing some very positive signs. We must continue to work for all the people that have sent us here to do that work.

With that, I want to thank my colleague for yielding.

Mr. LEVIN. I thank the gentleman from Texas for joining us and explaining what this means in his State and throughout the country. We're determined to tell the stories and, as I said, to put faces on these numbers. And to do that, I have joined with other Ways and Means Democrats to launch an extend unemployment program e-call Web site. As of this week, 2,590 Americans have joined the e-call, and we have received 501 stories from jobless Americans.

Before I call on the gentleman from Illinois to join, I would like to read, if I might, just a couple more. This is from Nick of Clinton Township, Michigan. "I was unemployed from August 2008 until March 2010 after working for 23½ years at my job.

□ 1830

"My job was sent to Sao Paulo, Brazil. Had it not been for extended unemployment benefits, I would have lost my house." Nick of Clinton Township.

And let me read what was said by Peter of Warren, Michigan: "I was permanently laid off from American Axle. I worked there 15 years and our jobs were sent to Mexico. As of this time, I have not found a job. I have been looking over 2 years now, and nothing in Michigan. I am in the TRA/TAA program to be reeducated, but my benefits will run out before I finish my school, and I will not get the degree in my field." Again, from Peter of Warren, Michigan.

I now would like to call, if I might, on the gentleman from Illinois to join us. And then, if I might, the sponsor of this legislation, Mr. DOGGETT of Texas.

Mr. DAVIS of Illinois. Let me thank the gentleman from Michigan for yielding, but I also want to commend him for his many years of excellent service to this body that we know as the United States House of Representatives. And I want to commend him for the tremendous leadership that he provides as the ranking member of the Ways and Means Committee.

Mr. Speaker, it is December 7, and Republicans still have not enacted legislation to protect the millions of Americans hardest hit by one of the worst economic crises in our Nation's history. The well-being of 6 million Americans, including 100,000 from my home State of Illinois, hangs in the balance. Our Nation is in an unemployment crisis, and we must act now to help our citizens.

At this time last year, Republicans emphasized that the economy was so horrible that the wealthiest Americans needed 2 years of tax cuts, yet they only saw the need to help the unemployed for 1 year of emergency assistance. Now, 1 year later, as the emergency assistance runs out, Republicans remain comfortable with the \$180 billion in tax breaks for the wealthiest 3 percent of Americans, but they cannot support \$50 billion in 2012 to help millions of the neediest Americans—and never mind any consideration of helping the millions of Americans who have exhausted their Federal benefits and still can't find a job.

Our Nation, yes, is indeed in an unemployment crisis. Over 45 percent of all unemployed workers—more than 6 million people—have been out of work for more than 6 months. There are approximately 6.4 million fewer jobs now than at the beginning of the Great Depression. The Department of Labor data showed that there are over 4.2 unemployed Americans for every one job. Even if every job were filled, 8.9 million citizens would remain unemployed.

During this protracted storm of economic hardship, unemployment benefits are a critical lifeline for our citizens and for our economy. Unemployment benefits have kept 3.2 million Americans—including nearly 1 million children—from falling into poverty in 2010 alone. New research shows that the current Federal unemployment programs provide \$2 in economic stimulus

for every \$1 in unemployment benefits circulating in the economy. The Federal unemployment programs saved or created 1.1 million jobs as of the fourth quarter of 2009 alone. And the Economic Policy Institute estimates that preventing unemployment benefits from expiring could prevent the loss of over 500,000 jobs.

Our Nation is indeed in an unemployment crisis, and we must act now to help our citizens. We cannot protect the wealthy while ignoring the millions of Americans hardest hit by one of the worst economic crises in our Nation's history. We cannot deliver a windfall to the privileged and deny the poor. Such a position is not responsible leadership, and such a position is not consistent with American values.

So I join with my colleagues in urging the Republican leadership to protect vulnerable Americans by extending the unemployment benefits.

I want to thank you, Mr. LEVIN, again for the opportunity to participate.

Mr. LEVIN. And I thank the gentleman from Illinois for your distinguished service and your passion that you bring to this and so many other issues.

I want to yield to the gentleman from Texas, who's the lead sponsor and ranking member on the relevant subcommittee. But before I do that, since you're from Texas, I want to read one of the hundreds that we've received, a word from people who are the unemployed.

This is Jessie of San Antonio, Texas: "I have submitted over 350 job applications and have only been called for two face-to-face interviews and five over-the-phone interviews. I am a disabled Navy veteran whose appendix ruptured in October 2010 and was filled with cancer cells. My State benefits expired at the end of August, and now my Federal benefits will expire in 6 weeks.

"It seems that no one is hiring adults over 56 years of age. I'm a very good, positive employee, and I feel that with every job application I'm due to get hired soon. Please help me in any way possible."

It's now my privilege to yield to the lead sponsor of this legislation, LLOYD DOGGETT from the great State of Texas.

Mr. DOGGETT. Thank you, Mr. Chairman. And I still call you "Mr. Chairman," though the formal leadership of the committee has changed with the change in the majority here in the House. And I guess if you were in fact still the chairman with full authority we would not be here, nor would there be any unemployed individual in the United States among the millions whose benefits would expire next year who would be wondering the night before Christmas what would happen the day after their unemployment coverage expired next year.

We face a great challenge, and as you have been pointing out in describing individuals like Jessie, a retired—not

voluntarily retired, but retired, removed from the workforce by unemployment in San Antonio, these are very real human beings, not just unemployment statistics.

With over 6 million fewer jobs than when the recession began and more than four workers competing for every job opening, too many Americans have nowhere to go. They are like the lyrics from that working man song of the Nitty Gritty Dirt Band:

Had me a job until the market fell out;
Tried hard to borrow, but there was no help.

Now I've got nowhere to go.
I need a job for these two hands;
I'm a working man with nowhere to go.

And if our Republican colleagues continue to insist that unemployment is caused by the unemployed instead of by the troubling economy we have, there will be about another 5 million Americans with nowhere to go, looking as to where they will find the resources to put food on the table, make the car or pick-up truck payment, take care of the kids and meet the other necessities of life if their unemployment insurance expires.

While the Republicans continue to have a really factless finger-pointing at the unemployed, I think it is past time for us to lay the facts straight out on the table and respond to some of these myths that they've been promoting.

Fact: An unemployment check is not a substitute for a paycheck. People like Jessie know that. An unemployment benefit usually amounts to a fraction of what a worker was making before someone lost his or her job.

Fact: Unless you are actively searching for a job, getting job training for a new job, or are on temporary layoff, you're not likely to be entitled to an unemployment check.

□ 1840

I'm not for just paying people to be idle; but these are individuals who are either getting training, who are actively involved in a job search, or the few that are in the temporary layoff category. There is little evidence to support the Republican claim, repeated again and again, that unemployment insurance benefits are a significant factor in discouraging folks from going out and looking for work.

Fact: to receive extended benefits, an unemployed person is required to accept reasonable offers of employment. Two out of three of the unemployed respondents in the Helderich Center survey, and 80 percent of those who were receiving unemployment benefits, said they were willing to take a pay cut in order to get a new job, as so many Americans have had to do with the challenges in our economy.

Fact: one economist estimates that for every \$1 dollar we spend on these unemployment insurance benefits, about a \$1.61 in economic activity comes back. In fact, some of the estimates from one group that began its

survey back during the Bush administration for the Department of Labor say it's even higher than that in terms of the economic rewards.

So I believe that we must create jobs. Certainly, we must do the kinds of things that this Congress has failed totally to do in terms of job creation and promoting economic recovery. But we also must provide a vital lifeline for those folks who are out there actively searching for work and the jobs are just not there for them.

The facts are clear. The time for us to extend unemployment coverage is now, not to wait until next year, not to wait until Christmas, and not to wait until these families are faced with the critical situation of not having the unemployment insurance coverage that they should have to meet these basic necessities, but to act right now in the next few days.

It's for that reason, as you well know, that we're working together to try to get this unemployment insurance coverage extended, as it has been done often on a bipartisan basis in the past whenever the unemployment rate was at a level near what it is today.

So, hopefully, in our sounding the alarm here again tonight, in your telling these stories about individual Americans and what a loss of this coverage means, we can begin to involve and get the support of more of our colleagues to do what we really need to have accomplished just as soon as possible.

Mr. LEVIN. Thank you. What we're trying to do, as you say, is to bring America into this debate because if the faces are shown and the voices heard, our faith is that somehow we'll act.

And as you say, Republicans tend to blame the unemployed instead of blaming themselves for inaction. And we're not going to leave here, we're not going to leave here until there's an extension of unemployment benefits; isn't that correct? That's your pledge.

Mr. DOGGETT. It is our pledge, because there's just too much at stake here. This Congress has been incredibly unproductive. You might think it had been unemployed for much of the past year. And we need to stay and complete the work.

This is work that was done practically on Christmas Eve last year, when this extension was in jeopardy again. And we ought not to go right down to the wire like that again. There's no reason that this could not be done in the coming week, but for this ideological commitment saying that unemployment insurance coverage is not good for the economy. The facts don't bear that out.

The individual stories that you're telling us about tonight, those are the individuals, those are the families that have so much at stake. And of course, because of this economic effect, those unemployed families, when they get a dollar of unemployment insurance, they have to spend that dollar. They may be spending it at the grocery

store. They may be paying a landlord or a mortgage company. They may be paying on their credit card or their car, just to have the basic necessities of life; and that's why the economic impact on small businesses is so significant from doing what we would need to do in order to support these families engaged in an active job search or getting the retraining and the retooling they need to have an opportunity for a job in the future.

Mr. LEVIN. It's so important that you've talked about the facts. The more we discuss the facts about unemployment insurance, and the more we talk about the unemployed, the more persuasive is the need for action. There's so much mythology, and the stories help to blast the mythology.

I just would wish that we could get into the shoes—there are 6 million whose benefits are threatened here. If you lined up the 6 million from here, they'd go, I think, to Sioux Falls, South Dakota.

But it's hard for us to receive the stories or to obtain them because, under the Privacy Act, we don't know the names; and that's why you and I and others have joined to, essentially, have a Web site so people can tell us how to reach them.

But your recitation of the facts is so important because, in the end, I think the facts will prevail. The stories will be telling.

And so, Mr. DOGGETT, you've been such a lead person on this. You're the lead person on this legislation. So many of us have been working on this.

As you said, one of the facts is we have never failed to act, and this is a deeper recession than we've known. In fact, one of the facts is that there are now nearly 7 million fewer jobs in the economy today compared to when the recession started in December 2007. Seven million fewer jobs. And so when people search, they're often hitting a wall.

By the way, this gentleman, Jesse, refers to his age. And it's very true that the older—they're not very old—people are having trouble.

I had a forum in Michigan, and it was so heartbreaking that a person said to me—I would guess in her fifties—that I've taken all of the years off of my CV, when I went to college, when I graduated, when I first had a job, and the date of every position she had because she's afraid that when these resumes come in, people look at the age and a stone wall is hit.

It's my privilege, Mr. DOGGETT, to join with you. I'd now like to have join us a very distinguished Member from California. And if you give me a minute, BARBARA LEE, the very distinguished woman, I want to find a story from California. And so if I might just read this before I yield to you.

This is Benjamin of Los Angeles, California:

"I've been actively looking for work for 8 months now. Unemployment insurance has been crucial in my survival. It has literally kept me alive.

It's allowed me to buy food and pay all my bills. Bills have no conscience. They come, regardless if one is working or not.

"I really feel for and extend my empathy to those who are unemployed and have children. I wholeheartedly support the emergency extension of unemployment insurance."

Benjamin of Los Angeles California, your home State.

You do such honor to your State and the whole Nation, and it's my privilege now to call upon the gentlelady from California, BARBARA LEE.

□ 1850

Ms. LEE of California. Thank you so much.

First off, let me thank the gentleman from Michigan for those very kind words, more importantly for your leadership on so many fronts and for caring about those who are falling through the cracks at this point, and also for this very sobering Special Order tonight, because this is very sobering on the need for an immediate extension of unemployment benefits for the millions of Americans who are struggling to find work.

While we received some welcome news on the unemployment rates from last week with the national unemployment rate falling to 8.6 percent from 9 percent, we cannot stop. We cannot abandon the millions of job seekers during the middle of a faltering recovery.

In fact, failing to extend these critical benefits would really cripple our recovery and cost the economy over half a million jobs.

The slow pace of private sector job creation is not because of regulations or uncertainty in the Tax Code. If you speak to nearly any business person, they will tell you that they are not hiring because they don't have customers.

Abruptly ending unemployment benefits during the holiday season, first of all, it's mean and it's morally wrong. It would strip 2 million customers out of the economy by March, and over 6 million customers out of the economy by the end of the year. But again, more importantly this is just morally wrong. This is just not who we are as Americans.

We could not make a worse decision than to cripple our economy by failing to protect millions of families and children from poverty because that is just what unemployment benefits do. It keeps 1 million children from falling into poverty. So we absolutely must extend this critical benefit to workers who were laid off through no fault of their own before the end of this year.

Hidden, though, within the positive 0.4 percent drop of unemployment is the discouraging news that over 300,000 Americans dropped out of the workforce and that the long-term unemployment picture is not improving, with the average length of unemployment now rising from 39 weeks to 40 weeks.

So not only must we immediately extend the emergency unemployment benefits, but we should also immediately pass legislation that Congressman BOBBY SCOTT and myself have introduced, H.R. 589, which would add an additional 14 weeks of tier I unemployment benefits for the millions of Americans who have already completely exhausted their benefits. And I hope that the Republican leadership will bring that bill to the floor for an up-or-down vote.

We can't ignore the needs of people who have hit the 99 weeks, because unfortunately when we extend unemployment benefits, there will be 2 to 3 million people who still won't be covered because they've hit the 99 weeks. So we can't ignore the needs of the millions of Americans who have run out of time and who are now losing their homes, falling out of the middle class, and relying more and more on our help.

In addition, there was a startling rise in the African American unemployment rate from 15.1 percent to 15.5 percent in the same period. There can be no clearer reminder of the ongoing racial and ethnic disparities that continue to plague our Nation and keep minority communities suffering disproportionately than higher rates of unemployment, poverty, near poverty, and tragic health disparities like unconscionably higher rates of HIV infection.

When the national employment picture improved significantly for the first time in months, African Americans faced a marked increase in their unemployment. That means we must take immediate and bold action to implement targeted programs and policies to ensure that we truly are a Nation that provides equal opportunity and leaves no one behind in terms of accessing the American Dream.

Now, Congressman LEVIN, I held a job fair in my district a few months ago. Thousands of people showed up in Oakland for the few jobs—four people for every job—that were available.

But let me tell you, people want to work. Let me tell you, people want to work. We in the Congressional Black Caucus held five job fairs around the country, thousands of people showed up for limited jobs. I can say with certainty, people want to work, people want to work.

And so we have to, however, extend the safety net or this bridge over troubled waters until we figure out how we can deal with the politics of getting the American Jobs Act passed, and also other opportunities and legislation to provide jobs for people because people want to work. So we have to extend this unemployment compensation until we do that.

We have to save our economy and the millions of struggling families from poverty and immediately pass and extend unemployment benefits now.

Let's not forget again the 2 million-plus people who've hit that 99-week limit who will not be eligible for an extension unless we figure out a way to

include them in these initiatives and in this policy.

Mr. Speaker, we've got a lot of work to do. But I know we intend to stay here until we do our job, until we extend this bridge over troubled waters, the safety net for people just to survive. That's all this is, is for people just to survive.

If we don't do that, those of us who call ourselves people of faith really need to come to grips with our faith and who we are, and how we propose to move forward within the context of looking out for and making sure that the least of these are addressed and taken care of until we can provide them those opportunities and dismantle those barriers so they can reignite the American Dream, because it's turned into a nightmare for millions and millions of people.

So Congressman LEVIN, I want to thank you again for, again, this clarion call to our conscience. It should prick our conscience tonight. We should, tomorrow, say let's pass this now. The holiday season is upon us. People need some certainty in their lives. They need to know that they have a bipartisan effort to help them through this period, and they need to also know that we're going to work very hard to pass the American Jobs Act so that they can finally get a job, because that's what this is all about. And people want to work. Thank you again.

Mr. LEVIN. Thank you for your eloquent statement.

As you said, this is one estimate, four people for every job. You mentioned this is a matter of faith. A few weeks ago, I met a minister. I had never met him before. And we got to talking about the challenge of unemployment insurance. And I paraphrase what he said to me: This is a challenge to America's soul.

Thank you very much.

Before I call on the distinguished colleague from Wisconsin, I want to read one more story.

I have a story that's given to us, one of the more than 400, from Nathan of Madison, Wisconsin.

So let me read this before I call on my distinguished colleague and friend from Wisconsin, GWEN MOORE.

I quote: "I have been unemployed twice in the past 5 years, and they were not by choice. I have a master's degree in organic chemistry and have worked in the pharmaceutical industry and related industries since finding a job out of school in 1998. After 2 years with my first company, I received a double promotion. So my layoffs have not been due to my performance, abilities, or capabilities.

Anyone who says unemployed people are lazy or have it good are ignoring the fact that people are hurting across the board." From your fellow resident of the State of Wisconsin.

It is now my distinguished privilege to yield to you, Ms. MOORE, from the State of Wisconsin.

Ms. MOORE. Absolutely, Representative LEVIN.

Let me start out by thanking you for this Special Order. And that letter is just one in 58,000 people, off the top of my head, that will be immediately affected by our inability to expand unemployment insurance. That's one story.

As you indicated, it's a person who is from Madison, Wisconsin, well educated, and cannot find a job in this recession.

I just think it is really curious, and I guess I would like to engage in a dialogue with you about this, you being the ranking member on Ways and Means, maybe you can help me understand a little bit better. Our colleagues in the majority, the optic and the narrative in the country for them is they want to preserve benefits for millionaires and billionaires. They want to preserve corporate tax expenditure benefits for corporations.

□ 1900

They want to maintain foreign profits for expatriated funds. They want to maintain a very high tax exemption for estates over \$5 million. They want to maintain capital gains benefits, benefits on dividends.

So I'm just curious, Representative LEVIN, why they don't want to provide this governmental benefit for unemployed people. This is very distressing to me when I consider who the unemployed are. When I think about the people the majority party wants to preserve benefits for and then when I get an optic of the people who would most likely benefit from this unemployment insurance, there is a stark contrast. Perhaps that starts to explain why there is a reluctance, an unwillingness and an unreadiness to provide this benefit.

Now, as you know, the overall national unemployment rate dropped from 9.1 percent recently to 8.6, which is something that I think we can claim some victory for; but when you peel back the curtain and disaggregate these numbers, you're going to see that there's a sharp and problematic racial undertone as it pertains to black unemployment.

When you look at the unemployment for white men, Representative LEVIN, their unemployment dropped from 7.9 percent to 7.3 percent, which is very high; but black men endured a spike from 16.2 percent in unemployment to a disturbing 16.5 percent in unemployment. So those lowered unemployment rates certainly do not reflect what's happening in the African American community.

Of course, according to the Bureau of Labor Statistics, unemployment declined for every demographic within the white community—for teenagers, men, women—but it actually increased for every measured group within the African American community—for men, women, teenagers.

Even worse is after the fact, when the recession is over, when black unemployment won't be any better than white unemployment is right now. I

guess that's sort of racial inequality 101. When we peel back the layers of this improved economy, what we find, Representative LEVIN, is that single mothers—women—are suffering, that they're some of the hardest hit.

As you will recall, Representative LEVIN, this institution on a bipartisan basis—and I understand I was not here when Mr. Newt Gingrich was Speaker of the House—decided that the most important legislative initiative that they could undertake was to end aid to families with dependent children and to put women and children under the vagaries and vicissitudes of a cyclical economy. So now that we have an economy that is as bad as it was during the Great Depression, we can look at the unemployment numbers among women, especially among single women, and we can find some very, very distressing data.

Poverty among women climbed to 14.5 percent in 2010 from 13.9 percent in 2009, the highest in 17 years. According to a recent report by Legal Momentum, recent Census data on poverty paints a bleak picture for single-mother families. This report finds that the poverty rate for single moms, for people who by definition have to feed their kids every night, reached 42.2 percent last year, up from 38.5 percent in 2009, and way up from 33 percent in 2000. It is chilling to contemplate the predicament of women and children when there is no aid to families with dependent children and no entitlement. When you consider that you've got folks like the gentleman you described in your letter who has a master's degree and who cannot find a job, a mom with kids is competing in that same job market.

There is a great deal of need in these populations. Even as the economy begins to show growth, they're forced to make cuts in the family budgets. They're living with food insecurity—not enough food—and the quality of the food is not good. They're eliminating health insurance. I know families in my district who are taking medicines every other day, doing without transportation, clothing, and where utility cutoffs are very prevalent.

Mr. LEVIN. I was looking through some of the letters. Let me just read a letter in which the author is a single parent from Geneva:

"I never thought that I would have to start all over again looking for work in my late forties. I hadn't even been 1 year cancer free. I'm a single parent of a teenage daughter. So, when my job terminated, so did my medical insurance . . . I had to move back to my mom's house. I could no longer afford my rent, car note, insurance, and the basic everyday needs of raising my daughter and keeping my own place . . . Please don't take away UI so soon. People like me need to keep it until we can find full-time work to take care of our families and help us keep our self-esteem."

Ms. MOORE. I tell you, that is a very moving letter. You say she had to

move with a teenage daughter back into her mom's house. I mean, teenage kids need things other than food. Something like toilet paper becomes an issue when you're sharing a household and when you don't have enough money to make those contributions.

The other thing that makes me very curious, Representative LEVIN, is the rhetoric around the desire to help small businesses. Do you realize if we don't extend this unemployment benefit, economists have calculated that, in 2012, this will take \$90 billion out of the economy? You won't buy that teenager shoes because you're unemployed.

Mr. LEVIN. Absolutely.

We're focusing today on the stories of the unemployed, on the personal stories, in order to put a face on the numbers. It's also important—and you referred to it—for the economy of our country. Every economist, I think without any exception, says that unemployment insurance is one of the two most beneficial instruments that we have in terms of putting money back into the economy because people who are unemployed and who receive their insurance—they work for it—spend it.

We have some other stories from single parents. Let me just, if I might, read another story. Then perhaps we should ask the gentlelady from Texas to join us if she would like.

"I am a military spouse that was forced to move and leave a great-paying office management position since my husband was transferred to a new duty station . . . I have applied for jobs that would barely cover our bills just so that I can be among the working again . . . My soldier can't afford to support us on a military income—and it's not just about me. I have a son to think of. I hope and pray that an extension is approved so that it doesn't cause our family structure to crumble. I believe that an extension should be approved as it is keeping not only my family but millions of other American families from drowning in a sea of financial ruin."

That's from Rachel of Lemoore, California.

It is now my privilege to yield to the gentlelady from Texas, Ms. SHEILA JACKSON LEE.

□ 1910

Ms. JACKSON LEE of Texas. I thank the gentleman very much and thank him for his leadership on this issue. And reading these passionate letters, I don't know how anyone could bring us to the brink of disaster where we find ourselves today.

I just want to read from the U.S. Department of Labor a simple sentence that I think speaks volumes:

"The unemployment insurance system helps the population most directly affected by recessions, those who have lost jobs through no fault of their own."

Mr. LEVIN, you have heard my colleagues speak of the double-digit unemployment in distinctive populations,

the young, recent college graduates, African Americans and Latinos who remain at the bottom of the heap, but who are looking for jobs every day. I am reminded of a job fair at the Fallbrook Church in Houston, Texas, where throngs came seeking opportunity and basically refuting the commentary of one Presidential candidate no longer in the race, Mr. Cain, who said if you're broke and if you're unemployed, it's your fault.

And now the front-runner, Mr. Gingrich, says that poor children have no role models, their parents don't get up and go to work, they have not seen anybody go to work. How outrageous to speak about those who have lost their job, their children are poor, and they would blame the victim.

So I think it is crucial that we pass this legislation; and we have never, Mr. LEVIN, not passed this legislation when unemployment in our country has been near 9.1 percent. It is not 9.1 percent, but it's very well near there.

And unemployment benefits will keep us from losing over 500,000 jobs. It will also help some of the bankrupt States. There are States that are, in fact, looking to \$5 billion in tax hikes on employers in nearly two dozen States. These solvency provisions will stop putting \$5 billion in tax hikes on employers in nearly two dozen States, as well as provide \$1.5 billion in interest relief.

Some of these very Members who may be objecting to this, debating about it, come from States that are themselves facing a question of solvency because of the unemployment insurance.

Where is the life raft, if you will? Where is the helping hand? Where is the rescue for the people who are desperate?

You might not be able to see this, but it's a very small picture of a person living in a disastrous home impacted by Hurricane Ike. There was some decision about some funds going there in Houston, Texas, today. I'm not happy with the meager distribution to help people like this. They're not getting all the money that they need.

I can assure you if they're living in some homes like this, many times they may also be unemployed. So they're living in devastated housing in many instances. They are in need of food on their table. They are likewise trying to provide for their children, and they don't have the resources.

Mr. LEVIN. The gentlelady referred to a particular situation. Let me read from another story, if I might.

Ms. JACKSON LEE of Texas. Please do.

Mr. LEVIN. This is Linda of Seattle, Washington:

"I am a person, a hardworking American person at that, and I will be forced to live on the streets if EUC is not extended. It terrifies me; and if it happens, the struggle I will face to once again be a productive member of this society, in these times, by myself, is

not one that I'm likely to win. There are thousands of stories just like mine that won't be told here. We are people, we have faces and lives and dreams just like everyone who still has a job. I am telling you: we will be on the streets without this extension, and only some of us will ever make it back from that."

Ms. JACKSON LEE of Texas. First, you read about a mother and her child that has to move back into their family's residence, or her parents' residence. These are now senior citizens.

Then you tell me about someone who's actually going to be homeless. Then we hear about a person that's degreed, has the ability to contribute to the engine of this economy in science, and they're unemployed. And then if you would, Mr. LEVIN, just look, I'm on the floor with Mr. GARAMENDI, the gentleman from California, and we use this to show how flat-lined our working and middle class have been in terms of the growth of their income; and we see the top percent of wealth right here shooting up to an enormous amount—that is the blue line. This is how the wealthy have progressed and grown.

And then we hear our friends saying the poor little rich person, where the very rich person in this group, because I'm not involved in class warfare, is saying we understand and we're willing to have the burden of sacrifice with the benefit of living in this great country.

And so when we look at this wealth, think about this woman who is saying she is near homelessness and think about the 160 million Americans that if we do not do a payroll tax cut; but think about, most of all, the 6 million Americans who will be left to homelessness in contrast to the enormous wealth that is on this poster board and the meager proposal of surtax on the 1 percent for 10 years, starting in 2013, to pay this off and to keep solvent Social Security. It is unbelievable that we would not rush to do this as we are nearing the holiday season.

I am just noting for you, Mr. LEVIN, just to say that the powerful, passionate letters that you have read are volumes in terms of those who are seeking our help.

And for anyone that has been to Occupy Houston or Occupy Wall Street or Occupy any city, if they talk to the people individually, they will know that these are simply hurting Americans who have lost their jobs who are seeking to come and seek opportunity. They want to work; and everyone that I have spoken to, the lady who is here with this home, 56 years old, I know that whether she's employed or not, the condition of her home suggests that she is in need. And the homeless persons, because they have no job, are in need.

I don't believe that the wealthy that are speaking on this particular poster board would argue about the solution that you have come to and that you are advocating and that those who are

writing in are saying, they are asking, just give me a lifeline and help me to survive.

I am prepared to stay here, Mr. LEVIN, as you have indicated, to make sure that we do right by the people who are so much in need.

Mr. Speaker, I rise today to address the issue of extending unemployment insurance. We must not go home for the holidays if we cannot agree to extend unemployment insurance.

With a national unemployment rate of 9.1 percent, preventing and prolonging people from receiving unemployment benefits is a national tragedy. As of today, in the City of Houston, the unemployment rate stands at 8.6 percent as almost 250,000 individuals remain unemployed.

Indeed, I cannot tell you how difficult it has been to explain to my constituents whom are unemployed that there will be no further extension of unemployment benefits until the Congress acts. Whether the justification for inaction is the size of the debt or the need for deficit reduction, it is clear that it is more prudent to act immediately to give individuals and families looking for work a means to survive.

If there is a single federal program that is absolutely critical to people in communities all across this nation at this time, it would be unemployment compensation benefits. Unemployed Americans must have a means to subsist, while continuing to look for work that in many parts of the country is just not there. Families have to feed children.

The American people are relying upon us to stand up for them when they are in need. This is not a time to take a vacation, go home to our families, and watch our unemployed constituents suffer through holidays.

Unemployed workers, many of whom rely on public transportation, need to be able to get to potential employers' places of work. Utility payments must be paid. Most people use their unemployment benefits to pay for the basics. No one is getting rich from unemployment benefits, because the weekly benefit checks are solely providing for basic food, medicine, gasoline and other necessary things many individuals with no other means of income are not able to afford.

Personal and family savings have been exhausted and 401(Ks) have been tapped, leaving many individuals and families desperate for some type of assistance until the economy improves and additional jobs are created. The extension of unemployment benefits for the long-term unemployed is an emergency. You do not play with people's lives when there is an emergency. We are in a crisis. Just ask someone who has been unemployed and looking for work, and they will tell you the same.

Currently, individuals who are seeking work find it to be like hunting for a needle in a haystack. For every job available today, there are four people who are currently unemployed. You can not fit a square peg in a round hole and point fingers at the three other people who when that job is filled is left unemployed. Let's be realistic there are currently 7 million fewer jobs in the economy today compared to when this recession began.

Although according to the U.S. Bureau of Labor Statistics the State of Texas continues to have the largest year-over-year job increase in the country with a total of 253,200 jobs.

There are still thousands of Texans like thousands of other Americans in dire need of a job.

UNEMPLOYMENT INSURANCE

A study was conducted the research firm IMPAQ International and the Urban Institute found Unemployment Insurance benefits:

Reduced the fall in GDP by 18.3%. This resulted in nominal GDP being \$175 billion higher in 2009 than it would have been without unemployment insurance benefits.

In total, unemployment insurance kept GDP \$315 billion higher from the start of the recession through the second quarter of 2010;

kept an average of 1.6 million Americans on the job in each quarter: at the low point of the recession, 1.8 million job losses were averted by UI benefits, lowering the unemployment rate by approximately 1.2 percentage points; made an even more positive impact than in previous recessions, thanks to the aggressive, bipartisan effort to expand unemployment insurance benefits and increase eligibility during both the Bush and Obama Administrations. "There is reason to believe," said the study, "that for this particular recession, the UI program provided stronger stabilization of real output than in many past recessions because extended benefits responded strongly."

For every dollar spent on unemployment insurance, this study found an increase in economic activity of two dollars.

According to the Economic Policy Institute extending unemployment benefits could prevent the loss of over 500,000 jobs.

If Congress fails to act before the end of the year, Americans who have lost their jobs through no fault of their own will begin losing their unemployment benefits in January. By mid-February, 2.1 million will have their benefits cut off, and by the end of 2012 over 6 million will lose their unemployment benefits.

Congress has never allowed emergency unemployment benefits to expire when the unemployment rate is anywhere close to its current level of 9.1 percent.

Republicans seem to want to blame the unemployed for unemployment. But the truth is there are over four unemployed workers for every available job, and there are nearly 7 million fewer jobs in the economy today compared to when the recession started in December 2007.

The legislation introduced today would continue the current Federal unemployment programs through next year.

This extension not only will help the unemployed, but it also will promote economic recovery. The Congressional Budget Office has declared that unemployment benefits are "both timely and cost-effective in spurring economic activity and employment." The Economic Policy Institute has estimated that preventing UI benefits from expiring could prevent the loss of over 500,000 jobs.

In addition to continuing the Federal unemployment insurance programs for one year, the bill would provide some immediate assistance to States grappling with insolvency problems within their own UI programs.

The legislation would relieve insolvent States from interest payments on Federal loans for one year and place a one-year moratorium on higher Federal unemployment taxes that are imposed on employers in States with outstanding loans.

According to preliminary estimates, these solvency provisions will stop \$5 billion in tax

hikes on employers in nearly two dozen States, as well as provide \$1.5 billion in interest relief. The legislation also provides a solvency bonus to those States not borrowing from the Federal government.

We must extend unemployment compensation. This will send a message to the nation's unemployed, that this Congress is dedicated to helping those trying to help themselves.

Until the economy begins to create more jobs at a much faster pace, and the various stimulus programs continue to accelerate project activity in local communities, we cannot sit idly and ignore the unemployed.

PAYROLL TAX CUT

For 337 days, the GOP House majority has failed to offer a clear jobs agenda. Congress must not leave Washington for the holidays without extending the payroll tax cut and unemployment benefits that put money into the economy and promote jobs.

GOP is risking tax relief for 160 million Americans while protecting massive tax cuts for 300,000 people making more than a million dollars per year.

Extending and expanding payroll tax cut would put \$1,500 into the pockets of the typical middle class family.

At least 400,000 jobs would be lost if Republicans block the payroll tax cut

In November, Senate Democrats proposed reducing it to 3.1 percent for 2012, and cutting employers' taxes on the first \$5 million in taxable payroll to the same level, which helps small businesses. To pay for the cut, the bill calls for a 3.25 percent tax on gross income over \$1 million for single filers and married couples filing jointly, the so-called "Millionaire's Tax." This is a reasonable compromise.

There are other ideas floating around this Chamber that touch on tax, such as repatriation. Lowering taxes is always a good idea, but scattershot approaches to tax reform almost always lead to undesirable outcomes.

TARGETED TAX RELIEF FOR AMERICAN WORKERS

The 2% payroll tax cut in effect for 2011 has provided \$110 billion of tax relief to 159 million American workers.

If the payroll tax cut is not extended, a family struggling through the economic recovery making \$50,000 will see its taxes go up by \$1,000.

Expanding the 2% payroll tax holiday to 3.1% will cut Social Security taxes in half for 160 million American workers next year.

This targeted tax relief will mean an extra \$1,500 for a typical American family making \$50,000, and \$2,500 for a family making \$80,000.

Mr. LEVIN. Your chart leads me to the last letter I'll read.

I read from Ralph of Warren, Michigan, because your chart shows what's at stake for middle-class America:

"Unemployment insurance must be extended so you can pay your bills and buy food. Without this insurance you would see the foreclosures go through the roof. Start looking out for the middle class that built this country."

And this issue of extension of unemployment insurance is critical for all America, and it surely is critical for the middle class that helped to build this country in that now, and the millions are finding, they have lost their jobs, they are looking for work, they can't find it. We need to respond, and we need to respond right now.

And I close with this pledge from all of us on the Democratic side in the House: we do not intend to vote for a motion to adjourn until we have acted on the payroll issue, continuing on the physician reimbursement issue, and very much so on extending unemployment insurance so that people out of work, through no fault of their own, can be assured there won't be millions of people in this country, beginning the 1st of January, who are left out in the cold.

I thank all my colleagues.

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

Mr. WAXMAN. Mr. Speaker, I rise today in unqualified support of extending unemployment benefits for the long-term unemployed.

The United States is a great nation. We're a great nation because we are the land of opportunity. We're a great nation because we are the home of the American Dream, where hard work and playing by the rules have always equaled success. But the United States is also a great nation because we assist our fellow citizens in need—those who have fallen on hard times and through no fault of their own are in need of a safety net.

An out-of-control Wall Street and the reckless deregulation pursued by the Bush Administration brought us the greatest economic crisis since the Great Depression. Tens of millions of American's lost their jobs, and fourteen million still are unemployed today. Forty-five percent of those unemployed have been out of work for six-months or more.

Every day, I hear from constituents that lost their job during the great recession and have been struggling to get by.

From one constituent:

I have been unemployed for almost 2 years. Never in my 51 years of life have I ever experienced anything like this. I submit resumes via Craigslist daily, I network and I have done whatever I can to get back to work. I will be homeless if [unemployment] benefits are not extended.

And another:

I'd really like to know if there's another unemployment benefits extension in the works. I am 53, with no family, and no car that I can live in, but I will lose my apartment if I can't find a job . . . or get more benefits. It's no secret that jobs are VERY hard to come by, and I've had a really good work history, but that means nothing right now.

And another:

I have sent out hundreds of resumes, both for positions in my field, and for positions I knew I could do, or have done when I was just starting out. I have received less than ten acknowledgements of receipt of my resume over the course of 21 months. My background and education are solid.

And another:

My job as CFO of a small restaurant chain, headquartered in Santa Monica, was eliminated in Dec. 2010. Since then I have been unable to find employment and, as a result, had to sell my condo at a considerable financial loss. I have been surviving through the extended unemployment program offered by the federal government. If this program is not renewed, I have no idea how I will cope, financially, or mentally.

And another:

I'm 63, was let go from a very significant position back in February 2008 after eight

years of being a Multi Award Winning Sales Executive, in two industries . . . in working over 40 years without interruption I have been collecting unemployment benefits for two years. I'm embarrassed to tell you how many resumes and contacts I've made, competing with men and women in their 20's, 30's, 40's.

This has taken a huge toll on my life as you can imagine . . . my condo is for sale and I'm being audited by the IRS . . . my health has deteriorated and I didn't have health insurance for the past two years.

For too many Americans, unemployment benefits are the difference between having a roof over their head, or sleeping on the street; having food to feed their kids, or skipping dinner; seeing a doctor, or living with chronic illness.

As a great nation, we have an obligation to provide a lifeline to these fellow citizens. It is incumbent on us a decent society.

I have cosponsored legislation to extend unemployment insurance through the end of 2012. I have also cosponsored legislation to help the so-called "99-ers," by extending the length of federal benefits by an addition 14 weeks, to 113 weeks total.

But Congress must do more. My constituents need more than a safety net. They need jobs.

According to a recent report by the Washington Post, this Republican House is on track to be least productive first session in 20 years. In a full year, Republicans have yet to pass a single bill to create a single job.

The Republicans' refusal to take up measures to help restart our economy—like President Obama's American Jobs Act—is all the more reason that we must extend these essential unemployment benefits. I urge my colleagues to stand up for the unemployed Americans who are facing catastrophe through no fault of their own and vote now to extend this critical lifeline.

□ 1920

AMERICANS DESERVE BETTER

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

Mr. MACK. Mr. Speaker, I think there are a lot of people back home who are watching this debate unfold, and more importantly, are watching the Congress and the administration. And, you know, I think a lot of people at home are scratching their head. They're saying we the people are outraged at this administration and this Congress. And they should be.

The White House and their liberal allies in Congress and the media go on a nonstop bashing of a group of Americans who are productive and hardworking. Class warfare is as despicable as any other type of stereotyping, and putting citizen against citizen for political gain is outrageous and it's wrong.

Listen to this. The people are told that a tax cut is a tax increase or a tax increase isn't really a tax increase because there are savings that can be

made elsewhere. That doesn't even make sense. Only in Washington can someone say we have to pay for a tax cut. Think about that. What we're saying is, what Washington is saying is, we have to pay for a tax cut. Well, whose money is it? Government doesn't make money. It's the people's money. Yet somehow up here in Washington we keep saying we have to pay for a tax increase. It's that hardworking family that has earned that money. It is not Washington's money.

And people, frankly, I think are disgusted with the notion that somehow the paradigm in Washington is we have to pay for a tax cut. It's their money. Something is very wrong here, and this body is part of the problem.

Let's put out the facts; facts, not spin. Government money doesn't exist. That's a fact. It's the people's money.

Here's another fact. If there are projects that can be cut, they should be cut. They shouldn't be traded like futures in the stock market. If we believe that we ought to extend the payroll tax cut extension, let's extend it. Let's stop playing games about moving money around from one program to another or keeping a bucket of projects or programs that we can save to cut at a time to bargain for something else.

It's time that we get serious, and the American people are saying they've had enough. They've had enough of what they're seeing here in Washington.

Let me say this one more time. Pitting American against American is un-American and outrageous and deserves the condemnation of each and every one of us in this Congress. This is not the America we know and love. We the people deserve better.

I yield back the balance of my time.

HONORING NAVAJO CODE TALKERS

The SPEAKER pro tempore (Mr. REED). Under the Speaker's announced policy of January 5, 2011, the gentleman from Arizona (Mr. GOSAR) is recognized for the remainder of the hour as the designee of the majority leader.

Mr. GOSAR. Mr. Speaker, thank you for joining me this evening to talk about a very special group of veterans, the Navajo Code Talkers. Tonight, my colleagues and I are going to share their stories and highlight the amazing accomplishments of this group of warriors. Their contribution to the Allied effort during World War II is widely credited with winning the Battle of Iwo Jima and making majors gains in the Pacific.

During the early months of World War II, Japanese intelligence experts broke every code the U.S. forces devised. The Japanese were able to decode and intercept communications with ease. To combat this, increasingly complex codes were initiated that sometimes took hours at a time simply to decipher one message. Guadalcanal

in 1942 was a turning point for the Allied military forces, who realized that the military communications needed a new direction, and new inspiration.

Fortunately, an innovative citizen named Philip Johnston had the answer. As the son of a Protestant missionary, Johnston had grown up on the Navajo reservation and was one of less than 30 non-Navajos fluent in the unique Navajo language. He realized that since it had no alphabet and was almost impossible to master without early exposure, the Navajo language was a perfect choice to form a new, impenetrable military code. In 1942, Johnston completed an impressive demonstration of the Navajo language to the Commanding General of the Pacific fleet headquartered in San Diego. He was then given permission to begin a pilot for the Navajo Code Talker program, and I would like to submit his letter dated March 8, 1942, for the RECORD.

HEADQUARTERS, AMPHIBIOUS FORCE,
PACIFIC FLEET, CAMP ELLIOTT,
San Diego, CA, March 6, 1942

Subject: Enlistment of Navaho Indians.

To: The COMMANDANT,
U.S. Marine Corps.

Enclosures: (A) Brochure by Mr. Philip Johnston, with maps. (B) Messages used in demonstration.

1. Mr. Philip Johnston of Los Angeles recently offered his services to this force to demonstrate the use of Indians for the transmission of messages by telephone and voice-radio. His offer was accepted and the demonstration was held for the Commanding General and his staff.

2. The demonstration was interesting and successful. Messages were transmitted and received almost verbatim. In conducting the demonstration messages were written by a member of the staff and handed to the Indian; he would transmit the message in his tribal dialect and the Indian on the other end would write them down in English. The text of messages as written and received are enclosed. The Indians do not have many military terms in their dialect so it was necessary to give them a few minutes, before the demonstration, to improvise words for diving, anti-tank gun, etc.

3. Mr. Johnston stated that the Navaho is the only tribe in the United States that has not been infested with German students during the past twenty years. These Germans, studying the various tribal dialects under the guise of art students, anthropologists, etc., have undoubtedly attained a good working knowledge of all tribal dialects except Navaho. For this reason the Navaho is the only tribe available offering complete security for the type of work under consideration. It is noted in Mr. Johnston's article (enclosed) that the Navaho is the largest tribe but the lowest in literacy. He stated, however, that 1,000—if that many were needed—could be found with the necessary qualifications. It should also be noted that the Navaho tribal dialect is completely unintelligible to all other tribes and all other people, with the possible exception of as many as 28 Americans who have made a study of the dialect. This dialect is thus equivalent to a secret code to the enemy, and admirably suited for rapid, secure communication.

4. It is therefore recommended that an effort be made to enlist 200 Navaho Indians for this force. In addition to linguistic qualifications in English and their tribal dialect they

should have the physical qualifications for messengers.

CLAYTON B. VOGEL,
Commanding General.

Their elite unit was formed in early 1942 when the first of the 29 Navajo Code Talkers were recruited by Johnston. The code was modified and improved throughout the war, but it is so important to note that these 29 Navajo heroes came up with the original code themselves. Accordingly, they are often referred to reverently as the "original 29." We will have the honor of reading their names a bit later this evening.

Many of these enlistees were just boys with little exposure to the world outside of the Navajo reservation. After the war, it was discovered that recruits as young as 15 and as old as 35 years of age had enlisted. In fact, a few of these men traveled to other towns on the reservation, outside their clan where no one knew them and their true age, in order to enlist underage and serve their country.

After sailing through basic training, the Navajo Code Talkers were sent to Marine divisions in the Pacific theater of World War II. Their reputation as innovators soon spread far and wide amongst their commanding officers. In the field, they were not allowed to write any part of the code down as a reference. In fact, the code existed only amongst this small group. Under high pressure battle conditions, the Code Talkers had to quickly recall their code accurately, or risk hundreds or thousands of lives.

Make no mistake about the gravity of this accomplishment. The Navajo Code Talkers created the only unbroken code in modern military history. It baffled the Japanese forces. It was even indecipherable to a Navajo soldier taken prisoner and tortured on Bataan.

The secret code created by the Navajo Code Talkers was a simple marvel of linguistic invention. It contained native terms that were associated with specialized or commonly used military language, as well as native terms that represented letters in the alphabet.

English words with no Navajo translation were spelled out using the Navajo alphabet. The selection of a given term was based on the first letter of the English meaning of the Navajo word. For words that did not translate into Navajo, the Code Talkers created code that did not directly translate, but tended to resemble the things with which they are associated. For example, the Navajo word for "iron fish" represented submarine. I could give many more examples, but I think that one is particularly poignant. To say "America," the Code Talkers used the word "ne-he-mah," which means "our mother."

This brilliant code allowed our U.S. Marines to communicate quickly and accurately. The Code Talkers' brave work is widely credited with successes of battle in the Pacific and, more ultimately, with helping to end this tragic war.

□ 1930

In the battle for Iwo Jima, in the first 48 hours alone they coded over 800 transmissions with perfect accuracy.

While the true heroism of these brave warriors is known today, sadly, the Code Talkers had to return home after the war without the heroes' welcome they deserved. Ironically, the code was such a precious asset to the U.S. military that it was classified and had to be kept secret. While the code was declassified in 1968, it took years to properly decorate those veterans. In 2001, nearly 60 years after they created their legendary code, the Navajo Code Talkers finally received their well-deserved Congressional Medals of Honor.

Today, only one original Code Talker remains, but the tradition lives on. A delegation of the Four Corners States will attempt to recognize these warriors one by one and give us their thoughts during this hour.

I would like to first recognize my good friend from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding and for arranging this Special Order. This is something that we in Arizona and anywhere in the West in Utah and elsewhere have great pride in and that this recognition, as the gentleman mentioned, came far too late and has been far too little, given the amount of the impact that the Navajo Code Talkers had on World War II.

So I'm pleased to be here and to lend my voice to recognition. As the gentleman mentioned, only one of the original Code Talkers is still living. So I think it's important that we recognize others who carried on this code and tradition and helped out in this way.

This was a group, as we mentioned, of many Navajos, Native Americans, who volunteered for the armed services in World War II. This was, as the gentleman said, very successful. It was the only code that remained unbroken. And one of the most amazing aspects of World War II is how these people came together, as the gentleman mentioned, young kids in their teen years and others, and volunteered for this effort. It's even more remarkable when we note that many States did not permit Native Americans to vote until the 1950s. Yet the Code Talkers were undeterred. They wanted to help their country.

It's fitting that we honor this group on the anniversary of the attack on Pearl Harbor, the start of World War II, because they had such an integral part of ensuring that that brutal war came to an end. I want to thank my colleague from Arizona and others who have come here for putting together this timely tribute to make sure that these individuals are recognized for the impact that they had in ending this war and to ensure that this world remains free.

Mr. GOSAR. I thank the gentleman.

I would like at this time to acknowledge my good friend from New Mexico (Mr. LUJÁN).

Mr. LUJÁN. I thank my colleague from Arizona (Mr. GOSAR) for bringing

us together tonight as we get a chance to visit and celebrate heroes that are amongst us, whether it's in spirit or body, as we are still so fortunate to have Chester Nez with us, one of the original 29 as well.

With me tonight I have a few excerpts of articles that have been written around the country that capture some stories recently in the Fronteras Desk. An author by the name of Laurel Morales captured the story of Chester Nez. It starts like this: "Growing up in New Mexico, Chester Nez and many of his fellow Navajo were punished for speaking their language."

You talk about a language as they were pulled away to boarding schools, so many of the young Navajo across the country, and the importance of what they were able to accomplish during World War II. In the words of Major Howard Connor of the 5th Marine Division, he declared that were it not for the Navajos, the marines would never have taken Iwo Jima, and the importance of language and what they were able to accomplish.

The article goes on to read that years later, Nez was shocked to learn that he'd been recruited by the marines specifically to devise a code using the same language the government tried to beat out of him. It was extremely ironic. One of the very things they were forbidden to do—speak Navajo—ended up helping us save the war.

Mr. Nez goes on to say that he and his fellow Code Talkers first developed an alphabet, as you described, Mr. GOSAR, using everyday Navajo words to represent letters of words, as you talked about—submarine: iron fish; besh-lo: iron fish; and hummingbird: dah-he-tih-hi to talk about fighter planes. It's amazing how when we talked about the Japanese and how they were so effective at cracking codes, how they couldn't crack this one.

Mr. Nez goes on to say in the article that being one of the last original Code Talkers, he lives in Albuquerque with his son—a father of six children. He has nine grandchildren and eight great-grandchildren. It goes on to say that "today, with so many people leaving the reservation, Navajo elders like Nez fear their language is dying. Nez hopes Navajo children learn the story of Code Talkers so they understand just how critical it is to learn their own language."

And thank you for bringing us together, Mr. GOSAR, this evening to help celebrate the history of our Code Talkers, as it wasn't until Senator BINGAMAN moved legislation back in 2000 to be able to give honor to our original 29—a few of them, at the very least, and their families—with gold medals, and silver medals to the others that were also trained to go on.

So I think this is an example of a few stories that we'll be submitting and sharing this evening to be able to celebrate the lives and stories and the history, especially on today as we remember Pearl Harbor and all the sacrifice

and all the families we lost that day and so many brave soldiers as well.

Thanks for bringing this tonight. I look forward to many stories and continuing to share many of the articles that we've been able to find capturing the history and personal stories of our friend, our heroes, the Code Talkers from all throughout New Mexico, Arizona, and Utah.

Mr. GOSAR. I thank the gentleman from New Mexico.

At this time I would like to recognize my good friend from Utah (Mr. CHAFFETZ).

Mr. CHAFFETZ. Thank you. I appreciate the bipartisan nature in which we do this. These are truly American heroes who have made a difference in our lives and something we should all be proud of and never forget. I worry as these gentlemen get older that somehow generations in the future will maybe forget this.

I appreciate you, Mr. GOSAR, for your commitment to them. I know you're passionate about this. I can see it in your eyes when you talk about it.

I wanted to recognize and pay special tribute to somebody who's originally from Utah, Samuel Tom Holiday. He was a Navajo Code Talker. He served in the United States Marine Corps 4th Marine Division, 25th Regiment, the H&S Company. We're fortunate to still have him here with us in our presence today.

Mr. Holiday was born in 1924 on a Navajo reservation near the Monument Valley area of Utah, down near the Four Corners area. He was a Navajo Code Talker in World War II. As you have talked about before, Code Talkers transmitted tactical messages by telephone and radio in the Dine language. It was a code the Japanese were never able to break and was very instrumental in our war efforts.

At a young age, Samuel and his brothers hid from government agents who came to send Navajo children to boarding schools. Holiday said he was ultimately caught and forced to attend a boarding school where he was not allowed to speak his native language. As he said, "One of the hardest times I had was learning to talk English. I would hide cookies in my pockets to pay the older boys to teach me English. Whenever they"—the school instructors—"found out I had talked Navajo, they made me scrub floors, scrub walls. I spent much of my first year scrubbing the wall."

Mr. Holiday attended the school until he was 18 years old and he was recruited into the Marine Corps. Mr. Holiday served in the Pacific theatre from 1943 to 1945 in Saipan, Tinian, Kwajalein Atoll, and Iwo Jima.

From Mr. Holiday: "A lot of time they sent us where it was a very dangerous spot, and I sent messages. They didn't know we were Navajo Code Talkers using Navajo language." The very language he was punished for using in his boarding school was suddenly a major asset to the United States Marines.

Mr. Holiday remains active with the Navajo Code Talkers Association. He's traveled throughout most of the United States conducting presentations about the Code Talkers and about his life experiences before and after the war. I was very pleased to see that Mr. Holiday was awarded the Congressional Silver Medal, something he was very worthy of, obviously.

It's interesting to me that the Navajo Code Talker Program was actually a secret until after the war and was not declassified until later in 1968. It was another 14 years before the Navajo Code Talkers were recognized by the United States Government. In fact, in December of 1982, President Ronald Reagan recognized the Code Talkers for their dedicated service, unique achievement, patriotism, resourcefulness, and courage.

□ 1940

August 14, 1982 was proclaimed National Navajo Code Talkers Day. I think President Reagan did the right thing. I think it's something that all Americans—I want my kids and people in Utah and across the Nation to recognize the contributions and sacrifices that these people made. They truly made a difference in our lives; instrumental in the war.

I appreciate this time to be able to recognize their achievements and help to our country.

Mr. GOSAR. I thank the gentleman from Utah.

I would like at this time to recognize my friend, the gentleman from New Mexico (Mr. HEINRICH).

Mr. HEINRICH. I want to thank the gentleman from Arizona for pulling us together from around the four corners to honor these incredible Native Americans, these incredible Americans, especially on this historic anniversary. And I'm certainly honored to join my colleagues tonight to honor the quiet valor of all the Navajo Code Talkers.

Today, some six decades since their service during World War II, only one of the original 29 Code Talkers, Corporal Chester Nez, survives. And I am incredibly proud of Corporal Nez, who at the age of 90 resides in my congressional district in Albuquerque with his son Mike, his daughter-in-law Rita, and their children.

Corporal Nez's story is much like the hundreds of Code Talkers who followed in his footsteps. He grew up on the Navajo Nation to parents who grew corn and pinto beans, kept goats and sheep. And he grew up in a time when Navajos were sharply mistreated and even unable to vote in our own elections in places throughout the Southwest. Yet in 1942, at the age of 18, he sprung into action and he joined the 382nd Platoon in a role that is largely credited with saving thousands of American lives.

Along with the other 28 original Code Talkers, Corporal Nez developed a code from their unwritten language. You can find the code's explanation today

in the index of his autobiography. And whether in artillery, tanks, aboard ships or in infantry, the Code Talkers played a vital role in some of the worst battles in the Pacific theater, communicating battlefield codes that were never, ever broken by the enemy. Their code-talking was considered so essential to the war that, unlike their counterparts, many of them were forced to serve straight through the war with no breaks for rest or trips back home. And today, we widely recognize that their service helped turn the course of World War II.

Yet because of the sheer secret of their role and the possibility that they would be called back for the same duty in the future, the actions of the Code Talkers weren't declassified until 23 years after the war ended. And it wasn't until 55 years later that they were bestowed with the Congressional Gold Medal of Honor and Silver Medal.

To the young people of the Navajo Nation for whom Corporal Nez's quiet valor is a remarkable example, I encourage you to carry on his legacy by keeping the Navajo language alive and well for generations to come.

Mr. Speaker, I know that the Navajo Nation takes such pride in these heroes. And on behalf of all of us who owe a tremendous debt of gratitude for their service, I'm proud to recognize the courage, service, and bravery of all the Navajo Code Talkers, and especially Corporal Nez of Albuquerque, New Mexico.

Mr. GOSAR. I thank the gentleman from New Mexico for that find.

I would now like to acknowledge my good friend from Arizona (Mr. SCHWEIKERT).

Mr. SCHWEIKERT. Thank you, Congressman GOSAR. For all of us, we truly appreciate you organizing this.

When you consider today is the 70th anniversary of Pearl Harbor and the entry into World War II, for many of us who grew up with family that had served, there's many heartbreaking stories. But when we reach out and read and learn more about the Code Talkers story, it's one of the great moments of pride for those of us from Arizona.

When you consider there were—my understanding is there were about 400 native Americans who served, but the 27—was it 27 or 29?

Mr. GOSAR. Twenty-nine.

Mr. SCHWEIKERT. Twenty-nine from Arizona, I've had the pleasure over time of meeting some of them. I also know, as Arizona now is about to begin celebrating its 100th anniversary—and I have, actually, it's a little bit of a silly photo, but there is actually a smaller version of this on my wall in my office. A few months ago we had our very first celebration of beginning the 1-year celebration of our centennial as a State, and we were featuring our Navajo Code Talkers. It is something that many of us from the West are very, very proud of. And it was also that little moment where if

you ever want to be a little humiliated, have them try to teach you to speak a few Navajo words, and then the giggling begins on how badly you pronounce it.

But for anyone who is listening, the Navajo Code Talkers have actually built a foundation, and they actually have a wonderful Web site that has data and stories. It is navajocodetalkers.org. I encourage anyone to reach out and grab some of that information. These are powerful stories of incredible service to our country in a time of great need with a very unique skill and talent.

I thank the gentleman from Arizona for organizing this.

Mr. GOSAR. I thank the gentleman from Arizona.

I want to take a few moments and honor one of our own in Arizona who just recently died. It is my humble privilege to honor Allen Dale June, one of the original 29 Code Talkers. He died just recently in September of 2010 at the age of 91. He passed away of natural causes at the Veterans Hospital in Prescott, Arizona, which is in my district. He is survived by his wife and 10 children and was buried in Kaibeto, in the heart of Navajo reservation.

June, who attained the rank of sergeant, received the Congressional Gold Medal in 2001 along with other members of the original Code Talkers. When he died, Navajo Nation Council Speaker Lawrence Morgan said, "The Navajo Nation lost a great warrior. His unique service to his country brought positive attention to the Navajo Nation. He will be missed."

According to his wife, Virginia, June first tried to sign up for the Marines in his hometown of Kaibeto, but a recruiter told him he was too young. He then traveled to the reservation town of Chinle to enlist because he figured people there wouldn't recognize him and he could lie about his age and forge his father's signature. This dedication and determination to serve their country was common among the Code Talkers and shows character and bravery that we all should emulate.

Allen June was a humble man who did not like to brag about much, even his remarkable service as a Code Talker. However, in the last years of his life he wore his service proudly, sporting a red Navajo Code Talker cap with his name on it.

I would like to take an opportunity and see if my colleague from New Mexico would entertain a colloquy back and forth giving the roll call of the names of the 29.

Mr. LUJÁN. It would certainly be an honor, Mr. GOSAR.

Mr. GOSAR. Thank you, sir.

The roll call for the Navajo Code Talkers, the original 29:

Charlie Y. Begay.

Mr. LUJÁN. Royal L. Begay.

Mr. GOSAR. Samuel Begay.

Mr. LUJÁN. John Ashi Benally.

Mr. GOSAR. Wilsie Bitsie.

Mr. LUJÁN. Cosey S. Brown.

Mr. GOSAR. John Brown, Jr.

Mr. LUJÁN. John Chee.

Mr. GOSAR. Benjamin Cleveland.

Mr. LUJÁN. Eugene R. Crawford.

Mr. GOSAR. David Curley.

Mr. LUJÁN. Lowell S. Damon.

Mr. GOSAR. George H. Dennison.

Mr. LUJÁN. James Dixon.

Mr. GOSAR. Carl N. Gorman.

Mr. LUJÁN. Oscar B. Iithma.

Mr. GOSAR. Allen Dale June.

Mr. LUJÁN. Alfred Leonard.

Mr. GOSAR. Johnny R. Manuelito.

Mr. LUJÁN. William McCabe.

Mr. GOSAR. Chester Nez.

Mr. LUJÁN. Jack Nez.

Mr. GOSAR. Lloyd Oliver.

Mr. LUJÁN. Joe Palmer.

Mr. GOSAR. Frank Danny Pete.

Mr. LUJÁN. Nelson S. Thompson.

Mr. GOSAR. Harry Tsosie.

Mr. LUJÁN. John Willie.

Mr. GOSAR. William Dean Wilson.

Does my friend have any further comments?

Mr. LUJÁN. Only to say again, Mr. GOSAR, as we celebrate tonight, to never forget about the contributions of the Navajo people to our great Nation, with the work that they've done not only through the Cold War, but going back to all the work that was done.

□ 1950

As we pointed out earlier, in the words of Major Howard Connor, if it were not for the Navajos, the marines never would have taken Iwo Jima. It's a great night to be here to celebrate, and I thank you for bringing us together.

I would like to submit into the RECORD an article from the Santa Fe New Mexican, dated August 29, 2010, also capturing the story telling and talking about Mr. Chester Nez, as well as the article, "The Last of the Navajo Code Talkers," by Laurel Morales, which was listed in the Fronteras Desk.

[From the SantaFeNewMexican.com, Aug. 29, 2010]

AN ORIGINAL CODE TALKER KEEPS TALE ALIVE—FEW REMAINING MEMBERS OF ELITE NAVAJO MARINE UNIT

(By Felicia Fonseca)

ALBUQUERQUE.—Tourists hurry inside a shop here to buy books about the famed Navajo Code Talkers, warriors who used their native language as their primary weapon.

Outside, on a walk sheltered from the sun, nine of the Code Talkers sit at a table autographing the books. Each is an old man now. They wear similar caps and shirts, the scarlet and gold of the Marine Corps, and turquoise jewelry.

One of these men, who signs his name as Cpl. Chester Nez, is distinguished from the others. Below his signature, he jots down why: 1st Original 29.

Before hundreds of Code Talkers were recruited from the Navajo Nation to join the elite unit, 29 Navajos were recruited to develop the code—based on the then-unwritten Navajo language—that would confound Japanese military cryptologists and help win World War II.

Of the Original 29, only three survive. Nez is one.

The Code Talkers took part in every assault the Marines conducted in the Pacific,

sending thousands of messages without error on Japanese troop movements, battlefield tactics and other communications critical to the war's ultimate outcome.

"It's one of the greatest parts of history that we used our own native language during World War II," Nez said in an interview with The Associated Press. "We're very proud of it."

Nez tells the story succinctly. He is the last of the original group able to do so. One can hardly speak or hear, and the memory of the third is severely tested by Alzheimer's disease.

The 89-year-old Nez is limited, too. He is in a wheelchair after diabetes led to the amputation of both legs. These days, he'd rather "just sit around, take it easy," he said.

As a boy, Nez lived in a traditional Navajo home and helped his family tend to sheep in Two Wells on the eastern side of the vast 27,000-square-mile reservation.

He played with toy cars, went barefoot, and spoke only his native language. That changed when he was sent to one of the boarding schools set up by the federal government to assimilate American Indian children into the broader culture.

At boarding school, Nez said he had his mouth washed out with soap for speaking Navajo—ironic indeed, considering the vital role that the unique language—and Nez—would come to play.

Nez was in 10th grade when a Marine recruiter came looking for young Navajos who were fluent in Navajo and English to serve in World War II. He jumped at the chance to defend his country, and to leave boarding school. He kept the decision to enlist a secret from his family and lied about his age, as did many others.

"I told my roommate, 'Let's try it out,' and that's what we did," Nez said. "One reason we joined is the uniform—they were so pretty, dress uniforms."

About 250 Navajos showed up at Fort Defiance, Ariz., then a U.S. Army base. But only 29 were selected to join the first all-Native American unit of Marines. They were inducted in May 1942.

After basic training, the 382nd Platoon was tasked with developing the code.

There Nez met Allen Dale June and Lloyd Oliver, among the others. Using Navajo words for red soil, war chief, clan, braided hair, beads, ant and hummingbird, for example, they came up with a glossary of more than 200 terms, later expanded, and an alphabet.

At first, Nez said, the concern was whether or not the code could work. Then it proved impenetrable. "The Japanese did everything in their power to break the code but they never did," he said.

Nez no longer remembers the code in its entirety, but easily switches from English to Navajo to repeat one instruction he delivered during fighting on Guadalcanal.

"I always remember this one," Nez said. "Enemy machine gun on your right flank, destroy!"

The Navajos trained in radio communications were walking copies of the code. Each message read aloud by a Code Talker was immediately destroyed.

"When you're involved in the world of cryptology, you not only have to provide information, you have to protect that," said Patrick Weadon, curator of the National Cryptologic Museum. "And there's no better example than the Navajo Code Talkers during World War II."

The Code Talkers were constantly on the move, often from foxhole to foxhole. Nez had a close call in Guam with a sniper's bullet that whizzed past his head and struck a palm tree.

Once while running a message, Nez and his partner were mistaken for Japanese soldiers

and were threatened at gunpoint until a Marine lieutenant cleared up the confusion, his son, Michael, said.

"Of course Dad couldn't tell them he was a Code Talker," Nez's son said.

The Code Talkers had orders not to discuss their roles—not during the war and not until their mission was declassified 23 years later.

In 2001 Nez, Dale and June traveled aboard the same plane to Washington, D.C., to receive the Congressional Gold Medal. The recognition, which they didn't receive when they returned home from war, propelled them to a sort of celebrity status, along with the release of a movie based on the Code Talkers the following year.

They appeared on television, rode on floats in parades and were asked to speak to veterans groups and students.

Nez threw the opening pitch at a 2004 Major League Baseball game and blessed the presidential campaign of John Kerry. Oliver traveled with other Code Talkers as guests of honor in the nation's largest Veterans Day parade in New York last year.

When residents of Longmont, Colo., heard that June and his wife did not have a permanent home, they raised money to buy one for the couple.

The last three survivors of the Original 29 don't live on the Navajo Nation, where they are celebrated with a tribal holiday. They wonder about each other, but it's unlikely they'll reunite again.

After World War II, Nez volunteered to serve two more years during the Korean War and retired in 1974 after a 25-year career as a painter at the veterans hospital in Albuquerque.

June, 88, has spent the past few weeks in and out of hospitals in Wyoming and Arizona, and requires round-the-clock care. His third wife, Virginia, calls herself "the charm" and the protector of an endangered species.

She's a walking promotion for him and the Marine Corps, yet she's careful of how much she says because he thinks it is unwelcome bragging.

Oliver's wife, Lucille, echoes similar sentiments about her husband. Oliver displayed few reminders in what, until earlier this year, was his home on the Yavapai Indian reservation in Camp Verde, Ariz.—a few framed pictures, a Marine cap above his bedroom window and a U.S. flag above the doorway.

"He just put the past behind him, I guess," she says.

Oliver, 87, speaks audibly but his words are difficult to understand. His hearing is impaired and he prefers not to have a hearing aid.

Both June and Oliver had brothers who later served as Code Talkers.

Nez tells the tourists seeking autographs in Albuquerque that he's part of the Original 29, but few appear to grasp what that means.

"Most of them," he says of the tourists, "they just thank me for what we did."

[From the Fronteras Desk, Nov. 11, 2011]

THE LAST OF THE NAVAJO CODE TALKERS
(By Laurel Morales)

FLAGSTAFF.—Only one veteran Navajo code talker remains of the original 29 Navajo Marines who used their native language to devise an unbreakable code during World War II.

Growing up in New Mexico, Chester Nez and many of his fellow Navajo were punished for speaking their language. In the 1920s, Nez attended one of many government run boarding schools that attempted to erase Indian culture and language.

"I often think about the things I went through, all the hardships," Nez said. He was

being interviewed at the studios of KUNM in Albuquerque for Veterans Day.

Years later, Nez was shocked to learn he'd been recruited by the Marines, specifically to devise a code using the same language the government tried to beat out of him. Judith Avila helped Nez write his memoir Code Talker, which was just published.

"It was extremely ironic one of the very things they were forbidden to do—speak Navajo—ended up helping save us during the war," Avila said.

During World War II, the Japanese had cracked code after code the U.S. military used to hide their communications. Then, a Marine by the name of Philip Johnston, who had been raised on the Navajo Nation by white missionaries, suggested enlisting the help of the Navajo tribe. They became known as the code talkers.

Navajo, or Dine as it's called, is a spoken language. And few non-Navajos understand its complexities. Nez and his fellow code talkers first developed an alphabet using every day Navajo words to represent letters, like the Navajo word for ant became "A."

Chester Nez, seen here during World War II, is 90 and the last of the original 29 Navajo Code Talkers.

Then they came up with words for military terms. In Navajo, there is no word for bomb. So they called it an egg. A fighter plane was the Navajo word for hummingbird.

"And the Japanese tried everything in their power to try to decipher our code, but they never succeeded," Nez said.

He and his fellow code talkers were faced with many cultural challenges during the war. The most difficult was dealing with so much death.

The Navajo believe when you encounter a dead body that person's spirit stays with you. Coming home after the war, Nez remembered being haunted by these spirits.

"They were all around me. I actually see them alongside my bed," Nez said. "This was one of the bad omen."

His family performed a ceremony called the "enemy way" to cleanse him. After that, Nez said, he felt free of the ghosts.

The code talker program was secret. When Nez and the others arrived home in 1945, there was no fanfare. The code remained active for years after the war; it wasn't declassified until 1968. Still, it took decades before the men were officially recognized.

In 2000, New Mexico Senator Jeff Bingaman introduced legislation to honor the code talkers. The following year—nearly six decades after the code was written—president George W. Bush awarded them Congressional Gold Medals.

"Today we give these exceptional Marines the recognition they earned so long ago," President Bush told a televised crowd at the Capital Rotunda.

Only five of the original 29 were still alive. Chester Nez stood tall, puffed out his chest and saluted the president, while the crowd—many relatives of code talker families—gave the group a standing ovation.

"This gold medal is something I will treasure for as long as I live," said Nez, now 90-years-old.

The last original code talker lives in Albuquerque with his son. The father of six children, he has nine grandchildren and eight great grandchildren.

Today with so many people leaving the reservation, Navajo elders like Nez fear their language is dying. Nez hopes Navajo children learn the story of the code talkers, so they understand just how critical it is to learn and use their own language.

Mr. GOSAR. I thank the gentleman from New Mexico for his contribution.

I would also like to start by going through the further list of the Navajo Code Talkers in the honor roll:

NAVAJO CODE TALKER LIST
CONFIRMED BY MARINE CORPS, AS OF 17 JULY
2001

1. Akee, Dan 818638
2. Anthony, Franklin 990074
3. Apache, Jimmie 936773
4. Arviso, Bennie 894438
5. Ashike, Earl 990140
6. Ashley, Regis 894674
7. Attikai, Harold 990084
8. Augustine, John 894402
9. Ayze, Lewis 990075
10. Bahe, Henry 479876
11. Bahe, Woody 875423
12. Baldwin, Benjamin 818564
13. Beard, Harold 894537
14. Becenti, Roy L. 831055
15. Bedoni, Sidney 479771
16. Begay, Carlos 818566
17. Begay, Charlie Sosie 830976
18. Begay, Flemming 830977
19. Begay, George 990132
20. Begay, Henry 990142
21. Begay, Jerry C. 830979
22. Begay, Joe 990094
23. Begay, Lee 990116
24. Begay, Leo 990126
25. Begay, Leonard 990210
26. Begay, Notah 875405
27. Begay, Paul 479917
28. Begay, Samuel H. 358525
29. Begay, Thomas H. 537144
30. Begay, Walter 990073
31. Begay, Willie K. 1000016
32. Begay, Wilson J. 894417
33. Begody, David M. 990209
34. Begody, Roger 875422
35. Belinda, Wilmer 875407
36. Belone, Harry 936837
37. Benallie, Jimmie D. 964665
38. Benally, Harrison Lee 1000075
39. Benally, Harry 894507
40. Benally, Jimmie L. 831045
41. Benally, Johnson D. 875371
42. Benally, Samuel 1000078
43. Benton, Sr., Willie 830980
44. Bernard, John 875276
45. Betone, Lloyd 830963
46. Bia, Andrew 990072
47. Billey, Wilfred 830982
48. Billie, Ben 1000045
49. Billiman, Howard 521004
50. Billison, Samuel (Dr.) 831074
51. Billy, Sam Jones 830981
52. Bitsie, Peter J. 1000037
53. Bitsoie, Delford 990061
54. Bizardie, Jesse 875495
55. Black, Jesse 990205
56. Blatchford, Paul 818633
57. Bluehorse, David M. 831043
58. Bowman, John Henry 403099
59. Bowman, Robert 936938
60. Brown, Arthur 990125
61. Brown, Clarence Paul 990088
62. Brown, Tsoie Herman 990202
63. Brown, William Tully 990109
64. Buck, Wilford 1000019
65. Burke, Bobby 894411
66. Burnie, Jose 1000100
67. Burnside, Francis 548184
68. Burr, Sandy 830984
69. Cadman, William 936839
70. Caleditto, Andrew 448919
71. Carroll, Oscar Tsoie 894622
72. Cattle Chaser, Dennis 479729
73. Cayedito, Del 830985
74. Cayedito, Ralph 830986
75. Charley, Carson Bahe 894600
76. Charlie, Sam 990199
77. Chase, Frederick 479873
78. Chavez, George 831098
79. Chee, Guy 990200
80. Clah, Stewart 965051
81. Claw, Thomas 818547
82. Cleveland, Billie 521016
83. Cleveland, Ned 894519
84. Cody, Leslie 479834

85. Cohoe, James Charles 416497
 86. Craig, Bob Etcitty 830988
 87. Crawford, Karl Kee 478278
 88. Cronemeyer, Walter 990201
 89. Crosby, Billy 990035
 90. Csinnjinni, Carl 416351
 91. Dale, Ray 448911
 92. Damon, Anson C. 990227
 93. Davis, Tully 875378
 94. Deel, Martin Dale 818563
 95. Dehiya, Dan 830989
 96. Dennison, Leo 990107
 97. Dodge, Jerome Cody 894478
 98. Doolie, John 830990
 99. Doolie, Richardson 479723
 100. Draper, Nelson 990098
 101. Draper, Teddy Sr. 875345
 102. Etsicity, Kee 830991
 103. Etsitty, Deswood 875304
 104. Evans, Harold 990097
 105. Foghorn, Ray 830992
 106. Francisco, Jimmy 818625
 107. Gatewood, Joseph P. 479889
 108. George, William 894441
 109. Gishal, Milton M. 875283
 110. Gleason, Jimmie 894446
 111. Goodluck, John 830933
 112. Gorman, Tom 818627
 113. Grayson, Bill L. 990052
 114. Greymountain, Yazzie 894538
 115. Guerito, Billy Lewis 830994
 116. Gustine, Tully 830995
 117. Guy, Charles 875406
 118. Harding, Ben Williams 990091
 119. Harding, Jack W. 479888
 120. Hardy, Tom 894628
 121. Harrison, Emmett 894479
 122. Haskie, Ross 358587
 123. Hawthorne, Roy Orville 990027
 124. Haycock, Bud 990196
 125. Hemstreet, Leslie 936840
 126. Henry, Albert 830996
 127. Henry, Edmund Juan 830997
 128. Henry, Kent Carl 936779
 129. Hickman, Dean Junian 990103
 130. Holiday, Calvin 990198
 131. Holiday, Samuel Tom 818614
 132. Housewood, Johnson 448907
 133. Housteen, Dennie 479730
 134. Howard, Ambrose 818574
 135. Hubbard, Arthur Jose 1000128
 136. Hudson, Lewey 894521
 137. Hunter, Tom 875445
 138. James, Benjamin 830998
 139. James, Billie 875301
 140. James, George B. 875342
 141. Johle, Elliott 894447
 142. John, Charlie T. 875395
 143. John, Leroy M. Sr. 448918
 144. Johns, Edmund 448908
 145. Johnny, Earl 830999
 146. Johnson, Deswood R. 844625
 147. Johnson, Francis T. 479772
 148. Johnson, Johnnie 537164
 149. Johnson, Peter 894412
 150. Johnson, Ralph 990086
 151. Jones, Jack 818548
 152. Jones, Tom H. Jr. 831001
 153. Jordan, David 831000
 154. June, Floyd 479768
 155. Keams, Percy 990028
 156. Keedah, Wilson 894673
 157. Kellwood, Joe H. 479704
 158. Kescoli, Alonzo 875397
 159. Ketchum, Bahe 875416
 160. King, Jimmie 448910
 161. Kinlacheeny, Paul 894414
 162. Kinsel, John 448912
 163. Kirk, George H. 831003
 164. Kirk, Leo 585379
 165. Kiyaani, Mike 894629
 166. Kontz, Rex T. 448921
 167. Lapahie, Harrison 831046
 168. Largo, James 990095
 169. Little, Keith M. 818629
 170. Lopez, Tommy K. 831059
 171. MacDonald, Peter 1000079
 172. Malone, Max 894621
 173. Malone, Rex 831101
 174. Malone, Robert 831075
 175. Maloney, James 990085
 176. Maloney, Paul E. 875431
 177. Manuelito, Ben C. 479800
 178. Manuelito, Ira 831005
 179. Manuelito, James C. 831060
 180. Manuelito, Peter 1000234
 181. Marianito, Frank 936841
 182. Mark, Robert 990093
 183. Martin, Matthew 894406
 184. Martinez, Jose 894550
 185. McCraith, Archibald 990110
 186. Mike, King Paul 894671
 187. Miles, General 990096
 188. Moffitt, Tom Clah 894473
 189. Morgan, Jack C. 830932
 190. Morgan, Ralph 448920
 191. Morris, Joe 894601
 192. Moss, George 990093
 193. Multine, Oscar P. 875314
 194. Murphy, Calvin H. 875360
 195. Nagurski, Adolph N. 875384
 196. Nahkai, James T. Jr. 831006
 197. Nakaidinae, Peter Sr. 479861
 198. Napa, Martin Felix
 199. Negale, Harding 936842
 200. Newman, Alfred 831007
 201. Nez, Arthur 1000176
 202. Nez, Freeland 875252
 203. Nez, Israel Hosten 479769
 204. Nez, Sidney 894511
 205. Notah, Roy 448914
 206. Notah, Willie Anthony 875300
 207. O'Dell, Billy 479877
 208. Oliver, Willard V. 831008
 209. Paddock, Layton 479871
 210. Pahe, Robert D. 831114
 211. Parrish, Paul A. 416414
 212. Patrick, Amos Roy 936843
 213. Patterson, David Earl 831043
 214. Peaches, Alfred James 875372
 215. Peshlakai, Sam 894440
 216. Peterson, Joe Sr. 1000089
 217. Pinto, Gaul (Guy) 831047
 218. Pinto, John Senator 990189
 219. Platero, Richard 894460
 220. Preston, Jimmie 479801
 221. Reed, Sam 875369
 222. Roanhorse, Harry C. 831011
 223. Sage, Andy 831012
 224. Sage, Denny 818604
 225. Salabiye, Jerry E. 1000024
 226. Sandoval, Peter P. 831088
 227. Sandoval, Samuel F. 831013
 228. Sandoval, Thomas 831014
 229. Scott, John 875415
 230. Sells, John C. 936956
 231. Shields, Freddie 894442
 232. Shorty, Dooley 1000177
 233. Shorty, Robert T. 831049
 234. Silversmith, Joe A. 831015
 235. Silversmith, Sammy 831050
 236. Singer, Oscar Jones 990122
 237. Singer, Richard 479774
 238. Skeet, Wilson Chee 1000081
 239. Slinkey, Richard T. 479727
 240. Slivers, Albert J. Sr. 990068
 241. Smiley, Arcenio 894508
 242. Smith, Albert 831062
 243. Smith, George 831063
 244. Smith, Raymond R. 857535
 245. Smith, Samuel Jesse 831073
 246. Soce, George B. 831016
 247. Sorrell, Benjamin G. 448905
 248. Spencer, Harry 990197
 249. Tabaha, Johnnie 990076
 250. Tah, Alfred 479831
 251. Tah, Edward 894676
 252. Talley, John N. 831017
 253. Tallsalt, Bert 990082
 254. Thomas, Edward 990129
 255. Thomas, Richard 894520
 256. Thompson, Clare M. 875458
 257. Thompson, Everett M. 818518
 258. Thompson, Francis T. 537182
 259. Thompson, Frank T. 403057
 260. Todacheene, Carl Leon 831018
 261. Todacheene, Frank Carl 990105
 262. Tohe, Benson 537165
 263. Toledo, Curtis 831051
 264. Toledo, Frank 479759
 265. Toledo, Preston 479757
 266. Toledo, Willie 479756
 267. Towne, Joseph H. 479721
 268. Towne, Zane 479770
 269. Tso, Chester H. 894413
 270. Tso, Howard B. 894677
 271. Tso, Paul Edward 990071
 272. Tso, Samuel 818546
 273. Tsosie, Alfred 831019
 274. Tsosie, Cecil G. 831020
 275. Tsosie, Collins D. 831021
 276. Tsosie, Kenneth 831025
 277. Tsosie, Samuel Sr. 479913
 278. Upshaw, John 990099
 279. Upshaw, William 875364
 280. Vandever, Joe 831026
 281. Wagner, Oliver 990162
 282. Wallace, Stephan P. 1000022
 283. Walley, Robert 831027
 284. Werito, John 831052
 285. Whitman, Lyman J. 894466
 286. Willetto, Frank, Jr. 831029
 287. Willetto, Frankie Chee 894509
 288. Williams, Alex 875338
 289. Williams, Kenneth 875370
 290. Willie, George B. 875408
 291. Woody, Clarence Bahi 990092
 292. Yazhe, Ernest 448949
 293. Yazhe, Harrison A. 875363
 294. Yazza, Peter 875442
 295. Yazza, Vincent 1000109
 296. Yazzie, Clifton 894593
 297. Yazzie, Daniel 831030
 298. Yazzie, Eddie Melvin 521223
 299. Yazzie, Edison Kee 875390
 300. Yazzie, Felix 416408
 301. Yazzie, Francis 1000101
 302. Yazzie, Frank H. 990101
 303. Yazzie, Harding 894480
 304. Yazzie, Harold 537154
 305. Yazzie, Joe Shorty 830962
 306. Yazzie, John 990113
 307. Yazzie, Justin D. 1000126
 308. Yazzie, Lemuel Rev. 990062
 309. Yazzie, Ned 990112
 310. Yazzie, Pahe Denet 479773
 311. Yazzie, Raphael 831053
 312. Yazzie, Robert 831031
 313. Yazzie, William 875347
 314. Yellowhair, Leon 990100
 315. Yellowhair, Stanley 818600
 316. Yellowman, Howard 831032
 317. Yoe, George 990119
 318. Zah, Henry 894551

LISTED, BUT NOT CONFIRMED

1. Alfred, Johnnie 479728
2. Allen, Perry 818534
3. Becenti, Ned 448948
4. Begay, Edward 474862
5. Begay, Jimmie 419878
6. Begay, Johnson 965045
7. Brown, Ned 818534
8. Clark, Jimmie 830987
9. Fowler, King 990080
10. Gray, Harvey 448909
11. Jenson, Nevy 990178
12. Jose, Teddy 448913
13. Kennepah, Jessie 358451
14. Morgan, Herbert 448922
15. Morgan, Sam 831100
16. Nez, Howard 403039
17. Nez, Howard H. 831086
18. Otero, Tom 831009
19. Singer, Tom 448916
20. Smith, Enoch 998953
21. Sorrel, Jerome 448915
22. Tsosie, David W. 831022
23. Tsosie, Howard 964998
24. Tsosie, Howard J. 831024
25. Whitman, Joe Reid 831028
26. Wilson, William 567102
27. Yazzie, Charley H. 831054
28. Yazzie, Sam W. 990036

PENDING/WAITING FOR RECORDS

1. Anderson, Edward 956330
2. Brown, N.A. 964770
3. Burnside, Francis A. 548184
4. Curley, Rueban 875229
5. David, Alfred
6. Dooley, Richard 807198
7. Foster, Harold Y. 537154
8. Freeman, Edwin
9. Goldtooth, Emmett
10. Goodman, Billie 875280
11. Harthorn, Rodger 2314982
12. Jake, H.
13. Kien, William 831058
14. Leroy, George
15. Leuppe, Edward 381004
16. Nazwood, Johnson
17. Peterson, David 831043
18. Price, Joe F. 894626
19. Price, Wilson H. 358592
20. Sandoval, Merrill Leon 831048
21. Tracey, Peter 257670
22. Tsosie, Woody B.
23. Visalia, Buster

NOT LISTED

1. Babiye, Don
2. Barber, Willie
3. Begaye, Flemming 830977
4. Bejay, Charlie
5. Burbank, Askee
6. Clauschee, Guy 990200
7. Hanigahnie Jake
8. Kent, Carl Henry
9. Livingston, ?
10. Lod(v?)ato, Joe T.
11. Martinez, Martin
12. Peshlakai, Wallace Jr.
13. Singer, William
14. Yazzie ?, Leon
15. Yazzie, Peter

It is with that I submit those names on a wonderful treasure from the Four Corners to America, and what they gave this country is so valuable. You look back on their life and what they gave us is immeasurable. What I would also like to do is honor them on today, the anniversary of Pearl Harbor; and I hope that we would look fondly on their attributes and what they gave to this great country because we are all great because of them.

I also want to take the liberty of acknowledging one other person. It's her birthday today. It's my mom. She turned 78. Happy birthday, Mom.

I yield back the balance of my time.

NAVAJO CODE TALKERS

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

Mr. LAMBORN. Mr. Speaker, on this, the 70th anniversary of the attack on Pearl Harbor, I want to recognize a group of unique Americans who made an invaluable contribution to winning the war in the Pacific—Native American Code Talkers.

John Werito of southwest Colorado was assigned to the 4th Marine Division in Maui, Hawaii. He first saw action when his division landed on Roi Namur, part of the Marshall Islands, then a Japanese stronghold.

From there, the 4th Division took Saipan where Werito was wounded. After recovering from his injuries, he took part in the invasion of Iwo Jima, where he was wounded a second time.

He recovered from his injuries on a hospital ship at sea after refusing to be sent home to the U.S. because he wanted to be part of the invasion of Japan, should that be necessary.

Back home, Werito settled in Denver where he served as a letter carrier for the U.S. Postal Service. He passed away in 1983 and is buried at Fort Logan National Cemetery in Colorado.

Werito was posthumously awarded the Silver Congressional Medal of Honor in 2002. His widow, Rose, and children, Nellie and Michael, attended the ceremony in Window Rock, Arizona, on the Navajo Nation.

I thank Mr. Werito for his courage in fighting a brutal enemy in the Pacific.

The Code Walkers of all tribes are a special class of brave warriors who deserve our continued recognition.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. NADLER (at the request of Ms. PELOSI) for today and December 8 on account of a family matter.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 1541. An act to revise the Federal charter for the Blue Star Mothers of America, Inc. to reflect a change in eligibility requirements for membership.

S. 1639. An Act to amend title 36, United States Code, to authorize the American Legion under its Federal charter to provide guidance and leadership to the individual departments and posts of the American Legion, and for other purposes.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 8 o'clock and 8 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, December 8, 2011, at 9 a.m.

EXECUTIVE COMMUNICATIONS,
ETC.

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

4176. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Christmas Tree Promotion, Research, and Information Order [Doc. No.: AMS-FV-10-0008-FR-1A] (RIN: 0581-AD00) received November 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4177. A letter from the Management and Program Analyst, Directives and Regulations, Forest Service, Department of Agriculture, transmitting the Department's final rule — Community Forest and Open Space Conservation Program (RIN: 0596-AC84) received November 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4178. A letter from the Director, Defense Procurement and Acquisition Policy, De-

partment of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulations Supplement (DFARS Case 2009-D036) (RIN: 0750-AG66) received November 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4179. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulations Supplement (DFARS Case 2011-D050) (RIN: 0750-AH44) received November 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4180. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulations Supplement (DFARS Case 2011-D053) (RIN: 0750-AH46) received November 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4181. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulations Supplement (DFARS Case 2011-D031) (RIN: 0750-AH30) received November 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4182. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received November 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4183. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received November 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4184. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2011-0002] [Internal Agency Docket No.: FEMA-B-1225] received November 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4185. A letter from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule — Virginia Graeme Baker Pool and Spa Safety Act; Incorporation by Reference of Successor Standard received November 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4186. A letter from the Deputy Archivist of the United States, National Archives and Records Administration, transmitting the Administration's final rule — NARA Records Reproduction Fees [NARA-11-0002] (RIN: 3095-AB71) received November 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4187. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFIS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Monkfish; Framework Adjustment 7 [Docket No.: 101119575-1554-02] (RIN: 0648-BA46) received November 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4188. A letter from the Deputy Assistant Administrator for Operations, NMFIS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions;

Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Amendments 20 and 21; Trawl Rationalization Program; Correcting Amendments [Docket No.: 110721401-1470-01] (RIN: 0648-BB31) received November 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4189. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Pacific Cod by Vessels Harvesting Pacific Cod for Processing by the Inshore Component in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 101126522-0640-02] (RIN: 0648-XA759) received November 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4190. A letter from the Deputy Assistant Administrator for Regulatory Services, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures; Correction [Docket No.: 100804324-1496-05] (RIN: 0648-BA01) received November 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4191. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Snapper-Grouper Fishery of the South Atlantic; Closure of the 2011-2012 Recreational Sector for Black Sea Bass in the South Atlantic [Docket No.: 0907271173-0629-03] (RIN: 0648-XA686) received November 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4192. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Western Pacific Bottomfish and Seamount Groundfish Fisheries; 2011-12 Main Hawaiian Islands Deep 7 Bottomfish Annual Catch Limits and Accountability Measures [Docket No.: 110711384-1534-02] (RIN: 0648-XA470) received November 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4193. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Gulf of Mexico Reef Fishery; Closure of the 2011 Gulf of Mexico Commercial Sector for Greater Amberjack [Docket No.: 040205043-4043-01] (RIN: 0648-XA766) received November 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4194. A letter from the 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; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XA783) received November 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4195. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Western Pacific Pelagic Fisheries; American Samoa Longline Gear Modification to Reduce Turtle Interactions [Docket No.: 100218104-1485-02] (RIN: 0648-AY27) received November 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4196. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, Na-

tional Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Crab Prohibited Species Catch Allowances in the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XA784) received November 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4197. 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 Northeastern United States; Atlantic Herring Fishery; Adjustment to the Atlantic Herring Management Area 1A Sub-Annual Catch Limit [Docket No.: 0907301205-0289-02] (RIN: 0648-XA767) received November 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4198. A letter from the 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 Cod by Vessels Harvesting Pacific Cod for Processing by the Inshore Component in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 101126522-0640-02] (RIN: 0648-XA790) received November 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4199. A letter from the 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 Cod by Vessels Harvesting Pacific Cod for Processing by the Inshore Component in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 101126522-0640-02] (RIN: 0648-XA790) received November 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4200. 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 Northeastern United States; Atlantic Herring Fishery; Sub-ACL (Annual Catch Limit) Harvested for Management Area 1A [Docket No.: 0907301205-0289-02] (RIN: 0648-XA764) received November 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4201. 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 Cod and Octopus in the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XA794) received November 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4202. A letter from the Federal Liaison Officer, Patent and Trademark Office, transmitting the Office's final rule — Rules of Practice before the Board of Patent Appeals and Interferences in Ex Parte Appeals [No.: PTO-P-2009-0021] (RIN: 0651-AC37) received November 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4203. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.:30809; Amdt. No. 3449] received November 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4204. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Update List of Areas Included in "North American Area"; Under IRC Section 274(h) (Rev. Rul. 2011-26) received November 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4205. A letter from the Management and Program Analyst, Directives and Regulations, Forest Service, Department of Agriculture, transmitting the Department's final rule — Prohibitions — Developed Recreation Sites (RIN: 0596-AC98) received November 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Agriculture and Natural Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WEBSTER: Committee on Rules. House Resolution 487. Resolution providing for consideration of the bill (H.R. 1633) to establish a temporary prohibition against revising any national ambient air quality standard applicable to coarse particulate matter, to limit Federal regulation of nuisance dust in areas in which such dust is regulated under State, tribal, or local law, and for other purposes (Rept. 112-317). Referred to the House Calendar.

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 Mrs. BLACK (for herself, Mr. RYAN of Wisconsin, Mr. HENSARLING, Mr. YOUNG of Indiana, Mr. CHAFFETZ, Mr. LANKFORD, Mr. MULVANEY, and Mr. STUTZMAN):

H.R. 3575. A bill to amend the Congressional Budget Act of 1974 to establish joint resolutions on the budget, and for other purposes; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAMPBELL (for himself, Mr. RYAN of Wisconsin, Mr. HENSARLING, Mr. GUINTA, Mr. ROKITA, Mr. CHAFFETZ, and Mr. STUTZMAN):

H.R. 3576. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to establish spending limits and deficit control; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RIBBLE (for himself, Mr. RYAN of Wisconsin, Mr. HENSARLING, Mr. STUTZMAN, Mr. ROKITA, Mr. GUINTA, and Mr. LANKFORD):

H.R. 3577. A bill to establish biennial budgets for the United States Government; to the Committee on the Budget, and in addition to the Committees on Rules, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOODALL (for himself, Mr. RYAN of Wisconsin, Mr. HENSARLING,

Mr. YOUNG of Indiana, Mrs. BLACK, Mr. LANKFORD, Mr. CHAFFETZ, and Mr. STUTZMAN):

H.R. 3578. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to reform the budget baseline; to the Committee on the Budget.

By Mr. CHAFFETZ (for himself, Mr. RYAN of Wisconsin, Mr. HENSARLING, Mr. ROKITA, Mrs. BLACK, and Mr. STUTZMAN):

H.R. 3579. A bill to require greater accountability in spending in direct spending programs, and for other purposes; to the Committee on the Budget, and in addition to the Committees on Rules, Education and the Workforce, 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. MULVANEY (for himself, Mr. RYAN of Wisconsin, Mr. HENSARLING, Mr. ROKITA, Mr. STUTZMAN, Mr. CHAFFETZ, and Mr. LANKFORD):

H.R. 3580. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to provide for long-term budgeting, and for other purposes; to the Committee on the Budget, and in addition to the Committees on Rules, Agriculture, Ways and Means, Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARRETT (for himself, Mr. RYAN of Wisconsin, Mr. HENSARLING, Mr. PRICE of Georgia, Mr. HUELSKAMP, Mr. CHAFFETZ, and Mr. STUTZMAN):

H.R. 3581. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to increase transparency in Federal budgeting, and for other purposes; to the Committee on the Budget, and in addition to the Committees on Oversight and Government Reform, and 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. PRICE of Georgia (for himself, Mr. GARRETT, Mr. RYAN of Wisconsin, Mr. HENSARLING, Mr. CHAFFETZ, and Mr. STUTZMAN):

H.R. 3582. A bill to amend the Congressional Budget Act of 1974 to provide for macroeconomic analysis of the impact of legislation; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANKFORD (for himself, Mr. RYAN of Wisconsin, Mr. HENSARLING, Mrs. BLACK, Mr. YOUNG of Indiana, Mr. CHAFFETZ, Mr. STUTZMAN, and Mr. BUCSHON):

H.R. 3583. A bill to amend title 31, United States Code, to provide for automatic continuing resolutions; to the Committee on Appropriations.

By Mr. OWENS (for himself, Mr. CONNOLLY of Virginia, and Mr. DEUTCH):

H.R. 3584. A bill to authorize the United States Postal Service to co-locate post offices at retail facilities and municipal buildings, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. PRICE of North Carolina:

H.R. 3585. A bill to amend the Federal Election Campaign Act of 1971 to require personal disclosure statements in all third-party communications advocating the elec-

tion or defeat of a candidate, to require the disclosure of identifying information within communications made through the Internet, to apply disclosure requirements to prerecorded telephone calls, and for other purposes; to the Committee on House Administration.

By Mr. STEARNS (for himself and Mr. MATHESON):

H.R. 3586. A bill to amend the Public Health Service Act to limit the liability of health care professionals who volunteer to provide health care services in response to a disaster; to the Committee on Energy and Commerce, and in addition to the Committee on 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. BILBRAY (for himself and Ms. ESHOO):

H.R. 3587. A bill to amend title XIX of the Social Security Act to provide for the application of Medicaid prompt pay requirement to claims for payment for covered items and services furnished by any Medicaid health care entity; to the Committee on Energy and Commerce.

By Mr. WELCH (for himself and Mr. CHAFFETZ):

H.R. 3588. A bill to require the proposal for debarment from contracting with the Federal Government of persons violating the Foreign Corrupt Practices Act of 1977; to the Committee on Oversight and Government Reform.

By Mr. SMITH of New Jersey (for himself and Mr. ISSA):

H.R. 3589. A bill to authorize appropriations for fiscal years 2012 and 2013 for the Trafficking Victims Protection Act of 2000, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Ways and Means, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY (for herself, Mr. PALLONE, Mr. GUTIERREZ, Ms. BORDALLO, Mr. HONDA, Mr. FALOMAVAEGA, Mr. GRIJALVA, and Mr. POLIS):

H.R. 3590. A bill to allow certain Indonesian citizens to file a motion to reopen their asylum claims; to the Committee on the Judiciary.

By Mr. DEFAZIO (for himself, Mr. HINCHAY, and Ms. SLAUGHTER):

H.R. 3591. A bill to recalculate and restore retirement annuity obligations of the United States Postal Service, eliminate the requirement that the United States Postal Service pre-fund the Postal Service Retiree Health Benefits Fund, place restrictions on the closure of postal facilities, create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on 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. DEFAZIO:

H.R. 3592. A bill to provide that the Postal Service may not close any post office which results in more than 10 miles distance (as measured on roads with year-round access) between any 2 post offices; to the Committee on Oversight and Government Reform.

By Ms. HAYWORTH (for herself, Mr. KING of New York, Mrs. MCCARTHY of New York, Mr. ACKERMAN, Mr. GRIMM, Mrs. MALONEY, Mr. RANGEL,

Mr. SERRANO, Mr. ENGEL, Mrs. LOWEY, Mr. GIBSON, Mr. TONKO, Mr. OWENS, Mr. HANNA, Ms. BUEKLE, Ms. HOCHUL, and Mr. REED):

H.R. 3593. A bill to designate the facility of the United States Postal Service located at 787 State Route 17M in Monroe, New York, as the "National Clandestine Service of the Central Intelligence Agency NCS Officer Gregg David Wenzel Memorial Post Office"; to the Committee on Oversight and Government Reform.

By Mr. WALSH of Illinois (for himself, Mr. HUELSKAMP, Mr. GINGREY of Georgia, Mr. CONAWAY, Mr. POSEY, Mr. KING of Iowa, Mr. BARTON of Texas, Mr. WESTMORELAND, Mr. DUNCAN of South Carolina, and Mr. BROUN of Georgia):

H.R. 3594. A bill to express the sense of the Congress that the United States should not adopt any treaty that poses a threat to national sovereignty or abridges any rights guaranteed by the United States Constitution, such as the right to keep and bear arms, and to withhold funding from the United Nations unless the President certifies that the United Nations has not taken action to restrict, attempt to restrict, or otherwise adversely infringe upon the rights of individuals in the United States to keep and bear arms, or abridge any of the other constitutionally protected rights of citizens of the United States; to the Committee on Foreign Affairs.

By Ms. WILSON of Florida:

H.R. 3595. A bill to establish a mandatory mediation process for servicers of residential mortgages and borrowers; to the Committee on Financial Services.

By Mr. BISHOP of New York (for himself, Mr. MCKINLEY, Mr. MICHAUD, and Mr. GENE GREEN of Texas):

H.R. 3596. A bill to require a publicly available list of all employers that relocate a call center overseas and to make such companies ineligible for Federal grants or guaranteed loans and to require disclosure of the physical location of business agents engaging in customer service communications; to the Committee on Energy and Commerce, and in addition to the Committees on Oversight and Government Reform, Armed Services, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRAWLEY of Iowa (for himself and Mr. BOSWELL):

H.R. 3597. A bill to authorize the Secretary of Education to make grants to 10 institutions of higher education for the expansion of master's degree in physical education programs that emphasize technology and innovative teaching practices; to the Committee on Education and the Workforce.

By Ms. CLARKE of New York:

H.R. 3598. A bill to prohibit fees with respect to electronic benefit transfer debit cards used in connection with unemployment compensation; to the Committee on Ways and Means.

By Mr. HEINRICH (for himself, Mr. LUJÁN, Ms. BERKLEY, and Mr. MATHESSON):

H.R. 3599. A bill to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000, to provide full funding for the Payments in Lieu of Taxes program, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JONES (for himself and Mr. CLEAVER):

H.R. 3600. A bill to restore the Free Speech and First Amendment rights of churches and exempt organizations by repealing the 1954 Johnson Amendment; to the Committee on Ways and Means.

By Mr. KINGSTON (for himself and Mr. FARENTHOLD):

H.R. 3601. A bill to amend title III of the Social Security Act to require a substance abuse risk assessment and targeted drug testing as a condition for the receipt of unemployment benefits, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:

H.R. 3602. A bill to amend title 5, United States Code, to provide that an employee or Member who dies within the 2-year notification period with respect to a survivor annuity shall be presumed to have elected to provide a former spouse with such an annuity, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROTHMAN of New Jersey:

H.R. 3603. A bill to authorize 150,000 incremental vouchers for tenant-based rental assistance under section 8 of the United States Housing Act of 1937 to help meet the housing needs of low-income families; to the Committee on Financial Services.

By Mr. YOUNG of Alaska:

H.R. 3604. A bill to amend the Alaska Native Claims Settlement Act to provide for equitable allotment of lands to Alaska Native veterans; to the Committee on Natural Resources.

By Mr. JONES (for himself, Mr. POE of Texas, and Mr. WHITFIELD):

H. Res. 485. A resolution expressing the sense of the House of Representatives regarding the declassification of information related to missing and unaccounted-for members of the Armed Forces; to the Committee on Armed Services.

By Mr. BECERRA:

H. Res. 486. A resolution electing a Member to a certain standing committee of the House of Representatives; considered and agreed to.

By Mr. BISHOP of New York (for himself and Mr. HANNA):

H. Res. 488. A resolution honoring Americans who served as volunteers for the United States Office of Civilian Defense during World War II; to the Committee on Armed Services.

By Mr. LAMBORN:

H. Res. 489. A resolution expressing the sense of the House of Representatives that the symbols and traditions of Christmas should be protected for use by those who celebrate Christmas; to the Committee on Oversight and Government Reform.

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 Mrs. BLACK:

H.R. 3575.

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

Article I, Section 9, Clause 7.

By Mr. CAMPBELL:

H.R. 3576.

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

Article I, Section 9, Clause 7.

By Mr. RIBBLE:

H.R. 3577.

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

Article I, Section 9, Clause 7.

By Mr. WOODALL:

H.R. 3578.

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

Article I, Section 9, Clause 7.

By Mr. CHAFFETZ:

H.R. 3579.

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

Article I, Section 9, Clause 7.

By Mr. MULVANEY:

H.R. 3580.

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

Article I, Section 9, Clause 7.

By Mr. GARRETT:

H.R. 3581.

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

Article I, Section 9, Clause 7.

By Mr. PRICE of Georgia:

H.R. 3582.

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

Article I, Section 9, Clause 7.

By Mr. LANKFORD:

H.R. 3583.

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

Article I, Section 9, Clause 7.

By Mr. OWENS:

H.R. 3584.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, of the United States Constitution.

By Mr. PRICE of North Carolina:

H.R. 3585.

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

The General Welfare Clause, Art. I, Sec. 8, of the Constitution

By Mr. STEARNS:

H.R. 3586.

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

Article I, Section 8, Clause 1

By Mr. BILBRAY:

H.R. 3587.

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

Under Article 1, Section 8 of the U.S. Constitution The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. WELCH:

H.R. 3588.

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

Article 1, 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 this Constitution in the Government of the United States, or in any Department or Officer thereof

By Mr. SMITH of New Jersey:

H.R. 3589.

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

article 1, section 8 of the Constitution

By Mrs. MALONEY:

H.R. 3590.

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

Article 1, Section 8, Clause 4, which reads: To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States.

By Mr. DEFAZIO:

H.R. 3591.

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

Article I, Section 8, Clause 7 "To establish Post Offices & Post Roads"

By Mr. DEFAZIO:

H.R. 3592.

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

Article I, Section 8, Clause 7 "To establish Post Offices & Post Roads"

By Ms. HAYWORTH:

H.R. 3593.

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

The constitutional authority on which this bill rests is the power of Congress to establish Post Offices and post roads, as enumerated in Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. WALSH of Illinois:

H.R. 3594.

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

Article I, Section 8, Clause 14 of the United States Constitution.

By Ms. WILSON of Florida:

H.R. 3595.

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

Article I, Section 8, Clause 3 of the Constitution.

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. BISHOP of New York:

H.R. 3596.

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

Article I, Section 8, Clause 3.

By Mr. BRALEY of Iowa:

H.R. 3597.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Ms. CLARKE of New York:

H.R. 3598.

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

This bill to prohibit fees with respect to electronic benefit transfer debit cards used in connection with unemployment compensation is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. HEINRICH:

H.R. 3599.

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

Congress has the power to enact this legislation pursuant to Article IV, Section 3 of the United States Constitution.

By Mr. JONES:

H.R. 3600.

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

The constitutional authority of Congress to enact this legislation is provided by the 1st Amendment of the United States Constitution, which states Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof;

or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

By Mr. KINGSTON:

H.R. 3601.

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

Congress has the power to enact the Ensuring Quality Unemployment Insurance Program (EQUIP) Act pursuant to Article I, Section 8 of the Constitution.

By Mr. PAUL:

H.R. 3602.

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

The Spouse Equity Election Clarification Amendment Act is justified by Article 1, Section 8 of the constitution which vests all legislative authority in the United States Congress. This section clearly gives Congress the power to pass laws amending federal rules regarding benefits of federal employees and their current and former spouses.

By Mr. ROTHMAN of New Jersey:

H.R. 3603.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. YOUNG of Alaska:

H.R. 3604.

Congress has the power to enact this legislation pursuant to the following:
article 1 section 8 clause 3.

ADDITIONAL SPONSORS

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

H.R. 87: Mr. FRANKS of Arizona.
H.R. 100: Mr. WOMACK.
H.R. 157: Mr. HANNA.
H.R. 210: Ms. WASSERMAN SCHULTZ, Mr. BUTTERFIELD, Mr. BISHOP of New York, Mr. CLAY, and Mr. ACKERMAN.
H.R. 374: Mr. DENHAM.
H.R. 452: Mr. BILIRAKIS.
H.R. 547: Mr. LANCE.
H.R. 594: Mr. SABLAN.
H.R. 664: Mr. DINGELL, Mr. BUTTERFIELD, and Mr. HIMES.
H.R. 665: Mr. FRANKS of Arizona and Mr. LABRADOR.
H.R. 721: Mr. WEBSTER.
H.R. 733: Mr. HOLDEN.
H.R. 735: Mr. GOODLATTE and Mr. HALL.
H.R. 835: Ms. LEE of California.
H.R. 889: Mr. MICHAUD.
H.R. 890: Ms. LEE of California.
H.R. 905: Mr. WITTMAN.
H.R. 920: Mrs. SCHMIDT, Mrs. BLACKBURN, Mr. WEST, Mr. BURGESS, Mr. FLEISCHMANN, Mr. WALSH of Illinois, and Mr. HUELSKAMP.
H.R. 1006: Mr. FORBES.
H.R. 1058: Mr. PASTOR of Arizona and Ms. BASS of California.
H.R. 1063: Mr. GENE GREEN of Texas.
H.R. 1148: Mr. JORDAN, Mr. WALBERG, Mr. DENHAM, Mr. DENT, Mr. CARSON of Indiana, Mr. DAVIS of Illinois, Mr. SHIMKUS, Mr. EMERSON, Mr. TOWNS, Ms. SCHWARTZ, Mr. BRALEY of Iowa, Mr. PETRI, Mr. RAHALL, Mr. NADLER, Mr. FITZPATRICK, Mr. BERG, Ms. BALDWIN, Mr. MARKEY, Mr. COFFMAN of Colorado, Mrs. LOWEY, Ms. BERKLEY, and Mr. LARSON of Connecticut.
H.R. 1175: Mr. OWENS.
H.R. 1206: Mr. HUELSKAMP.
H.R. 1288: Mr. SHERMAN.
H.R. 1375: Mr. ISRAEL and Mrs. DAVIS of California.
H.R. 1394: Mr. MORAN and Mr. ROTHMAN of New Jersey.

H.R. 1426: Ms. MATSUI.
H.R. 1449: Ms. SPEIER.
H.R. 1639: Mr. FORTENBERRY.
H.R. 1681: Mr. SIRES.
H.R. 1697: Mr. PEARCE.
H.R. 1734: Mr. HERGER.
H.R. 1735: Ms. MCCOLLUM.
H.R. 1783: Ms. WILSON of Florida.
H.R. 1802: Mr. KING of New York, Mr. BACHUS, and Mr. LATOURETTE.
H.R. 1831: Mr. FILNER.
H.R. 1897: Mr. BARTLETT, Mr. KEATING, Ms. MATSUI, Mr. LOBIONDO, and Mr. SARBANES.
H.R. 1905: Mr. LYNCH.
H.R. 1916: Mr. ACKERMAN and Ms. NORTON.
H.R. 1930: Mr. CARNAHAN.
H.R. 1946: Mr. CRAWFORD.
H.R. 1956: Mr. MANZULLO.
H.R. 2001: Mr. CARTER.
H.R. 2016: Mr. SHERMAN and Mr. LOBIONDO.
H.R. 2104: Mr. BRALEY of Iowa.
H.R. 2105: Mr. CHABOT, Mr. FRANKS of Arizona, and Mrs. ELLMERS.
H.R. 2269: Mr. HONDA, Mr. MILLER of North Carolina, Mr. FILNER, and Mr. ISRAEL.
H.R. 2299: Mr. FITZPATRICK.
H.R. 2414: Mr. CRAWFORD.
H.R. 2437: Mr. LOEBACK.
H.R. 2446: Mr. MCHENRY.
H.R. 2457: Mr. FORBES.
H.R. 2492: Mr. PALLONE.
H.R. 2499: Mr. COHEN.
H.R. 2539: Ms. WATERS.
H.R. 2572: Mr. COHEN.
H.R. 2624: Mr. POLIS.
H.R. 2672: Mr. GUTHRIE.
H.R. 2701: Mr. SCOTT of Virginia.
H.R. 2742: Mrs. CHRISTENSEN.
H.R. 2753: Mr. SABLAN.
H.R. 2827: Mr. YODER and Mr. LATTA.
H.R. 2874: Mr. MULVANEY.
H.R. 2902: Mr. HINOJOSA.
H.R. 2913: Mr. SCHILLING and Mr. QUAYLE.
H.R. 2917: Mr. WESTMORELAND.
H.R. 2948: Ms. WATERS.
H.R. 2982: Mr. DEUTCH, Mr. KISSELL, and Mr. OLSON.
H.R. 3027: Mr. GEORGE MILLER of California.
H.R. 3032: Mr. LATHAM.
H.R. 3043: Mr. BURGESS.
H.R. 3059: Mrs. BLACK and Mr. GRIFFIN of Arkansas.
H.R. 3061: Mr. TURNER of New York.
H.R. 3066: Mr. DESJARLAIS.
H.R. 3083: Mr. SMITH of Washington.
H.R. 3086: Mr. RIVERA, Mrs. McMORRIS RODGERS, and Mr. KILDEE.
H.R. 3104: Mrs. BLACKBURN, Mr. FORBES, Mrs. LUMMIS, Mr. WEST, and Mr. GINGREY of Georgia.
H.R. 3109: Mr. LANGEVIN.
H.R. 3125: Mr. DANIEL E. LUNGREN of California.
H.R. 3166: Mr. LATTA.
H.R. 3168: Mrs. MYRICK.
H.R. 3173: Mr. LUETKEMEYER.
H.R. 3179: Mr. KELLY, Mr. BARLETTA, Ms. WATERS, Mr. GIBSON, Mr. SCOTT of Virginia, and Ms. LINDA T. SANCHEZ of California.
H.R. 3207: Mr. LANCE and Mrs. McMORRIS RODGERS.
H.R. 3210: Mr. RUPPERSBERGER.
H.R. 3218: Mr. SOUTHERLAND.
H.R. 3225: Mr. BACA.
H.R. 3261: Mr. BACA and Mr. SHERMAN.
H.R. 3264: Mr. WALSH of Illinois and Mr. FRANKS of Arizona.
H.R. 3298: Ms. WATERS.
H.R. 3300: Mr. RANGEL and Mrs. MALONEY.
H.R. 3308: Mr. WALSH of Illinois.
H.R. 3310: Mr. KLINE and Mr. LATTA.
H.R. 3324: Mrs. LOWEY.
H.R. 3337: Mr. SMITH of Washington and Mr. NUGENT.
H.R. 3340: Mr. ROTHMAN of New Jersey.
H.R. 3364: Mrs. BIGGERT.
H.R. 3371: Mr. PRICE of North Carolina.

H.R. 3421: Mr. RAHALL, Mr. DEFAZIO, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. EDWARDS, Mr. SIRES, Mr. BARTON of Texas, Mrs. BIGGERT, Mr. WITTMAN, Mr. MCKEON, Mr. THORNBERY, Mr. SAM JOHNSON of Texas, Mr. MCCLINTOCK, Mr. RIBBLE, Mr. HENSARLING, Mr. BURGESS, Mr. LUCAS, Mr. CASIDY, Mr. BILIRAKIS, Mr. LANKFORD, Mr. AMODEI, Mr. ISSA, Mr. BROUN of Georgia, Mr. FLORES, Mr. FINCHER, Mr. BRADY of Texas, Mr. ROYCE, Mr. ANDREWS, Mr. DAVIS of Illinois, Mr. ACKERMAN, Mr. FALEMOVAEGA, Mr. COSTA, Mr. ENGEL, Ms. HANABUSA, Mr. COSTELLO, Mr. BACA, Ms. MATSUI, Mr. NEAL, Mr. HINOJOSA, Mr. STARK, Mr. JOHNSON of Georgia, Mr. OWENS, Mr. LANGEVIN, Ms. HAHN, Ms. WATERS, Mr. AL GREEN of Texas, Mrs. NAPOLITANO, Mr. MARKEY, Ms. LORETTA SANCHEZ of California, Mr. LARSEN of Washington, Mr. CLEAVER, Mr. BERMAN, Mr. CUMMINGS, Mr. DONNELLY of Indiana, Ms. BASS of California, Mr. ADERHOLT, Mr. HONDA, Mr. CLAY, Mr. HIMES, Mr. CHABOT, Mr. LEVIN, Mr. MULVANEY, Mr. MILLER of North Carolina, Mr. SCOTT of Virginia, Ms. DELAURO, Mr. GALLEGLY, Mr. PERLMUTTER, Mr. PETERSON, Ms. PINGREE of Maine, Mr. SCHRADER, Mr. BARROW, Mrs. MCCARTHY of New York, Mr. CROWLEY, Mr. HASTINGS of Washington, Mr. KLINE, Mr. NEUGEBAUER, Mr. MICHAUD, Mr. VAN HOLLEN, Ms. LEE of California, Mr. WELCH, Mr. CLARKE of Michigan, Mr. CHANDLER, Mr. YODER, and Mr. CARNAHAN.
H.R. 3422: Mr. LABRADOR.
H.R. 3425: Mr. COURTNEY.
H.R. 3435: Mr. POLIS, Ms. FUDGE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEWIS of Georgia, Mr. KEATING, Mr. CARSON of Indiana, Mr. THOMPSON of Mississippi, Mr. HASTINGS of Florida, Mr. McDERMOTT, Ms. BERKLEY, Mr. RUSH, Ms. HANABUSA, Ms. WILSON of Florida, and Mr. COHEN.
H.R. 3443: Mr. BISHOP of Georgia and Mr. GUTHRIE.
H.R. 3444: Mr. ROHRBACHER, Mr. JONES, Mr. FORBES, and Mr. DUNCAN of Tennessee.
H.R. 3474: Mr. DUNCAN of Tennessee.
H.R. 3483: Mr. GRIJALVA.
H.R. 3488: Mr. BENISHEK and Mr. JONES.
H.R. 3510: Mr. SMITH of Nebraska and Mr. SHULER.
H.R. 3516: Ms. DELAURO.
H.R. 3521: Mr. YOUNG of Indiana, Mr. CHAFFETZ, Mr. LANKFORD, Mrs. BLACK, and Mr. STUTZMAN.
H.R. 3536: Mr. RUPPERSBERGER, Mr. TOWNS, and Mr. WITTMAN.
H.R. 3538: Mrs. McMORRIS RODGERS, Mrs. BLACK, Mr. McCAUL, Mr. SCHWEIKERT, Mr. BENISHEK, and Mrs. ELLMERS.
H.R. 3545: Mr. BARLETTA.
H.R. 3550: Mr. FITZPATRICK.
H.R. 3551: Mr. ROKITA, Mr. LABRADOR, and Mr. WOODALL.
H.R. 3568: Ms. HANABUSA.
H.R. 3572: Mr. VAN HOLLEN, Mr. DEUTCH, and Mr. FRANK of Massachusetts.
H.J. Res. 80: Ms. SCHAKOWSKY.
H. Res. 365: Ms. PINGREE of Maine.
H. Res. 378: Mr. COHEN.
H. Res. 462: Mr. DAVIS of Illinois.
H. Res. 475: Mr. NUNNELEE, Mr. POE of Texas, Mr. JORDAN, Mr. BENISHEK, and Mr. WESTMORELAND.
H. Res. 480: Mrs. MILLER of Michigan and Ms. JENKINS.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative RUSH, or a designee, to H.R. 1633, the Farm Dust Regulation Prevention Act of 2011, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.